

CERTIFICATE OF CHAIRMAN AND CLERK

State of New York
County of Wyoming
Chambers of Board of Supervisors

Pursuant to Article 211 of the County Law, we, the Chairman and Clerk of the Board of Supervisors of the County of Wyoming, New York, do hereby certify that the foregoing volume was printed by authority of said Board of Supervisors, and that it contains a true record of the proceedings of the said Board and the whole thereof, in all regular and special sessions held during the year 2003.

s/ *A. D. Berwanger*
Chairman, Board of Supervisors

s/ *Cheryl J. Ketchum*
Clerk, Board of Supervisors

**Proceedings
of the
Board of Supervisors**

**WYOMING COUNTY
NEW YORK**

2003

A. Douglas Berwanger, Chairman

Suzanne Aldinger, Clerk

Melane Spink, Deputy Clerk

Eric T. Dadd, County Attorney



Wyoming County Board of Supervisors

Left to right, front row: Suzanne Aldinger - Clerk, Anne Humphrey, Sally Meeder, Angela Brunner. Second row: Joseph Kushner, A. Douglas Berwanger - Chairman, Kyle Glosser, Chris Hickey, Ronald Herman, Sr., Jerry Davis, John Knab, Larry Rogers, Joseph Gozelski, Harold Bush, Howard Miller.

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2003 SUPERVISORS FOR WYOMING COUNTY

**WYOMING COUNTY BOARD OF SUPERVISORS
2003 STANDING COMMITTEES**

TOWN	SUPERVISOR	PHONE
Arcade	A. DOUGLAS BERWANGER 6608 E. Arcade Road, Arcade, NY 14009	492-3798 Off. 492-4685
Attica	PAUL AGAN 285 Main Street, Attica, NY 14011	591-0252
Bennington	CHRIS HICKEY 1308 Folsomdale Rd. Cowlesville, NY 14037	591-1893
Castile	E. JOSEPH GOZELSKI 6175 E. Lake Road, P.O. Box 331 Silver Springs, NY 14550	493-2218
Covington	JERRY DAVIS 7414 Court Rd., P.O. Box 445 Pavilion, NY 14525	584-3162
Eagle	JOSEPH KUSHNER 3468 E. Main St., Bliss NY 14024	322-7730
Gainesville	HAROLD BUSH 4579 Miller Road, Silver Springs, NY 14550	786-2403
Genesee Falls	JEAN TOTSLINE 6940 River Rd., Portageville, NY 14536	468-2748
Java	ANGELA BRUNNER 1947 Chaffee Rd., Arcade, NY 14009	457-3152
Middlebury	SALLY MEEDER 4631 Gay Rd., Warsaw, NY 14569	786-2304
Orangeville	KYLE GLOSSER 4088 Route 20A, Warsaw NY 14569	786-2682
Perry	ANNE HUMPHREY 50 St. Helena St., Perry, NY 14530	237-3015 Off. 237-2241
Pike	LARRY ROGERS P.O. Box 82, Pike, NY 14130-0082	493-5737 Off. 493-5140
Sheldon	JOHN KNAB 2246 Thomas Road, Varysburg, NY 14167	535-7252 535-7644
Warsaw	HOWARD J. MILLER 5454 Keeney Rd., Warsaw, NY 14569	786-3987 Off. 786-2800
Wethersfield	RONALD P. HERMAN, SR. 4344 Hermitage Road, Warsaw, NY 14569	786-2706

Effective January 2, 2003

- FINANCE COMMITTEE:
Humphrey, Herman, Rogers, Agan, Gozelski, Knab, Miller, Davis
- AUDIT COMMITTEE:
Totslin, Miller, Brunner, Gozelski, Meeder, Bush, Hickey
- HUMAN RESOURCE COMMITTEE:
Herman, Kushner, Glosser, Meeder, Bush, Humphrey, Agan
- HUMAN SERVICES COMMITTEE:
Rogers, Davis, Meeder, Totslin, Knab, Bush, Kushner
- PUBLIC HEALTH COMMITTEE:
Knab, Rogers, Davis, Kushner, Agan, Humphrey, Bush
- PLANNING COMMITTEE:
Miller, Glosser, Hickey, Totslin, Brunner, Rogers, Humphrey
- AGRICULTURE COMMITTEE:
Gozelski, Meeder, Glosser, Brunner, Hickey, Herman, Humphrey
- PUBLIC WORKS COMMITTEE:
Agan, Herman, Davis, Gozelski, Bush, Knab, Kushner, Hickey
- PUBLIC SAFETY COMMITTEE:
Davis, Agan, Rogers, Knab, Kushner, Brunner, Miller
- GREEN ENERGY SUB-COMMITTEE:
Herman, Humphrey, Davis, Glosser, Knab, Hickey

The Chairman of the Board shall be an Ex-Officio Member of all committees with the right to vote.

OFFICERS FOR WYOMING COUNTY – 2003

Congressmen, 27th District	Thomas M. Reynolds	Williamsville
Senator, 59th District	Dale M. Volker	Depew
Assemblyman, 147th District	Daniel Burling	Warsaw
Republican Comm. Chairman	Gordon Brown	Warsaw
Democratic Comm. Chairman	Anne Weidman	Dale
County Judge	Mark H. Dadd	Attica
County Judge	Michael F. Griffith	Warsaw
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Clerk	Suzanne Aldinger	Warsaw
Civil Service/Personnel Officer	Harold Hopkins	Wethersfield
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	William Stranahan	Attica
	Neil Williams	Arcade
	Renee Hill	Attica
County Attorney	Eric T. Dadd	Attica
County Clerk	Janet Coveny	Warsaw
District Attorney	Gerald L. Stout	Warsaw
Animal Control Officer	Justa D. Goodell	Castile
Economic Dev. & Planning Dir.	Richard Tindell	Warsaw
Election Commissioners	James Schlick, Rep.	Bennington
	Norman George, Dem.	Strykersville
Fire Coord., Civil Defense Dir.	James Reger	Warsaw
Fire & Building Code Officer	Dennis Halstead	Perry
Grantsman	Stuart Brown	Fairport
Health Dept. Director	Dr. Gregory Collins, Acting	Avo
Highway Superintendent	John A. Beachel	Castile
Historian	Doris A. Bannister	Middlebury

Officers for Wyoming County – 2003 Continued

Hospital Administrator	Lucille K. Sheedy	Sanborn
Mental Health Director	Stephen Snell	Rochester
Office For The Aging Director	Deborah Fuest	Warsaw
Planning Board Chairman	W. Jerome Smith	Warsaw
Probation Director	Anne Herod	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	Richard L. Dean, Jr. C.C.D.	Castile
Records Management Officer	Janet Coveny	Warsaw
Sheriff	Ronald B. Ely	Arcade
Social Services Commissioner	Jeannette Wallace	Wyoming
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Treasurer	John B. Edwards	Attica
Veterans' Services Director	Frank E. Hollister	Warsaw
Weights & Measures Director	Richard A. Harrison	Arcade
Worker's Comp./Health Ins. Adm.	Linda M. Williams	Attica
Youth Bureau Director	Deborah Fuest	Warsaw

ANNUAL ORGANIZATIONAL MEETINGThursday **January 2, 2003** 2:00 Pm

The annual organization meeting of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers, Government Center, 143 North Main Street, Warsaw, NY with all members present except Supervisor Bush, T/Gainesville and Supervisor Brunner, T/Java. Also present was 1st Assistant County Attorney, Toni Delmonte. Suzanne Aldinger, Clerk of the Board, called the meeting to order and led the Pledge of Allegiance to the Flag.

Ms. Aldinger called for nominations for the Temporary Chairman. Supervisor Agan nominated Supervisor Rogers. Seconded by Supervisor Davis. As there were no other nominations, Ms. Aldinger moved that nominations be closed. A roll call vote was taken with results as follows: Ayes-1429; Noes-0; Absent: 189; (96) Bush, (93) Brunner. Supervisor Rogers was declared Temporary Chairman.

Temporary Chairman Rogers called for nominations for Permanent Chairman of the Board. Supervisor Kushner nominated Supervisor A.D. Berwanger; seconded by Supervisor Gozelski. As there were no other nominations, Temporary Chairman Rogers moved that nominations be closed. A roll call vote was taken with results as follows: Ayes-1429; Noes-0; Absent: 189; (96) Bush, (93) Brunner. Supervisor A.D. Berwanger was declared Chairman of the Board for the year 2003. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Miller nominated Anne C. Humphrey. Seconded by Supervisors Davis. As there were no other nominations, Chairman Berwanger moved that nominations be closed. A roll call vote was taken with results as follows: Ayes-1429; Noes-0; Absent: 189; (96) Bush, (93) Brunner. Supervisor Anne C. Humphrey was declared Vice-Chairman of the Board for the year 2003. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Clerk of the Board. Supervisor Totline nominated Suzanne Aldinger. Seconded By Supervisor Herman. As there were no other nominations, Chairman Berwanger moved that nominations be closed. A roll call vote was taken with results as follows: Ayes-1429; Noes-0; Absent: 189; (96) Bush, (93) Brunner. Suzanne Aldinger was declared Clerk of the Board for the year 2003. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger asked that Gerald A. Stout newly re-elected District Attorney to please come forward to take his oath of office. Judge Mark Dadd administered the Oath of Office.

Chairman Berwanger asked that Donald O'Geen 1st Assistant District

January 2, 2003

Attorney to please come forward to take his oath of office. Judge Mark Dadd administered the Oath of Office.

Chairman Berwanger asked that Vincent A. Hemming 2nd Assistant District Attorney to please come forward to take his oath of office. Judge Mark Dadd administered the Oath of Office.

Chairman Berwanger asked that Michelle D. Maccagnano 3rd Assistant District Attorney to please come forward to take his oath of office. Judge Mark Dadd administered the Oath of Office.

Chairman Berwanger asked that William Stranahan newly elected County Coroner to please come forward to take his oath of office. Judge Mark Dadd administered the Oath of Office.

RESOLUTION NO. 03-01

By Temporary Chairman of the Finance Committee:

Rules Of Procedure Amended

BE IT RESOLVED, That this Board of Supervisors hereby adopts as its temporary Rules of Procedure, the Rules of this Board as adopted May 11, 1999 as amended.

Carried: Ayes: 1429 Noes: 0 Absent: 189; (96) Bush
(93) Brunner

Chairman Berwanger handed out the list of committees for the year 2003. At this time Chairman Berwanger declared a short recess at 2:24 PM for the Finance Committee to meet. Chairman Berwanger called the meeting back to order at 2:39 PM.

RESOLUTION NO. 03-02

By Mrs. Humphrey, Chairman of the Finance Committee:

Official Newspapers Designated

BE IT RESOLVED, That, pursuant to Section 214 (2) of the county law of this state, the Arcade Herald, Arcade, NY, Country Courier, Warsaw, NY and the Daily News, Batavia, NY, Perry Herald, Perry, NY are hereby designated for the publication of local laws and all other notices and matters required by law to be published, for which no other specific designation has heretofore been made.

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Carried: Ayes: 1429 Noes: 0 Absent: 189; (96) Bush (93) Brunner

We, the undersigned Republican members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2003:

DESIGNATION	PUBLICATION	VILLAGE OF
Election notices	Daily News	Batavia, NY
Sheriff's Proclamations	Daily News	Batavia, NY
Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.		Daily News

Official canvass	Country Courier	Warsaw, NY
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)		Country Courier

Signed this second day of January 2003.

s/ A.D. Berwanger	s/ Anne C. Humphrey
s/ Paul Agan	s/ Joseph Gozelski
s/ Jerry Davis	s/ Joseph Kushner
s/ Jean Totsline	s/ Larry Rogers
s/ Howard Miller	s/ Ronald Herman

DEMOCRATIC DESIGNATION TO PUBLISH

We, the undersigned Democratic members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2003:

DESIGNATION	PUBLICATION	VILLAGE OF
Election notices	Perry Herald	Perry, NY
Sheriff's Proclamations	Perry Herald	Perry, NY

Local laws, notices and other matters required by law to be		Perry Herald
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January 2, 2003

published and for which NO OTHER specific designation has been made.

Official canvass	Arcade Herald	Arcade, NY
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Arcade Herald	Arcade, NY

Signed this second day of January 2003.

s/ Chris Hickey	s/ Harold Bush
s/ Angela Brunner	s/ Sally Meeder
s/ Kyle Glosser	s/ John Knab

RESOLUTION NO. 03-03

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Contract On Behalf Of The Treasurer's Office For Central Storeroom

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Thompkins Trust, 121 East Seneca Street, P.O. Box 460, Ithaca, NY 14850-0609, for the leasing of a copier, effective January 3, 2003 through January 2, 2007; amount not to exceed Ten Thousand, Nine Hundred Fifty Nine Dollars and Eighty Four Cents (\$10,959.84); contingent upon the availability of funds.

Carried: Ayes: 1429 Noes: 0 Absent: 189; (96) Bush (93) Brunner

Chairman Berwanger asked if there was any other business to come before the board. Hearing none Chairman Berwanger proceeded as follows:

The year 2003 will be a challenging one for the Wyoming County Board of Supervisors. This Board will face several issues, which quite possibly may be unpopular and not perceived as favorable. The greatest problem which Wyoming County and the sixty-one (61) other counties in New York State face is the increasing cost of Medicaid. If in 2004 the County is faced with another increase of the same proportion as 2003, it will have an even more devastating impact on the County budget.

Also on the agenda for the upcoming year are the contract negotiations with the County Labor Force. Wyoming County will be straightforward and ready to bargain in good faith as we begin negotiations with the various bargaining units. I think it might be appropriate to point out the cost of main-

taining the average county employee since labor is a significant portion of the County budget. The average base salary is \$28,000. The average health insurance policy per County employee is \$6,000 as is dictated by the \$500 per month cap. Given that the year 2003 health insurance premiums are increasing 17 to 20 percent...meaning a \$6,000 policy in 2002 will now cost \$7,200 in 2003. Contributions to the NYS Retirement System for each employee is estimated to increase from 2 percent to 6 percent...meaning the retirement contribution in 2002 was \$560...that contribution now will cost \$1,680 in 2003. In 2002 the average County worker who earned \$28,000 also received a 1.5 percent salary increase which amounted to \$420. The wage increase for 2003 is yet to be negotiated. However, it is obvious that the benefit and salary increase cost for maintaining the average County employee has risen from \$6,840 in 2002 to \$9,580 in 2003. These statements are not meant to be confrontational, but rather factual.

Other issues facing this Board include trying to provide a workforce able to serve the residents of the County adequately. Because of the Early Retirement Offer many key positions in this County Government will be vacated by long-service employees. It is very clear to the members of this Board that some of these positions will certainly have to be refilled. The Board and the individual committees want Department Heads to have the flexibility to organize their respective departments in order to operate most efficiently. It continues to be the main objective of this Board to maintain the County workforce and to operate at the most efficient level possible. The Board continues to work toward avoiding layoffs in the workforce.

There will also be some changes regarding committees in 2003. Because of the increasing mandates facing the Health and Human Services departments a new committee has been formed...the Public Health Committee. This committee will be chaired by Supervisor John Knab of Sheldon. The departments answering to the Public Health Committee will be the Department of Public Health, Mental Health, and Coroners. Supervisor Larry Rogers of Pike will again chair the Human Services Committee. The Department answering to the Human Services Committee will be Social Services, Office for the Aging, Youth Bureau, and Veteran's Affairs.

Next on the agenda for the year 2003 will be a change in policy regarding the filling of vacant positions. Under the new format, a request to fill a vacancy will initially be reviewed by the home committee. If the request is approved by the home committee, it will be forwarded to the finance committee for final approval. If the request is not approved by the home committee that decision will be final.

Once again the Board of Supervisors will be asking for the cooperation of

the Department Heads in an effort to control the expenses incurred in the day to day operations. We want to thank each and every one of the Wyoming County Department Heads for the excellent job and tremendous spirit of cooperation they have shown in the fiscal responsibility of the operation of their respective departments in the year 2002. The Board truly appreciates your efforts

Wyoming County will endeavor to provide funding for another road project by the County Highway Department. Although at this time there is not enough funding in the budget for a major project, we are looking at all options.

Public Safety and Emergency Services are paramount to the welfare of the residents of this County. Through the cooperative efforts of the Sheriff's Department, the Public Safety committee, the Wyoming County Board of Supervisors and the Letchworth Central School District a school resource officer will be on duty during school hours at the Letchworth Central School. The funding for the program was made possible through grant monies obtained through the efforts of Sheriff Ron Ely and Sergeant David Linder. Also, a drug and explosive sniffing dog will become an integral part of the Sheriff's Department. The funding for this program was made possible through the efforts of the Sheriff in cooperation with Senator Dale Volker.

Emergency Services will continue to provide assistance to all volunteer fire departments and rescue squads located in Wyoming County. Also, Jim Reger, Director of Emergency Services, is working diligently with the Wyoming County Health Department and the other appropriate department heads developing and implementing the County Bio-Terrorism Plan.

As far as new revenues are concerned, the Board is considering a vehicle registration fee, which if approved and implemented would provide a much-needed boost to the budget. Also under consideration is an adjustment to the mortgage tax schedule, which also would provide additional revenues without any further impact on the property tax payer.

The economic Development Department, Planning Department, the Wyoming County Industrial Development Agency (I.D.A.), and the Wyoming County Chamber of Commerce continue to strive to provide the best possible atmosphere for retaining and attracting businesses to Wyoming County. If these groups are as successful in 2003 as they have been in the past years it will benefit Wyoming County in many ways.

Yes, the year 2003 promises to be a challenging year for the Wyoming County Board of Supervisors but I know that this Board by working cohesively with Department Heads and employees can continue to provide the services for the residents of the County that they demand and deserve. God bless Wyoming County! Thank you.

Mr. Herman moved to adjourn the meeting at 2:37 PM

REGULAR SESSIONTuesday **January 14, 2003** 2:00 Pm

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and led the Pledge of Allegiance to the Flag.

At this time Chairman Berwanger recognized the Assest Builders for the Month of January with the following:

It gives me great pleasure at this time to recognize several members of the FFA Program and the three local chapters that serve Wyoming County as Asset Builders for January 2003. The Chapters are located at Pioneer Central, Letchworth Central and at the Charles G. May Center in Mt. Morris of Genesee Valley BOCES.

FFA makes a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success through agricultural education. This is the FFA's Mission. As FFA is celebrating its 75th anniversary this year, Wyoming County should be very proud of the active participation of all three chapters and the students involvement in this program. FFA is ensuring students are exposed to the varied careers in agriculture, food, fiber and natural resources systems that will lead to a productive adult career. These students are an important part of the Wyoming County agricultural community now and will be the future leaders of that community.

In carrying out its mission, FFA has several programs and strategies that parallel the 40 Developmental Assets. These include the 5 assets in the Commitment to Learning category and the FFA's encouragement of excellence in scholarship. Also the 4 assets in the Positive Identity category and the 6 assets from the Positive Values category are accomplished by the FFA by developing interpersonal skills in teamwork, communications, human relations and social interaction, and strengthens the confidence of agriculture students in themselves and their projects. The FFA through its supervised agricultural experience programs, whether it is growing corn, raising animals or taking these products to market to sell can easily be related to the asset category of Constructive Use of Time and the asset of Planning and Decision Making. Additionally FFA builds character and promotes citizenship, a healthy lifestyle, volunteerism and patriotism. All of these are asset rich activities.

Wyoming County as one of the leading dairy producing counties in the

January 14, 2003

country, should be very proud of these young adults and their participation and leadership in FFA. These students are well positioned to see the success of agriculture in Wyoming County and the importance of agriculture to feed the citizens of the United States and the world.

I would like to recognize these members of FFA individually as Asset Builders and the many other members of their chapters who they also represent:

From the Charles G. May FFA Chapter:

Casey Bertrand	Town of Covington
Sara Safford	Town of Perry
Autumn Hatch	Town of Castile
Amanda Aubert	Town of Gainesville
David Larby	Town of Perry
Danielle Barber	Town of Castile
Carrie Greig	Town of Warsaw
Roxanne Hess	Town of Orangeville

From the Letchworth Central Chapter:

Claire Richards	Town of Castile
Eileen Albro	Town of Pike
Darryl Granger	Town of Eagle
David Beck	Town of Eagle
Andrea Mason	Town of Gainesville

From the Pioneer Central Chapter:

Dustin Bliss	Town of Eagle
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Also, Dustin is currently serving as District 9 President, which covers most of Western New York

Jason Zielenieski	Town of Arcade
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Jason serves as President of the Pioneer Central Chapter

Also, I would like to recognize the FFA Chapter Advisors:

Jon English, Charles G. May Center Chapter
 Jeff Perry and Laura Paddock, Letchworth Central Chapter
 Marty Krause, Mary Lou Genaway, and Bryan Zielenieski, Pioneer Central Chapter

There were no communications.

January 14, 2003

RESOLUTION NO. 03-04

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2002 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

REFORESTATION			
To acct. 01.49.8710.4.40301	\$6,386.50		
Prof. Services			
w/rev acct. 01.08.8710.2652 inc. by same amt.	\$6,386.50	\$6,386.50	
MENTAL HEALTH			
To acct. 01.38.4324.4.42441	\$2,715.00		
Misc. MH Prog			
w/rev acct 01.11.4324.3490 inc. by same amt	\$2,715.00	\$2,715.00	
SHERIFF/JAIL			
To acct 01.37.3110.4.40305	\$700.00		
Other (Prof.)			
w/rev acct 01.03.3110.1289 inc. by same amt	\$700.00	\$700.00	
OFFICE FOR THE AGING			
From Acct			
01.44.6772.4.41202 Printing-(\$100.00)			
01.44.6772.4.40606 Room Rental	-\$200.00		
01.44.6772.4.41010 Misc. Supply	-\$200.00		
01.44.6772.4.41201 Postage	-\$200.00		
01.44.6772.4.42306 Other	-\$1,700.00		
01.44.6772.4.40926 ARA Inc.	-\$1,000.00		
w/rev acct 01.11.6772.377206			
decreased by same amount.			
		-\$3,400.00	-\$3,400.00
			-\$3,400.00

And be it
 FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes: 1618 Noes: 0 Absent: 0

January 14, 2003

RESOLUTION NO. 03-05

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

INDUSTRIAL DEVELOPMENT AGENCY			
To acct. 01.42.6421.4.42477			
Small Cities Grant	\$376,000.00		
W/rev acct. 01.12.6421.408916 inc.			
by same amt.		\$376,000.00	\$376,000.00

And be it
 FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.
 Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-06

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2002 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2002 accounts as follows:

SOCIAL SERVICES			
From acct 01.40.6123.4.42263	\$62,000.00		
Juv. Delinquent			
To acct.01.39.6055.4.42272 Block Grant		\$62,000.00	\$62,000.00

WEIGHTS AND MEASURES			
From acct			
01.35.1990.4.42107 contingency	\$20,800.00		
To acct 01.43.6610.2.23001 cars/vans		\$20,800.00	\$20,800.00

PUBLIC HEALTH			
From acct 01.38.4010.1.10101			
FTE contracts-CSEA	\$3,905.65		

January 14, 2003

01.38.4010.1.10401 longevity of benefit	\$142.50	
01.38.4010.1.11001 personal services	\$287.14	
01.38.4010.2.20201 Computer Equip	<u>\$71.00</u>	
	\$4,406.29	
To acct		
01.38.4010.1.10601 Unused benefit time	\$209.24	
01.38.4010.4.40704 Lab Fees-PH	\$425.64	
01.38.4010.4.40503 Gasoline	\$75.00	
01.38.4010.8.89001 Hospitalization	<u>\$3,696.41</u>	
	\$4,406.29	\$4,406.29
From acct		
01.38.4050.1.10001 D/S/I Salaries	\$13,930.00	
01.38.4050.1.10101 FTE CSEA contracts	\$26,045.00	
01.38.4050.1.10201 Part time contracts	\$15,650.00	
01.38.4050.1.10202 Temporary	\$113.00	
01.38.4050.1.10601 Unused Benefit Time	<u>\$370.64</u>	
	\$56,108.64	
To acct 01.38.4050.1.10502 On Call		
01.38.4050.4.40924 Home Health Aide	\$20,000.00	
01.38.4050.4.40928 Occupational Therap	\$5,685.00	
01.38.4050.4.40929 Speech Therapy	\$5,812.00	
01.38.4050.4.40930 Physical Therapy	\$18,000.00	
01.38.4050.4.40511 Other-Towing	\$170.00	
01.38.4050.4.40503 Gasoline	\$100.00	
01.38.4050.4.40507 Auto Repairs	\$100.00	
01.38.4050.4.41706 Med. & Safety Supply	<u>\$6,230.14</u>	
	\$56,108.64	\$56,108.64
Carried:	Ayes: 1618	Noes: 0 Absent: 0

RESOLUTION NO. 03-07

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2003 accounts as follows:

January 14, 2003

PUBLIC HEALTH			
From acct			
01.38.4010.4.40301 Prof. Services	\$1,500.00		
To acct. 01.35.1990.4.42107 Contingency	\$1,500.00	\$1,500.00	\$1,500.00
From acct			
01.38.4050.4.41402 Computer Maint.	\$5,700.00		
To acct 01.38.4050.2.20201 Computer Assets	\$5,700.00	\$5,700.00	\$5,700.00
Carried: Ayes: 1618 Noes: 0 Absent: 0			
Supervisor Totslie, T/Genesee Falls, Chairman of the Audit Committee presented the bills in the amount of One Million, Twenty Two Thousand, Six Hundred Ninety Three Dollars, Seventy Five Cents (\$1,022,693.75) and requested that the bills be paid. A voice vote was taken and the bills were approved for payment.			
Carried: Ayes: 1618 Noes: 0 Absent: 0			
Chairman Berwanger requested that resolution office numbers 5-31 be consolidated for consent agenda. Supervisor Knab, Chairman of the Public Health Committee withdrew resolution office number 15 and Supervisor Humphrey, Chairman of the Finance Committee, withdrew resolution office number 5. Chairman Berwanger requested that resolution office numbers 6-14 and 16-31 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 6-14 and 16-31. A voice vote was taken and the resolution office numbers 6-14 and 16-31 passed.			
Carried: Ayes: 1618 Noes: 0 Absent: 0			

RESOLUTION NO. 03-08

By Mr. Golzelski, Chairman of the Agriculture Committee:

Encouraging Support Of The Upstate Dairy Industry

WHEREAS, Wyoming County has long relied on the dairy industry to support the local economy, maintain a stable tax base and provide a quality of life that is enjoyed by the County's residents; and

WHEREAS, Recent milk prices have fallen considerably; and

WHEREAS, For many farmers this price is below the cost of production; and

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WHEREAS, The Federal Farm Bill recently adopted is designed to provide relief for dairy farmers during times of low farm milk prices; and

WHEREAS, This relief is not being delivered to the farmers in a timely manner, and

WHEREAS, The current Federal Farm Bill appears to be flawed proposal for only temporary relief, now therefore be it

RESOLVED, That the Wyoming County Board of Supervisors supports the expedited release of the Milk Income Loss Contract (MILC) payments, and be it further

RESOLVED, That this Board of Supervisors encourages the Federal Government to enforce the existing tariffs and quotas on the importation of milk protein concentrate and other dairy products, and be it further

RESOLVED, That the Wyoming County Board of Supervisors urges the Federal Government project pressure on the USDA to speed allocation of the Dairy Export Initiative Program, and be it further

RESOLVED, That this Board of Supervisors urges the Federal Government to seek a long term, equitable and more permanent solution to this crisis in the dairy industry, particularly in the Northeastern United State, and be it

FURTHER RESOLVED, That the Clerk of the Wyoming County Board of Supervisors forward copies of this resolution to the Commissioner of Agriculture and Markets, the Governor, Senator Dale Volker, Assemblyman Daniel Burling, Congressman Thomas Reynolds and the head of the United States Department of Agriculture.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-09

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Sign A Letter To The U.S. Congress Supporting Continued Funding Of The Federal And Highway Program At The FY 2002, \$31.8 Billion, Level And Offering Recommendations For The Re-authorization Of TEA-21

WHEREAS, with re-authorization of the federal highway and mass transit programs due this year, congressional education on the nation's surface transportation conditions, performance and investment requirements must be a top priority, and

WHEREAS, cutting federal highway investment will result in reduced

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highway funding and loss of jobs in Wyoming County, and

WHEREAS, investment in highways at the levels recommended by the U.S. Department of Transportation's 2002 Conditions and Performance Report would set the stage for national security and strong economic growth well into the 21st century, and

WHEREAS, it is in the best interest of the citizens of Wyoming County that Congress provide a level of federal investment by 2009 that at least maintains current physical and structural conditions on the nation's highways, bridges and transit systems; maintains or improves safety conditions including on two-lane rural roads, and maintains or improves traffic congestion and mobility conditions, now therefore

BE IT RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution and its accompanying letter to the New York Congressional Delegation and all others deemed necessary.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-10

By Mr. Rogers, Chairman of the Health and Human Services Committee:

Resolution No. 01-300 Amended Re: Chairman Authorized To Sign 2002 Renewal Contracts On Behalf Of Mental Health

BE IT RESOLVED, That Resolution No. 01-300 passed by this Board of Supervisors on December 11, 2001 is hereby amended to reflect a change in amount as follows:

8) Living Opportunities of Depaul renewal contracts for the period of January 1, 2002 through December 31, 2002.

C. Supported Housing (20 slots) (\$139,496) + (\$2,715) = \$142,211.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-11

By Mr. Rogers, Chairman of the Health and Human Services Committee:

Chairman Authorized To Sign A Renewal Contract With James Mcguinness & Associates Inc., Consultants On Behalf Of The Youth Bureau

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with James McGuinness & Associates Inc., 263 State Street, Schenectady, NY, on behalf of the Youth Bureau for the provision of computer services and support for preschool program, effective January 1, 2003 through December 31, 2003; amount not to exceed \$5,000.00 contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-12

By Mr. Rogers, Chairman of the Health and Human Services Committee:

Chairman Authorized To Sign Various Contracts On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Public Health Department is hereby authorized and directed to sign the following contracts:

GRANTS

New York State Department of Health (NYSDOH)	\$450,000
Contract period January 1, 2003-December 31, 2003	Basic Services
Men's and Women's Health Clinic (NYSDOH)	\$162,000
Contract period April 1, 2003 - March 31, 2004	
New York State Health Department - Lead Grant	\$ 40,000
Contract period April 1, 2003 - March 31, 2004	
Immunization Grant (IAP) with NYSDOH	\$ 45,000
Contract period April 1, 2003 - March 31, 2004	
Children with Special Health Care Needs (NYSDOH)	\$ 20,000
Contract period October 1, 2002 - September 30, 2003	
Early Intervention Program/Child Find (NYSDOH)	\$ 15,789
Contract period October 1, 2002 - September 30, 2003	
Rabies services reimbursement through NYSDOH	\$ 8,000
Contract period April 1, 2003 - March 31, 2004	
Breast Health Partnership Grant with; Health Research	\$ 7,650
Contract period September 30, 2002 - September 29, 2003	
Cancer Screening Program with NYSDOH	\$ 17,000
Contract period April 1, 2003 - March 31, 2004	

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NYS Department of Health	\$ 96,000
Water Enhancement Program	
Contract period April 1, 2003 - March 31, 2004	
Adolescent Tobacco Use Prevention Act (ATUPA)	\$ 16,047
Contract period October 1, 2002 - September 30, 2003	
Child Safety Seat	\$ 6,000
Contract period October 1, 2002 - September 30, 2003	
Diabetic Grant with Lake Plains	\$ 6,500
Contract period April 1, 2003 - March 31, 2004	
CHHA SERVICES All services provided are medically necessary	
Home Health Aides Services for personal care	
Licensed Agency \$ 15.25 - \$15.75 an hour for two or more hours & \$20.00 an hour for one hour	
Wyoming Area Homemakers	
January 1, 2003 - December 31, 2003	
Gentiva Home Health Aide Service	
January 1, 2003 - December 31, 2003	
SPEECH PATHOLOGY SERVICES	
Wyoming County Community Hospital	\$ 61.80 per visit
January 1, 2003 - December 31, 2003	
Michael Lazik	\$ 61.80 per visit
January 1, 2003 - December 31, 2003	
PHYSICAL THERAPY SERVICES	
Step by Step Physical Therapy	\$ 61.80 per visit
Kevin Ward, PT	
January 1, 2003 - December 31, 2003	
Wyoming County Community Hospital	\$ 61.80 per visit
January 1, 2003 - December 31, 2003	
Margaret Dollas	\$ 61.80 per visit
January 1, 2003 - December 31, 2003	
Medical Social Worker - Karen Nelson	\$80 per visit
January 1, 2003 - December 31, 2003	\$60 per telephone consult
OCCUPATIONAL THERAPY SERVICE	
Wyoming County Community Hospital	\$ 61.80 per visit

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January 1, 2003 - December 31, 2003

Registered Dietitian Services - Sue Schell \$30.00/hour
 January 1, 2003 - December 31, 2003 (per 2003 budget)

MEN'S AND WOMEN'S REPRODUCTIVE HEALTH SERVICES

Medical Director \$ 1,800 per year
 Theresita Dolojan, MD
 January 1, 2003 - December 31, 2003

Scott Perrapato, DO \$ 2,400 per year
 January 1, 2003 - December 31, 2003

Wyoming County Community Hospital \$ 28.00 per hour
 Nurse Practitioner
 January 1, 2003 - December 31, 2003

Genesee Delivery \$.85 per mile
 Courier service to transport lab specimens
 January 1, 2003 - December 31, 2003

Excell Laboratory - GYN tests Per Price List
 January 1, 2003 - December 31, 2003

Erie County Laboratory - GYN tests Per Price List
 January 1, 2003 - December 31, 2003

ENVIRONMENTAL

Genesee Delivery \$ 24.60 per trip
 Courier Service to transport water sample
 January 1, 2003 - December 31, 2003

Tom Clark \$ 25.00 per hour
 Professional Engineer Consultant Plus liability insurance
 January 1, 2003 - December 31, 2003

Eastern Laboratory Per Price List
 January 1, 2003 - December 31, 2003

PUBLIC HEALTH

Francis Kelly, MD \$ 12,000
 Medical Director Services
 January 1, 2003 - December 31, 2003

Dr. Quatabuddin Dar - Chest Clinic Services \$ 960 per year

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Medical direction, Clinic visits for TB clients
 January 1, 2003 - December 31, 2003

Freed Maxick \$ 15,000
 January 1, 2003 - December 31, 2003

Health Research Inc.- Lab fees for
 lead screening \$ 9.50 per test
 January 1, 2003 - December 31, 2003 \$ 3,000 limit

Monroe County Medical Examiner \$ 29,031.00
 January 1, 2003 - December 31, 2003

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-13

By Mr. Miller, Chairman of the Planning Committee:

**Chairman Authorized To Sign A Contract With Genesee/
 Finger Lakes Regional Planning Council For GIS
 Consulting Services**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Genesee Finger Lakes Regional Planning Council (GFLRPC), City place, 50 West Main Street, Suite 8107, Rochester, NY 14614 for the purpose of providing the Wyoming County Department of Planning & Development with consulting services at assist in the digitizing of information layers that will be used to produce Geographic Information System (GIS) maps for the county; effective January 1, 2003 through December 31, 2003; said contract not to exceed Four Thousand Five Hundred Dollars (\$4,500.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-14

By Mr. Miller, Chairman of the Planning Committee:

**Chairman Authorized To Sign An Agreement With
 Wyoming County Chamber Of Commerce On Behalf Of**

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Planning And Development

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Chamber of Commerce, 6470 Route 20A, Suite 2, Perry, NY 14530-9798 for the purpose of providing economic development marketing services for Wyoming County; effective January 1, 2003 through December 31, 2003; cost of said agreement not to exceed Twenty-Three Thousand Dollars (\$23,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-15

By Mr. Herman, Chairman of the Human Resource Committee:

Chairman Authorized To Sign A Lease Agreement With Eric T. Dadd

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County

Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to sign a lease agreement with Eric T. Dadd for the use of the premises located at 11 Exchange Street, Attica, NY for the Wyoming County Attorney's office, said agreement shall be in the amount of One Thousand, Two Hundred Dollars (\$1,200.00) quarterly payable at the beginning of each quarter, effective January 1, 2003 through December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-16

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With NYS DCJS On Behalf Of The District Attorney's Office

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Department of Criminal Justice Services on behalf of the Wyoming County District Attorney's Office for Aid to Prosecution Grant in the amount of Fifty Thousand Dollars (\$50,000.00); effective April 1, 2003 through March 31, 2004.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-17

By Mr. Davis, Chairman of the Public Safety Committee:

Rescind Resolution No. 02-257 And Chairman Authorized To Sign S.T.O.P. Violence Against Women Formula Grant Program

BE IT RESOLVED, That Resolution No. 02-257, passed by the Wyoming County Board of Supervisors on September 10, 2002 is hereby rescinded, and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the 2002-2003 Grant Award Agreement with the New York State Department of Criminal Justice Services on behalf of the Wyoming County District Attorney's Office and the County of Wyoming for the S.T.O.P. Violence Against Women Grant Program; effective August 1, 2002 through June 31, 2003, amount not to exceed Thirty Six Thousand Dollars (\$36,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-18

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign An Agreement With Wyoming County Community Action, Inc. On Behalf Of The District Attorney

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Wyoming County Community Action, Inc., 6470 Route 20A, Perry, NY 14530, for the administration of the S.T.O.P. Violence Against Women program for the period of August 1, 2002 through June 31, 2003, amount not to exceed Twenty Six Thousand, Six Hundred Ninety Five Dollars (\$26,695.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-19

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign The Emergency Management Performance Grant

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a Emergency Management Performance Grant on behalf of the Emergency Services Department for the provision of Emergency Management operations, in the amount of Thirteen Thousand, Three Hundred Thirty Three Dollars (\$13,333.00) effective October 1, 2002 through September 30, 2003; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-20

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With Gregory J. Collins, DO

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Gregory J. Collins, DO, 4820 Darby Road, Avon, NY, for the provision of an Emergency Medical Director; effective January 1, 2003 through December 31, 2003; in the amount of Twelve Thousand Dollars (\$12,000.00) and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney is hereby authorized and directed to sign a memorandum of understanding with Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY on behalf of Wyoming County Emergency Services for medical director services; effective January 1, 2003 through December 31, 2003; amount not to exceed Six Thousand Dollars (\$6,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-21

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign Application For NYS

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Archives Local Government Records Management Improvement Fund (LGMRIFF) Grant

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an application for the NYS Archives Local Government Records Management Improvement Fund Grant, on behalf of the Wyoming County Computer Services, for the purpose of providing county departments, agencies and municipalities with a computer-based information that stores, manipulates, analyzes and maps various data.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-22

By Mrs. Humphrey, Chairman of the Finance Committee:

Correction Of Errors In The Town Of Wethersfield Approved

WHEREAS, Pursuant to the Real Property Tax Law §550(3) a, applications have been made for refund of a duplicate assessment or levy on the parcel(s) of real property hereafter described, said application having been reviewed by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error on parcel 565000 154. -1-5.112, for the Tax Years 2000, 2001, 2002 are hereby corrected in accordance with Real Property Tax Law §550(3) a, and the Wyoming County Treasurer shall issue the appropriate refunds and charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE:	APPLICATIONS APPROVED
	Town of Wethersfield
	Tax Map # 565000 154. -1-5.112
ASSESSED TO:	Maxwell Road Properties, Inc.
ERROR:	Error in Essential Fact
AUTHORITY:	RPTL §550(3) a

CORRECTION:	Refunds as follows:	Tax Year 2000	\$2,821.56	REVISED
		Tax Year 2001	\$1,323.44	REVISED
		Tax Year 2002	\$1,112.74	REVISED

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Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-23

By Mrs. Humphrey, Chairman of the Finance Committee:

RPTS Director Authorized To Approve Correction Of Errors

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL 550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, not to exceed One Thousand Dollars (\$1,000.00) (RPTL 554 (9); and be it

FURTHER RESOLVED, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refund, not to exceed One Thousand Dollars (\$1,000.00) (RPTL 556 (8) (a).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-24

By Mrs. Humphrey, Chairman of the Finance Committee:

Proper Standardization Resolution For Environmental Management Within The Government Center, Wyoming County Courthouse And Public Safety Building Approved

WHEREAS, In an effort to maintain compatibility of the energy management systems currently installed in the Government Center, Courthouse, Public Safety Building and Human Services Building (Hereinafter "Government Campus Buildings"); and

WHEREAS, The uniformity of the heating equipment in the Government Campus Buildings is essential to achieve the efficiencies and economy of a single environmental management system, and

WHEREAS, Andover Controls Corporation, 300 Brickstone Square, Andover, Mass. 01810 equipment and maintenance services is the only manufacturer providing environmental management equipment compatible and uniform with the existing County equipment and, therefore is the sole source of said equipment; now therefore be it

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RESOLVED, That the County of Wyoming has determined it is in the best interest of the County to standardize within the Government Campus Buildings to utilize existing equipment, insure uniformity with the existing equipment and achieve economies in maintenance and operation; and be it

FURTHER RESOLVED, That, pursuant to the provisions of General Municipal Law, Section 103.(5), the County of Wyoming shall standardize within the Government Campus Buildings environmental management, so as to designate Andover as the sole source of environmental management equipment and proprietary service.

Carried: By 3/5 vote (passed unanimously)

RESOLUTION NO. 03-25

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign Letters Of Understanding

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized, on behalf of the County of Wyoming, to execute Letters of Understanding in regard to grants for

2003 activities between Wyoming County and the following:

Pioneer Library System	\$32,946.00
Wyoming County Fair Association	\$21,743.00
Wyo. Co. Soil & Water Conservation District Board	\$157,670.00
Wyoming County Tourist Promotion Agency	\$154,606.00
Arts Council for Wyoming County	\$17,642.00
Erie-Wyoming County Soil & Water District Board	\$2,793.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-26

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign Letter Of Agreement With Cornell Cooperative Extension

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized to execute a Letter of Agreement in the name of the County of Wyoming, between the said County and the Cornell Cooperative Extension of Wyoming County for the expenditure of money appropriated by the Board of Supervisors in the 2003 budget, in the amount of Four Hundred Sixty Six Thousand, Nine Hundred Nine Dollars (\$466,909.00) for the support and

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maintenance of the work of the Cornell Cooperative Extension of this County.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-27

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Memorandum Of Understanding With The Business Education Council

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized, on behalf of the County of Wyoming, to execute a Letter of Understanding in regard to grants for 2003 activities between Wyoming County and the Business Education Council; in the amount of Seven Thousand, One Hundred Twenty Five Dollars (\$7,125.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-28

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign Letter Of Agreement With The Wyoming County Chamber Of Commerce

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized and directed, with the approval of the County Attorney, and on behalf of the County of Wyoming, to sign a Letter of Agreement between Wyoming County and the Wyoming County Chamber of Commerce in the amount of \$55,000.00 annually, to be paid in quarterly installments, said agreement in effect from January 1, 2003 through December 31, 2005

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-29

By Mr. Gozelski, Chairman of the Agriculture Committee:

Set Fees In The Office Of Dog Control

BE IT RESOLVED, That the Board of Supervisors does hereby set the fees for the following in connection with the Office of Dog Control:

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SURRENDER FEES:	\$ 20.00		
REDEMPTION FEES:			
1st Time	\$10.00		
2nd Time	\$ 20.00 plus		
	\$ 3.00 per day after the 1st 24 hours		
ADOPTION FEES:	\$ 5.00		
CONFINEMENT FEES:			
Housing	\$ 5.00 per day		
Redemption	\$ 10.00		
Carried:	Ayes: 1618	Noes: 0	Absent: 0

RESOLUTION NO. 03-30

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Resolution To Amend And Restate The Deferred Compensation Model Plan

WHEREAS, The New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulation of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the County of Wyoming (the "Model Plan") and offers the Model Plan for adoption by local employers; and

WHEREAS, The County of Wyoming, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees for the County of Wyoming; and

WHEREAS, Effective January 1, 2003, the Board amended the Model Plan to adopt provisions relating to regulations pertaining to Section 457 and Section 410 (a)(9) of the internal Revenue Code, technical amendments to the Economic Growth and Tax Relief Reconciliation Act 2001 ("EGTRRA") as they apply to the Model Plan and to adopt modifications that update certain administrative provisions; and

WHEREAS, The Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, Upon due deliberation, the County of Wyoming has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the County of Wyoming by adopting the amended and restated Model Plan; and be it

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RESOLVED, That the County of Wyoming hereby amends the Deferred Compensation Plan for Employees of the County of Wyoming effective January 14, 2003 by adopting the amended and restated Model Plan effective January 1, 2003, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, The undersigned have executed this Resolution in the County of Wyoming, New York this 14th day of January and directed that it be filled as appropriate.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-31

By Mr. Miller, Chairman of the Planning Committee:

A. Klein Appointed To The Wyoming County Planning Board

BE IT RESOLVED, That Arthur Klein, 3921 Fullington Road, Attica, NY 14011, T/Attica is hereby appointed to the Wyoming County Planning Board to fill the unexpired term of Harry Spink, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-32

By Mr. Rogers, Chairman of the Health and Human Services Committee:

Various Members Appointed/Reappointed To CSB And The CSB Mental Health Sub-committees

BE IT RESOLVED, That the following persons are hereby reappointed to the Community Service Board and the Community Services Board Mental Health Sub-committees, said terms to expire AS INDICATED:

NAME	BOARD	EXPIRE DATE
Howard Payne	Community Services Board	December 31, 2006
Rev. Walter Pond	Community Services Board	December 31, 2006
Jackie Tisdale	Community Service Board	December 31, 2006
Howard Payne	Mental Health Sub-Committee	December 31, 2006
Kathy Fitzsimmons	Mental Health Sub-Committee	December 31, 2007
Jackie Tisdale	Alcohol and Substance Abuse	December 31, 2006
Jeffrey Thomas	Alcohol and Substance Abuse	December 31, 2006
Todd Keenan	MR/DD	December 31, 2006

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Debra Daniels MR/DD December 31, 2006
 Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-33

By Mrs. Humphrey, Chairman of the Finance Committee:

C. Butler Re-appointed OTB Director

BE IT RESOLVED, That Carole L. Butler, Town of Warsaw, 44 State Street, Warsaw, NY 14569, is hereby appointed as Director to represent Wyoming County on the Board of Directors of the Western Region Off-Track Betting Corporation for a two (2) year term, said term to be effective January 1, 2003 through December 31, 2004, upon the approval of the New York State Racing and Wagering Board.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Motion made at 3:06 PM by Supervisor Herman, T/Wethersfield to enter into Executive Session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person(s) or corporation. Seconded by Supervisor Davis, T/Covington. Carried. Motion made by Supervisor Herman, T/Wethersfield at 3:32 PM to adjourn Executive Session, seconded by Supervisor Davis, T/Covington. Carried. No action taken, business resumed.

RESOLUTION NO. 03-34

By Mrs. Humphrey, Chairman of the Finance Committee:

Appoint County Purchasing Agent

BE IT RESOLVED, That the Chairman of this Board, according to County Law Art. 16, Sec 624 is hereby appointed the County Purchasing Agent, for the term of the Board of Supervisors, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-35

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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Position Created/Abolished In The Office For The Aging

BE IT RESOLVED, That one (1) FTE position of Deputy Director of Aging is hereby created in the Office for the Aging, and be it

FURTHER RESOLVED, That Schedule S of the Wyoming County Salary Plan, adopted July 9, 2002, is hereby amended to set the salary of one (1) position of Deputy Director of Aging on Step 1 at Thirty Two Thousand, Five Hundred Dollars (\$32,500.00) annually, and be it

FURTHER RESOLVED, That one (1) position of Fiscal Officer I, Schedule S of the Wyoming County Salary Plan, in the Office for the Aging is hereby abolished, effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-36

By Mrs. Humphrey, Chairman of the Finance Committee:

Position Created/Abolished In The Public Health Department

BE IT RESOLVED, That one (1) FTE position of Administrative Assistant (Public Health) is hereby created in the Department of Public Health, and be it

FURTHER RESOLVED, That Schedule S of the Wyoming County Salary Plan, adopted July 9, 2002, is hereby amended to set the salary of one (1) FTE position of Administrative Assistant (Public Health) at Twenty Seven Thousand, Nine Hundred Seventy Three Dollars (\$27,973.00), Step 2, annually, and be it

FURTHER RESOLVED, That one (1) position of Water Coordinator in the Department of Public Health, Schedule G of the Wyoming County Salary Plan, is hereby abolished, effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

REGULAR SESSION

Tuesday

February 11, 2003

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and led the Pledge of Allegiance to the Flag.

Chairman Berwanger went to say, "I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month, Janis Cook. Janis has been employed by DSS since March of 1998, starting as an Account Clerk, from which she was promoted to Senior Account Clerk and most recently was appointed as Staff Development Coordinator. Please join me in recognizing Janis Cook from the Town of Castile."

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communication:

C-1. The first Western New York Inter-County Meeting will be held February 21, 2003 in Cattaraugus County, to be held at the Southern Tier West Regional Center of Excellence, Salamanca, New York, registration will be at 9:30 AM. The program will be Rural Transportation and the presentation of the 2003 Travel Guide. Anyone wishing to attend must notify the office by Friday, February 14, 2003.

RESOLUTION NO. 03-37

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

PUBLIC HEALTH

To acct 01.38.4035.4.41402			
Computers	\$5,261.00		
w/rev acct 01.12.4035.4489 inc.			
by same amount		\$5,261.00	
To acct 01.38.4010.4.42455			
Health Heart Program	\$11,917.28		
w/rev acct 01.11.4010.340111 inc.			
by same amount		\$11,917.28	\$17,178.28

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SHERIFF/JAIL

To acct 01.37.3110.1.10301 Overtime \$5,300.00
 w/rev acct 01.11.3110.308901 inc.
 by same amount \$5,300.00

To acct
 01.37.3110.1.10301 Overtime \$1,000.00
 01.37.3110.2.20501 Law Enforce
 Equip 2,500.00
 \$3,500.00

w/rev acct. 01.11.3110.308901 inc.
 by same amount \$3,500.00 \$8,800.00

PROBATION

To acct 01.37.3140.4.40402
 Conf & Conventions \$7,000.00
 01.37.3140.4.40405
 Employee Expenses \$4,398.30
 \$11,398.30

W/rev acct 01.12.3140.4310 inc.
 by same amount \$11,398.30 \$11,398.30

DISTRICT ATTORNEY

To acct
 01.32.1168.1.10202 Temporary \$1,838.20
 01.32.1168.4.41304 Extradition
 Expense 711.00
 01.32.1168.4.41303 Steno \$1,139.04
 01.32.1168.4.41010 Misc. Office
 Supplies 200.00
 01.32.1168.4.41201 Postage 200.00
 01.32.1168.4.40402 Conf. & Conv 791.48
 01.32.1168.8.83001 FICA 113.97
 01.32.1168.8.85001 Medicare 26.65
 \$5,020.34

w/rev acct 01.11.1168.3089 inc.
 by same amount \$5,020.34 \$5,020.34

And be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes: 1618 Noes: 0 Absent: 0

February 11, 2003

RESOLUTION NO. 03-38

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

VETERANS SERVICES

From acct 01.43.6510.8.89001
 Med./Hosp Ins \$750.00
 To acct. 01.43.6510.1.10602
 Insurance Repudiation \$750.00 \$750.00

HISTORIAN

From acct 01.46.7510.8.89001
 Med. Insurance \$269.15
 To acct 01.46.7510.1.10602
 Ins. Repudiation \$250.00
 01.46.7510.8.83001 FICA 15.50
 01.46.7510.8.85001 Medicare 3.65
 \$269.15 \$269.15

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Totsline, T/Genesee Falls, Chairman of the Audit Committee presented the bills in the amount of One Million, Six Hundred Fifty Thousand, Eight Hundred Thirty Three Dollars, Twenty Nine Cents (\$1,650,833.29) and requested that the bills be paid. A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger requested that resolution office numbers 3-39 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 3-39. A voice vote was taken and the resolution office numbers 3-39 passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-39

By Mr. Miller, Chairman of the Planning Committee:

February 11, 2003

**Resolution Of Support For The Expansion
Of Empire Zones For All Counties**

WHEREAS, Empire Zones were authorized by the State legislature to provide for enhanced public and private sector incentives for certain distressed areas of the State; and

WHEREAS, The Empire Zones program has become one of New York State's most highly successful economic development initiatives, resulting in significant private sector investment and the creation of thousands of new jobs throughout the State; and

WHEREAS, 72 Zones have been designated statewide, offering substantial state tax incentives, reduced utility rates and programmatic preferences to companies located, or seeking to locate, within an Empire Zone; and

WHEREAS, Wyoming County submitted an Empire Zone application in 2002 meeting the eligibility requirements for designation of an Empire Zone; and

WHEREAS, Only 11 of New York's 62 counties do not currently have an Empire Zone; and

WHEREAS, These counties are unable to match state financed incentives that communities with an Empire Zone can provide to stimulate job creation and retention; and

WHEREAS, This places the 11 counties without an Empire Zone at a competitive disadvantage in attempting to encourage new business location or expansion decisions; and

WHEREAS, By economic necessity the 11 counties without an Empire Zone have joined together to address this inequity; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors respectively requests that Governor Pataki and the New York State Legislature amend the Empire Zones program to allow for the designation of one Empire Zone in each of New York's 62 counties; and be it

FURTHER RESOLVED, That the clerk of this board send copies of this resolution to Governor Pataki, State Senator Dale M. Volker, State Assemblyman Daniel Burling, Inter-County Association of Western New York, and all other deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-40

By Mr. Rogers, Chairman of the Human Services Committee:

February 11, 2003

**Chairman/Commissioner Of Social Services Authorized
To Sign Various Contracts On Behalf Of The
Department Of Social Services**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of Social Services, with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A. Dennis Cohen, 3099 West Main Street, Caledonia, NY, for the provision of legal services in conflict of interest cases, effective January 1, 2003 through December 31, 2003; amount not to exceed Ten Thousand Dollars (\$10,000.00); contingent upon the availability of funds.

B. Eric T. Dadd, 11 Exchange Street, Attica, NY, for the provision of legal services, effective January 1, 2003 through December 31, 2003; amount not to exceed Fifty Thousand, Eight Hundred Fourteen Dollars (\$50,814.00); contingent upon the availability of funds.

C. Wyoming County Sheriff's Department, 153 North Main Street, Warsaw, NY, for the provision of a security officer for Social Services Personnel, effective January 1, 2003 through December 31, 2003; amount not to exceed Thirty Eight Thousand, Seven Hundred Ninety Three Dollars, Twelve Cents (\$38,793.12); contingent upon the availability of funds.

D. Carole Litrides, 59 Lake Street, Perry, NY, for the provision of family group conference to families at risk losing children to foster care or residential placement, effective March 1, 2003 through December 31, 2003; amount not to exceed Twenty Seven Thousand, Two Hundred Ten Dollars, Fifty Six Cents (\$27,210.56) contingent upon the availability of funds.

E. Santo W. Bentiverga, Blossom Medical Center, 780 Blossom Road, Rochester, NY, to provide mental health evaluations, effective January 1, 2003 through December 31, 2003; amount not exceed Seven Thousand, Five Hundred Dollars (\$7,500.00); contingent upon the availability of funds.

F. Rochester-Genesee Transportation Authority, 1372 East Main Street, Rochester, NY, to provide bus passes for TANF recipients, effective January 1, 2003 through September 30, 2003; amount not to exceed Eight Thousand, Six Hundred Forty Dollars (\$8,640.00); contingent upon the availability of funds.

G. Oak Orchard Legal Services, 5073 Clinton Street Road, Batavia, NY, to provide assistance for FA/SN clients with the administrative hearings/appeal process of SSI applications, effective January 1, 2003 through December 31, 2003; amount not to exceed Thirty Five Thousand Dollars; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-41

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign A Grant Award With NYS
Division Of Criminal Justice Services On Behalf
Of The Sheriff's Department**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign a grant award with the NYS Division of Criminal Justice Services, on behalf of the Wyoming County Sheriff's Department, for the purchase of equipment to assist in the investigation and prosecution of drug cases in and around Wyoming County; effective April 1, 2001 through September 15, 2003; amount not to exceed Five Thousand Dollars (\$5,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-42

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign A Grant Application
For An All-hazardous Mitigation Grant On Behalf
Of Emergency Services**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application with the State Emergency Office (SEMO), for the Development of an All-Hazards Mitigation Plan; for the FY 2003; amount not to exceed Thirty Thousand Dollars (\$30,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-43

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign A Grant Application For
A Local All-hazards Comprehensive Emergency
Management Planning Program Grant On Behalf
Of Emergency Services**

BE IT RESOLVED, That the Chairman of this Board, with the Approval of the County Attorney, is hereby authorized and directed to sign a grant ap-

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plication with the New York State Emergency Management Office, for a Comprehensive Emergency Management Plan; for the FY 2003, in the amount of Thirty Two Thousand, Seven Hundred Ninety Two Dollars (\$32,792.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-44

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign Alternatives To
Incarceration Contract Update**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Probation Department, is hereby authorized and directed to sign the Alternatives to Incarceration contract with New York State, said contract to be in the amount of Thirty Thousand, Eight Hundred Dollars (\$30,800.00) which covers the Community Services Program, Pre-Trial Release Program and the Wyoming Drug Abuse Treatment (DATA-Day) Program for the period of January 1, 2003 through December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-45

By Mr. Herman, Chairman of the Human Resource Committee:

**Chairman Authorized To Sign Lease Agreements
On Behalf Of The County Clerk**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the County Clerk is hereby authorized and directed to sign the following contracts:

1. Crossroads Land Office, 25 East Main Street, Suite 200, Rochester, NY 14614; for the provision office space in the County Clerk's office; effective January 1, 2003 through December 31, 2003; amount not to exceed One Thousand, Two Hundred Dollars (\$1,200.00).

2. Wyoming Abstract Company, 220 East Main Street, Batavia, NY 14020; for the provision of office space in the County Clerk's office; effective January 1, 2003 through December 31, 2003; amount not to exceed One Thousand, Five Hundred Dollars (\$1,500.00)

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-46

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Drug Free Communities Support Program 2003 Grant Application On Behalf Of Mental Health

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application with the United State Department of Justice, to continue SICA Grant activities in strengthening community collaboration to reduce substance abuse among youth, effective July 1, 2003 through June 30, 2004; amount not to exceed One Hundred Thousand Dollars (\$100,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-47

By Mr. Knab, Chairman of the Public Health Committee:

Authorize Chairman To Sign An Agreement For The Child Passenger Seat Program On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a agreement with New York State, for the provision of the Child Passenger Safety Program (CS-6100043); effective October 1, 2002 through September 30, 2003; in an amount not to exceed Six Thousand, Five Hundred Dollars (\$6,500.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-48

By Mr. Knab, Chairman of the Public Health Committee:

Authorize The Chairman To Sign A Grant Amendment With NYS Department Of Health On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval

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of the County Attorney, is hereby authorized and directed to sign a grant amendment with the NYSDOH's Family Planning Grant, and on behalf of the Public Health Department, to provide additional funding for HIPAA regulation; effective April 1, 2002 through March 31, 2003; amount not to exceed Five Thousand, Two Hundred Sixty One Dollars (\$5,261.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-49

By Mr. Agan, Chairman of the Public Works Committee:

Authorizing The Implementation, And Funding In The First Instance 100% Of The Federal-aid And State "Marchiselli" Program-aid Eligible Costs, Of A Transportation Federal-aid Project, And Appropriating Funds Therefor

WHEREAS, A Project for the replacement of County Route 7 (East Main Street) bridge over Oatka Creek, Village of Wyoming, Wyoming County, P.I.N. 475315; BIN 3319950 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of Construction CI & CS, now, therefore

BE IT RESOLVED, The Board of Supervisors, duly convened does hereby approves the above subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes Construction CI & CS work for the Project or portions thereof; and it is further

RESOLVED, That the sum of \$1,088,000 is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reim-

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bursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipalities first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is

FURTHER RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, This Resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-50

By Mr. Miller, Chairman of the Planning Committee:

Chairman Authorized To Sign An Agreement With H. Sicherman & Company Inc. For Small Cities Grant Services

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with H. Sicherman & Company Inc., 5852 Forest Creek Drive, East Amherst, NY 14051 to prepare a CDBG Small Cities grant application of Four Hundred Thousand Dollars (\$400,000). If the grant funds are awarded they will be used to continue the Wyoming and Livingston Counties Microenterprise Program that provides assistance to small businesses. Total cost of said contract not to exceed Four Thousand Nine Hundred Dollars (\$4,900.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-51

By Mr. Miller, Chairman of the Planning Committee:

Chairman Authorized To Sign Small Cities Grant Application

WHEREAS, The County of Wyoming wishes to apply for a joint \$400,000 Small Cities grant to continue the Wyoming and Livingston Counties

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Microenterprise Program that provides assistance to existing and start-up small businesses; and

BE IT RESOLVED, That the Chairman of this Board of Supervisors, is hereby authorized as the official representative of Wyoming County, New York to execute and submit a joint grant application with Livingston County acting as the lead applicant, to the Governor's Office For Small Cities for a NYS Community Development Block Grant, and is hereby authorized and directed, upon the approval of the County Attorney, to take all actions needed for the submission of the grant application, and be it

FURTHER RESOLVED, that the Chairman of this Board of Supervisors is also hereby authorized and directed, upon the approval of the County Attorney, to execute a cooperation agreement with Livingston County, and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on the 25th day of February, 2003 and the 25th day of March, 2003 at 3:00 p.m. at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the clerk of this Board by publishing such notice at least once in official newspapers of the county designated for such publications.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-52

By Mr. Miller, Chairman of the Planning Committee:

Chairman Authorized To Sign Agreement With Care Environmental Corp. For GLOW Region 2003 Household Hazardous Waste Collection Program

WHEREAS, The GLOW Region Solid Waste Management Committee has applied for and expects funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2003 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has requested, received and evaluated four proposals from hazardous waste service providers to conduct two household hazardous waste collection days to be held on May 10, 2003 in Batavia, NY and May 17, 2003 in Rock Glen, NY; and

WHEREAS, The GLOW Committee has recommended Care Environmental Corp. as the best proposal to provide the needed services for the 2003 Household Hazardous Waste Collection Program; now therefore

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BE IT RESOLVED, That upon approval of the contract by the County Attorney, the Chairman of the Wyoming County Board of Supervisors is authorized and directed to sign a contract with the other GLOW Counties and Care Environmental Corp. for the 2003 GLOW Household Hazardous Waste Collection Program in an amount not to exceed Twenty-Five Thousand One Hundred Dollars (\$25,100.00).

Carried: Ayes: 1618 Noes:0 Absent: 0

RESOLUTION NO. 03-53

By Mrs. Humphrey, Chairman of the Finance Committee:

**Chairman Authorized To Sign Contracts
For Grant Writing Services**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County

Attorney, and on behalf of Wyoming County, is hereby directed to sign a contract with J. O'Connell & Associates for the provision of grant writing services, effective March 1, 2003 through February 28, 2004; amount not to exceed Ten Thousand Dollars (\$10,000.00) contingent upon the availability of funding; and be it

FURTHER RESOLVED, That the Chairman of this Board, with approval of the County Attorney and on behalf of Wyoming County, is hereby authorized and directed to sign a contract with Stuart Brown Associates, Inc. for the provision of grant writing services, effective March 1, 2003 through February 28, 2004; amount not to exceed Ten Thousand Dollars (\$10,000.00) contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-54

By Mrs. Humphrey, Chairman of the Finance Committee:

**Chairman Authorized To Sign An Amended Lease
Agreement With WCCA, Inc. On Behalf Of
The Planning And Development Office**

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign an amended lease agreement with Wyoming County Community Action, Inc.,

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6470 Route 20A, Perry, New York 14530, for a 5-year renewable lease, effective July 1, 1999 for the purpose of renting approximately 6,000 sq. ft.; amount not to exceed \$52,430.00 for the year 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-55

By Mrs. Humphrey, Chairman of the Finance Committee:

**Chairman Authorized To Sign A Contract
With Cheryl Miller**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Cheryl Miller, 2780 Maxon Road, Varysburg, New York 14167, for the provision of a HIPAA Compliance Facilitator; in the amount not to exceed \$35.00 per hour in accordance with the language of the contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-56

By Mr. Knab, Chairman of the Public Health Committee:

**Chairman Authorized To Sign An
Extended Agreement With S. Hempel**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Stuart C. Hempel, 1338 Werner Road, Warsaw, NY 14569 to extend his agreement for a one month period, said agreement to terminate February 28, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-57

By Mrs. Humphrey, Chairman of the Finance Committee:

**Approve Correction Of Errors In The Town
Of Warsaw And The Town Of Pike**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcel of real property

hereafter described, said application having been reviewed and approved by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE: Town of Warsaw
Tax Map #61. -2-52.1
ASSESSED TO: Arthur Crater
2382 Wyoming Road
Warsaw, NY 14569
ERROR: Clerical
AUTHORITY: RPTL 550. (2)i
CORRECTION: Remove erroneous school tax relevy amount:
\$1,022.55
Revised bill amount \$692.31

PARCEL TWO: Town of Warsaw
Tax Map #61. -2-52.2
ASSESSED TO: Steven O'Shea
2356 Dale Road
Warsaw, NY 14569
ERROR: Clerical
AUTHORITY: RPTL 550. (2) i
CORRECTION: Add school tax relevy in the amount of
\$1,022.55.
Revised bill amount \$1,840.85

PARCEL THREE: Town of Pike
Tax Map #179.13-1-11
ASSESSED TO: Wyoming County Fair Association
ERROR: Clerical
AUTHORITY: RPTL 550.2(e) RECYC FEE
CORRECTION: Cancellation of void tax
Revised bill amount \$0.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-58

By Mrs. Humphrey, Chairman of the Finance Committee:

Wyoming County Corporate Compliance Policy
And Procedures Adopted

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve and adopt the Wyoming County Corporate Compliance Policy and Procedure, annexed hereto, for all county departments, except the Wyoming County Community Hospital which shall maintain their own procedures; and

BE IT FURTHER RESOLVED, That these procedures may be amended and/or revised with the approval of the appropriate Committee of this Board as required.

Carried: Ayes: 1618 Noes: 0 Absent: 0

WYOMING COUNTY CORPORATE COMPLIANCE POLICY
AND PROCEDURE POLICY:

Wyoming County and its Board of Supervisors has instituted and follows a policy of compliance with all applicable federal, state and local laws and regulations, both civil and criminal, as well as those pertaining to the tax-exempt status of specific departments. In addition to complying with the law, it is also the policy of Wyoming County to comply with the standards of conduct which are adopted and revised, as appropriate, by the Board of Supervisors, the Chairman of the Board and the Corporate Compliance Officer.

PURPOSE:

To insure that everyone associated with Wyoming County will try to understand all legal and other requirements that relate to their jobs and comply with them.

To insure that our clients and community members can continue to rely on the integrity and trust which is so essential to the provision of County Government and that all participants in client care, and at any level, including contracted personnel, operate within that framework of trust.

To insure that all staff, contractors, clients, community members as well as the Board of Supervisors are aware of the Corporate Compliance reporting mechanism of Wyoming County. To further insure that everyone associated with Wyoming County reports any potential problems of shortcomings to their Corporate Compliance Officer or the Chairman of the Board.

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PROCEDURE:

1. No employee, agent, or appointee of Wyoming County has any authority to act contrary to the provisions of these laws or standards or conduct or to authorize direct or condone violations by any other employee, agent or appointee of Wyoming County.

2. Any employee, agent or appointee of Wyoming County who has knowledge of activities that he or she believes may violate the law has an obligation, promptly after learning of such activities, to report the matter to his/her immediate supervisor, the Corporate Compliance Officer or the Chairman of the Board. Reports may be made anonymously and an employee, agent or appointee will not be penalized for truthful reports.

3. Failure to report known violations, failure to detect violations due to negligence or reckless conduct and making false reports shall be grounds for disciplinary action, including potential termination.

4. Reports dealing with harassment or other workplace related problems shall be referred to Human Resources.

5. A "Statement of Commitment to Corporate Compliance", identifying the Corporate Compliance phone number shall be posted throughout the County Departments. The same statement shall be attached to each County identification card issued.

6. A "Statement of Corporate Compliance Awareness" shall be signed by each employee, agent or appointee upon hire or start date and yearly thereafter.

7. Every terminating employee and every employee undergoing evaluation shall have an opportunity to disclose knowledge of any Corporate Compliance issue.

RESOLUTION NO. 03-59

By Mrs. Humphrey, Chairman of the Finance Committee:

HIPAA Compliance Officers Appointed

BE IT RESOLVED, That the following positions of HIPAA Compliance Officers are hereby created to be placed on Schedule D of the Wyoming County Salary Plan, and be it

FURTHER RESOLVED, that the following persons are hereby appointed to the HIPAA Compliance Officers positions, for a one year term, said term to expire December 31, 2003:

Anne C. Humphrey (Vice Chairman of the Board of Supervisors) - Corp

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Compliance Officer

Kathleen Plum (Director of Mental Health) - Privacy Officer

Todd MacConnell (Information Technology Director) - IT Security Officer

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-60

By Mr. Miller, Chairman of the Planning Committee:

Members Appointed To The Wyoming County Planning Board

BE IT RESOLVED, That the following person is hereby appointed to the Wyoming County Planning Board to complete a term that expires December 31, 2004.

TOWN	REPRESENTATIVE	ADDRESS
Town of Orangeville	Mel Kensinger	3336 Syler Road Varysburg, NY 14167

And, be it

FURTHER RESOLVED, That the following person is hereby appointed to the Wyoming County Planning Board for a term that expires December 31, 2005.

TOWN	REPRESENTATIVE	ADDRESS
Town of Sheldon	Norman R. George	P.O. Box 119, Strykersville, NY 14145

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-61

By Mr. Miller, Chairman of the Planning Committee:

Various Member Appointed/Reappointed To The GLOW Solid Waste Committees

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the GLOW Regional Solid Waste Management Committee, to serve a one (1) year term, said term to expire December 31, 2003:

MEMBER	TOWN	ADDRESS
Larry Rogers	Pike	14 East Koy Rd., Pike, NY 14130

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Kyle Glosser	Orangeville	2460 Orangeville Center Rd., Varysburg, NY 14167
Joseph Gozelski	Castile	6175 East Lake Road, Silver Springs, NY 14550
Richard Tindell (Alternate)	Warsaw	56 Mt. View Avenue, Warsaw, NY 14569

And, be it

FURTHER RESOLVED, That the following persons are hereby appointed/reappointed to the GLOW Advisory Committee, to serve a one (1) year term to expire December 31, 2003:

MEMBER	TOWN	ADDRESS
Larry Rogers	Pike	14 East Koy Rd., Pike, NY 14130
Richard Tindell	Warsaw	56 Mt. View Avenue, Warsaw, NY 14569
Barbara Boyer	Warsaw	5478 Minor Road, Warsaw, NY 14569

And, be it

FURTHER RESOLVED, That the following person is hereby reappointed to the GLOW Planning Committee, to serve a one (1) year term to expire December, 31, 2003:

MEMBER	TOWN	ADDRESS
Richard Tindell	Warsaw	56 Mt. View Avenue, Warsaw, NY 14569

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-62

By Mr. Miller, Chairman of the Planning Committee:

Various Members Appointed/Reappointed To The GLOW Workforce Investment Board

BE IT RESOLVED, That Anne C. Humphrey, 50 St. Helena Street, Perry, NY 14530, is hereby appointed to the GLOW Workforce Investment Board, as a supervisor member, for a one- (1) year term to expire December 31, 2003.

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BE IT RESOLVED, That Thomas Gangloff, 46 Windelin Drive, Henrietta, NY 14467, is hereby appointed to the GLOW Workforce Investment Board as a public sector member (New York State Department of Labor Representative).

Carried: Ayes: 1618 Noes:0 Absent: 0

RESOLUTION NO. 03-63

By Mr. Miller, Chairman of the Planning Committee:

A. Humphrey Appointed To The Business Education Council

BE IT RESOLVED, That Anne C. Humphrey, 50 St. Helena Street, Perry, NY 14530, is hereby appointed to the Wyoming County Business Education Council as a Supervisor Member Representative for a one (1) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes:0 Absent: 0

RESOLUTION NO. 03-64

By Mr. Miller, Chairman of the Planning Committee:

Members Reappointed To The Genesee/Finger Lakes Regional Planning Council

BE IT RESOLVED, That the following persons are hereby appointed to the Genesee/Finger Lakes Regional Planning Council for a one- (1) year term to expire December 31, 2003.

A. D. Berwanger, 6608 East Arcade, Town of Arcade, Arcade, NY 14009
Howard Miller, 5454 Keeney Road, Town of Warsaw, Warsaw, NY 14569

And be it

FURTHER RESOLVED, That Anne C. Humphrey, 50 St. Helena Street, Town of Perry, Perry, New York 14530 is hereby appointed as an Alternate Supervisor Member Representative to the Genesee/Finger Lakes Regional Planning Board Council for a one (1) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO 03-65

By Mr. Miller, Chairman of the Planning Committee:

**Wyoming County Tourist Promotion Agency
Representatives Appointed**

BE IT RESOLVED, That Chris Hickey, 1308 Folsomdale Road, Town of Bennington, Cowlesville, NY, 14037, is hereby appointed as Supervisor Representative to the Wyoming County Tourist Promotion Agency for a one (1) year term, said term to expire December 31, 2003; and be it

FURTHER RESOLVED, That Angela Brunner, 1947 Chaffee Road, Town of Java, Arcade, NY 14009, is hereby appointed as an Alternate Supervisor Representative to the Wyoming County Tourist Promotion Agency for a one (1) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-66

By Mr. Gozelski, Chairman of the Agriculture Committee:

Supervisor Member Reappointed To RC&D Council

BE IT RESOLVED, That Ronald P. Herman, Sr., 4344 Hermitage Rd., Town of Wethersfield, Warsaw, NY 14569, is hereby reappointed as Supervisor Member on the Resource Conservation and Development Council for a term of one (1) year, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-67

By Mr. Gozelski, Chairman of the Agriculture Committee:

**Members Appointed/Reappointed To Soil And Water
Conservation District Board**

BE IT RESOLVED, That the following persons are hereby appointed/re-appointed as representatives to the Wyoming County Soil and Water Conservation District Board as indicated:

Ronald P. Herman, Sr., 4344 Hermitage Rd., Town of Wethersfield, Warsaw, NY 14569, for a one (1) year term, said term to expire December 31, 2003;
E. Joseph Gozelski, 6175 East Lake Road, Town of Castile, Silver Springs,

NY, 14550 for a one (1) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-68

By Mrs. Meeder, Acting of the Agriculture Committee:

**E. Joseph Gozelski Appointed To The Wyoming County
Cooperative Extension Board Of Directors**

BE IT RESOLVED, That E. Joseph Gozelski, 6175 E. Lake Road, Town of Castile, Silver Springs, NY, 14550, is hereby appointed to the Wyoming County Cooperative Extension Board of Directors as a Supervisor Member for a one (1) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-69

By Mr. Gozelski, Chairman of the Agriculture Committee:

**Members Reappointed To The Region 9
Fish And Wildlife Council**

BE IT RESOLVED, That Angela Brunner, 1947 Chaffee Road, Town of Java, Arcade, NY 14009 is hereby appointed to the Region 9 Fish & Wildlife Council as a Supervisor Representative for a term of one (1) year, said term to expire December 31, 2003; and be it

FURTHER RESOLVED, That Jerry Davis, 7414 Court Road, Pavilion, NY 14525 is hereby reappointed to the Region 9 Fish & Wildlife Council as a Alternate Supervisor Representative for a term of one (1) year; said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-70

By Mr. Rogers, Chairman of the Human Services Committee:

**H. Bush Appointed To The Office Of The
Aging Advisory Board**

BE IT RESOLVED, That Harold Bush, 4579 Miller Road, Town of

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Gainesville, Silver Springs, NY 14550, is hereby appointed as Supervisor member to the Office of the Aging Advisory Board for a one (1) year term; said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-71

By Mr. Knab, Chairman of the Public Health Committee:

L. Rogers Appointed To The Community Services Board

BE IT RESOLVED, That Larry Rogers, P.O. Box 82, Pike, NY, is hereby appointed supervisor member Community Services Board, for a one (1) year term; said term to expire December 31, 2003; and, be it

FURTHER RESOLVED, That Larry Rogers, P.O. Box 82, Pike, NY is hereby appointed supervisor member to the CSB Mental Health Sub-Committee, for a one (1) year term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-72

By Mr. Rogers, Acting Chairman of the Public Health Committee:

J. Knab Appointed To The Wyoming County Board Of Health

BE IT RESOLVED, That John Knab, 2246 Thomas Road, Varysburg, NY 14167, is hereby appointed as the Supervisor Member to the Wyoming County Board of Health for a one (1) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-73

By Mrs. Humphrey, Chairman of the Finance Committee:

Members Reappointed To Western New York Inter-county Association

BE IT RESOLVED, That the following persons are hereby designated and shall represent the County of Wyoming as voting delegates and alternates to the Inter-County Association of Western New York for a one (1) year term,

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said term to expire 12/31/03.

A. D. Berwanger 6608 E. Arcade Road, Arcade, NY 14009
 Paul Agan 285 Main Street, Attica, New York 14011
 Ronald P. Herman, Sr. 4344 Hermitage Road, Warsaw, New York 14569
 Jerry Davis - Alternate 7414 Court Road, Pavilion, New York 14525
 John Knab - Alternate 2246 Thomas Road, Varysburg, NY 14167

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-74

By Mrs. Humphrey, Chairman of the Finance Committee:

Supervisor Member Reappointed To The WCCH Board Of Managers

BE IT RESOLVED, That Howard J. Miller, 5454 Keeney Road, Town of Warsaw, Warsaw, NY 14569, is hereby reappointed as Supervisor member to the Wyoming County Community Hospital Board of Managers for a one (1) year term; said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-75

By Mrs. Humphrey, Chairman of the Finance Committee:

Member Reappointed To The Mercy Flight Citizens Advisory Committee

BE IT RESOLVED, That John Knab, Town of Sheldon, 2246 Thomas Road, Varysburg, NY 14167 is hereby appointed to serve on the Mercy Flight Citizens Advisory Committee for a term of one (1) year, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Herman, T/Wethersfield, expressed concern regarding the reappointment of Jeannette Wallace. Supervisor Herman stated that he has been receiving phone calls from disgruntle employees regarding Ms. Wallace. Supervisor Herman would like to see the complaints investigated before reappointing her. Supervisor Brunner, T/Java also expressed concern regarding reappointing Ms. Wallace. Supervisor Brunner stated that this was not against Ms. Wallace but was in agreement with Supervisor Herman and asked if any-

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one would like to pull the Resolution. If not she will have to vote no. She stated that it should be investigated before reappointing Ms. Wallace.

Supervisor Rogers, T/Pike, Chairman of the Human Services committee, stated that he had taken a random vote of the Human Services Committee, on whether or not to pull the resolution. The committee agreed to keep the resolution on the floor and not withdraw it.

RESOLUTION NO. 03-76

By Mr. Rogers, Chairman of the Human Services Committee:

J. Wallace Reappointed Commissioner Of Social Services

BE IT RESOLVED, That Jeanette Wallace, 11 North Academy Street, Wyoming, NY 14591, is hereby reappointed Commissioner of Social Services for a five (5) year term, said term effective April 6, 2003 through April 5, 2008.

Carried: Ayes: 1442 Noes: 176; Brunner (93) Absent: 0
Glosser(48) Herman (35)

RESOLUTION NO. 03-77

By Mr. Rogers, Chairman of the Human Services Committee:

Resolution No. 98-68 Amended, Re: Extending The Term Of Deputy Commissioner Of Social Services

BE IT RESOLVED, That Resolution No. 98-68, passed by this Board of Supervisors on June 9, 1998, is hereby amended to extend the term of Deputy Commissioner of Social Services to a five year term effective April 6, 2003 through April 5, 2008; appointee shall be at the will of the Commissioner.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-78

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To WCCH 2002 Accounts

BE IT RESOLVED, That the County Treasurer is hereby authorized and

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directed to appropriate funds to Wyoming County Community Hospital 2002 accounts as follows:

WCCH

To acct. 02.56.4510.4.42501	
Contractual	\$1,608,946.75
with revenue acct	
02.04.4510.1635 inc. by same amount	\$1,608,946.75
	\$1,608,946.75

And be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within 2002 WCCH accounts as follows:

From:

02.56.4510.1.10701 Accrued Vacation	\$75,000.00
02.56.4510.2.20801 Equipment	61,639.50
02.56.4510.4.42502 Installment	
Purchase	390,000.00
02.56.4510.8.80001 Comp	3.00
02.56.4510.8.84001 UI	14,929.42
02.56.4510.8.85001 Medicare FICA	6,002.97
02.56.9733.7.70001 Serial Bond Interest	0.50
02.56.9735.7.70002 Ban Interest	2,775.00
02.56.9736.6.60002 Ban	37,969.22
02.56.9785.6.60003 Installment	
Purchase	262,308.00
02.56.9785.7.70003 Interest	<u>62,253.00</u>
	\$912,880.61

To:

02.56.4510.1.10101 Full Time Salaries	\$487,911.34
02.56.4510.8.81001 Retirement	\$69,694.41
02.56.4510.8.83001 FICA	\$18,816.81
02.56.4510.8.89001 Health Insurance	\$295,977.58
02.56.4510.4.42501 Contractual	<u>\$40,480.47</u>
	\$912,880.61

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-79

By Mrs. Humphrey, Chairman of the Finance Committee:

February 11, 2003

Salary Schedule "D" And "S" Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "S" which became effective July 7, 2002, is hereby amended as follows:

POSITION	STEP 1	EFFECTIVE
Secretary to the Co Highway Supt	\$28,484	2/11/03
Animal Control Assistant, pt	\$13,260	2/04/03

And, be it

FURTHER RESOLVED, That the Wyoming County Salary Plan Schedule "D" which became effective July 7, 2002, is hereby amended as follows:

POSITION	STEP 1	EFFECTIVE
County Highway Superintendent	\$60,000	2/11/03

Carried: Ayes: 1311 Noes: 307; Brunner (93)
Absent: 0 Humphrey (214)

RESOLUTION NO. 03-80

By Mr. Davis, Chairman of the Public Safety Committee:

Position Created/Abolished In The Probation Department

BE IT RESOLVED, That one (1) FTE position of Probation Officer (Trainee) is hereby created in the Wyoming County Probation Department said position to be placed on Sch. A, Grade 13, of the CSEA Agreement; and be it

FURTHER RESOLVED, That one (1) FTE position of Community Service Coordinator in the Wyoming County Probation Department is hereby-abolished effective March 1, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-81

By Mr. Davis, Chairman of the Public Safety:

One Temporary Position Created In The District Attorney's Office

BE IT RESOLVED, That one (1) .5 pt temporary position of Clerk, is hereby created in the District Attorney Office, to be placed on Schedule A, Grade 2, of the CSEA Agreement, effective February 11, 2003 through March 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-82

By Mrs. Humphrey, Chairman of the Finance Committee:

Home Rule Request To Extend Sales Tax Increase Approved

WHEREAS, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 01-251, passed September 18, 2001, and as amended, now, therefore

BE IT RESOLVED, That the county of Wyoming hereby requests the New York State Legislature to support and pass legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three percent (3%) through November 30, 2005; and be it

FURTHER RESOLVED, That the Chairman of this Board and the Clerk of the Board are hereby authorized and directed to file the necessary Home Rule Request upon its introduction to the New York State Assembly and Senate.

Carried Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-83

By Mr. Berwanger, Chairman of the Committee of the Whole:

Introductory Local Law A; Yr. 2003 Presented Re: Establishing A Motor Vehicle Use Fee In Wyoming County

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on this 11th day of February 2003, a proposed local law entitled Local Law No. A, Year 2003, County of Wyoming, establishing a Motor Vehicle Use Fee, to be adopted in the year 2003, now, therefore

BE IT RESOLVED, That a public hearing is required to be had on the said local law by this Board of Supervisors on the 11th day of March, 2003, at 2:00 PM in the County Government Center in the Village of Warsaw, New York, and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:47 PM.

REGULAR SESSION

Tuesday

March 11, 2003

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and led the Pledge of Allegiance to the Flag.

Chairman Berwanger went on to introduce the following people:
Marie Lowe, the new Temporary Director of Public Health
Lori Roche, the new Temporary Director of Nursing of Public Health
Beth Hilderbrant, a member of the Board of Health

Chairman Berwanger went on to say the following:

“I’d like to take this opportunity to recognize the Department of Social Services Employee of the month, Sally Simmons. Sally has been employed by DSS since December 2000 as a Child Welfare caseworker. Her diligence and caring attitude as a caseworker along with her style of casework management has successfully allowed her to work with families providing them the guidance and assistance they need to move on with their lives. Please join me in recognizing Sally Simmons.”

Chairman Berwanger announced that we received the New York State flag from Governor George Pataki to Wyoming County on behalf of Roger Thrifthauser, our Governors liaison and thanked them for the gift.

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communication:

C-1. The Western New York Inter-County Meeting will be held March 21, 2003 in Schuyler County, to be held at Lakewood Vineyards, Watkins Glen, New York, registration will be at 9:30 AM. The program will be SCOPED (Schuyler County Partnership for Economic Development). Anyone wishing to attend must notify the office by Friday, March 14, 2003.

Chairman Berwanger declared the Public Hearing Open in regards to Local Law A, Year 2003, Establishing a Motor Vehicle Use Fee in Wyoming County.

RESOLUTION NO. 03-84

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2002 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various

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2002 accounts as follows:

JOB TRAINING

To acct 06.57.6290.4.42449
 Job Training \$80,429.25
 w/rev acct 06.12.6290.4790 inc.
 by same amount \$80,429.25 \$80,429.25

WORKERS COMPENSATION

To acct 05.58.1720.4.41601
 Medical Benefits \$26,722.81
 w/rev acct 05.04.1710.2222 inc.
 by same amount \$26,722.81 \$26,722.81

1999 HOSPITAL BAN

To acct 21.70.4510.2.20801
 Equipment WCCH \$2,047.00
 w/rev acct. 21.05.4510.2401 inc.
 by same amount \$2,047.00 \$2,047.00

And be it
 FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.
 Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-85

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

MENTAL HEALTH

To acct 01.38.4325.4.40926
 ARA, Inc. \$44,000.00
 w/rev acct 01.11.4325.3490 inc.
 by same amount \$44,000.00 \$44,000.00

SHERIFF

To acct 01.37.3110.4.41110
 Supplies-Canine \$17,000.00

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w/rev acct 01.11.3110.3320 inc.
 by same amount \$17,000.00
 To acct 01.37.3110.4.42101
 Law Enforce Supplies \$700.00
 w/rev acct 01.03.3110.1289 inc.
 by same amount \$700.00 \$17,700.00

And be it
 FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.
 Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-86

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

MENTAL HEALTH

From acct 01.38.4220.4.42476 CCSI \$41,550.00
 To acct. 01.38.4220.4.40926 ARA \$41,550.00 \$41,550.00
 Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Totsline, T/Genesee Falls, Chairman of the Audit Committee, presented the bills in the amount of (One Million, Seven Hundred Fifty Two Thousand, Eight Hundred Ninety Dollars, Fourteen Cents (\$1,752,890.14) and requested that the bills be paid. A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger requested that resolution office numbers 4-23 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office number 4-23. A voice vote was taken and resolution office numbers 4-23 passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

March 11, 2003

RESOLUTION NO. 03-87

By Mrs. Humphrey, Chairman of the Finance Committee:

**The State And Local Aid Economic Stimulus Act
Of 2003 Supported**

WHEREAS, Local governments are facing their worst fiscal crisis since World War II. States, counties, cities, towns and villages are facing staggering budget shortfalls, forcing many to consider the catastrophic choice of raising taxes, cutting spending on essential services, or both; and

WHEREAS, Raising taxes would mean higher income and property tax rates as well as increased sales taxes, excise taxes and other fees. Spending cuts would force communities to reduce, or even eliminate, many vital programs such as childcare, senior services, health care and primary and secondary education programs. In addition, the crisis also challenges the ability of local governments to pay for homeland security measures and infrastructure maintenance and improvements, it will also result in thousands of job cuts. None of these would do anything but further damage our struggling economy; and

WHEREAS, The Wyoming County Board of Supervisors request support for the State and Local Aid and Economic Stimulus Act of 2003. This bill (S.201) would provide a one-time injection of money into state and local governments at a time when we need it most. It would provide immediate, short term economic stimulus and would reduce the need to cut jobs and programs and/or raise taxes; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors gives their full support for the State and Local Aid Economic Stimulus Act of 2003, and hope that you will support the plight of America's local government and do everything you can to pass this important legislation, and be it

FURTHER RESOLVED, That the Clerk of this Board send copies of this resolution to President George Bush, Senator Charles E. Schumer, Senator Hillary Rodham Clinton, Senator Olympia Snowe, Congressman Thomas M. Reynolds, and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-88

By Mr. Agan, Chairman of the Public Works Committee:

Converting Chips O&M To CHIPS Capital Supported

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WHEREAS, Over 1,600 units of local government rely on essential state highway and bridge funding through the Consolidated Highway Improvement Program (CHIPS); and

WHEREAS, Enacted in 1981-1982, CHIPS replaced a dedicated stream of motor vehicle taxes and fees which counties were collecting and using for the upkeep of the maintenance and repair of the local transportation system; and

WHEREAS, Local governments are responsible for 93,500 of New York State's 110,000 centerline miles (85%); most of which needs significant repair to keep condition levels from deteriorating to Apoor"; and

WHEREAS, Some progress has been made to address the local bridge deficiency levels across New York, nearly half of the 9,000 local bridges are structurally deficient and in need of structural repair; and

WHEREAS, Since 2001, the state has withheld \$60 Million in CHIPS Operations and Maintenance Aid (O&M) for counties outside New York City by not authorizing the annual appropriation out of the general fund; now, therefore

BE IT RESOLVED, That Wyoming County urges the state to continue to invest in the local transportation system by converting the \$60 Million lost in CHIPS O&M since 2001 to the CHIPS Capital Program, similar to what was provided to the towns, cities and villages in the 2002/03 state budget; and be it

FURTHER RESOLVED, That Wyoming County shall forward copies of this Resolution to Governor George E. Pataki, Senator Dale M. Volker, Assemblyman Daniel Burling, and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-89

By Mr. Agan, Chairman of the Public Works Committee:

**Authorizing The Implementation, And Funding In The
First Instance 100% Of The Federal-aid And State
"Marchiselli" Program-aid Eligible Costs,
Of A Transportation Federal-aid Project,
And Appropriating Funds Therefor**

WHEREAS, A Project for the replacement of County Route 53 (Starr Road) over tributary to Oatka Creek, Town of Covington, Wyoming County, P.I.N. 475320; BIN 3366400 (the AProject") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such

program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of Preliminary Engineering and Row Incidentals, now, therefore

BE IT RESOLVED, The Board of Supervisors, duly convened does hereby approves the above subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and Row Incidentals work for the Project of portions thereof; and be it further

RESOLVED, That the sum of \$100,000 is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipalities first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is

FURTHER RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, This Resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-90

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Award And Sign A Contract On Behalf Of The Highway Department

BE IT RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the replacement of Middlebury Bridge No. 5 (BIN #3319950) Main Street over the Oatka Creek.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-91

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Sign A Contract With Bryant Associates On Behalf Of The Highway Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Bryant Associates, 108 West Jefferson Street, Suite 400, Syracuse, New York 13202 on behalf of the Wyoming County Highway Department, for a Architectural/Engineering Consultant of Covington Bridge No. 31; amount not to exceed One Hundred Seventy One Thousand, Nine Hundred Dollars (\$171,900.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-92

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Sign Various Contract On Behalf Of The Department Of Social Services

BE IT RESOLVED, That the Chairman/Commissioner of Social Services with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A. David Metsinger, 100 Lake Street, Perry, NY, for the provision of a Foster Parent Co-Trainer to facilitate training for new foster/adoptive resource families; effective January 1, 2003 through December 31, 2003; amount not to exceed One Thousand Dollars (\$1,000.00), contingent upon the availability of funds.

B. Pony Express, 35 West Buffalo Street, Warsaw, NY, for the provision of

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gas vouchers for TANF recipients, effective January 1, 2003 through September 30, 2003; amount not to exceed Five Thousand Dollars (\$5,000.00), contingent upon the availability of funds.

C. Community Care of WNY, Inc., 550 East Main Street, Batavia, NY 14020, for the provision of Parent Aide Services, effective January 1, 2003 through September 30, 2003; amount not to exceed Twenty Five Thousand Dollars (\$25,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-93

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Memorandum Of Understanding On Behalf Of Pathways

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract on behalf of Pathways, with the Wyoming County Chamber of Commerce, 6470 Route 20A, Perry, NY, for the purchase of space in the 2003 Business Directory, for the Fiscal Year 2003; amount not to exceed Seven Thousand Dollars (\$7,000.00), contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-94

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Contract With Quality Care-USA, Inc., On Behalf Of The Office For The Aging

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Quality Care-USA, Inc. (Gentiva Health Services), 212 East Main Street, Batavia, NY, to provide in home services to the elderly, effective April 1, 2003 through March 31, 2005, amount per the language of the contract, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-95

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign Various Contracts On Behalf Of The Youth Bureau

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Youth Bureau:

A. VMC Group, 124 North Union Street, Olean, NY 14760 for the provision of transportation services for Early Intervention, effective July 1, 2003 through June 30, 2005, amount per the language of the contract, contingent upon the availability of funds.

B. Wyoming County Sheriff's Office, 151 North main Street, Warsaw, NY, for the provision of a Juvenile Officer, effective January 1, 2003 through December 31, 2003; amount not to exceed Nine Thousand, Three Hundred Fifty Six Dollars (\$9356.00), contingent upon the availability of funds.

C. Stephen Tarbell, 68 South Main Street, Silver Springs, NY, to operate the Youth Court of Wyoming County, effective January 1, 2003 through December 31, 2003; amount not to exceed Four Thousand, Five Hundred Dollars (\$4,500.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-96

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign Contract With Frontier Food Service, Inc.

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to award and sign a contract with Frontier Food Services Corp., P.O. Box 903, West Seneca, NY 14224, for the purpose of meal preparation services for the Office for the Aging and the Wyoming County Jail, said contract period April 1, 2003 through March 31, 2008; amount per the language of the contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-97

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign Contract
With United Uniform**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized to award and sign a contract with United Uniform Co., Inc., 495 North French Road, Buffalo, NY 14228 for the provision of uniforms for the Wyoming County Sheriff's Department for the period of March 12, 2003 through March 11, 2004; amount of said contract per the language of the contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-98

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign Grant Application For
The Local Enhanced Wireless 911 Grant On
Behalf Of Emergency Services**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application for the Local Enhanced Wireless 911 Grant, on behalf of Emergency Services, for the prior years effective January 1, 1993 through December 31, 2001, in the amount of Four Thousand, Two Hundred Thirty Dollars (\$4,230.00) and current years April 1, 2002 through March 31, 2005, in the amount of Fifty Two Thousand, One Hundred Seventy Dollars (\$52,170.00); and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Department of State, to sign said agreement to comply with the terms and conditions of the funding guidelines in the name of Wyoming County.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-99

By Mr. Davis, Chairman of the Public Safety Committee:

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**Chairman Authorized To Sign A Contract With Wilmac
On Behalf Of The Sheriff's Department**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wilmac, PO Box 14387, Rochester, NY, for the provision of maintenance for the Racal Wordnet Digital Voice Logger; effective April 1, 2003 through March 31, 2004; amount not to exceed Two Thousand, Six Hundred Ninety Five Dollars (\$2,695.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTIONS NO. 03-100

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign A Grant Award With New
York State Dcjs On Behalf Of The Public Defender**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Public Defender, the Chairman of this Board is hereby authorized and directed to sign a grant award with the New York State Division of Criminal Justice Services for the provision of the Byrne-Narcotics Control (NC02826832); effective January 1, 2003 through December 31, 2003; in the amount of Forty Thousand Dollars (\$40,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-101

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign Contract
With Mercy Flight**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to sign a contract with Mercy Flight to provide emergency flight service to the residents of Wyoming County for 2003, said contract not to exceed Ten Thousand Dollars (\$10,000.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-102

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Lease Agreement With Buzz & Val Properties On Behalf Of Mental Health

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Mental Health Department, is hereby authorized and directed to sign a lease agreement with Buzz & Val Properties for the use of the premises located at 108 North Main Street, Warsaw, NY for the Partners for Prevention office, said agreement shall be paid in monthly installments of seven hundred fifty dollars (\$750.00) for the period of April 1, 2003 through December 31, 2003 and monthly installments of eight hundred dollars (\$800.00) for the period of January 1, 2004 through December 31, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-103

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With Pathology Associates Of Syracuse On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Pathology Associates of Syracuse for the provision of Cervical Cytology Services, effective March 1, 2003 through December 31, 2003; amount not to exceed Fifteen Thousand Dollars (\$15,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-104

By Mr. Knab, Chairman of the Public Health Committee:

Resolution No. 01-300 And Resolution No. 02-307 Amended Re: Chairman Authorized To Sign 2002 & 2003 Renewal Contracts On Behalf Of The Mental Health Department

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BE IT RESOLVED, That Resolution No. 01-300, passed by this Board of Supervisors on December 1, 2001, is hereby amended as follows:

3) ARA, Inc. renewal contracts for the period of January 1, 2002 through December 31, 2002:

K. Coordinated Care Project Funds (\$483.13)

11) Contract with an individual to work with SNP Advisory Group (\$11,520) + \$130 = \$11,650

And; be it

FURTHER RESOLVED, That Resolution No. 02-307 passed by this Board of Supervisors November 12, 2002, is hereby amended as follows:

3) ARA, Inc. renewal contracts for the period of January 1, 2003 through December 31, 2003.

K. Care Coordination Project (\$32,000) + (\$12,000) = \$44,000

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-105

By Mr. Gozelski, Chairman of the Agriculture Committee:

2002 Annual Report On Dog License Fees Accepted

BE IT RESOLVED, That the report of the County Treasurer of Dog Monies received for the year 2002, be accepted and that this report be referred to the Auditing Committee:

COUNTY FINANCIAL OFFICER - DOG LICENSE REPORT

This report is filed pursuant to Section 111 of the Agriculture and Markets Law and covers the moneys remitted and the moneys expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 2002 to December 31, 2002.

RECEIPTS

Total balance on hand January 1, 2002	\$-0-
Dog license fees received	\$ 11,766.17
Tag fees received	\$ <u>103.50</u>
Damages recovered from dog owners	
Total amount available for the year ending	
December 31, 2002	\$ 11,869.67

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DISBURSEMENTS

Paid 36% of dog license fees to Dept. of Ag. and Markets	\$ 4,235.83
Paid tag fees to Dept. of Ag. & Markets	\$ 103.50
Paid claims for damages done by dogs	\$ 75.00
Paid for county dog control officers services	\$ <u>7,455.34</u>
Total disbursement during the year ending December 31, 2002	\$ 11,869.67
Total surplus for the year ending December 31, 2002	\$ - 0-
Respectfully submitted, JOHN B. EDWARDS Treasurer	
Carried: Ayes: 1618	Noes:0 Absent: 0

RESOLUTION NO. 03-106

By Mrs. Humphrey, Chairman of the Finance Committee:

**Chairman Authorized To Sign A Contract With
Time Warner Cable On Behalf Of The
Information And Technology Department**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Time Warner Cable, 7 Mt. Hope Avenue, Rochester, NY, for the provision inter-net services, effective March 6, 2003 through March 5, 2005; amount not to exceed Four Thousand, One Hundred Two Dollars, Eighty Cents (\$4,102.80).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-107

By Mr. Herman, Chairman of the Human Resource Committee:

**Resolution No. 02-74 Amended Regarding Employee
Policy On Sexual Harassment, Anti-discrimination,
Anti-harassment And Equal Opportunity**

BE IT RESOLVED, That the Wyoming County Employee Policy on Sexual Harassment, Anti-Discrimination, Anti-Harassment and Equal Opportunity,

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adopted by this Board of Supervisors on February 12, 2002 is hereby amended to read as follows (changes in *italics*); effective immediately:

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of Wyoming County to seek and employ the best qualified personnel in all positions and to provide equal opportunity to all applicants and employees without regard to race, age, color, gender, sexual orientation, marital status, veteran status, arrest record, religion, national origin or disability. Further, it is Wyoming County's policy to administer each of its employment activities, including hiring, promotion and training, in accordance with these principles.

It is unlawful and prohibited to: (1) fail to or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his/her compensation, terms, conditions, or privileges of employment, because of such individual's gender, *sexual orientation*, age, national origin, race, color, veteran status, arrest record, marital status, religion, or disability; or (2) limit, segregate, or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect an individual's status as an employee, because of such individual's gender, *sexual orientation*, age, national origin, race, color, veteran status, religion, arrest record or disability.

Discrimination on the basis of race, age, color, *gender; sexual orientation*, marital status, veteran status, arrest record, religion, national origin or disability is strictly prohibited and any supervisor, administrator, department head, or employee who engages in or tolerates such behavior is subject to disciplinary action up to and including termination in accordance with legal guidelines, and the applicable collective bargaining agreement(s). Third parties who are found to have violated this policy will be subject to appropriate sanctions as warranted and in compliance with law.

ANTI-HARASSMENT & ANTI-DISCRIMINATION POLICY

INTRODUCTION

This policy hereby reaffirms the official policy of Wyoming County to employ positive business and personnel practices designed to insure the full realization of equal employment opportunities without regard to gender, age, national origin, race, color, veteran status, *sexual orientation*, marital status, religion, or disability.

Wyoming County is committed to ensuring its employees are able to work with dignity and in a professional atmosphere. Wyoming County believes in the dignity of the individual and recognizes an individual's right to equal em-

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ployment. Wyoming County has a long-standing policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain, and hold employment without subjugation to discrimination of any kind in the workplace.

POLICY

Wyoming County expects all employees and supervisory personnel to accomplish their work in a businesslike and professional manner with concern for the well being of their co-workers. Any harassment of employees by fellow employees, albeit supervisor or co-worker, is not permitted regardless of the working relationship. Wyoming County will take all steps necessary to prevent and stop the occurrence of harassment and discrimination in the workplace. All employees are responsible for ensuring a work environment free from harassment, discrimination, and retaliation.

This policy applies to all Wyoming County employees and all personnel in a contractual relationship with Wyoming County. Depending on the extent of Wyoming County's exercise of control, this policy may be applied to the conduct of non-Wyoming County employees with respect to harassment of Wyoming County employees in the workplace.

DEFINITION OF HARASSMENT

Harassment on the basis of an individual's age, national origin, race, color, veteran status, marital status, gender, sexual orientation, religion or disability is against the law. Harassment includes conduct of a harassing nature, whether in the workplace or off-site while on County business, which has the effect of interfering with someone's work performance, or which creates an intimidating, hostile, or offensive working environment. Harassment includes conduct motivated by an individual's age, national origin, race, color, veteran status, sexual orientation, marital status, gender, religion or disability, even if the words do not explicitly refer to the subject of age, national origin, race, color, veteran status, marital status, gender, religion or disability. What is acceptable, amusing or inoffensive to some may be unwelcome, abusive or offensive to others. If other employees tell you they find your behavior or conversation unwelcome and ask you to stop, honor their request, even if you feel they are being oversensitive.

The following is a list of examples of conduct that Wyoming County considers to be harassment. This list is not intended to be all-inclusive.

- Using slurs or derogatory terms based on race, color, religion, age, disability, veteran status, marital status, gender, **sexual orientation**, national origin or ethnicity
- Telling jokes or stories that are derogatory toward members of a particu-

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lar racial, religious, age, disability, veteran status, marital status, gender **sexual orientation**, or ethnic group, whether or not members of that group are present

- Displaying graffiti or other derogatory or insulting writings based on race, color, religion, age, disability, veteran status, marital status, **gender**, **sexual orientation**, national origin or ethnicity
 - Demeaning or criticizing an individual because of his/her race, religion, age, disability, veteran status, marital status, gender, **sexual orientation**, ethnicity or national origin
 - Repeated comments that demean or criticize members of that race, religion, age, disability, veteran status, marital status, gender, **sexual orientation**, ethnicity or national origin, even when made outside the hearing of such person
 - Sabotaging, damaging, or interfering with the work of anyone because of his/her race, religion, age, disability, veteran status, marital status, gender, **sexual orientation**, ethnicity or national origin
 - Threatening or intimidating anyone because of his/her race, religion, age, disability, veteran status, marital status, gender, **sexual orientation**, ethnicity or national origin through the use of hostile or threatening words or behavior
- Such harassment or retaliation violates this County's policy:
- Regardless of whether it is committed by an employee, customer, vendor, agent, or other third party
 - Regardless of the gender, race, or other characteristics of the person responsible

COMPLAINT PROCEDURE

Prompt reporting of complaints or concerns is encouraged so that rapid and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of harassment and/or discrimination is encouraged, regardless of the offender's identity or position. Employees or other individuals who feel aggrieved because of harassment or discrimination have several ways to make their concerns known:

- (1) Aggrieved persons, who feel comfortable doing so, should directly inform the person engaging in the harassment that such conduct or communication is offensive and must stop.
- (2) All aggrieved individuals who do not wish to communicate directly with the person whose conduct or communication is offensive, or if direct communication with the offending party has been unavailing, shall contact the offending party's immediate supervisor or the department head.
- (3) Aggrieved persons alleging harassment or discrimination by anyone

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with supervisory authority or alleging failure of supervision to take immediate action on the individual's complaint shall contact the Wyoming County Personnel Officer/Equal Employment Opportunity Officer.

APPROACHES TO COMPLAINT RESOLUTION

All complaints of harassment, discrimination, or retaliation through the County's complaint procedure will be handled as confidentially as possible. The fact that a complaint has been filed will be made known only to those persons who have a need to know.

Supervisors must take immediate and appropriate corrective action when instances of discrimination come to their attention, to assure compliance with this policy. Any employee who is found to have committed an act of harassment or discrimination will be subject to disciplinary action, up to and including, termination in accordance with legal guidelines, County policy, and the applicable collective bargaining agreement(s). Third parties who are found to have violated this policy will be subject to appropriate sanctions as warranted and in compliance with law.

False and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will subject the employee who made the false complaint to disciplinary action up to and including termination.

All employees, supervisory and non-supervisory, are expected to cooperate with any investigation of a harassment or discrimination complaint, whether self-initiated or brought by someone else, by providing factual information to the County's investigating personnel.

PROHIBITION AGAINST RETALIATION

Wyoming County prohibits retaliatory actions against an employee that are motivated by the fact that an employee has made a good-faith complaint of harassment or by the fact that the employee has assisted or cooperated in an investigation of a complaint by someone else. This policy protects any employee who made a complaint of harassment or discrimination honestly believing that his or her complaint is justified, regardless if the County ultimately finds the complaint unfounded as long as the complaint was made in good faith. Retaliation in violation of this policy is treated as seriously as engaging in harassment or discrimination and will result in discipline up to and including termination in accordance with legal guidelines, County policy, and the applicable collective bargaining agreement(s). Third parties who are found to have violated this policy will be subject to appropriate sanctions as warranted and in compliance with law. Retaliation includes but is not limited to intimidation, threats and reprisals as a result of bringing a good faith complaint or assisting in the investigation of a complaint.

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SEXUAL HARASSMENT POLICY

INTRODUCTION

Wyoming County believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, Wyoming County is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without subjugation to sexual harassment or discrimination of any kind in the workplace. It is Wyoming County's policy to provide an employment environment free from unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications which have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

POLICY

As with discrimination involving race, gender, color, religion, age, disability, national origin, veteran status, **gender, sexual orientation**, and marital status, Wyoming County will not tolerate sexual harassment and will take all steps necessary to prevent and stop the occurrence of sexual harassment in the workplace.

All employees are responsible for ensuring a work environment free from sexual harassment and discrimination. This policy applies to all Wyoming County employees and all personnel in a contractual relationship with Wyoming County. Depending on the extent of Wyoming County's exercise of control, this policy may be applied to the conduct of non-employees with respect to sexual harassment of Wyoming County employees in the workplace.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is prohibited, including inappropriate forms of behavior described by the Equal Employment Opportunity Commission as follows:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
- (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile or offensive working environment.

What is acceptable, amusing or inoffensive to some may be unwelcome, abusive or offensive to others. If other employees tell you they find your be-

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havior or conversation unwelcome and ask you to stop, honor their request, even if you feel they are being oversensitive. Specific forms of behavior that Wyoming County considers sexual harassment are set forth below. This list is not intended to be all-inclusive.

Verbal: Abusive verbal language including jokes, comments, teasing or threats related to an employee's sex, sexual activity and/or body parts whether or not in said in that person's presence including, but not limited to: sexual innuendoes; slurs; suggestive, derogatory, or insulting comments or sounds; whistling; jokes of a sexual nature; sexual propositions; and threats; comments on a person's appearance that make the person feel uncomfortable because of his or her sex; continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; sexually oriented comments about an employee's anatomy that are unwelcome, unreasonably interfere with an employee's work performance, or create an intimidating, hostile or offensive work environment; unwelcome sexual advances or demands for sexual favors.

Nonverbal: Abusive written language showing or displaying pornographic or sexually explicit objects or pictures; graphic commentaries; luring or obscene gestures in the workplace; staring at a person's body in a sexually suggestive manner; sexually related gestures or motions; sending sexually graphic material through the County e-mail system or other electronic devices (e.g. voice mail) or using the County's mail or computers for viewing such material.

Physical: Unwelcome physical conduct including, but not limited to: petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, assault, persistent brushing up against a person's body, unnecessary touching and flashing or other unwelcome physical conduct.

COMPLAINT PROCEDURE

Prompt reporting of complaints or concerns is encouraged so that rapid and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of sexual harassment is encouraged, regardless of the offender's identity or position. Employees or other individuals who feel aggrieved because of harassment or discrimination have several ways to make their concerns known:

(1) Aggrieved persons who feel comfortable doing so should directly inform the person engaging in the harassment that such conduct or communication is offensive and must stop.

(2) All aggrieved persons who do not wish to communicate directly with the individual whose conduct or communications with the offending party has been unavailing shall contact their supervisor or department head.

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(3) Aggrieved persons alleging sexual harassment by anyone with supervisory authority or alleging failure of supervision to take immediate action on the individual's complaint shall contact the Wyoming County Personnel Officer/Equal Employment Opportunity Officer.

APPROACHES TO COMPLAINT RESOLUTION

Wyoming County will investigate any report thoroughly, with sensitivity towards confidentiality. If the complaint has merit, Wyoming County will take corrective action, including, but not limited to, disciplinary action against the offender, up to and including termination for employees and such penalties and sanctions against other individuals or parties as may be available to Wyoming County, given the nature of the contractual or business relationship with the individual.

False and malicious complaints of sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will subject the employee who made the false complaint to disciplinary action up to and including termination in accordance with legal guidelines, County policy, and the applicable collective bargaining agreement(s). Third parties who are found to have violated this policy will be subject to appropriate sanctions as warranted and in compliance with law.

All employees, supervisory and non-supervisory, are expected to cooperate with any investigation of a harassment or discrimination complaint, whether self-initiated or brought by someone else, by providing factual information to the County's investigating personnel.

PROHIBITION AGAINST RETALIATION

Wyoming County encourages employees to freely report incidents of discrimination or harassment without fear of reprisal. Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment based in good faith will not cause any reflection on the complainant, nor will it affect the employee's employment, compensation, or work assignments. Wyoming County prohibits retaliatory actions against an employee that are motivated by the fact that an employee has made a good-faith complaint of harassment or by the fact that the employee has assisted or cooperated in an investigation of a complaint by someone else. This policy protects any employee who made a complaint of harassment or discrimination honestly believing that his or her complaint is justified, regardless if the County ultimately finds the complaint unfounded, as long as the complaint was made in good faith. Retaliation in violation of this policy is treated as seriously as engaging in harassment or discrimination and will result in discipline up to and including termination. Retaliation includes, but is not limited to, intimi-

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dation, threats and reprisals as a result of bringing a good faith complaint or assisting in the investigation of a complaint.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-108

By Mr. Rogers, Chairman of the Human Services Committee:

**Extend One Position Of Seasonal Energy Aide
In The Department Of Social Services**

BE IT RESOLVED, That (1) one position of Seasonal Energy Aide, in the Department of Social Services, on Schedule A, Grade 2 of the CSEA Agreement, is hereby extended through the end of the HEAP season.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger asked if anyone had any questions in regard to the Public Hearing. John E. Wolfer, 47 East Main Street, Pike, NY 14130, representing Wolfer Electric stated his concerns as a small businessman. He fears if the Motor Vehicle Use Fee is passed, that the fee will only continue to rise over the years and he does not support such a law. He also stated that he would like to see a more active approach encouraging Wyoming County residents to utilize our local DMV Office so that the revenues would stay here in Wyoming County instead of having to add fees to the registrations.

Chairman Berwanger recognized Supervisor Herman, T/Wethersfield. Supervisor Herman went on to say that nobody likes to pay more in taxes or fees. He was opposed to the budget this year based on the fact that it had a severe hole in it and it still does. If it is necessary for us to pass this fee or whatnot to compensate for that so called hole we have in the budget. I think if it is a matter of raising taxes another 2% or coming up with ways of bringing in revenues. I myself have a small farm in Wethersfield. I have 12 vehicles that we register yearly. So the impact also shows on my part. As being Supervisor I recognize that we have to bring in revenues and we have to come up with ways of doing that without raising taxes. This is one way of doing that.

Chairman Berwanger acknowledged Supervisor Brunner, T/Java. Supervisor Brunner stated she went to Cattaraugus County to the DMV in Delevan. The question over here is, are we keeping the DMV over here in Warsaw or closing it? We need the revenues whether in raising taxes or with the DMV registration fee. I feel if people were to come to Warsaw rather than Delevan, they could also do more shopping, which I thought would also be a plus for Wyoming County so I am supporting this.

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Chairman Berwanger recognized Supervisor Rogers, T/Pike. Supervisor Rogers noted that he shared this Local Law with his Town Board last night and the comments were mostly in support of it. When we raise real estate taxes in Wyoming County it only effects property owners. With this motor vehicle fee it will effect more than just property owners. It will also effect renters. I think that is something we should keep in mind when we go to vote on this.

Chairman Berwanger received Supervisor Bush, T/Gainesville. Supervisor Bush opposed the Local Law for the reason that we just raised the County Tax and he had to raise his own Town Tax. With gas prices reaching an all time high. Many of our County residents are on a fixed income. Our hunting licenses went up and the entrance fee to our own local state park went up from \$2.50 to \$6.00. We froze wages for County workers. The State has cut back money from many of our programs that we know have to pick up the cost for. I think things are going to get worse. I would hate to see anything happen to the DMV right know supporting the raising of fees on registrations right know.

Chairman Berwanger acknowledged Supervisor Hickey, T/Bennington. Supervisor Hickey explained that when they looked at adopting this law the point of the law was to make the DMV a neutral levy office which I agreed to. I did ask that the charges be reduced by half. The way the current law is written today I will not support it. Another question I have is what will this revenue be used for and what will it go towards outside of general purposes? Supervisor Humphrey, T/Perry responded to Supervisor Hickeys question stating, at this time any excess revenue I would support to go to a road funds for improvements, since the funds would be coming from vehicle owners who use our roads and highways. They should get something back for their additional expense, by keeping the DMV in Warsaw and better road improvements.

Chairman Berwanger asked if there were any other questions or comments pertaining to Local Law A, Year 2003, Establishing a Motor Vehicle use Fee in Wyoming County? Hearing none, Chairman Berwanger declared the Public Hearing closed.

RESOLUTION NO. 03-109

By Mrs. Humphrey Chairman of the Finance Committee:

**Introductory Local Law No. A, Year 2003 Re:
Establishing A Motor Vehicle Use Fee In
Wyoming County Adopted**

WHEREAS, there was duly presented and introduced at a meeting of this

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Board, held on the 11th day of February, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2003, entitled A Local Law of the County of Wyoming, establishing a Motor Vehicle Use Fee; and

WHEREAS, in accordance with the provisions of Resolution No. 03-83, there was a public hearing held by this Board of Supervisors on the 11th day of March, 2003 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven (7) days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. A, Year 2003, County of Wyoming, New York, as presented to this Board on this 11th day of March, 2003, is hereby adopted, enacted and passed by this Board in its original form as follows:

Section 1. Definitions.

a. When used in this local law, the following terms shall have the following meanings:

Buses. The term "buses" shall have the same meaning as defined in '104 of the Vehicle and Traffic Law, as amended.

Commissioner. The County Treasurer of the County of Wyoming.

Passenger motor vehicle. Any motor vehicle subject to the registration fee as provided for in '401, Subdivision 6 of the Vehicle and Traffic Law.

Sheriff. The Sheriff or his or her successor in office.

Truck. The term "truck" shall have the same meaning as defined in '158 of the Vehicle and Traffic Law, as amended.

Section 2. Imposition of Tax.

a. A motor vehicle use tax pursuant to "1202(a) and 1201(e) of the Tax Law is hereby imposed in the following manner:

1. A tax of \$5.00 per annum for the use of passenger motor vehicles of a type commonly used for noncommercial purposes owned by residents of the County for each vehicle, except when owned and used in connection with the operation of a farm by the owner or tenant thereof and carrying a farm plate. This exemption shall not apply to an agricultural truck.

2. A tax of \$5.00 per annum for the use of trucks, buses and other such commercial vehicles owned by residents of the County.

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Section 3. Exemptions.

a. The tax imposed by this local law shall not be imposed upon any vehicle exempt from the registration fee pursuant to the Vehicle and Traffic Law.

Section 4. Payment of Tax and Evidence of Tax Payment.

a. Every owner of a motor vehicle subject to tax hereunder shall pay the tax thereon to the Commissioner of Motor Vehicles of the State of New York on or before the date upon which he or she registers or renews his or her registration thereof or is required to register or renew his or her registration thereof pursuant to '401 of the Vehicle and Traffic Law.

b. Notwithstanding the provisions of '400 of the Vehicle and Traffic Law to the contrary, the payment of such tax shall be a condition precedent to the registration or renewal thereof of such motor vehicle and to the issuance of any certificate of registration and plates or removable tag specified in Subdivision 3 of "401 and "403 and 404 of the Vehicle and Traffic Law, and no such certificate of registration, plates or tag shall be issued unless such tax has been paid. The Commissioner of Motor Vehicles shall not issue a registration certificate for any motor vehicle for which the registrant's address is within the County except upon proof in a form approved by the Commissioner of Motor Vehicles that such tax has been paid or is not due, with respect to such motor vehicle. The Commissioner of Motor Vehicles, upon the application of any person exempt therefrom, shall furnish to each taxpayer paying the tax a receipt for such tax and to each such taxpayer or exempt person a statement, document or other form approved by the Commissioner of Motor Vehicles, pursuant to the last sentence, showing that such tax has been paid or is not due, with respect to such motor vehicle.

Section 5. Returns.

a. At the time the payment of the tax imposed by this local law becomes due, every person subject to tax hereunder shall file a return with the Commissioner of Motor Vehicles in such form and containing such information as may be prescribed by such Commissioner of Motor Vehicles. The taxpayer's application for registration or the renewal of registration shall constitute the return required under this local law, unless the Commissioner of Motor Vehicles, by regulation, shall otherwise provide.

b. Returns shall be preserved for three years and thereafter until the Commissioner of Motor Vehicles permits them to be destroyed.

c. The Commissioner of Motor Vehicles may require amended returns or certificates of facts to be filed within twenty (20) days after notice and to contain the information specified in the notice. Any such certificate shall be deemed to be part of the return required to be filed.

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d. If a return required by this local law is not filed or if a return when filed is incorrect or insufficient on its face, the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, shall take the necessary steps to enforce the filing of such a return or of a corrected return.

Section 6. Determination of Tax.

a. If a return required by this local law is not filed or if a return when filed is incorrect or insufficient or if a tax or any part thereof due hereunder be not paid when required, the amount of tax due shall be determined by the Commissioner of Motor Vehicles or by the County Treasurer, if designated as his or her agent, from such information as may be obtainable, including motor vehicle registration with the Department of Motor Vehicles of the State of New York and/or other factors. Notice of such determination shall be given to the person liable for the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after the giving of notice of such determination, shall apply to the Commissioner of Motor Vehicles or to the County Treasurer, if designated as his or her agent, for a hearing or unless such commissioner or agent, as the case may be, of his or her own motions shall redetermine the same. After such hearing, the Commissioner of Motor Vehicles, if he or she holds the hearing, or the County Treasurer, if the County Treasurer holds the hearing, shall give notice of the determination of such application to the person against whom the tax is assessed. Such determination shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under Article 78 of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within four (4) months after the giving of the notice of such determination. A proceeding under Article 78 of the Civil Practice Law and Rules shall not be instituted unless the amount of any tax sought to be reviewed, with penalties and interest thereon, if any, shall be first deposited with the Commissioner of Motor Vehicles and there shall be filed with the Commissioner of Motor Vehicles an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a Justice of the Supreme Court shall approve, to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of the proceeding; or at the option of the applicant, such undertaking filed with the Commissioner of Motor Vehicles may be in a sum sufficient to cover the taxes, penalties and interest thereon stated in such determination, plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the

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applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

Section 7. Refund of Certain Unused Registrations.

a. Whenever any fee or portion of a fee paid for the registration of a motor vehicle under the provisions of the Vehicle and Traffic Law is refunded pursuant to the provisions of Subdivision 1 of '428 thereof, the amount of any tax paid pursuant to this local law upon such registration shall also be refunded by the Commissioner of Motor Vehicles.

Section 8. Refunds.

a. In the manner provided in this section, the Commissioner of Motor Vehicles shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application for such refund shall be made within one (1) year from the payment thereof to the Commissioner of Motor Vehicles or to the County Treasurer, if designated as his or her agent. Whenever a refund is made, the reasons therefor shall be stated, in writing, by the Commissioner of Motor Vehicles or by the County Treasurer, as the case may be, who, in lieu of any refund, may allow credit therefor on payments due from the applicant.

b. An application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty or interest complained of and the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, shall hold a hearing and receive evidence with respect thereto. After such hearing, the Commissioner of Motor Vehicles, if he or she holds the hearing, or the County Treasurer, if the County Treasurer holds the hearing, shall give notice of the determination of such application to the applicant who shall be entitled to review such determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided that such proceeding is instituted within four months after the giving of notice in such determination, and provided that a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the Commissioner of Motor Vehicles in such amount and with such sureties as a Justice of the Supreme Court shall approve, to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

c. A person shall not be entitled to a revision, refund or credit under this section of a tax, interest or penalty which has been determined to be due pursuant to the provisions of Section 6 of this local law where he or she has had a hearing or an opportunity for a hearing, as provided in said section, or has

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failed to avail himself or herself of the remedies therein provided. No refund or credit shall be made of a tax, interest or penalty paid after a determination made pursuant to Section 6 of this local law, unless it be found that such determination was erroneous, illegal or unconstitutional or otherwise improper after a hearing or, on his or her own motion, by the Commissioner of Motor Vehicles or by the County Treasurer, as the case may be, or in a proceeding under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of said section, in which event refund or credit without interest shall be made of the tax, interest or penalty found to have been overpaid.

Section 9. Reserves.

a. In cases where a taxpayer has applied for a refund and has instituted a proceeding under Article 78 of the Civil Practice Law and Rules to review a determination adverse to such taxpayer on his or her application for refund, the County Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

Section 10. Remedies Exclusive.

a. The remedies provided by Sections 6 and 8 of this local law shall be exclusive remedies available to any person for the review of tax liability imposed by this local law, and no determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by any action or proceeding other than a proceeding in the nature of a certiorari proceeding under Article 78 of the Civil Practice Law and Rules; provided, however, that a taxpayer, may proceed by declaratory judgment if he or she institutes suit within thirty (30) days after a deficiency assessment is made and pays the amount of the deficiency assessment to the Commissioner of Motor Vehicles prior to the institution of such suit and posts a bond for costs as provided in Section 6 of this local law.

Section 11. Proceeding to Recover Tax.

a. Whenever any person shall fail to pay any tax, penalty or interest imposed by this local law as herein provided, the County Attorney, upon the request of the Commissioner of Motor Vehicles or of the County Treasurer, if designated as his or her agent, shall bring or cause to be brought an action in accordance with the Laws of Wyoming County to enforce the payment of the same on behalf of the County of Wyoming in any court of the State of New York or of any other state of the United States. However, if in his or her discretion the, Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, believes that any such person subject to the provisions of this local law is about to cease business, leave the state or remove or dissipate the

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assets out of which the tax or penalty might be satisfied and that any such tax or penalty will not be paid when due, he or she may declare such tax or penalty to be immediately due and payable and may issue a warrant immediately.

b. As an additional or alternate remedy, the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, may issue a warrant, directed to the Sheriff commanding him or her to levy upon and sell the real and personal property of the person liable for the tax which may be found within the County for the payment of the amount thereof, with any penalty and interest, and the cost of executing the warrant, and to return such warrant to the person who issued it and to pay to him or her the money collected by virtue thereof within sixty (60) days after the receipt of such warrant. The Sheriff shall within five (5) days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalty and interest for which the warrant is issued and the date when such copy is filed. Thereupon, the amount of such warrant so docketed shall become a lien upon the title to and the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant in the same manner, and with like effect as that provided by law in respect to executions issued against property upon judgments of a court of record, and for services in executing the warrant, such Sheriff shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Commissioner of Motor Vehicles or the County Treasurer, as the case may be, may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if he or she had recovered judgment therefor and execution thereon had been returned unsatisfied.

Section 12. General Powers of the Commissioner of Motor Vehicles.

a. In addition to the powers granted to the Commissioner of Motor Vehicles in this local law, he or she is hereby authorized and empowered:

1. To make, adopt and amend rules and regulations appropriate to the carrying out of this local law;
2. For cause shown, to remit penalties, and to compromise disputed claims in connection with the taxes hereby imposed;
3. To request information concerning motor vehicles and persons subject to the provisions of this local law from the Department of Motor Vehicles of any other state or the Treasury Department of the United States or any city or county of the State of New York, and to afford such information to such other state, Treasury Department, city or county any provision of this local

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law to the contrary notwithstanding;

4. To delegate his or her functions hereunder to a deputy commissioner in the Department of Motor Vehicles or any employee or employees of his or her department;

5. To prescribe methods for determining the tax to keep such records as he or she may prescribe and to furnish such information upon his or her request;

6. To require all persons owning motor vehicles subject to tax to keep such records as he or she may prescribe and to furnish such information upon his or her request;

7. To request the Wyoming County Sheriff to assist in the enforcement of the provisions of this local law.

Section 13. Administration of Oaths and Compelling Testimony.

a. The Commissioner of Motor Vehicles or his or her employees or agents duly designated and authorized by such commissioner shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the powers and duties under this local law. The Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, shall have the power to subpoena and require the attendance of witnesses and the production of books, papers and documents to secure information pertinent to the performance of his or her duties hereunder and of the enforcement of this local law and to examine them in relation thereto and to issue commissions for the examination of witnesses who are out of the state or unable to attend before him or her or excused from attendance.

b. A Justice of the Supreme Court, either in court or at chambers, shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and production and examination of books, papers and documents called for by the subpoena of the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent under this local law.

c. The officers who serve the summons or subpoena of the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein otherwise provided. Such officers shall be the County Treasurer and his or her duly appointed deputies or any officers or employees of the Department of Motor Vehicles designated by the Commissioner of Motor Vehicles to serve such process or any officers or employees of the Treasurer's Office of the County designated by the County Treasurer to serve such process.

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Section 14. Penalties and Interest.

a. Any person failing to file a return or to pay any tax or any portion thereof within the time required by this local law shall be subject to a penalty of five (5) times the amount of the tax due, plus interest of five percent (5%) of such tax for each month of delay or fraction thereof, but the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, if satisfied that the delay excusable, may remit all or any part of such penalty, but not interest at the rate of six percent per year. Penalties and interest shall be paid and disposed of in the same manner as other revenues under this local law. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

b. The certificate of the Commissioner of Motor Vehicles or of the County Treasurer, if designated as his or her agent, to the effect that a tax has not been paid or that a return required by this local law has not been filed or that information has not been supplied pursuant to the provisions, of this local law shall be presumptive evidence thereof.

Section 15. Returns to be Secret.

a. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Commissioner of Motor Vehicles, any officer or employee of the Department of Motor Vehicles, the County Treasurer, any officer or employee of the Treasurer's Office, any agent of the Commissioner of Motor Vehicles or any person who, pursuant to this section, is permitted to inspect any return or to whom a copy, an abstract or portion of any return is furnished or to whom any information contained in any return is furnished to divulge or make known in any manner any information contained in or relating to any return provided for by this chapter. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Commissioner of Motor Vehicles or the County Treasurer in an action or proceeding under the provisions of this local law or on behalf of any party to an action or proceeding under the provisions of this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of and may admit in evidence so much of said returns or of the facts shown thereby as are pertinent to the action or proceeding and no more. The Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, may, nevertheless, publish a copy or a summary of any determination or decision rendered after a formal hearing held pursuant to Section 6 or 8 to this local law. Nothing herein shall be construed to prohibit the delivery to a person or his or her duly authorized representative of a certified copy

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of any return filed by him or her pursuant to this chapter or of the receipt, document or other form issued pursuant to Section 4 of this local law or a duplicate copy thereof, nor to prohibit the delivery of such a certified copy of such return or any information contained in or relating thereto to the United States of America or any department thereof, the State of New York or any department thereof or the County of Wyoming or any department thereof, provided that the same is required for official business, nor to prohibit the inspection for official business of such returns by the Corporation Counsel or other legal representatives of the County or by the District Attorney, nor to exhibit the publication of statistics so classified as to prevent the identification of particular returns or items thereof.

Section 16. Notices and Limitations of Time

a. Any notice authorized or required under the provisions of this local law may be given by mailing the same to the person for whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him or her pursuant to the provisions of this local law, in any application made by him or her pursuant or in any application for registration made by him or her pursuant to '401 of the Vehicle and Traffic Law or, if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time, which is determined according to the provisions of this local law by the giving of notice, shall commence to run from the date of mailing of such notice.

b. The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the Commissioner of Motor Vehicles or the County Treasurer, if designated as his or her agent, to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this local law. However, except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return; provided, however, that where no return has been filed as provided by law, the tax may be assessed at any time.

c. Where, before the expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented, in writing, that such period be extended, the amount of such additional tax may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents, in writing, made before the expiration of the extended period.

d. If any return, claim, statement, notice, application or other document

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required to be filed or any payment required to be made within a prescribed period or on or before a prescribed date under authority of any provision of this title is, after such period or such date, delivered by United States Mail to the Commissioner of Motor Vehicles, County Treasurer, bureau, office, officer or person with which or with whom such document is required to be made, the date of the United States postmark stamped on the envelope shall be deemed to be the date of delivery. This subsection shall apply only if the postmark date falls within the prescribed period or on or before the prescribed date for the filing of such document or for making the payment, including any extension granted for such filing or payment, and only if such document or payment was deposited in the mail, postage prepaid, properly addressed to the Commissioner of Motor Vehicles, County Treasurer, bureau, office, officer or person with which or with whom such payment is required to be made. If any document is sent by United States registered mail, such registration shall be prima facie evidence that such document was delivered to the Commissioner of Motor Vehicles, County Treasurer, bureau, office, officer, or person to which or to whom addressed, and the date of registration shall be deemed the postmark date. The Commissioner of Motor Vehicles is authorized to provide by regulation the extent to which the provisions of the preceding sentence with respect to prima facie evidence of delivery and the postmark date shall apply to certified mail. This subsection shall apply in the case of postmarks not made by the United States Postal Service only if and to the extent provided by regulation of the Commissioner of Motor Vehicles.

e. When the last day prescribed under authority of this title (including any extension of time) for performing any act falls on a Saturday, Sunday or legal holiday in the state of New York, the performance of such act shall be considered timely if it is performed on the next succeeding day which is not a Saturday, Sunday or legal holiday.

Section 17. County Treasurer as Agent.

a. The Commissioner of Motor Vehicles is hereby authorized to designate the Wyoming County Treasurer as his or her agent to exercise any or all of his or her functions and powers specified or provided for in subsection (d) of Section 5 and in Sections 6, 8, 11, 13, 14 and 16 of this local law. Where the County Treasurer has been so designated as agent, the County Treasurer, in addition to the powers elsewhere granted to him or her in this local law, is hereby authorized and empowered:

1. To delegate such functions and powers to any employee or employees of the Treasurer's Office;
2. For cause shown, to remit penalties and to compromise disputed claims in connection with the taxes hereby imposed;

3. To request information concerning motor vehicles and persons subject to the provisions of this local law from the Department of Transportation of the United States or any city or county of the State of New York, and to afford such information to such other state, treasury department, city or county any provision of this local law to the contrary notwithstanding;

4. To request the Sheriff's Department of the County to assist in the enforcement of the provisions of this local law.

Section 18. Agreement between County Treasurer and Commissioner of Motor Vehicles.

a. The County Treasurer is hereby authorized and empowered to enter into an agreement with the Commissioner of Motor Vehicles to govern the administration and collection of the taxes imposed by this local law, which agreement shall provide for the exclusive method of collection of such taxes, custody and remittal of the proceeds of such tax; for the payment by the County of the reasonable expenses incurred by the Department of Motor Vehicles in collecting and administering such tax; and for the audit, upon request of the County Treasurer or his or her delegate, of the accuracy of the payment distributions and remittances to the County Treasurer pursuant to the provisions of this local law, to be conducted at a time agreed upon by the State Comptroller and to be allowed not more frequently than once in each calendar year. Such agreement shall have the force and effect of a rule or regulation of the Commissioner of Motor Vehicles and shall be filed and published in accordance with any statutory requirements relating thereto.

Section 19. Notification to County Attorney.

a. The Commissioner of Motor Vehicles shall promptly notify the County Attorney of any litigation instituted against him or her which challenges the constitutionality or validity of any provision of this local law or which attempts to limit or question the applicability of such law, and such notification shall include a copy of the papers served upon him.

Section 20. Disposition of Revenues.

a. All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of the County and shall be credited to and deposited in the general fund of the County.

Section 21. Severability.

a. If any provision of this local law or the application thereof to any person or circumstances is held invalid, the remainder of this local law and the application of such provisions to other persons and circumstances shall not be affected thereby.

Section 21. Effective Date.

a. This law shall take effect upon the filing of the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Carried: Ayes: 1395 Noes: 223; Hickey (127) Absent: 0
Bush (96)

RESOLUTION NO. 03-110

By Mrs. Humphrey, Chairman of the Finance Committee:

**Home Rule Request To Extend
Sales Tax Increase Approved**

WHEREAS, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 01-251, passed September 18, 2001, and as amended, now, therefore

BE IT RESOLVED, That the county of Wyoming hereby requests the New York State Legislature to support and pass Senate bill, S.2481, and Assembly bill, A.5424, which is the legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three percent (3%) through November 30, 2005; and be it

FURTHER RESOLVED, That the Chairman of this Board and the Clerk of the Board are hereby authorized and directed to file the necessary Home Rule Request.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:27 PM.

REGULAR SESSION

Tuesday April 8, 2003 2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was Assistant County Attorney, Toni DelMonte. Chairman Berwanger, T/Arcade, called the meeting to order and asked the Director of Veteran's Services, Frank Hollister to lead with the Pledge of Allegiance to the Flag.

Chairman Berwanger introduced Barb Boyer, Executive Director of the Cornell Cooperative Extension, to present certificates to this months' Asset Builders.

Barb Boyer went on to say the following:

Chairman Berwanger and members of the Board of Supervisors, it is my distinct pleasure at this meeting to introduce to you, two persons who spend their lives building assists on others. They step beyond their lives to engage others so all lives are improved.

These two asset builders in Wyoming County are a teacher and student from Wyoming Central School. The student is Jamie Niziol, Town of Covington, and the teacher is Linda Almeter, Town of Gainesville.

When one looks at a student in 7th grade, knowing the pressures of getting good marks, fitting in with others and supporting one's school as well as family, the difficulty of that seems enormous. When that same student, regardless of her schedule, goes out of her way to help other students succeed, participate, and grow, accolades must be given.

This young woman expressed to me how supportive her family is to her, and that she feels she wishes to help others when and wherever she could.

She is a good student, she is a role model for others, and other students know she can be counted on. The teachers who were interviewed brought her name to the front each time as someone who steps forward to help without being asked.

Following Jaime, is Linda Almeter, who over her lunch chatted with me about how she feels that the students need extra time and extra help many times, and she feels she wants to give that to them, or as she said, "I want to try to make a difference." She stays after school, unasked, to help students with homework, projects and just "time" to unearth their potential. Again, this woman encapsulates an asset builder as a person who praises young people, helps them find their own answers to problems, and gives of her time regardless of what hours are taken from her personal time.

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The assets that these two individuals model and develop in others are: Service to others, youth as resources, safety, achievement motivation, school engagement, homework, bonding to school, caring, integrity, responsibility, interpersonal competence, personal power, self-esteem, sense of purpose, and positive view of personal future.

Congratulations to these two asset builders and all the students, parents and staff of Wyoming Central School, and Wyoming County, who are the beneficiaries of their talents and gifts.

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communication:

C-1. The Western New York Inter-County Meeting will be held April 11, 2003 in Allegany County, to be held at Moonwink's Rest, Route 305, Cuba, NY, registration at 9:30 AM. The program will be Underground Railroad/WNY.

RESOLUTION NO. 03-111

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

PUBLIC HEALTH

To acct

01.38.4011.1.10101	
Full Time CSEA Salary	- \$49,988.62
01.38.4011.1.10202 Temporary	
Salary	-2,500.00
01.38.4011.1.10401 Longevity Benefit-525.00	
01.38.4011.1.10602	
Insurance Repudiation	-312.50
01.38.4011.4.40201 Dues	-15.00
01.38.4011.4.40401 Training	-100.00
01.38.4011.4.40405 Employee	
Expenses	-50.00
01.38.4011.4.40406 Employee Mileage-50.00	
01.38.4011.4.40704 Lab Fees - PH	-1,960.00
01.38.4011.4.40801 Bldg.	
Repair-CTY	-\$3,810.74
01.38.4011.4.42301 Books,	
Publications	-86.54

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01.38.4011.8.81001 Retirement	-2,752.64		
01.38.4011.8.82001 Disability	-330.00		
01.38.4011.8.83001 FICA	-3,144.90		
01.38.4011.8.85001 Medicare	-736.04		
01.38.4011.8.86001 EAP	-48.00		
01.38.4011.8.89001 Medical/Hosp.			
Insurance	<u>-2,000.00</u>		
	-568,409.98		
w/rev acct 01.11.4011.340112			
decreased by same amt.		-568,409.98	
To acct			
01.38.4013.2.20601			
Instructional Equipment	-51,000.00		
01.38.4013.4.40301 Professional			
Services	-15,000.00		
01.38.4013.4.40401 Training/			
Education	-2,126.88		
01.38.4013.4.40405 Employee			
Expenses	-1,000.00		
01.38.4013.4.40406 Employee			
Mileage	-2,000.00		
01.38.4013.4.41214 Supplies			
Purchased	-1,000.00		
01.38.4013.4.41510 Educational			
Materials	-1,500.00		
01.38.4013.4.41706 Medical			
Supplies	<u>-1,000.00</u>		
	-524,626.88		
w/rev acct 01.12.4013.448916			
decreased by same amt.		-524,626.88	-593,036.86
VETERAN'S SERVICES			
To acct 01.43.6510.4.40402			
Conf./Conventions	5771.75		
01.43.6510.40405 Employee			
Expenses	<u>1,088.25</u>		
	51,860.00		
w/rev acct 01.11.6510.3710 inc.			
by same amount		51,860.00	51,860.00

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SHERIFF			
To acct			
01.37.3110.1.10301 Overtime	55,300.00		
w/rev acct 01.11.3110.308901 inc.			
by same amount		55,300.00	
To acct 01.37.3110.2.23001			
Motor vehicles	56,700.00		
01.37.3110.2.20403 Misc. Office			
Equipment	100.00		
01.37.3110.2.20501 Law			
Enforcement Equip	3,500.00		
01.37.3110.2.20510 Radio	<u>1,400.00</u>		
w/rev acct 01.11.3110.308901 inc.			
by same amount		511,700.00	511,700.00
			517,000.00
DISTRICT ATTORNEY			
To acct 01.32.1165.4.41302			
Witnesses	54,684.12		
w/rev acct 01.11.1165.308905 inc.			
by same amount		54,684.12	54,684.12
TREASURER			
To acct 01.33.1325.4.40917			
Computer Services	59,900.00		
From any funds available		59,900.00	59,900.00
And be it			
FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available there-fore.			
Carried:	Ayes: 1522	Noes: 0	Absent: 96; Bush

RESOLUTION NO. 03-112

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

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PUBLIC HEALTH

From acct. 01.38.4010.1.10001

PH Salaries	\$13,196.10	
01.38.4050.1.10001 CHHA Salaries	20,736.73	
01.38.4059.1.10001 EI Salaries	<u>3,770.31</u>	
	\$37,703.14	

To acct. 01.38.4010.4.40301

Prof. Service Contracts	\$37,703.14	\$37,703.14
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SOCIAL SERVICES

From acct 01.39.6070.4.42246

Serv to Recip Contracts	\$15,000.00	
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To acct 01.39.6010.4.42216

Domestic Violence	\$15,000.00	\$15,000.00
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Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

Supervisor Totstline, T/Genesee Falls, Chairman of the Audit Committee, presented the bills in the amount of Nine Hundred Twenty Eight Thousand, Six Hundred Twenty Dollars, Ninety Eight Cents (\$928,620.28) and requested that the bills be paid. A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

Chairman Berwanger requested that resolution office numbers 3-19 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 3-19. A voice vote was taken and resolution office numbers 3-19 passed.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-113

By Mr. Knab, Chairman of the Public Health Committee:

Mental Health Month Proclaimed

WHEREAS, Millions of Americans may experience a mental disorder at some point during their lives and many suffer devastating consequences as a result; and

WHEREAS, Americans recognize that comprehensive and accessible mental healthcare services in their communities can effectively treat many disor-

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ders; and

WHEREAS, Wyoming County has made a commitment to community-based systems of mental healthcare for all residents; and

WHEREAS, The guiding principles for community mental healthcare have always been comprehensiveness, cost-efficient, effective management, high quality and consumer-responsive services, and those principles are now being adopted by private and public healthcare payers; and

WHEREAS, State, local and federal governments continue to struggle with financing issues to ensure all Americans who need physical and behavioral healthcare services can receive the help they need; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 2003 as

“MENTAL HEALTH MONTH”

And calls upon all citizens, government agencies, public and private institutions, businesses and schools in Wyoming County to recommit our County to its original vision for community mental healthcare through education, volunteerism and understanding.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-114

By Mr. Knab, Chairman of the Public Health Committee:

Children’s Mental Health Week Proclaimed

WHEREAS, The citizens of Wyoming County value their health and that of their families and fellow citizens of Wyoming County; therefore, they are proud to support observances such as Children’s Mental Health Week; and

WHEREAS, Almost twenty-one percent of children and adolescents in the United State have a mental health disorder; nearly eleven percent suffer from a major mental health illness that results in significantly impaired behavior at home, at school and among peers; five percent have extreme functional impairment with their illness; and

WHEREAS, It is important that children and adolescents, along with their families and communities, learn about the warning signs of mental health problems and where to obtain necessary assistance and treatment; and

WHEREAS, Obtaining a full and accurate diagnosis of a child requires gathering information from diverse sources, including the family, school and others involved with that child; and

WHEREAS, Early diagnosis and appropriate treatment of mental health

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problems among children and adolescents provide them better opportunities to lead full and productive lives; the participation of family members in the assessment and treatment of children and adolescents is integral to positive clinical outcomes; and

WHEREAS, Children’s Mental Health Week was developed by families of children with special mental, emotional and behavioral needs, to focus on the needs of their children and families; in celebrating this year’s theme: “We Are All In This Together,” it is fitting to increase public awareness among all the New Yorkers of this important issue; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 4th through May 10th in the year 2003 as

CHILDREN’S MENTAL HEALTH WEEK
in Wyoming County.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-115

By Mr. Gozelski, Chairman of the Agriculture Committee:

Reinstatement Of Funds To County Law 224 Supported

WHEREAS, The proposed budget released by Governor Pataki contains a 16.6 percent cut to the State University of New York (SUNY); and

WHEREAS, In the SUNY budget there is a funding for Cornell Cooperative Extension through a Cornell University Contract (i.e., Human Ecology, Agriculture and Life Sciences, etc.); and

WHEREAS, Cornell Cooperative Extension is an educational link between New York’s land-grant institution, Cornell University, and New York State citizens. Our County and regional extension educators work with local citizens, businesses and other agency partners; and

WHEREAS, In the Governor’s proposed budget cuts, it would result in a cut to state support for county-based Cornell Cooperative Extension associations reduced by \$1 million dollars in County Law 224; and

WHEREAS, The \$1 million cut from County Law 224 will have a significant negative local impact on extension programs in communities; and

WHEREAS, This reduced state support for county associations creates a hardship because these funds are used for core staffing and matching of grant and contract funding. Lower state support would also likely influence county appropriations for Cornell Cooperative Extension; and

WHEREAS, Wyoming County’s Cooperative Extension would lose \$12,304

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dollars if the proposed cut in County Law 224 were enacted; and

WHEREAS, Wyoming County’s Cooperative Extension would lose monies for the development of manure digesters, potato testing, storage and growing information, maple sugar education production, pond management education, forage, pest management, production agriculture, nutrition management (CAFO) education, teen leadership, career exploration; now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors respectively request that Governor George E. Pataki and the New York State Legislature support the reinstatement of funds for County Law 224; and be it

FURTHER RESOLVED, That the Clerk of this Board send copies this resolution to Governor George Pataki, the New York State Legislators, New York State Association of Counties, Western New York Inter County Association, and all other deemed necessary and proper.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-116

By Mr. Miller, Chairman of the Planning Committee:

2003 United Way Campaign Supported

WHEREAS, The United Way of Wyoming County has raised much needed funding for vital services provided by a number of human services agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2003 campaign goal of \$300,000 for these needed services to county residents; now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2003 United Way Campaign, and encourages county and municipal employees, and county residents and employers to make a critical investment in their community and help us “take care of our own”, by participating in this years Campaign.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-117

By Mr. Knab, Chairman of the Public Health Committee:

Resolution No. 03-12 Amended Re: Chairman Authorized To Sign Various Contracts On Behalf Of The Public Health Department

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BE IT RESOLVED, That Resolution No. 03-12 passed by this Board of Supervisors on January 14, 2003 is hereby amended to reflect a change in vendor and amount as follows: changes:

PUBLIC HEALTH

Ohri Medical Group - Chest Clinic Service \$1,200.00 per year
Medical Direction, Clinic visits for TB clients
January 1, 2003 through December 31, 2003
Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-118

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With Buffalo Hospital Supply On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract on behalf of the Public Health Department with Buffalo Hospital Supply, 4039 Genesee Street, Buffalo, NY 14225, for the provision of medical supplies, effective April 1, 2003 through March 31, 2004, amount not to exceed Thirty Thousand Dollars (\$30,000.00), contingent upon the availability of funds.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-119

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Sign Various Contracts On Behalf Of The Buildings And Grounds Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Buildings and Grounds Department:

A. Wolcott Farms Lawn Care, 3820 Hermitage Road, Warsaw, NY, for the provision of lawn maintenance, effective April 1, 2003 through December 31, 2003, amount not to exceed \$12,900.00, contingent upon the availability of funds.

B. Michael J. Hendry Cleaning Service, 12 East Court Street, Warsaw,

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NY for the provision of janitorial services at various county owned properties, effective May 15, 2003 through May 14, 2004, amount not to exceed \$28,620.00, contingent upon the availability of funds.

C. T.C.C.T., Inc., 2276 Silver Lake Road, Perry, NY, for the provision of janitorial services at various county owned property, effective May 15, 2003 through May 14, 2004, amount not to exceed \$64,254.00, contingent upon the availability of funds.

D. Key Power Systems, 953 Creek Road, Attica, NY, for the provision of emergency generator system preventative maintenance and service, effective June 1, 2003 through May 31, 2004, amount not to exceed \$1,235.00, contingent upon the availability of funds.

E. U & S Services, 233 Fillmore Ave., Tonawanda, NY, to provide upgrades to the existing energy management system in the Public Safety Building, effective April 1, 2003 through December 31, 2003, amount not to exceed \$33,275.00, contingent upon the availability of funds.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-120

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Sign A Contract With Tompkins Trust On Behalf Of The Building And Grounds Department

WHEREAS, The Purchasing Agent, with the approval of the Public Works Committee of this Board of Supervisors advertised for and received bids for the purchase of a vehicle for the Buildings and Grounds Department, and

WHEREAS, The Public Works Committee is authorized to award to the lowest responsible bidder of the equipment; now therefore

BE IT RESOLVED, That the bid of McCarthy Ford, 900 Maple Road, Elma, NY, is hereby accepted for the purchase of said vehicle, and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Tompkins Trust, 121 East Seneca Street, PO Box 460, Ithaca, NY for the purchase of said equipment in the name of Wyoming County.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

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RESOLUTION NO. 03-121

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign Renewal Contracts For Transportation On Behalf Of The Youth Bureau

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following renewal contracts for transportation of preschool handicapped children on behalf of the Wyoming County Youth Bureau:

A. McDonald Bus Company, 248 Sargent Street, Cowlesville, NY 14037, for the continued preschool transportation services, effective July 1, 2003 through June 30, 2004; amount per the language of the contract.

B. Laidlaw Transit, Inc., 413 East Main Street, Batavia, NY 14020, for continued preschool transportation services, effective July 1, 2003 through June 30, 2004; amount per the language of the contract, contingent upon the availability of funds.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-122

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Sign Various Contract On Behalf Of The Department Of Social Services

BE IT RESOLVED, That the Chairman/Commissioner of Social Services with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A. Wyoming County Chemical Abuse Treatment Program, 422 North Main Street, Warsaw, NY, for the provision of alcohol and drug abuse assessment services; effective March 23, 2003 through March 22, 2006, amount not to exceed \$3,630.00, contingent upon the availability of funds.

B. Matthew & Virginia Roberts, 22 Liberty Street, Castile, NY, to lease space for the TOP office; effective January 1, 2003 through December 31, 2003, amount not to exceed \$6,600.00, contingent upon the availability of funds.

C. Wyoming County Community Action, Inc., 6470 Route 20A, Suite 1, Perry, NY, for the provision of Non-Residential Domestic Violence services; effective March 4, 2003 through December 31, 2003, amount not to exceed \$15,000, contingent upon the availability of funds.

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D. Adecco, 230 East Main Street, Arcade, NY 14009, for the provision of temporary clerical services, effective April 1, 2003 through December 31, 2003; amount per the language of the contract; contingent upon the availability of funds.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-123

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of The Department Of Social Services Authorized To Sign A Grant Application For A 2003 Community Grant

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application with the Beaumont Foundation of America, to augment the Merit Incentive Funds; amount not to exceed One Hundred Thousand Dollars (\$100,000.00).

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-124

By Mr. Davis, Chairman of the Public Safety Committee:

Southern Tier Drug Task Force Enforcement Contract Authorized

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign (2) renewal contracts (C708543) with Chautauqua County for the Southern Tier Drug Enforcement Program, effective April 1, 2002 through December 31, 2003, in the amount of Fifteen Thousand, Eight Hundred Twenty Five Dollars (\$15,825.00) for additional deputies and not to exceed Fifty Thousand, Five Hundred Thirty Four Dollars (\$50,534.00) to reimburse the municipalities for personnel services, equipment, and expenses during the contract period, contingent on the availability of funding.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

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RESOLUTION NO. 03-125

By Mr. Davis, Chairman of the Public Safety CommIttee:

**Chairman Authorized To Sign A Contract With
Sinclair Pharmacy On Behalf Of The
Wyoming County Sheriff’s Department**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Sheriff’s Department, is hereby authorized and directed to sign a contract with Sinclair Pharmacy, 75 North Main Street, Warsaw, NY 14569, for the provision of pharmaceutical services for the Wyoming County Jail, for the period of April 8, 2003 through April 7, 2006, said amount per the language of the contract.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-126

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman/Traffic Safety Board Chairman Authorized
To Sign Governor’s Traffic Safety Grant Applications
On Behalf Of The Sheriff’s Department**

BE IT RESOLVED, That the Chairman of this Board/Chairman of the Wyoming County Traffic Safety Board is hereby authorized and directed to sign grant applications on behalf of the Wyoming County Sheriff’s Department for participation in the NYS Governor’s Traffic Safety Committee Grant Programs, Buckle Up New York (BUNY), Selective Traffic Enforcement Program (STEP), Impaired Driving Deterrence Program and all other programs under the local grant application for FY 2004.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-127

By Mrs. Humphrey, Chairman of the Finance Committee:

**Chairman Authorized To Sign A Contract
With Zientek Realty And Auction Co.**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, are hereby authorized and directed to sign a contract

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with Zientek Realty and Auction Co., 357 West Main St., Arcade, NY 14009 an auction agency to provide property tax auction services in an amount not to exceed the language of said contract for the years 2003, 2004 and 2005.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-128

By Mrs. Humphrey, Chairman of the Finance Committee:

**Correction Of Errors In The Town Of Attica
And The Town Of Genesee Falls Approved**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE:	Town of Attica Tax Map # 562289 33.-2-27.22
ASSESSED TO:	Tammy S. Richardson 3834 Jillson Road Warsaw, NY 14569
ERROR:	None
AUTHORITY:	RPTL §524.1
ACTION:	DENY Refund Application - Tax Years 2000, 2001 Owner did not attend Board of Assessment Review in 2000 or 2001. No other assessment review available.

PARCEL TWO:	Town of Genesee Falls Tax Map # 563400 159.-1-36
ASSESSED TO:	Robin & Chyra Bowles 6025 Route 19A Castile, NY 14427
ERROR:	None
AUTHORITY:	RPTL §550.7(b)

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ACTION: DENY Correction Application - Tax Year 2003
No "Unlawful Entry" exists. Portageville Light
District does not appear on Tax Bill.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-129

By Mr. Knab, Chairman of the Public Health Committee:

**Health Insurance Portability And
Accountability Act Policies Adopted**

WHEREAS, The Health Insurance Portability and Accountability Act of 1996 (hereinafter "HIPAA") sets forth the type of measures that are required to protect the security and privacy of individually identifiable health care information; and

WHEREAS, The County of Wyoming, in compliance with HIPAA, and other Federal Laws and New York State Laws, shall take all appropriate measures to ensure the confidentiality of individually identifiable health care information that is in the possession of the County and shall otherwise comply with the provisions of HIPAA that are scheduled to be effective on April 14, 2003; and

WHEREAS, The County of Wyoming oversees several departments that are specifically identified under HIPAA as "covered entities"; and

WHEREAS, Under HIPAA the presence of "covered entities" under the control of the County of Wyoming requires that the whole of the County workforce be provided information and trained in the County's policy on uses and disclosures of protected health information; now therefore

BE IT RESOLVED, That the County of Wyoming recognizes it responsibility to comply with the requirements of HIPAA; and be it

FURTHER RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is hereby authorized to nominate and appoint a Wyoming County Privacy Officer and Security Officer, as well as to nominate and appoint specific Departmental Privacy, Security and Compliance officers who shall serve under the direction of the Privacy Officer, who shall be responsible for the development and implementation of the policies and procedures required by the Privacy Rule of HIPAA; and be it

FURTHER RESOLVED, That Wyoming County Policy and Procedures shall be immediately amended by incorporating the attached Policies and Procedures regarding the Privacy of Protected Health Information as approved

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by the Wyoming County Board of Supervisors and adopted by the Wyoming County Board of Supervisors on April 8, 2003; and be it

FURTHER RESOLVED, That upon the completion of the preparation, review, and approval of additional policies and procedures, the same shall be submitted to this Board for final review and approval; and be it

FURTHER RESOLVED, That a certified copy of this resolution shall be forwarded to the Personnel Officer and the County Attorney.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

Supervisor Kushner, T/Eagle, announced that he did not support this contract in committee and that he does not believe this is the most effective direction to go and he will continue to not support it.

Supervisor Agan, T/Attica, had questions as to how this contract was to be paid. Supervisor Rogers, T/Pike, answered the questions to Supervisor Agan's satisfaction.

RESOLUTION NO. 03-130

By Mr. Rogers, Chairman of the Human Services Committee:

**Chairman Authorized To Sign A Contract
With H. Tenhagen On Behalf Of Pathways**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Hugh TenHagen, P.O. Box 348, Warsaw, NY for the provision of Pathways consultant services; effective May 1, 2003 through December 31, 2003; amount not to exceed Twenty Three Thousand, Three Hundred Thirty Three Dollars, Thirty Six Cents (\$23,333.36) contingent upon the availability of funds.

Carried: Ayes: 1136 Noes: 386; Absent: 96; Bush
Berwanger (162)
Gozelski (127)
Kushner (49)
Glosser (48)

RESOLUTION NO. 03-131

By Mr. Miller, Chairman of the Planning Committee:

Public Hearing For Agricultural District No. 2

WHEREAS, This Board is conducting a review of Agricultural District

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No. 2 located in the Towns of Gainesville, Wethersfield, Eagle, Warsaw, Pike and Castile as authorized under Article 25AA Agricultural Districts Law; and

WHEREAS, The review process was initiated with a 30-day review period and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports and recommendations regarding District No. 2; and

WHEREAS, This Board has received the reports of these Boards and their recommendations to modify the District including a recommendation of the Agricultural and Farmland Protection Board to add land within the Village of Gainesville to the District; and

WHEREAS, This Board is required to hold a Public Hearing prior to making a finding whether the District should be continued, terminated or modified; now therefore

BE IT RESOLVED, That a Public Hearing will be held by the Board of Supervisors of Wyoming County, State of New York, at the Wyoming County Government Center in Warsaw, on the 10th day of June, 2003, at 2:00 PM regarding Wyoming County Agricultural District No. 2 located in the Towns of Gainesville, Wethersfield, Eagle, Southwest Warsaw, Northeast Pike and one parcel in Castile to consider the recommendations of the Agricultural and Farmland Protection Board and the County Planning Board to modify the District; and be it

FURTHER RESOLVED, That the Clerk of this Board is authorized and directed to publish the hearing notice and that the Department of Planning and Development is directed to provide notices to the concerned parties as required by the Agriculture and Markets Law; and be it

FURTHER RESOLVED, That copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board will be available for public review at: Wyoming County Planning & Development, 6470 Route 20A in the Town of Perry; and the Cooperative Extension Office, 401 North Main Street, Warsaw, N.Y.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-132

By Mr. Knab, Chairman of the Public Health Committee:

One Position In The Public Health Department Abolished

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BE IT RESOLVED, That one (1) FTE position of Registered Professional Nurse (RPN) in the Public Health Department is hereby abolished effective immediately.

Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-133

By Mr. Rogers, Chairman of the Human Services Committee:

Positions Created/Abolished In The Department Of Social Services

BE IT RESOLVED, That one (1) FTE position of Sr. Social Services Program Specialist is hereby created in the Department of Social Services, said position to be placed on Schedule A, Grade 13 of the CSEA Agreement; and be it

RESOLVED, That one (1) FTE position of Caseworker in the Department of Social Services is hereby abolished effective immediately; and be it

FURTHER RESOLVED, That one (1) FTE position of Director of Children and Family Services in the Department of Social Services is hereby abolished effective April 12, 2003.

Carried: Ayes: 1394 Noes: 128; Absent: 96; Bush
Brunner (93)
Herman (35)

Supervisor Hickey, T/Bennington asked how long the position was created for. Supervisor Humphrey, T/Perry, stated that this temporary position should be concluded in three or four months, but the position was created for six months so that they would have the flexibility for the training if needed.

RESOLUTION NO. 03-134

By Mrs. Humphrey, Chairman of the Finance Committee:

Temporary Position In The Department Of Public Health Created

BE IT RESOLVED, There is hereby created one (1) temporary, not to exceed six months, part time position of Financial Administration Trainer within the Public Health Department. Said position shall be placed on the Wyoming County Salary Plan, Schedule S, Step One at Five Thousand Dollars (\$5,000.00).

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Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-135

By Mr. Davis, Chairman of the Public Safety Committee:

The Department Of Fire And Building Codes And The Building And Grounds Department Merged

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the merging of the Wyoming County Department of Fire and Building Codes and the Wyoming County Buildings and Grounds Department.

Carried: Ayes: 1256 Noes: 266; Absent: 96; Bush
 Hickey (127)
 Brunner (93)
 Rogers (46)

Supervisor Brunner, T/Java, asked exactly what the changes in salary for the positions stated on Office Resolution No. 26 are. Supervisor Brunner was answered with the following:

Director of Case Management Services - This is a \$10,000 increase in plan that coincides with the re-organizational plan for the Department of Social Services.

Administrative Assistant - This position was increased from Step 2 to Step 5.

Director of Nursing - This position was lowered from Step 4 to Step 1

Nutrition Services Coordinator - This was a new hire at Step 4.

Director of Fire and Building Codes there was no salary set yet.

Supervisor Herman, T/Wethersfield made a motion that each position on Schedule S be voted on separately and that the two last paragraphs be made into a separate resolution. A voice was taken and the request was granted.

RESOLUTION NO. 03-136

By Mrs. Humphrey, Chairman of the Finance Committee:

Wyoming County Salary Schedules S & D Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedules "S" and "D" which became effective July 9, 2002, as amended, is hereby amended as follows:

POSITIONS	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
SOCIAL SERVICES						

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Director of Case Management Services						
Sch. S	\$51,366	\$52,650	\$53,966	\$55,316	\$56,698	\$58,116
PUBLIC HEALTH						
Administrative Assistant						
Sch. S	\$27,291	\$27,973	\$28,673	\$29,390	\$30,124	\$30,877
Director of Nursing						
Sch. S	\$52,435	\$53,746	\$55,090	\$56,467	\$57,879	\$59,326
OFFICE OF THE AGING						
Nutrition Services Coordinator						
Sch. S	\$28,113	\$28,816	\$29,536	\$30,275	\$31,032	\$31,808

Director of Case Management Vote:
 Carried: Ayes: 1374 Noes: 148; Absent: 96; Bush
 Totline (20)
 Brunner (93)
 Herman (35)

Administrative Assistant Vote:
 Carried: Ayes: 308 Noes: 214; Humphrey Absent: 96; Bush

Director of Nursing Vote:
 Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

Nutrition Services Coordinator Vote:
 Carried: Ayes: 1522 Noes: 0 Absent: 96; Bush

RESOLUTION NO. 03-137

By Mrs. Humphrey, Chairman of the Finance Committee:

Change The Title Of The Code Enforcement Officer Approved

BE IT RESOLVED, That the title of one (1) position of Code Enforcement Officer on Schedule D of the Wyoming County Salary Plan is hereby changed to one (1) position of Director of Fire and Building Codes; and be it

FURTHER RESOLVED, That Dennis Halstead, Town of Perry, Perry, NY, is hereby appointed as the Director of the Fire and Building Codes Department in Wyoming County effective April 8, 2003.

Carried: Ayes: 1256 Noes: 266; Absent: 96; Bush
 Hickey (127)
 Brunner (93)
 Rogers (46)

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Unanimous Consent was requested by Supervisor Berwanger, T/Arcade, Chairman of the Committee of the Whole. A voice vote was taken and the requested was granted. The following resolution was presented.

RESOLUTION NO. 03-138

By Mr. Berwanger, Chairman of the Committee of the Whole:

**Capital Improvement Plan 2003
Expenditures Authorized**

WHEREAS, Resolution No. 85-95 passed by this Board of Supervisors on May 14, 1985 established a Capital Reserve Fund to finance the cost of construction, reconstruction or acquisition of real property and buildings and the equipping thereof for county purposes in accordance with Section 6-c of the General Municipal Law; now therefore

BE IT RESOLVED, That funds are hereby appropriated to the various Capital Project accounts as follows:

BUILDING & EQUIPMENT CAPITAL RESERVE	
To 12.61.9950.9.99004 interfund transfer	\$35,000.00
JAIL CAPITAL PROJECTS	
To 27.74.3150.2.22001 other	\$35,000.00
W/rev acct. 27.13.3150.5031 increased by same amount	

And;

BE IT FURTHER RESOLVED, That the treasurer is hereby authorized and directed to reduce the appropriation to Office of the Aging-Capital Project Account 27.74.6772.2.22001 by \$17,010.75.

Carried: Ayes: 1 522 Noes: 0 Absent: 96; Bush

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:43 PM.

REGULAR SESSION

Tuesday May 13, 2003 2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and introduced, Mr. Donald W. Herrman, Arcade, NY to lead us in the Pledge of Allegiance to the Flag.

Mr. Herrman is a World War II Veteran who is very active in the Arcade Veterans of Foreign Wars, Hendershott-Manness Post #374. Don was instrumental in obtaining both a helicopter and a tank for display at his post.

Mr. Herrman received numerous medals and awards for his action during World War II and is a recipient of the Jubilee of Liberty Medal that was issued by the Governor of Normandy France for his contribution towards the Normandy Invasion.

Chairman Berwanger introduced Mr. Hugh TenHagen, Commander of the Walter Klein Post 532, American Legion to conduct the dedication of the POW/MIA Flag. After the dedication of the POW/MIA Flag, Mr. Hugh TenHagen conducted a ceremony for the POW/MIA's.

Chairman Berwanger went on to recognize the Department of Social Services Employee of the Month, Anne Wallace. Anne has been employed by the Department of Social Services since March of 1996 as a clerk in the Child Support Enforcement Unit. Anne performed over and beyond her duties and participated in helping set up the new high density filing system. Chairman congratulated Anne on her recognition.

Supervisor Humphrey, T/Perry moved to amend resolution Office #1 to remove the County Clerk appropriation. Seconded by Supervisor Rogers, T/Pike. A voice vote was taken and the resolution was voted on as amended.

RESOLUTION NO. 03-139

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

DISTRICT ATTORNEY	
To acct 01.37.3315.2.20501	
Law Enforcement Equip.	\$12,000.00

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01.37.3315.4.41402 Comp. Maintenance	<u>\$3,000.00</u>		
	\$15,000.00		
w/rev acct 01.07.3315.261502 inc. by same amount		\$15,000.00	\$15,000.00
PUBLIC HEALTH			
To acct 01.38.4035.4.40301 Prof. Services Contract	\$25,000.00		
01.38.4035.4.41706 Med. & Safety Supplies	<u>\$5,000.00</u>		
	\$30,000.00		
w/rev acct. 01.12.4035.4489 inc. by same amount		\$30,000.00	
To acct 01.38.4050.4.40508 auto repair (private)	\$5,703.58		
w/rev acct 01.08.4050.2680 inc. by same amount		\$5,703.58	\$35,703.58
MENTAL HEALTH			
To acct 01.38.4220.4.41510 Education Materials	\$603.00		
w/rev acct 01.12.4220.4491 increased by 01.11.4220.3486 increased by	<u>\$443.00</u> <u>160.00</u>		
	\$603.00		
To acct 01.38.4250.4.42306 Misc. other	\$1,927.00		
w/rev acct 01.11.4250.3490 increased by same amount		\$1,927.00	
To acct 01.38.4310.4.42306 Misc. other	\$4.00		
w/rev acct 01.11.4310.3490 increased by same amount		\$4.00	
To acct 01.38.4320.4.40926 ARA Inc.	\$934.00		
w/rec. acct. 01.11.4320.3490 increased by same amount		\$934.00	
To acct 01.38.4322.4.42408 Livingston/Wyoming ARC	\$93.00		
w/rev acct 01.11.4322.3490 increased by same amount		\$93.00	

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To acct 01.38.4323.4.42441 Misc. MH Programs	\$860.00		
w/rev acct 01.11.4323.3490 increased by same amount		\$860.00	
To acct 01.38.4324.4.40402 Conference/conventions	\$7,100.00		
01.38.4324.4.42441 Misc. MH Programs	5,282.00		
w/rev acct 01.12.4324.4490 increased by same amount	\$12,382.00	\$12,382.00	\$16,803.00
And be it FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.			
Carried:	Ayes: 1618	Noes: 0	Absent: 0

RESOLUTION NO. 03-140

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

PUBLIC HEALTH			
From acct. 01.38.4011.8.83001 FICA	\$135.30		
01.38.4011.8.85001 Medicare-FICA	31.13		
01.38.4011.4.40801 Contracted Bldg. Repair	<u>72.41</u>		
	\$238.84		
To acct. 01.38.4011.1.10001 Salaries D & S	\$107.17		
01.38.4011.1.10101 ft, CSEA	<u>131.67</u>		
	\$238.84	\$238.84	
Carried:	Ayes: 1618	Noes: 0	Absent: 0

Supervisor Totstline, Chairman of the Audit Committee presented the bills in the amount of Two Million, Five Hundred Sixteen Thousand, Five Hundred Ninety Dollars, Seventy-Five Cents (\$2,516,590.75). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger requested that resolution office numbers 3-18 to be

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consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 3-18. A voice vote was taken and resolution office numbers 3-18 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-141

By Mr. Gozelski, Chairman of the Agricultural Committee:

Creation Of A Northeast Dairy Compact That Includes New York State Supported

WHEREAS, New York milk prices have been at a long time low and Wyoming County is one of the leading milk producing counties in the Northeast and first in New York State; and

WHEREAS, Milk Co-Ops and milk processors have recorded record profits and dairy farmers have incurred record losses; soon there will be a mass exit of dairymen from this area; and

WHEREAS, With the expiration of the Northeast Dairy Compact in September 2001; Senator Schumer's effort to renew a Northeast Dairy Compact that would include New York State could yield \$145 million a year for New York's milk farmers if they were included in the Dairy Compact; The Milk Income Loss Contract (MILC) program was established to help dairy farmers face low milk prices.; and

WHEREAS, The MILC program contained an annual production cap of 2.4 million pounds of milk per farm. The USDA's interpretation of this cap has resulted in milk from hundreds of farms across the State (almost 30% of New York's total annual production) not eligible for MILC program assistance. Instead of applying this cap to individual farms as the legislation intended, the USDA has applied this limit to groups of farms across New York State that join together solely for the purpose of sharing equipment and cutting costs. With the end result of individual farmers in New York State receiving far less assistance from the MILC program than originally intended; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports Senator Schumer's efforts to establish a Northeast Dairy Compact that includes New York State; and be it

FURTHER RESOLVED, That the Clerk of this Board send copies of this resolution to President George W. Bush, Senator Charles Schumer, Senator Hillary Rodham-Clinton, Congressman Thomas M. Reynolds, United State

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Department of Agriculture, Wyoming County Farm Bureau, Inter-County Association of Western New York, and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-142

By Mr. Davis, Chairman of the Public Safety Committee:

Collection Of Fees By The NYS Probation Departments Supported

WHEREAS, Local governments incur significant costs in overseeing individuals on probation; and

WHEREAS, New York State has allowed Probation Departments to collect fees in certain DWI cases and certain child custody cases since 1993; and

WHEREAS, Several counties, including Wyoming County, acting in good faith, have sought to ensure a portion of the costs of probation services be paid not by taxpayers, but rather by those probationers who have the financial ability to make such payments, making this sound public policy; now therefore

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming urges the New York State Legislature to approve legislation granting county governments full authority to impose probation fees; and be it

FURTHER RESOLVED, That the Clerk of this Board shall forward a certified copy of this resolution to Governor Pataki, Senate Majority Leader Bruno, Assembly Speaker Silver, Senator Volker, Assemblyman Burling, the Inter-county Association of Western New York, and the New York State Association of Counties and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-143

By Mr. Davis, Chairman of the Public Safety Committee:

Equitable And Dedicated Share Of The New York State Wireless Surcharge Requested

WHEREAS, In 2002 estimates of revenues generated by the State Wireless Services Surcharge projected approximately \$60 million, and

WHEREAS, In 2002-03 New York State will distribute \$20 million from the State Wireless Service Surcharge which is 33% of the total surcharge col-

lected annually, and

WHEREAS, That amount will be reduced to \$10 million for the state fiscal years 2003-04 and 2004-05, and

WHEREAS, The current legislation only authorizes distribution of these funds through 2005, and

WHEREAS, In 2002 New York State raised the wireless service surcharge to \$1.20 on all wireless telephones with the intent of improving public safety communications throughout New York State, and

WHEREAS, This increase will result in a 70% increase in wireless surcharge revenues amounting to over \$100 million annually, therefore

BE IT RESOLVED, That the ten Western New York counties (Allegany, Cattaraugus, Chatauqua, Erie, Genesee, Livingston, Monroe, Niagara, Orleans and Wyoming) that comprise the Western Region Public Safety Communications Alliance, and their cities, towns and villages include therein, call upon New York State and our representatives to support maintaining the 2002 distribution percentage of 33% of the total surcharge collected, and be it

FURTHER RESOLVED, That the Western Region Public Safety Communications Alliance and the Wyoming County Board of Supervisors, calls on New York State and our representatives to make permanent the 33% of the wireless surcharge received being returned to local governments to offset costs associated with upgrading, operating and maintaining wireless public safety answering points and dispatching of public safety providers in response to wireless 911 calls, and be it

FURTHER RESOLVED, That Wyoming County in the Western Region Public Safety Communications Alliance, and the towns and villages who support this resolution shall forward copies of this resolution to Governor George E. Pataki, the New York State Legislature and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-144

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of The Department Of Social Services Authorized To Sign A Contract With J. Canton, Ph.D.

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby autho-

rized and directed to sign a contract with Julie Caton, Ph.D., 6990 North pearl Street, Oakfield, NY, for the provision of mental health/psychological evaluations; effective May 1, 2003 through December 31, 2003, amount not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-145

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign Various Contract On Behalf Of The Youth Bureau

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Youth Bureau:

A. Hearing Impaired Instruction Services, 162 Highland Avenue, Williamsville, NY, for the provision of hearing impaired instructional services to eligible early intervention and preschool participants, effective March 1, 2002 through June 30, 2005; amount per the language of the contract, contingent upon the availability of funds.

B. Summit Educational Resources, 300 Fries Road, Tonawanda, NY, to provide Preschool Handicapped Services for children ages 3-5, effective July 1, 2002 through June 30, 2005, amount per the language of the contract, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-146

By Mr. Miller, Chairman of the Planning Committee:

Wyoming County Strategic Plan For Public Transportation Accepted

WHEREAS, The Wyoming County Board of Supervisors and the Rochester-Genesee Regional Transportation Authority have developed a strategic plan for public transportation in Wyoming County; and

WHEREAS, The Plan addresses public transportation needs throughout Wyoming County by establishing public transportation goals and calls for proposed initiatives and recommended actions to achieve these goals; now there-

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fore

BE IT RESOLVED, That the Wyoming County Board of Supervisors thanks all those who assisted in the preparation of the Strategic Transportation Plan; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors does hereby accept the Strategic Transportation Plan and requests that the Wyoming Transit Service Advisory Committee, and the Rochester-Genesee Regional Transportation Authority/Wyoming Transit Service begin taking actions to pursue implementation of the Plans recommendations, with the understanding that the commitment of any county resources for implementation of actions will need to be reviewed and approved by the appropriate Supervisors Committee and the full Board of Supervisors.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-147

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With QC Micro Systems On Behalf Of The Probation Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with QC Micro Systems, (Address), for the provision of software maintenance; effective June 19, 2003 through June 18, 2004, amount not to exceed Three Thousand, One Hundred Fifty Three Dollars (\$3,153.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes:0 Absent: 0

RESOLUTION NO. 03-148

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign An Agreement With The Town Of Wethersfield On Behalf Of The Fire & Building Codes Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Town of Wethersfield, for Code Enforcement Officer Services to expire January 1, 2004; said agreement must include the Town's agreement to

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charge fees identical to those used by the County, and further to turn over all fees and all state reimbursement to the County in consideration for the provision of Code Enforcement Services as contemplated by this resolution.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-149

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Letter Of Understanding With The Wyoming County Public Defenders Office

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to a letter of understanding with the Wyoming County Public Defenders Office on behalf of the County of Wyoming for paralegal/investigator services for the DATA-Day Program in agreement with Contract No. C600000 between the NYS Division of Probation and Correctional Alternatives and Wyoming County; effective January 1, 2003 through December 31, 2003. The amount of said contract shall not exceed Twenty Three Thousand, Six Hundred Dollars (\$23,600.00) including the County match per the language of the agreement, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-150

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign An Agreement With The Wyoming County Attica Legal Aid Bureau, Inc.

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Wyoming County Attica Legal Aid Bureau, Inc., on behalf of the County of Wyoming for the administration of the Indigent Parolee Program, Alternatives to Incarceration and paralegal/investigator for the period of fiscal year beginning January 1, 2003 through December 31, 2003; amount not to exceed One Hundred Seventy Seven Thousand, Two Hundred Thirty Three Dollars (\$177,233.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-151

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With Erie County Department Of Health On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Erie County Department of Health, 95 Franklin Street, Buffalo, New York, on behalf of the Wyoming County Public Health Department, for the provision of Vector and Pest Field Lab Identifications, amount not to exceed Six Hundred Dollars (\$600.00) per season; effective January 1, 2003 through December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-152

By Mr. Herman, Chairman of the Human Resource Committee:

Chairman Authorized To Sign A Contract With NYS For Petroleum Testing Through Weights And Measures

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Weights and Measures Director, is hereby authorized and directed to sign a contract (#C010119) with the New York State Department of Agriculture and Markets, Bureau of Weights and Measures in accordance with the Agriculture and Markets Law Section 179, for the inspection, screening and sampling of petroleum products within Wyoming County, said contract to be for the period of April 1, 2003 through March 31, 2004 in the amount of Thirteen Thousand, One Hundred Seventy Six Dollars (\$13,176.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-153

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Contract For 2001 Collection Of Delinquent Property Taxes

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BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to execute a contract with Phillips, Lyle, Hitchcock, Blaine & Huber, LLP, 1400 First Federal Plaza, Rochester, New York 14614, for the purpose of collection of FY 2001 delinquent Town and County real property taxes pursuant to New York State Real Property Tax Law Article 11; and be it

FURTHER RESOLVED, That as its legal fee for such services shall be One Hundred Fifty dollars (\$150.00) per redeemed parcel or such other sum as may be allowed by New York State Real Property Tax Law.

Carried: Ayes: 618 Noes: 0 Absent: 0

RESOLUTION NO. 03-154

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Contract With Wyoming County Soil And Water On Behalf Of The Information And Technology Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Soil and Water, on behalf of the Information and Technology Department for the provision of information and technology services; effective May 13, 2003 through May 12, 2004 at the rate of Fifty Dollars (\$50.00) per hour.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-155

By Mrs. Humphrey, Chairman of the Finance Committee:

A. Herod Appointed HIPAA Compliance Privacy Officer And Set Salary For The Same

BE IT RESOLVED, That Anne Herod, 2401 Snyder Road, Varysburg, New York, is hereby appointed the HIPAA Compliance Privacy Officer to fill the unexpired term of Kathleen Plum, said term to expire December 31, 2003; and be it

FURTHER RESOLVED, That the salary for the HIPAA Compliance Privacy Officer be placed on Schedule D of the Wyoming County Salary Plan at a rate of \$1,000.00 annually.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-156

By Mr. Herman, Chairman of the Human Resource Committee:

**Rescind Resolution No. 91-141 And Resolution No. 95-179
Re: Appointment Of Records Advisory Board**

BE IT RESOLVED, That Resolution No. 91-141, passed by the Wyoming County Board of Supervisors on June 11, 1991 and Resolution No. 95-179 passed by the Wyoming County Board of Supervisors on August 8, 1995 is hereby rescinded, and be it

FURTHER RESOLVED, That this Board of Supervisors does hereby appoint the following positions, or their designee, to the Records Advisory Board:

- County Clerk/Records Management Officer
- Chairman of the Board of Supervisors
- County Treasurer
- County Attorney
- County Historian
- Wyoming County Community Hospital Chief Executive Officer

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-157

Mrs. Humphrey, Chairman of the Finance Committee, presented the

Semi-Annual Mortgage Tax Report

for the period of October 1, 2002 through March 31, 2003 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: John B. Edwards, County Treasurer of Wyoming County, NY

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to Three Hundred Six Thousand, One Hundred Eighty Dollars and Forty Eight Cents (\$306,180.48) to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

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TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$35,145.71	\$9,066.64	\$26,079.07
Attica	\$28,688.57	\$7,393.40	\$21,295.17
Bennington	\$37,110.21		\$37,110.21
Castile	\$28,744.70	\$2,025.99	\$25,021.70
Perry Village		\$1,697.01	
Covington	\$9,138.44		\$9,138.44
Eagle	\$8,909.54		\$8,909.54
Gainesville	\$11,717.46	\$458.12	\$9,734.78
Silver Springs Village		\$1,524.56	
Genesee Falls	\$2,194.04		\$2,194.04
Java	\$18,797.70		\$18,797.70
Middlebury	\$9,964.86	\$785.81	\$9,179.05
Orangeville	\$12,616.34		\$12,616.34
Perry	\$32,219.45	\$7,537.79	\$24,681.66
Pike	\$6,395.87	\$388.07	\$6,007.80
Sheldon	\$20,541.32		\$20,541.32
Warsaw	\$40,241.15	\$10,611.06	\$29,630.09
Wethersfield	\$3,755.12		\$3,755.12
TOTAL	\$306,180.48	\$41,488.45	\$264,692.03

Let This Be Your Warrant For Such Payment:

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 13th day of May 2003.

S/ Suzanne Aldinger, Clerk
Board of Supervisors

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-158

By Mr. Davis, Chairman of the Public Safety Committee:

**One Temporary Position Of Legal Research Intern
Created In The Wyoming County
District Attorney's Office**

BE IT RESOLVED, That one (1) Temporary position of Legal Research Intern, is hereby created in the Wyoming County District Attorney's Office, not to exceed ten (10) weeks effective May 13, 2003 through December 31, 2003, at a rate of Three Hundred Dollars (\$300.00) per week, with no other

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benefits except those mandated by law.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-159

By Mr. Davis, Chairman of the Public Safety Committee:

One Temporary Position Of Corrections Officer Created In The Wyoming County Jail

BE IT RESOLVED, That one (1) Temporary position of Corrections Officer, ft., is hereby created in the Wyoming County Jail, effective immediately through August 15, 2003, to be placed on Salary Schedule A-3 of the Wyoming County Sheriff's Employee Association.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-160

By Mr. Davis, Chairman of the Public Safety Committee:

One Position Of Code Enforcement Officer Created In The Department Of Fire And Building Codes

BE IT RESOLVED, That one (1) position of Code Enforcement Officer in the Office of Fire and Building Codes, is hereby created, to be placed on Schedule S of the Wyoming County Salary Plan at Three Thousand Dollars (\$3,000.00) annually, and be it

FURTHER RESOLVED, That Donald Roberts, 4776 Route 39, Bliss, NY 14024, is hereby appointed Code Enforcement Officer in the Department of Fire and Building Codes in Wyoming County, effective January 1, 2003.

Carried: Ayes: 1395 Noes: 223; Absent: 0
Hickey (127)
Bush (96)

RESOLUTION NO. 03-161

By Mr. Davis, Chairman of the Public Safety Committee:

Wyoming County Salary Schedule "D" Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "D",

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which became effective July 9, 2002 is hereby amended, to set the salary of the Director of Fire and Building Codes at Ten Thousand Dollars (\$10,000.00) annually, effective April 8, 2003.

Carried: Ayes: 1256 Noes: 362; Absent: 0
Hickey (127)
Bush (96)
Brunner (93)
Rogers (46)

Unanimous Consent was requested by Supervisor Berwanger, Chairman of the Committee of the Whole. A voice vote was taken and the request was granted. The following resolution was presented.

RESOLUTION NO. 03-162

By Mr. Berwanger, Chairman of the Committee of the Whole:

Wyoming County General Unit #9250, CSEA Local #1000, General Unit And Hospital Supervisory Unit #9250.01 Contract Approved

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts two Memorandums of Agreement as the basis for three (3) year contracts effective January 1, 2003 through December 31, 2005 with the Wyoming County General Unit #9250, Wyoming County Hospital Supervisory Unit #9250-01, Wyoming County Local #861, Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO, subject to language clarification approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, are hereby authorized to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreements by all parties.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Unanimous Consent was requested by Supervisor Berwanger, Chairman of the Committee of the Whole. A voice vote was taken and the request was granted. The following resolution was presented.

RESOLUTION NO. 03-163

By Mr. Berwanger, Chairman of the Committee of the Whole:

**Resolution Declaring Certain Real Property As Surplus
And Scheduling A Public Hearing On A Local Law
Relating To The Sale Of Said Property**

WHEREAS, The Board of Supervisors for the County of Wyoming has determined that certain property on North Main Street in the Village of Warsaw, New York to the west and adjacent to the existing third tier Wyoming Community Health System parking lot is surplus property based on its location, grade and lack of suitability for any County use, and

WHEREAS, The County has been advised that Western New York Rural Area Health Education Center, is prepared to acquire and improve said property with a health/education related use which appears to be consistent with and a benefit to the County's use for adjoining property for hospital purposes, now therefore

BE IT RESOLVED, That the property depicted on Exhibit A attached hereto is declared surplus property and a public hearing shall be held on June 10, 2003, on Wyoming County Local Law Introductory No. B authorizing the private sale of said property to Western New York Rural Area Health Education Center conditioned on the negotiation of acceptable terms of sale.

Carried: Ayes: 1618 Noes: 0 Absent: 0

EXHIBIT A

All that tract or parcel of land situated in the Town and Village of Warsaw, County of Wyoming, State of New York, and being part of Lot 30, Township 9, Range 1 of the Holland Land Company Survey, bounded and described as follows: Beginning at the intersection of the westerly line of the Rochester & Southern Railroad with the northerly line of lands of the County of Wyoming (Wyoming County Hospital); thence:

- 1) North 64_ 12' 00" West and along the northerly line of lands of the Wyoming County Hospital for a distance of 200.00 feet to a point; thence
- 2) South 08_ 20' 15" West for a distance of 393.61 feet to a point; thence
- 3) South 81_ 42' 00" East for distance of 135.59 feet to a point; thence
- 4) South 89_ 39' 25" East for a distance of 5.17 feet to a point of non-tangency on the westerly line of the aforementioned Rochester & Southern Railroad; thence
- 5) Northerly on a curve to the right having a radius of 2939.93 feet for an arc length of 118.47 feet to a point of tangency; thence

6) North 17_ 18' 00" East along the westerly line of the Rochester & Southern Railroad for a distance of 218.08 feet to the point of beginning. Containing therein 1.393 acres.

June 10, 2003

REGULAR SESSION

Tuesday **June 10, 2003** 2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/ Arcade, called the meeting to order and introduced, Mr. Dwight D. Gates, Silver Springs, NY to lead us in the Pledge of Allegiance to the Flag.

Mr. Gates is a 1990 graduate of Warsaw Central School. He is a Gulf War Veteran who entered the US Navy in January 1992 and served until January of 1996.

Mr. Gates was an Aviation Electrician on the aircraft carriers USS Saratoga, USS Enterprise and USS Washington.

After his military service, Mr. Gates attended and graduated from Bryant and Stratton and received his degree in computer science.

In 1998 he joined the staff at Gary's TV & Appliance in Warsaw and became manager of Gary's Home Furnishings in 1999.

Mr. Gates is an active member of the American Legion and is presently 2nd Vice Commander of Bates Courtney Post #105 in Silver Springs, New York.

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communication:

C-1. The Western New York Inter-County meeting will be held on Friday, June 13, 2003 in Steuben County, to be held at Keuka Maid Dinner Boat, Hammondsport, New York, registration is at 9:30 AM. The program will be Medicaid, The Steuben County Perspective.

Chairman Berwanger declared the Public Hearing open in regards to Agricultural District No. 2 located in the Town of Gainesville and portions of the Towns of Wethersfield, Eagle, northwest Pike, Southwest Warsaw and one parcel in Castile.

Chairman Berwanger went to open the Public Hearing open in regards to Local Law Introductory No. B, Year 2003, authorizing the sale of private property.

RESOLUTION NO. 03-164

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various

2003 accounts as follows:

TREASURER

To acct 01.35.1990.4.42107			
contingent fund	\$150,000.00		
from any funds available		\$150,000.00	
To acct 01.52.9901.9.99002 c			
ounty snow	\$150,000.00		
From any funds available		\$150,000.00	\$300,000.00

HIGHWAY

To acct 04.53.5142.4.41804			
county snow removal	\$150,000.00		
w/rev acct 04.13.5142.5031			
inc by same amount		\$150,000.00	\$150,000.00

SOCIAL SERVICES

To acct 01.39.6010.4.42279 EAI	\$20,000.00		
w/rev acct 01.12.6010.4610			
inc. by same amount		\$20,000.00	\$20,000.00
and be it			

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-165

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

DISTRICT ATTORNEY

From acct. 01.32.1168.1.10202			
Temporary	\$735.70		
01.32.1168.1.83001 FICA	45.50		
01.32.1168.1.85001 Medicare	10.50		
To acct. 01.31.1168.4.40301 Prof Srvc Contracts	\$791.70	\$791.70	
Carried: Ayes: 1618	Noes: 0	Absent: 0	

Supervisor Totline, Chairman of the Audit Committee presented the bills in the amount of Nine Hundred Fifteen Thousand, Three Hundred Ninety

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Eight Dollars, Seventy-One Cents (\$915,398.71). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger introduced the Wyoming County Dairy Princess, Molly Bliss, to except a Proclamation declaring June as Dairy Month in Wyoming County. Molly also spoke briefly about her duties and responsibilities as the Wyoming County Dairy Princess.

RESOLUTION NO. 03-166

By Mr. Gozelski, Chairman of the Agriculture Committee:

Wyoming County Proclaims June As Dairy Month

WHEREAS, June is the month when nature bestows upon us her most nearly perfect weather, and

WHEREAS, Milk is nature's most nearly perfect food, it follows that June is the most fitting month to celebrate Dairy Month. June is the start of summer, when everyone appreciates the ease and convenience of the whole gamut of good dairy foods, and

WHEREAS, June is the time to enjoy to the fullest all the milk products whose vitamins, calcium and minerals contribute so much to health and vitality all year long, and

WHEREAS, We hereby dedicate this month of June to the idea of eating dairy foods, every day, and

WHEREAS, We also set aside the month of June to pay tribute to the nations vast dairy industry — one-sixth of the nation's farm economy — whose daily work and dedication contribute so much to the nations health and prosperity every day of the year, and

WHEREAS, We propose a salute to MILK, the beverage that has helped our children grow taller, our young adults become more vigorous and our senior citizens to enjoy the longest, most productive lives in the history of the world; now therefore

BE IT RESOLVED, That this Wyoming County Board of Supervisors, hereby proclaims June, 2003 to be Dairy Month and do encourage all our citizens to enjoy milk and other dairy foods, and do urge civic and business organizations to cooperate in this observance in public and in private in order that we may enjoy improved health and increased prosperity.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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Chairman Berwanger requested that resolution office numbers 4-13 to be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 4-13 A voice vote was taken and resolution office numbers 4-13 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-167

By Mr. Agan, Chairman of the Public Works Committee:

Authorizing The Implementation, And Funding In The First Instance Of The State Multi-Modal 2000 Program-aid (And State Administered Federal Program-aid) Eligible Costs, Of A Capital Project, And Appropriating Funds Therefor.

WHEREAS, A Project for the replacement of the Castile No. 2 Bridge, CR#7 Barber Road (Town of Castile) over the Oatka Creek P.I.N. #MS 2133.30G (the "Project") is eligible for funding (under Title 23 U.S. Code, as amended, and) New York State's Multi-Modal 2000 Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, The Wyoming County desires to advance the project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; now therefore

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming duly convened does hereby approve the above -subject project; and it is hereby

FURTHER RESOLVED, That the Board of Supervisors of the County of Wyoming hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of \$94,723.00 work for the project or portions therefore; be it

FURTHER RESOLVED, That the sum of \$94,723.00 is hereby appropriated to account #04.53.5112.4.40948 and made available to cover the cost of participation in the above phase of the Project; and be it

FURTHER RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors of the County of Wyoming shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Superintendent thereof, and be it

FURTHER RESOLVED, That the Chairman of the is Board is hereby

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authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or Multi-Modal 2000 Program Funding on behalf of the County of Wyoming with NYSDOT in connection with the advancement or approval of the project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are no so eligible, and be it

FURTHER RESOLVED, That a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between the County of Wyoming and the State of New York; and be it

FURTHER RESOLVED, That this resolution shall take effect immediately.

Carried: Ayes 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-168

By Mr. Miller, Chairman of the Planning Committee:

2004 Matching Funds Program Approved On Behalf Of The Wyoming County Tourists Promotion Agency

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve taking part in the 2004 Matching Funds Program for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Tourist Promotion Agency, Inc. as the official tourist promotion agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-169

By Mr. Miller, Chairman of the Planning Committee:

Funds Approve For Matching Funds Program For Tourist Promotion

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby

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approves taking part in the 2004 Matching Funds Program for tourists promotional activities and hereby commits the County of Wyoming to Thirty Thousand Dollars (\$30,000) in matching funds, which is in addition to the operational budget amount to be included in the year 2004 County Budget; contingent upon the availability of funds from New York State.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-170

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Contract With WCCA, Inc. On Behalf Of The Office For The Aging

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Community Action, Inc., 6470 Route 20A, Perry, New York, for the provision of the Title V Senior Employment Program; effective July 1, 2003 through June 30, 2004, amount not to exceed Thirty Four Thousand, Sixteen Dollars (\$34,016.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-171

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A H43 Grant With The New York State Office For The Aging

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign a Health Insurance Information, Counseling and Assistance Program Grant application and necessary documents with the New York State Office for the Aging in the amount of Two Thousand, Three Hundred Fifty Dollars (\$2,350.00) for the period of April 1, 2003 through March 31, 2004; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-172

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of The Department Of Social Services Authorized To Sign Various Contracts On Behalf Of The Social Services

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Social Services Department:

A. Suburban Adult Services, P.O. Box 526, 1339 Route 39, Sardinia, NY, 14134, for employment services for family assistance recipients, effective June 10, 2003 through December 31, 2003; amount not to exceed Twenty Thousand Dollars (\$20,000), contingent upon the availability of funds.

B. Arrowmart Corporation, 3229 State Street, P.O. Box 120, Caledonia, NY, 14423, to provide gas cards for Temporary and Family assistance seeking employment, effective June 10, 2003 through August 30, 2003, amount not to exceed Ten Thousand Dollars (\$10,000.00), contingent upon the availability of funds.

C. Ford Motor Credit Company, P.O. Box 1739, Dearborn, MI 48121-1739, for the provision of leasing two cars, effective July 1, 2003 through June 30, 2007, amount not to exceed Thirty One Thousand, Two Hundred Forty Two Dollars, Thirty Two Cents (\$31,242.32), contingent upon the availability of funds.

D. Gary Davis, 3233 Hazelmere Avenue, Machias, NY 141007, for Intensive Case Management Services, effective July 1, 2003 through December 31, 2003, amount not to exceed Nineteen Thousand, Five Hundred Nineteen Dollars (\$19,519.00), contingent upon the availability of funds.

E. Martha Lochman, 4656 Pflaum Road, Dale, NY 14039, for transportation services, effective July 1, 2003 through December 31, 2003, amount not to exceed Five Thousand, One Hundred Dollars (\$5,100.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-173

By Mr. Knab, Chairman of the Public Health Committee:

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Chairman Authorized To Sign A Memorandum Of Understanding With The Wyoming County Dog Control On Behalf Of Public Health

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Public Health Department, is hereby authorized and directed to sign a Memorandum of Understanding with the Wyoming County Dog Control for the provision of rabies services, in the amount of Ten Thousand, Seven Hundred Twelve Dollars (\$10,712.00) for the period of January 1, 2003 through December 31, 2003; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-174

By Mr. Davis, Chairman of the Public Safety Committee:

Bids For Sheriff's Vehicles Accepted And Awarded

WHEREAS, Bids have been advertised and received for five (5) patrol cars for the Wyoming County Sheriff's Office; and

WHEREAS, These bids have been reviewed by the Public Safety Committee and the Finance Committee of this Board and were determined to be accepted as the lowest responsible bid; now therefore

BE IT RESOLVED, That the County Purchasing Agent is hereby authorized to award, to the lowest responsible bidder for the purchase of five (5) patrol cars in the name of Wyoming County, to be paid from the Wyoming County Capital Project account.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-175

By Mr. Rogers, Chairman of the Human Services Committee:

Brigid Cotton Appointed To The Office For The Aging Advisory Board

BE IT RESOLVED, That Brigid Cotton, Livingston County Campus Building #8, Mt. Morris, NY, 14510, is hereby appointed to the Office of the Aging Advisory Board as a At-Large Member, for a one year term to expire December 31, 2003.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-176

By Mrs. Humphrey, Chairman of the Finance Committee:

**Correction Of Errors In The Town Of Java, Castile
And The Town Of Wethersfield Approved**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee, now, therefore,

BE IT RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE: Town of Java
Tax Map # 129.-1-56.12
Swis Code: 563600

ASSESSED TO: People of the State of New York
ERROR: Cancellation of void taxes
AUTHORITY: RPTL §588(1)
ACTION: Approval
Owner is the State of New York.
Taxes are uncollectible.

PARCEL TWO: Town of Castile
Tax Map # 147.6-1-13/ 2.0 recy. Units
147.6-1-15/ 3.0 recy Units
147.7-1-42/ 2.0 recy. Units
Swis Code: 562601

ASSESSED TO: Elohim Biblical Training Assoc.
ERROR: Cancellation of void taxes (user fees)
AUTHORITY: RPTL §558(1)
ACTION: Approved (based on Board action Res. No. 01-46)

PARCEL THREE: Town of Wethersfield
Tax Map # 119.-1-12
Swis Code: 565000

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ASSESSED TO: David S. and Dana R. Walton
4742 Wolcott Road
Gainesville, New York 14066

ERROR: Error of essential fact - Refund Requested
AUTHORITY: RPTL §550(3)b
ACTION: DENIAL of application years 2001, 2002, 2003

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-177

By Mr. Berwanger, Chairman of the Committee of the Whole:

**Capital Improvement Plan 2003
Expenditures Authorized**

WHEREAS, Resolution No. 85-95 passed by this Board of Supervisors on May 14, 1985 established a Capital Reserve Fund to finance the cost of construction, reconstruction or acquisition of real property and buildings and the equipping thereof for county purposes in accordance with Section 6-c of the General Municipal Law; now therefore

BE IT RESOLVED, That funds are hereby appropriated to the various Capital Project accounts as follows:

BUILDING & EQUIPMENT CAPITAL RESERVE	
To 12.61.9950.9.99004 interfund transfer	\$84,852.67
SHERIFF	
To 01.37.3110.2.23001 sheriff vehicles	\$71,184.00
01.37.3110.4.40011 radio maintenance	749.93
01.37.3110.4.40509 change over expense	1,250.00
01.37.3110.4.42101 law enforcement supplies	<u>1,669.86</u>
	\$74853.79

COUNTY CLERK
To 01.34.1410.2.20401 misc. equipment \$9,998.88
and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the County Treasurer to transfer said funds for the purpose of expenditures for the aforementioned Capital Improvement Projects with ESTIMATED REVENUE Accounts increased accordingly in each Capital Fund; and be it

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-178

By Mr. Knab, Chairman of the Public Health Committee:

**Positions Created/Abolished In
The Public Health Department**

BE IT RESOLVED, That there is hereby created one (1) fte position of Fiscal Officer I, in the Department of Public Health, to be placed on the Wyoming County Salary Plan, Schedule S, Step 1 at \$26, 484.00 annually, and be it

FURTHER RESOLVED, That the following positions are hereby abolished in the Wyoming County Public Health Department effective immediately:

One (1) 1.0 FTE Public Health Nurse, Sched. A. Grade 15A

One (1) 1.0 FTE Public Health Information System Assistant, Sched. A, Grade 9

One (1) 1.0 FTE Senior Account Clerk/Typist, Sched. A, Grade 6

One (1) 1.0 FTE Fiscal Officer II, Schedule S

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-179

By Mrs. Humphrey, Chairman of the Finance Committee:

Wyoming County Salary Schedule "S" Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "S" which became effective July 9, 2002, as amended, is hereby amended to set the salary of one (1) position of Secretary to the Personnel Officer in the Wyoming County Civil Service Office at \$22,750.00 annually, effective immediately, and be it

FURTHER RESOLVED, That the stipend for the 2nd Assistant District Attorney in the Wyoming County District Attorney's Office shall be \$2,000.00 annually, effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-180

By Mrs. Humphrey, Chairman of the Finance Committee:

**Amend Resolution No. 03-155 Re: A. Herod
Appointed HIPAA Compliance Privacy Officer**

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And Set Salary For The Same

BE IT RESOLVED, That Resolution No. 03-155, passed by this Board of Supervisors on May 13, 2003 is hereby amended to set the salary of the HIPAA Privacy Officer at a rate of \$1,000.00, and be it

FURTHER RESOLVED, That the salary of the HIPAA Security Officer be set at a rate of \$1,000.00, effective immediately through December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger asked if anyone who wishes to speak at the public hearing be sure to have filled out a request to speak form at this time if they had not already done so. Once all the request are received by the Chairman, he will then read the name on the request for that person to have the opportunity to speak for a two minute timed period. The following list of people spoke at the Public Hearing regarding Agricultural District #2 located in the Town of Gainesville and portions of the Towns of Wethersfield, Eagle, Northwest Pike, Southwest Warsaw and one parcel in Castile:

James P. McCormick
McCormick Farms Inc.

Rita White
Village of Gainesville

Chuck Davenport
Farmland Protection Policies

Karen McCulley
Farmland Protection Policies

David Shearing
Wyo. Co. Farmland Protection Board
Board

Stephen Childs
Wyo. Co. Farmland Protection

Judy Foote
Representing Farmers

April Salamone
Landowner - Self

Bill Zuber
Farm Bureau
Suzanne Flint
Landowner - Self

Terry Flint
Landowner - Self
Russ Miller
Landowner - Self

Chairman Berwanger declared a recess at 2:40 PM and asked that Lt. Sander E Gorog and Linda George meet with him in his office briefly. Business resumed at 3:05 PM.

The following comments were submitted to the Deputy Clerk of the Board to be made part of the permanent minutes of this Board meeting regarding Agricultural District #2:

James McCormick

I'd like to thank you for giving me a few minutes to speak to you this

afternoon.

As you know, I am requesting to have my property in the Village of Gainesville be put in Ag District #2 and I have sent all of you a letter explaining why.

As I stated in that letter, I have a very good working relationship with the Village and we have worked out different problems that have come up over the years and have helped the Village in solving those problems.

The last one we worked on and solved was that I would not spread animal waste in sensitive areas in the Village. Some of you have already seen our animal Waste Agreement.

My concern is as the people on the Village Board change over time that the working arrangement we have today may be weakened and that by being in the Ag District would prevent any possible changes from being unfair. We have already heard of comments that our property could be zoned non-ag (these rumors were not from Village Board but from other professionals). This is exactly why the Ag District was set up to help prevent. It also was set up to prevent frivolous lawsuits.

What the Ag District does not do is prevent the re-zoning of Village land and does not allow agri-businesses to apply chemical and animal waste at rates that could pollute. We have to comply with CAFO, EPA and DEC regulations. We recently finished our CAFO Plan that cost us near \$35,000.

As you know our request is consistent with the recommendations of your Committee, the Ag Land Protection Board and the recommendations the consultants you hired for Target Tomorrow.

Lastly, as you know, the Ag Districts are reviewed every 8 Years. If things change so much or abused some how, the Board of Supervisors at that time can remove the property from the Ag District. The 8-year term should allow for proper discussions and decisions to be made if they are needed.

Again, I ask that you put our property into Ag District #2. Than you.

Rita White

Good afternoon, Mr. Chairman and members of the Wyoming County Board of Supervisors. Thank you for providing this opportunity to speak.

My name is Rita White and I am the Village Clerk for the Village of Gainesville. My purpose in being here today is to inform you of the position of the Gainesville Village Board with regard to the inclusion of certain lands situated within the Gainesville village limits, in Ag District #2.

The owner, McCormick Farms, has requested that approximately 250 acres of their land, which is situated within the Gainesville village limits, be included in Ag District #2. For clarification, this acreage is currently not in the

Ag District.

The Village Board, acting on behalf of the residents of the Village of Gainesville, is not in favor of this land being placed in an Ag District for the following reason:

It is the responsibility of the Village Board to maintain the quality of life for village residents. This includes the quality of drinking water. The Village of Gainesville does not have, and is not likely to ever have, a public water supply. Village residents are dependent on private well water for their drinking supply. In the Village, at least 90% of the private wells that supply drinking water to village homes, are hand-driven wells, less than 20 feet deep. This means that farming practices and the management of farming practices within the village becomes a very important issue, and one that the village board believes it is their responsibility, as well as its right, to monitor and control in order to mitigate the potential for water contamination. We believe that if land is placed under the protection of the Ag District, the Village Board loses its current ability to effectively manage the water quality within the village.

The Village Board would like to be clear that our position is in no way a negative reflection on the farming practices of McCormick Farms. In fact, McCormick Farms has farmed this land and has exercised exemplary farming practices, for many years without interference from the Village Board and we expect that to continue. To ensure that, the Village Board and McCormick Farms have entered into an agreement that enables McCormick Farms to continue certain farming practices within the village limits, without interference from the village. Our concern is not with the current farming operations, our concern is for the future. We have no promises for the future. What if it is not McCormick Farms? What if it is someone else who owns the land, someone who is less considerate and less responsible.

In closing, I would ask that you give the residents of the Village of Gainesville the same consideration that you give the residents of the Village of Warsaw when you consider whether or not to include or exclude the lands that surround both water sources, in Ag District #2. Thank you.

William Zuber

Dear Supervisors:

The board of directors of Wyoming County Farm Bureau would like to comment on the proposed revisions to Ag. District #2. We strongly feel that all existing farmland should be included in the district. The landowners requesting inclusion are entitled to the benefits of the Ag. District on all eligible land. Any concerns about groundwater should be adequately addressed in the farms individual conservation and/or CAFO plans. We trust the landowners are

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aware of the concerns and will take steps to address them as well.

Thank you,
William A. Zuber
County Farm Bureau President

Chairman Berwanger declared the Public Hearing closed in regards to Agricultural District #2.

Chairman Berwanger asked if anyone had any questions concerning the Public Hearing regarding Local Law Introductory No. B, Year 2003, authorizing the sale of private property. No comments or questions were presented. Chairman Berwanger declared the Public Hearing closed regarding Local Law Introductory No. B, Year 2003, authorizing the sale of private property.

Business resumed.

RESOLUTION NO. 03-181

By Mrs. Humphrey, Chairman of the Finance Committee:

Local Law Introductory No. B, Year 2003 Adopted

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 13th day of May 2003, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2003, entitled A Local Law of the County of Wyoming, authorizing the private sale of said property to Western New York Rural Area Health Education Center; and

WHEREAS, in accordance with the provisions of Resolution No. 03-163, there was a public hearing held by this Board of Supervisors on the 10th day of June, 2003 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven (7) days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. B, Year 2003, County of Wyoming, New York, as presented to this Board on this 10th day of June, 2003, is hereby adopted, enacted and passed by this Board in its original form as follows:

WHEREAS, The Board of Supervisors for the County of Wyoming has determined that certain property on North Main Street in the Village of War-

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saw, New York to the west and adjacent to the existing third tier Wyoming County Community Hospital parking lot and described herein is surplus property based on its location, grade and lack of suitability for any County use, and

WHEREAS, The County has been advised that the Western New York Rural Area Health Education Center is prepared to acquire and improve said property with a health/education related use which appears to be consistent with and a benefit to the County's use for adjoining property and hospital purposes.

BE IT ENACTED AS FOLLOWS:

Section 1.

This local law shall authorize the private sale of the surplus real property described below and located on North Main Street in the Village of Warsaw, New York to the west and adjacent to the existing third tier Wyoming County Community Hospital parking lot to Western New York Rural Area Health Education Center conditioned on the negotiations of acceptable terms of sale.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town and Village of Warsaw, County of Wyoming, State of New York, and being part of Lot 30, Township 9, Range 1 of the Holland Land Company Survey, bounded and described as follows: Beginning at the intersection of the westerly line of Rochester & Southern Railroad with the northerly line of lands of the County of Wyoming (Wyoming County Hospital); thence

- 1) North 64° 12' 00" West and along the northerly line of lands of the Wyoming County Hospital for a distance of 200.00 feet to a point; thence
- 2) South 08° 20' 15" West for a distance of 393.61 feet to a point; thence
- 3) South 81° 42' 00" East for distance of 135.59 feet to a point; thence
- 4) South 89° 39' 25" East for a distance of 5.17 feet to a point of non-tangency on the westerly line of the aforementioned Rochester & Southern Railroad; thence
- 5) Northerly on a curve to the right having a radius of 2939.93 feet for an arc length of 118.47 feet to a point of tangency; thence
- 6) North 17° 18' 00" East along the westerly line of the Rochester & Southern Railroad for a distance of 218.08 feet to the point of beginning. Containing therein 1.393 acres.

Section 2.

Effective Date. This local law shall become effective upon the filing thereof in the office of the Secretary of State of the State of New York upon expiration of the relevant period for a permissive referendum.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 3:22 PM.

REGULAR SESSION

Tuesday

July 8, 2003

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and introduced, Mr. Joseph P. Lanzone, Perry, NY to lead us in the Pledge of Allegiance to the Flag.

Mr. Lanzone is a World War II Veteran. He participated in the battles of the Ardennes, Central Europe, Normandy, Northern France, and the Rhineland.

He received the European-African-Middle Eastern Service Medal, World War II Victory Medal, and the Good Conduct Medal. In May of 2000, Mr. Lanzone was awarded the "Jubilee of Liberty Medal" by the government of Normandy for his participation in the Normandy Invasion in June of 1944. Mr. Lanzone has also received the New York State Medal for Merit for his service to our County during World War II.

Mr. Lanzone and his wife own and operate the J & C Luncheonette in Perry, New York and have been in business for forty (40) years.

Chairman Berwanger went on to say - Each month the Commissioner of Social Services recognizes outstanding employees and educates them on the inter-relationship between the Department of Social Services and the Board of Supervisors. I'd like to take this opportunity to recognize Craig Kaczmarek as Employee of the Month.

Craig has been employed by Social Services as a Motor Vehicle Operator transporting clients to various appointments since 1995. He is also responsible for ensuring the Department's fleet of twelve (12) vehicles are maintained regularly. Craig was nominated for his dedication to this primary responsibilities as well as his willingness to always assist staff on any project.

There were no communications.

Mrs. Humphrey, Chairman of the Finance Committee, moved to amend Resolution Office #1 to have Revenue account 01.04.3150.1525 increased by the same amount under the Sheriff's Department rather than from any funds available. Seconded by Mr. Herman, Vice Chairman of the Finance Committee. A voice vote was taken and the resolution was voted on as amended.

July 8, 2003

RESOLUTION NO. 03-182

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

PUBLIC HEALTH

To acct 01.38.4050.2.20201			
Computer Equipment	\$17,536.00		
From any funds available		\$17,536.00	\$17,536.00
To acct 01.38.4012.1.10001 Salaries	\$2,000.00		
01.38.4012.4.40309 Prov Srvc			
HIPAA	\$10,000.00		
01.38.4012.8.83001 FICA	124.00		
01.38.4012.8.85001 Medicare-FICA	<u>29.00</u>		
	\$12,153.00		
From any funds available		\$12,153.00	

MENTAL HEALTH

To acct 01.38.4325.4.42416			
support employment	-\$28,742.00		
01.38.4325.4.41204 advertising	-950.00		
01.38.4325.4.42306 other	<u>-5,358.00</u>		
	-\$35,050.00		
w/rev acct 01.12.4325.4490 reduced by		-\$34,338.00	
01.11.4325.3490 reduced by		<u>-712.00</u>	
		-\$35,050.00	
To acct 01.38.4324.4.42441 misc			
MH programs	-\$1,202.00		
w/rev acct 01.11.4324.3490			
reduced by same amt.		-\$1,202.00	
To acct. 01.38.4310.4.41801			
misc govt. charges	\$8,732.32		
from any funds available		\$8,732.32	-\$27,519.68

OFFICE FOR THE AGING

To acct 01.44.6772.4.40924			
homemaker services	\$2,000.00		
01.44.6772.4.42414 respite care	4,000.00		
01.44.6772.4.40926 ARA Inc.	<u>2,000.00</u>		
	\$8,000.00		

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w/rev acct 01.12.6772.477219 inc by same amount \$8,000.00 \$8,000.00

PUBLIC DEFENDER

To acct 01.32.1170.4.40406 mileage	\$200.00		
01.32.1170.4.40501 car rental	150.00		
01.32.1170.4.41303 transcripts	300.00		
01.32.1170.4.41010 supplies	100.00		
01.32.1170.4.40009 cell phone	180.00		
01.32.1170.4.41201 postage	<u>200.00</u>		
	\$1,130.00		
From any funds available		\$1,130.00	\$1,130.00

PUBLIC DEFENDER CAPITAL CASES

to acct 01.32.1172.4.41302			
witnesses	\$5,000.00		
From any funds available		\$5,000.00	\$5,000.00

SHERIFF

To acct 01.37.3150.4.40301			
prof services contract	\$27,000.00		
w/rev acct 01.04.3150.1525			
inc by same amt.		\$27,000.00	\$27,000.00

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Totstline, Chairman of the Audit Committee presented the bills in the amount of Seven Hundred Thirteen Thousand, Two Hundred Ninety Three Dollars, Twenty Six Cents (\$713,293.26). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger requested that resolution office numbers 2-14 to be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 2-14. A voice vote was taken and resolution office numbers 2-14 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-183

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of The Department Of Social Services Authorized To Sign Various Contracts On Behalf Of The Social Services

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Social Services Department:

A.) Renee M. Wilmoth, 21 Church Street, LeRoy, NY 14482, for the provision of a Family Resolutions Coordinator, effective July 9, 2003 through June 30, 2004, amount not to exceed Thirty Six Thousand, Two Hundred Eighty Dollars (\$36,280.00); contingent upon the availability of funds.

B) Instructional Access, 6800 Indiana Ave., Suite 260, Riverside, CA 92506, for the Merit Incentive Camp IL Skills, effective June 1, 2003 through August 31, 2003; amount not to exceed Eight Thousand, Two Hundred Eighty Dollars (\$8,280.00), contingent upon the availability of funds.

C) Genesee County YWCA, 301 North Main Street, Batavia, NY 14020, for the provision of Family and School-Age child care registration services, effective August 1, 2003 through July 31, 2004, amount not to exceed Thirty Two Thousand, Four Hundred Ninety Nine Dollars (\$32,499.00); contingent upon the availability of funds.

D) Home Care & Hospice of WNY, Inc., 11 West Buffalo Street, Warsaw, NY for a Child Care Resource Room, effective July 1, 2003 through December 31, 2003, amount not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00); contingent upon the availability of funds.

RESOLUTION NO. 03-184

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign PINS Adjusted Services Plan For 2004

BE IT RESOLVED, That the Chairman of this Board, on behalf of the Probation Department, Department of Social Services, and Youth Bureau, is hereby authorized and directed to sign the Persons-In-Need-of-Supervision (PINS) Adjusted Services Plan; effective January 1, 2004 through December 31, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-185

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With The Town Of Covington On Behalf Of The Sheriff's Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Town of Covington, 7414 Court Road, Pavilion, NY for the provision of additional enforcement of the Vehicle and Traffic Laws on Route 63; effective July 8, 2003 through December 31, 2003, said amount shall be per the language of the contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-186

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign Various Contracts On Behalf Of Emergency Services

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of Wyoming County Emergency Services:

A.) William Streicher, 486 Sanders Road, Strykersville, NY 14145, for the provision of a independent contractor to rewrite the County of Wyoming All Hazard Comprehensive Emergency Plan, effective January 1, 2003 not to exceed the performance period of the State Emergency Management Grant, at an hourly rate of Twelve Dollars, Fifty Cents (\$12.50) plus mileage; contingent upon the availability of funds.

B.) Joseph Lee, 6108 West Middlebury Road, Wyoming NY 14591, for the provision of a independent contractor to rewrite the County of Wyoming All Hazard Comprehensive Emergency Plan, effective January 1, 2003, not to exceed the performance period of the State Emergency Management Grant, at an hourly rate of Twelve Dollars, Fifty Cents (\$12.50) plus mileage; contingent upon the availability of funds.

C.) Gary Huff, 10 Watkins Avenue, Perry, NY 14530, for the provision of a independent contractor to rewrite the County of Wyoming All Hazard Comprehensive Emergency Plan, effective January 1, 2003 not to exceed the performance period of the State Emergency Management Grant, at an hourly

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rate of Twelve Dollars, Fifty Cents (\$12.50) plus mileage; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-187

By Mr. Miller, Chairman of the Planning Committee:

Chairman Authorized To Sign An Agreement With Wyoming County Cornell Cooperative Extension

WHEREAS, The County of Wyoming has been awarded a Fifty Thousand Dollar (\$50,000) grant from NYS Agriculture and Markets to develop and Agriculture Farmland Protection & Development Plan; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Wyoming County Cornell Cooperative Extension, 401 North Main Street, Warsaw, New York 14569 to prepare a portion of the County Agriculture Farmland Protection and Development Plan. Total cost of said agreement not to exceed Twenty Three Thousand Dollars (\$23,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-188

By Mr. Miller, Chairman of the Planning Committee:

Chairman Authorized To Sign An Agreement With The NYS Dept. Of Economic Development On Behalf Of The Wyoming County Planning And Development Office

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the New York State Department of Economic Development, 30 South Pearl Street, Albany, New York 12245, for the Wyoming County Planning and Development Office to continue as a local service affiliate of the New York State Data Center; and be it

FURTHER RESOLVED, That said agreement shall be effective from January 1, 2003 through December 31, 2004 at no cost to the County of Wyoming.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-189

By Mr. Herman, Chairman of the Human Resource Committee:

Chairman Authorized To Sign Contract With Employee Services, Inc.

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign a contract between the County of Wyoming and Employee Services, Inc., 55 Chamberlain Street, Wellsville, NY, 14895, for the purpose of providing an Employee Assistance Program (EAP) at an annual cost of Sixteen Dollars, Seventy Five Cents (\$16.75) per employee (961), effective July 1, 2003 through June 30, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-190

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign An Agreement With F. E. Hilderbrant On Behalf Of Wyoming County Insurance Office/Worker's Compensation & Health Care

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with F. Elizabeth Hilderbrant, 16 Cottage Court, Warsaw, NY, for the provision of a temporary service provider at a rate of Eleven Dollars, Forty Seven Cents (\$11.47) per hour, not to exceed a four (4) week period prior to December 21, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-191

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Contract With ACS Software/Government Systems Division On Behalf Of The Information And Technology Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract

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with ACS Software/Government Systems Division, P.O. Box 548, Waite Park, MN 56387, for the provision HIPAA EDI Translator, EDI Server, data maps, training, set up and installation, effective July 8, 2003 through July 7, 2004; amount not to exceed Seventeen Thousand, Five Hundred Thirty Six Dollars (\$17,536.00); and be it

FURTHER RESOLVED, That a maintenance agreement in the amount of One Thousand Seven Hundred and Eighteen Dollars (\$1,718.00) shall be renewable annually.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-192

By Mr. Miller, Chairman of the Planning Committee:

N. Fuest Reappointed To The IDA Board Of Directors

BE IT RESOLVED, That Norbert Fuest, 2039 Church Road, Town of Bennington, Darien, New York is hereby reappointed to the Industrial Development Agency for a two (2) year term, said term to expire July 8, 2005.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-193

By Mr. Miller, Chairman of the Planning Committee:

Members Appointed To The GLOW Workforce Investment Board

BE IT RESOLVED, That Jon Costello, Wyoming County Community Action, 6470 Route 20A, Suite #1, Perry, NY, 14530, is hereby appointed to the GLOW Workforce Investment Board as a Community Based Organization Representative, and be it

FURTHER RESOLVED, That James Pierce, Wyoming County Chamber of Commerce, 6470 Route 20A, Suite #2, Perry, NY 14530, is hereby appointed to the GLOW Workforce Investment Board as a Private Sector Member, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-194

By Mr. Davis, Chairman of the Public Safety Committee:

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Members Appointed/Reappointed To The Fire Advisory Board

BE IT RESOLVED, That the following named persons are hereby reappointed to the Wyoming County Fire Advisory Board on the recommendation of the Wyoming County Bureau of Fire Coordinator, and in accordance with Section 225-a of the County Law for a term of one year:

DEPARTMENT	MEMBER	ADDRESS
Arcade	Charles Witkop	6070 Michigan Road Arcade, New York 14009
Attica	Jay Myers	297 Main Street Attica, New York 14011
Bennington	Joseph Heller, Jr.	1290 Maxon Road Attica, New York 14011
Bliss	Richard Maher	3429 Route 39 Bliss, New York 14024
Castile	Edwin Morse	20 Park Road West Castile, New York 14427
Cowlesville	Paul Kiecher	1740 Clinton Street Attica, NY 14011
Gainesville	Albert Keller	P.O. Box 23 Gainesville, NY 14066
Genesee Falls	James Kemp	6235 Denton Corners Road Castile, NY 14427
Harris Corners	Mark Keem	2563 Route 77 Strykersville, NY 14145
North Java	Joe Siler	2520 Pee Dee Road North Java, NY 14113
Perry	Richard Halstead	3 Lake Street Perry, New York 14530
Perry Center	James Brick	7618 Rt. 20A Perry, New York 14530
Pike	Doug Flint	30 Main Street Pike, New York 14130
Sheldon	Terry Griffen	1629 Route 20A, Lot #25 Varysburg, NY 14167
Silver Springs	Deanna Wilcox	30 Orchard Street Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Road Strykersville, NY 14145

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Varysburg	Carl Parmerter	2151 Route 98 Attica, NY 14011
Warsaw	Todd MacConnell	66 Mt. View Warsaw, NY 14569
Wyoming	Mike Knitter	1192 Silver Lake Road Pavilion, New York 14591

Members At-Large for towns without Departments:

Orangeville	Town Supervisor	Town of Orangeville
Covington	Town Supervisor	Town of Covington
Carried:	Ayes: 1618	Noes: 0 Absent: 0

RESOLUTION NO. 03-195

By Mr. Knab, Chairman of the Public Health Committee:

M. Cali Appointed To The Board Of Health

BE IT RESOLVED, That Mark Cali, 68 North Center Street, Town of Perry, Perry, NY 14530, is hereby appointed to the Wyoming County Board of Health for a six year term, said term to expire July 7, 2009.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-196

By Mr. Miller, Chairman of the Planning Committee:

Finding To Modify Agricultural District No. 2

WHEREAS, This Board has conducted a review of Agricultural District No. 2 located in the Towns of Gainesville, Wethersfield, Eagle, Warsaw, Pike, Castile; and

WHEREAS, The review process was initiated with a 30-day review process and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify District No. 2; and

WHEREAS, This Board has received these reports and their recommendations to modify the District and this Board has held the required Public Hearing; and

WHEREAS, This Board has reviewed the District Review Plan and the Environmental Assessment Form; and

WHEREAS, This Board must make a finding whether the District should

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be continued, terminated, or modified, now therefore

BE IT RESOLVED, That this Board determines that the proposed modified District boundaries do not include unique circumstances which increase the likelihood of environmental impact significance and the proposed modified Wyoming County Agricultural District No. 2 will not have a significant adverse environmental impact; and be it

FURTHER RESOLVED, That this Board does hereby make the finding that Wyoming County Agricultural District No. 2 should be modified by adding Three Thousand, Four Hundred Sixty Nine (3,469) acres and by removing Four Thousand, Nine Hundred Twenty Five (4,925) acres; and be it

FURTHER RESOLVED, That copies of the District Review Plan, including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Protection Board and the Wyoming County Planning Board, be forwarded to the Commissioner of Agriculture and Markets for re-certification as required by the New York State Agriculture and Markets Law.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-197

By Mr. Rogers, Chairman of the Human Services Committee:

One Seasonal Student Intern Position Created In The Youth Bureau

BE IT RESOLVED, That one (1) Seasonal Student Intern position, ft., is hereby created in the Wyoming County Youth Bureau, not to exceed eight (8) weeks, at a rate of Six Dollars, Fifty Cents (\$6.50) an hour, with no other benefits except those mandated by law.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Brunner, T/Java made a motion to table resolution office #17. The motion was seconded by Supervisor Bush, T/Gainesville. A voice vote was taken and the motion was defeated.

Defeated: Ayes: 400; Noes: 1218 Absent: 0
Hickey (127)
Bush (96)
Genesee Falls (20)
Java (93)
Middlebury (64)

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Supervisor Brunner, T/Java, asked why the Assistant Director of Nursing was being created and why we were not filling the Director of Nursing. Chairman Berwanger explained to Ms. Brunner, Lori Roche did not have all the education necessary to fill that position. That Lori Roche was continuing her education to become the Director of Nursing. Lori Roche will continue to get the necessary education and fill the Assistant Director of Nursing with the State Department of Health's approval. The Director of Nursing will not be filled. The previous Director of Nursing was making \$56,000. The Assistant position pays \$48,000. This is an overall savings of \$8,000.

Resolution Office #17 was voted on as originally presented.

RESOLUTION NO. 03-198

By Mr. Knab, Chairman of the Public Health Committee:

**Positions Created/One Abolished Within
The Public Health Department**

BE IT RESOLVED, That Schedule S of the Wyoming County Salary Plan, adopted by this Board of Supervisors on July 9, 2002, as amended, is hereby amended as follows:

1. That effective immediately, one (1) fte position of Certified Home Health Agency (CHHA) Administrator is hereby created in the Wyoming County Public Health Department, to be placed on Salary Schedule S, Step One at \$10,000.00 annually.

2. That effective immediately, Assistant Director of Nursing is hereby created in the Wyoming County Public Health Department, to be placed on Salary Schedule S, Step One at \$48,500.00 annually.

3. That effective immediately one (1) fte position of Director of Environmental Health is hereby created in the Wyoming County Public Health Department, to be placed on Salary Schedule S, Step one at \$43,000.00 annually, and be it

FURTHER RESOLVED, That effective immediately, one (1) fte position of LPN II is hereby created in the Wyoming County Public Health Department, to be placed on Salary Grade II, Step 1, Schedule A of the CSEA Agreement, and be it

FURTHER RESOLVED, That effective immediately, one (1) fte position of LPN is hereby abolished in the Wyoming County Public Health Department.

Carried: Ayes: 1302 Noes: 316; Absent: 0
Hickey (127)

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Bush (96)
Brunner (93)

RESOLUTION NO. 03-199

By Mr. Knab, Chairman of the Public Health Committee:

**D. Fuest Appointed Certified
Home Health Agency Administrator**

BE IT RESOLVED, That effective immediately, Deborah Fuest, P.O. Box 5, Warsaw, NY 14569, is hereby appointed as the Wyoming County Certified Home Health Agency Administrator; to be placed on Schedule S of the Wyoming County Salary Plan at Ten Thousand Dollars (\$10,000.00) annually.

Carried: Ayes: 1302 Noes: 316; Absent: 0
Hickey (127)
Bush (96)
Brunner (93)

Supervisor Humphrey moved to amend resolution office #19 to delete the second paragraph of the resolution. Seconded by Supervisor Rogers. A voice vote was taken and the resolution was voted on as amended.

RESOLUTION NO. 03-200

By Mrs. Humphrey, Chairman of the Finance Committee:

Schedule "S" Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "S" which became effective July 9, 2002, as amended, is hereby amended to set the salary of one (1) position of Fiscal Officer I in the Public Health Department be placed on Schedule S, Step 4 of the Wyoming County Salary Plan.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-201

By Mrs. Humphrey, Chairman of the Finance Committee:

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Employee Policies For Schedule "S" And "D" Amended

BE IT RESOLVED, The Policy and Procedures for Schedules D and S of the Wyoming County Salary Plan adopted by the Wyoming County Board of Supervisors by Resolution No. 96-244 on December 10, 1996 shall be amended as follows:

1. To replace all instances of the title of "County Administrator" to "Chairman of the Board of Supervisors".

2. TUITION/EDUCATIONAL REIMBURSEMENT (page 10)

addition of paragraph #4: "Any employee who shall leave the employment of the County of Wyoming within three (3) years after receiving reimbursement per said policy shall be required to return said amount plus 5 per cent." and be it

FURTHER RESOLVED, That the Civil Service Office shall be responsible for providing information on said policies and procedures.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-202

By Mrs. Humphrey, Chairman of the Finance Committee:

**Resolution No. 02-239 Re:
Property Sales Approved Rescinded**

BE IT RESOLVED, That resolution No. 02-239, passed by this Board of Supervisors on August 13, 2002, regarding property sales approved for parcel number 147.-7-1.15 in the Village of Castile, South Main Street is hereby rescinded.

Carried: Ayes: 1618 Noes: 0 Absent: 0

A motion was made at 2:55 PM by Supervisor Humphrey, T/Perry to enter into Executive Session for discussions regarding proposed, pending or current litigation. Carried. Supervisor Brunner, T/Java made the motion at 3:10 PM to adjourn Executive Session. Carried. No action taken, business resumed.

RESOLUTION NO. 03-203

By Mrs. Humphrey, Chairman of the Finance Committee:

**Resolution No. 01-91 Re:
Capital Improvement Plan 2001 Expenditures Amended**

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BE IT RESOLVED, That Resolution No. 01-91 re: Capital Improvement Plan 2001 Expenditures, passed by this Board of Supervisors on March 13, 2001 is hereby amended to reduce the appropriation to Dog Control Project Account 26.73.3510.2.22001 by Thirty Eight Thousand, Nine Hundred Eight Dollars, Seventy Four Cents (38,908.74).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-204

By Mr. Knab, Chairman of the Public Health Committee:

Resolution No. 00-65 Amended Re: Chairman Authorized To Sign Various Contracts On Behalf Of Mental Health

BE IT RESOLVED, That Resolution No. 00-65 regarding chairman authorized to sign various contracts on behalf of Mental Health Department, passed by this Board of Supervisors on March 14, 2000, is hereby amended to extend the contract period through July 14, 2003, and increase the amount of the contract by Twenty Seven Thousand, Six Hundred Forty Six Dollars (\$27,646.00), with Coordinator Care Services, Inc., for the provision of the State Incentive Cooperative Agreement (SICA).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-205

By Mrs. Humphrey, Chairman of the Finance Committee:

**The Board Of Supervisors Of The County Of Wyoming,
Electing Temporary Exemptions From Sales And
Compensating Use Taxes For Receipts From Retail
Sales Of, And Consideration Given Or Contracted To Be
Given For, Certain Clothing And Footwear**

BE IT ENACTED, By the Board of Supervisors of the county of Wyoming, as follows:

SECTION 1. Section six of Resolution No. 80-284 of 1980, as amended, is amended by adding a new subdivision (l) to read as follows:

(l) Receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph (30) of subdivision (a) of section 1115

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of the New York Tax Law during the periods commencing August 26, 2003, and ending September 1, 2003, and commencing January 26, 2004, and ending February 1, 2004, shall also be exempt during such periods from sales and compensating use taxes imposed by this resolution.

SECTION 2. This resolution shall take effect June 1, 2003, and shall apply during the applicable exemption periods in accordance with the applicable transitions provisions of Article 29 of the New York Tax Law; provided that this resolution and subdivision (l) of Resolution No. 80-284 of 1980, as added by section one of this resolution, shall expire May 31, 2004, and be deemed repealed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 3:20 PM

REGULAR SESSION

Tuesday August 12, 2003 2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Fair, in the Youth Building, Pike, New York, with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to Order and Introduced Mr. Sheldon J. Moden, Bliss, New York to lead us in the Pledge of Allegiance.

Mr. Moden graduated from South Park High School in Buffalo, NY. He entered the United States Army on February 10, 1943 and departed for the European Theater on December 3, 1943. Mr. Moden participated in the Normandy Invasion, The Battles/Campaigns of Northern France, Central Europe and the Rhineland. For his actions, Sheldon received the Good Conduct Medal, World War II Victory Medal, the American Theater Ribbon and the European African Middle Eastern Medal with Four Bronze Battle Stars. He was honorably discharged on November 2, 1945. For his participation in the Normandy Invasion, Mr. Moden was awarded the Jubilee of Liberty Medal" by the government of Normandy in May of 2000.

Mr. Moden graduated from Bryant & Stratton in 1948 with an Associates Degree in Accounting. He worked at General Mills in Buffalo, New York for approximately 18 months before accepting a position at the Valley Implement Company in 1950, an International Farm Implement Dealer located in Warsaw, New York in 1958, Mr. Moden accepted the position of Business Manager at Letchworth Central School and retired as the District Treasurer in November 1979.

Sheldon is married to Jean (Hollister) Brace-Moden and lives in Bliss, New York.

Chairman Berwanger went on to recognize the following distinguished guest:

Representing our United States Congressman, Thomas Reynolds of the 26th Congressional District is Chief of Staff, Michael Brady and District Director from his Buffalo Office, Chris Knospe.

Representing our New York State Senator, Dale Volker of the 59th Senate District, Warsaw District Representative, Joan Harrison.

Chairman Berwanger introduced the Commissioner of the New York State Agriculture and Markets, Nathan Rudgers with the following:

Nathan L. Rudgers was appointed Commissioner of Agriculture and Markets for the State of New York by Governor George E. Pataki on April 28, 1999 and confirmed by the Senate on June 9, 1999.

Born and raised on a dairy and cash crop farm in Pavilion (Wyoming

County), he is a 1978 graduate of Pavilion Central School. He attended the New York State College of Agriculture and Life Sciences at Cornell University and graduated with a Bachelor of Science in agricultural economics in 1982.

He began his tenure with the Department of Agriculture and Markets in 1995, serving as Deputy Commissioner, First Deputy Commissioner and Acting Commissioner.

Prior to joining the Department, Commissioner Rudgers worked for several agri-business firms in the Northeast. Much of Commissioner Rudgers' experience in the private sector has involved the dairy industry and agricultural economics. He is a past member of the Northeast Dairy Producers Association, the New York State Holstein-Friesian Association, and the Holstein-Friesian Association of America. He also served as the 2000 President of the Northeastern Association of State Department of Agriculture.

Commissioner Rudgers addressed the Board of Supervisors and those who attended the meeting with the following:

Mr. Rudgers said, "Farmers make their living off the land, and fairs represent one of their best ways to foster good relations. That compares with an earlier time, when fairs were about competition and camaraderie among farmers."

Now it's all about the land, Rudgers said. All of these issues facing the area will involve how land is used and what ultimately will be done with it.

Mr. Rudgers said he is pleased to see Wyoming County recognize its status as the number one Agricultural county statewide. He said it means people know which side their bread is buttered on," and a tremendous advantage because it has land which produces well, and farmers who know how to use it. The downside is that dairy farmers are finally coming out of a 12 to 18 month cycle of low milk prices. He said that reality has been lived by every store and business countywide, as well.

Mr. Rudgers mentioned efforts by Congressman Tom Reynolds, to work for milk price stabilization, and said lawmakers are trying to deliver such a program within six weeks to two months. He cited Reynolds, along with Assemblyman Burling, and State Senator Dale Volker in supporting agriculture.

"As the balance of power shifts from rural to urban, and suburban folks more and more lose their value of agriculture, we will need leaders like Dan Burling, Dale Volker and Tom Reynolds more and more," Rudgers said.

Mentioning the wet summer, Rudgers said it's not too late to collect the hay crop. But he added that's only the surface, and there are more and deeper issues at hand.

Next Chairman Berwanger introduced New York State Assemblyman Daniel Burling, stating the following:

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New York State Assemblyman Daniel Burling. Former Genesee County Legislator serving from 1993 - 1998, when he was elected to the New York State 147th Assembly District. While serving in Albany, Assemblyman Burling currently serves as the Vice-Chairman of the Assembly Minority Conference, and is a member of the assembly standing committees on Health, Environmental Conservation, Veterans Affairs, and Housing. He also serves as a member of the state of New Agriculture Task Force, the Legislative Task Force on Integrative Medicine & Agriculture, and the American Legislative Exchange Council.

Assemblyman Burling stated that this year's fair was dedicated in the memory of John F. Morgan, distinguished citizen and devoted member of his community. He went on to present a Legislative Resolution in the mourning of his death to be given to his family.

Berwanger said. "I'd like to take this opportunity to recognize the Department of Social Services Employee of the month, Kimberley Barber."

"Kimberley was first employed in December, 1996 as a clerk in DSS and is now a Senior Caseworker in the Child Welfare Department. Kim works tirelessly to ensure that children are matched with the most appropriate resources and it was recently noted by her supervisor that an adoptive family wrote thanking her for all the support in bringing their family together". Please join me in recognizing Kimberley Barber.

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communication:

C-1. The Western New York Inter-County meeting will be held on Friday, August 15, 2003 in Niagara County, to be held at the Seneca Niagara Casino, 310 Fourth Street, Niagara Falls, NY. Registration is at 9:30 AM. Please be sure to park in the casino parking lot and not in the business parking lot.

RESOLUTION NO. 03-206

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

PUBLIC HEALTH (IT)

To acct 01.38.4010.2.20406 Other Equip	\$5,867.00	\$5,867.00
From any funds available		

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HIGHWAY

To acct 01.52.9901.9.99003			
Perry Bridge #8	\$27,027.00		
From any funds available		\$27,027.00	
To acct 04.53.5112.4.42602			
Perry Bridge #8	\$27,027.00		
w/rev acct 04.13.5112.5031 inc. by same amt.		\$27,027.00	
To acct 01.52.9901.9.99002 Co.			
Snow Removal	\$684,478.68		
From any funds available		\$684,478.68	
To acct 04.53.5142.4.41804			
Snow Removal	\$684,478.68		
w/rev acct 04.13.5142.5031 inc. by same amt.		\$684,478.68	
			\$1,423,011.36

DISTRICT ATTORNEY

To acct 01.32.1165.4.41201 Postage	\$2,326.51		
01.32.1165.4.41010 Misc.			
Office Supplies	<u>532.05</u>		
	\$2,858.56		
w/rev acct 01.03.1165.1289 inc. by same amt.	\$2,858.56	\$2,858.56	

PUBLIC HEALTH

To acct 01.38.4010.4.41201 Postage	\$3,000.00		
01.38.4010.4.41010 Misc. Office			
Supplies	3,000.00		
01.38.4010.4.41204 Advertising	2,500.00		
01.38.4010.4.41706 Med. & Safety			
Supply	2,500.00		
01.38.4010.4.41510 Education			
Materials	<u>2,000.00</u>		
	\$13,000.00		
From any funds available		\$13,000.00	\$13,000.00

FIRE & BUILDING CODES

To acct 01.37.3620.2.20201			
Computers	\$1,600.00		
01.37.3620.4.41010 Misc.			
Office Supplies	531.68		
01.37.3620.4.42306 Other	<u>450.00</u>		
	\$2,581.68		
w/rev acct 01.11.3620.3089 inc. by same amt.	\$2,581.68	\$2,581.68	

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And be it
 FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore
 Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-207

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:
 PUBLIC HEALTH

From acct. 01.38.4010.1.10001			
Salaries Sch. S/D	\$6,000.00		
To acct. 01.38.4010.4.40901			
Adult Services		\$6,000.00	\$6,000.00
Carried: Ayes: 1618 Noes: 0 Absent: 0			

Supervisor Totstline, Chairman of the Audit Committee presented the bills in the amount of One Million, Eight Hundred Fifty Three Thousand, Nine Hundred Twenty One Dollars, Twenty-One Cents (\$1,853,921.21). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger introduced the Wyoming County Fair Queen, Lindsey Kibler, to except a Proclamation Proclaiming August 9th through August 16th as Wyoming County Fair Week. Lindsey thanked the Board of Supervisors for the Proclamation and their support.

RESOLUTION NO. 03-208

By Mr. Gozelski, Chairman of the Agriculture Committee:

Wyoming County Fair Week Proclaimed

WHEREAS, The Wyoming County Fair will be held from August 9th through the 16th in the Town of Pike, Pike, New York; and

WHEREAS, The Wyoming County Fair is a tremendous opportunity for residents of Wyoming County to learn and experience exhibits and demonstrations; and

August 12, 2003

WHEREAS, The Wyoming County Fair focuses on all families, particularly the farm family; and

WHEREAS, The Wyoming County Fair is truly the showcase for our farmers, artisans of all types and the youth of the entire county; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims the week of August 9th through August 16th in the year 2003 as

“WYOMING COUNTY FAIR WEEK”

And be it

FURTHER RESOLVED, That the Board does hereby applaud the annual effort produced by the Wyoming County Fair Association.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-209

By Mr. Gozelski, Chairman of the Agriculture Committee:

90th Anniversary Of Cornell Cooperative Extension Of Wyoming County Proclaimed

WHEREAS, The meaning of “Extension” is teaching not in a traditional classroom, but in the classrooms of “the farm, the field, the family and the community;” and

WHEREAS, Extension Service work in Wyoming County began in January of 1913 in the Perry School, Town of Perry, New York, to foster and sponsor, at farmer level, the educational programs of the New York State College of Agriculture at Cornell;” and

WHEREAS, In 1957 the Board of Supervisors could no longer provide space in the Wyoming County Courthouse for this rapid growing service, the Wyoming County Extension Service Association opened the doors of the Wyoming County Farm and Home Center in September of 1961 through private and public funding raising efforts; and

WHEREAS, Through the years extension service has had many logo and name changes; and

WHEREAS, Today extension service is known as “Cornell Cooperative Extension of Wyoming County” the departments of 4-H, Agriculture, Family and Consumer Sciences have outgrown their space; and

WHEREAS, After 90 years of rich history Cornell Cooperative Extension will embark on a new building project to be completed in 2004; now therefore
BE IT RESOLVED, That the Board of Supervisors of the County of Wyo-

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ming applaud the efforts of the Cornell Cooperative Extension of Wyoming County for the past 90 years and

proclaim the month of September as

“CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY MONTH”

in the County of Wyoming; and be it

FURTHER RESOLVED, That a copy of this Resolution, suitably signed, be retained as an official symbol recognizing the positive benefits of all the Cornell Cooperative Extension programs in Wyoming County.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-210

By Mr. Rogers, Chairman of the Human Services Committee:

Legislation Which Limits Eligibility Benefits Through Veterans Administration Opposed

WHEREAS, The Federal Government has added a Priority Group 8 for Veterans Administration (VA) medical care which means that veterans whose income exceeds geographically determined thresholds, and who have not enrolled for VA medical care in the last several years, are denied the opportunity to receive VA medical care; and

WHEREAS, This new mandate denies medical care for military veterans who may have no medical insurance, and may not be able to afford their medications; and

WHEREAS, Military veterans fought for freedom for our country and should be eligible for VA medical care without question; now therefore be it

RESOLVED, That the Wyoming County Board of Supervisor does hereby oppose this legislation which limits eligibility for benefits through the Veterans Administration; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President George W. Bush, Senator Charles E. Schumer, Senator Hillary Rodham Clinton, Congressman Thomas M. Reynolds, and all other New York State Federal representatives, the New York State Association of Counties, the Western New York Inter-County Association and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-211

Mr. Agan, Chairman of the Public Works Committee:

**Chairman Authorized To Sign A Contract With
Clark Patterson Associates On Behalf
Of The Highway Department**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Clark Patterson Associates, 4245 Union Road, Suite 208, Buffalo, NY 14225, on behalf of the Wyoming County Highway Department, for a Architectural/Engineering consultant of Perry Bridge No. 8, Walnut Street Bridge over Silver Lake Outlet, amount not to exceed Twenty Seven Thousand, Twenty Seven Dollars (\$27,027.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-212

Mr. Agan, Chairman of the Public Works Committee:

**Chairman Authorized To Award And Sign A Contract
On Behalf Of The Highway Department**

BE IT RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the replacement of Perry Bridge No. 8, Walnut Street over the Silver Lake Outlet.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-213

By Mr. Agan, Chairman to the Public Works Committee:

**Chairman Authorized To Award And Sign A Contract On
Behalf Of The Department Of Buildings And Grounds**

WHEREAS, The Superintendent of Wyoming County Buildings and Grounds has advertised bids for the repair of the roof of the Wyoming County Fire Training Center; and

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WHEREAS, The bids were reviewed by the Public Works Committee of this Board of Supervisors has reviewed said bid and has recommended the award of said bid to the lowest responsible bidder; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed sign a contract with Mucher Erectors Inc., 38 Duncan Street, Warsaw, NY 14569, for the repair of the Wyoming County Fire Training Center roof; effective August 12, 2003; amount not to exceed Thirty One Thousand, Five Hundred Sixty One Dollars (\$31,561.00); contingent upon the availability funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-214

Mr. Agan, Chairman of the Public Works Committee:

**Chairman Authorized To Sign Purchase Contract
Re: Right Of Way For Perry Bridge**

WHEREAS, The real property purchase contracts in the Village of Perry, obtained by the Public Works Committee on July 25, 2003, needed for the replacement of Perry Bridge #8, (Walnut Street) over the Silver Lake Outlet, as described on maps on file in the Office of the Wyoming County Superintendent of Highways is hereby ratified and accepted; now therefore

BE RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, and on behalf of the County of Wyoming, is hereby authorized and directed to sign purchase contracts regarding the aforementioned acquisition of lands and land improvement projects; and be it

FURTHER RESOLVED, That the Wyoming County Superintendent of Highways and the Wyoming County Treasurer are hereby authorized to make payment for said conveyance upon advise from the County Attorney has acquired titles to the same as follows:

Robert Andrews Map #1 & 2 Parcel #1 8,619 sf & Parcel #2 2,370 sf Fee \$500.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-215

By Mr. Miller, Chairman of the Planning Committee:

**Chairman Authorized To Sign An Agreement With
Wyoming County Soil & Water Conservation District**

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WHEREAS, The County of Wyoming has been awarded a Fifty Thousand Dollar (\$50,000) grant from New York State Agriculture and Markets to prepare an Agriculture Farmland Protection & Development Plan; and

WHEREAS, An important part of the Plan is the production of high quality computer generated mapping of the county's soil resources; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Soil & Water Conservation District, 31 Duncan Street Extension, Warsaw, New York 14569 to coordinate the preparation of county soil maps by NRCS; said agreement shall not exceed Twenty Two Thousand Dollars (\$22,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-216

By Mr. Knab, Chairman of the Public Health Committee:

Chairman/Public Health Director Authorized To Sign The Comprehensive Family Planning/Reproductive Health Care Services Application

BE IT RESOLVED, That the Chairman/Public Health Director, with approval of the County Attorney, is hereby authorized and directed to sign the Comprehensive Family Planning/Reproductive Health Care Services application with the New York State Department of Health, to provide funding for Family Planning and Reproductive Health Care services through Men's & Women's Health services, effective April 1, 2004 through March 31, 2009 renewable annually; amount not to exceed Three Hundred Seventy Two Thousand, One Hundred Forty Dollars (\$372,140.00), contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-217

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With Adecco Inc. On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract

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with Adecco, Inc., 230 East Main Street, Arcade, NY 14009, for the provision of temporary clerical services, effective August 1, 2003 through December 31, 2003; amount not to exceed Ten Thousand Dollars (\$10,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-218

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With K. Roberts On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Kimberly Roberts, 6213 Hardys Road, Gainesville, New York 14066, for the provision of a temporary clerk, effective July 14, 2003 through December 31, 2003; amount not to exceed Three Thousand Dollars (\$3,000.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-219

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With L. Roche

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Lori Roche, 6288 Route 362 Bliss, New York 14066, for tuition/education reimbursement, effective July 12, 2003, amount per the language of the contract, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-220

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Sign Various Contracts On Behalf Of Social Services

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby autho-

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rized and directed to sign the following contracts on behalf of the Department of Social Services:

A.) Colleen O'Connell & McClaren, LLP, 484 Main Street, East Aurora, NY 14052, for legal advise on labor issues and employee conflicts, effective June 17, 2003 through December 31, 2004, amount not to exceed One Thousand Dollars (\$1,000.00); contingent upon the availability of funds.

B) Nicole Hurley, 46 Watrous Street, Perry, NY 14530, for tutoring services for a Merit Incentive child, effective April 1, 2003 through June 19, 2003; amount not to exceed Four Hundred Seventy Five Dollars (\$475.00), contingent upon the availability of funds.

C) Vivian Wetmore, 7697 Spencer Street, Gainesville, NY and Tami Hazlett, North Main Street, Castile, NY, for the provision of catering services for the Merit Incentive Award Ceremony, effective July 14, 2003 through July 20, 2003, amount not to exceed Two Hundred Dollars (\$200.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-221

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Title V Grant Application With The New York State Office Of The Aging

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a Title V Grant application with the New York State Office for the Aging, for the provision of Senior Employment Application Services, effective July 1, 2003 through June 30, 2004; amount not to exceed Thirty Four Thousand, Twenty One Dollars (\$34,021.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-222

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Memorandum Of Understanding With The Erie County Department Of Senior Services

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Erie County Department of Senior Services, 95 Franklin Street, Buffalo, NY 14202, for the provision of a technical assistance, software, programming and consulting services for the Provider Data System, effective July 1, 2003 through June 30, 2004; amount not to exceed One Thousand, Four Hundred, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-223

By Mr. Rogers, Chairman of the Human Services Committee:

Resolution No. 02-203 Amended Re: Chairman Authorized To Sign New And Renewal Contracts For PHC/EI Programs

BE IT RESOLVED, That Resolution No. 02-203, passed by this Board of Supervisors on July 9, 2002, is hereby amended to include a fee schedule for 45 minute sessions for the purpose of Pre-K and Early Intervention evaluations and related services with Wyoming County Community Hospital, effective July 1, 2003 through June 30, 2005.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-224

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign The Probation Eligible Diversion Grant Application

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the Probation Eligible Diversion Application with the New York State Division of Probation and Correction Alternative, for the supervision and treatment to felony offenders eligible for probation, for the New York State fiscal year 2003-2004; amount not to exceed Thirteen Thousand, Nine Hundred Dollars (\$13,900.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-225

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With NYS Division Of Probation And Correctional Alternatives

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Division of Probation and Correctional Services, for State Aid for Probation Services; amount not to exceed Sixty Five Thousand, Seven Hundred Dollars (\$65,700.00), for the 2003 project period.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-226

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With Unified Court System On Behalf Of The Sheriff's Office

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized to sign a contract with the Unified Court System, on behalf of the Sheriff's Department, for the provision of security service for Wyoming County Supreme, County and Family Courts, effective April 1, 2003 through March 31, 2004; amount not to exceed One Hundred Seventy Six Thousand, Eight Hundred Seventy Two Dollars (\$176,872.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-227

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign A Contract With Matrix Communications Group, Inc.

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Matrix Communication Group, Inc., 126 Dwight Park Circle, Syracuse, NY 13209, for the Government Center Matrix telephone maintenance, effective September 23, 2003 through September 22, 2004; amount not to exceed

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Nine Thousand, Seven Hundred Fifty Three Dollars, Seventy One Cents (\$9,753.71), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-228

By Mr. Miller, Chairman of the Planning Committee:

C. VanArsdale Reappointed To The Industrial Development Board

BE IT RESOLVED, That Charles VanArsdale, 5136 Park Road W., Town of Castile, Castile, New York is hereby reappointed to the Industrial Development Agency for a three (3) year term, said term to expire August 12, 2006.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-229

By Mr. Miller, Chairman of the Planning Committee:

J. Padilla Appointed To The GLOW Workforce Investment Board

BE IT RESOLVED, That Janette Padilla, Regional Director of Rural Opportunities, Inc., 138-140 North Main Street, Albion, New York 14411, is hereby appointed to the GLOW Workforce Investment Board as a At-Large-Member.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-230

By Mr. Rogers, Chairman of the Human Services Committee:

One Position Abolished In The Department Of Social Services

BE IT RESOLVED, That one (1) FTE position of Senior Clerk in the Department of Social Services is hereby-abolished effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

August 12, 2003

RESOLUTION NO. 03-231

By Mrs. Humphrey, Chairman of the Finance Committee:

Salary Schedule D Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule D which became effective July 7, 2002, as amended, is hereby amended as follows:

POSITION	STEP 1	EFFECTIVE
Community Services Director	\$54,000.00	August 25, 2003
Public Health Director	\$60,000.00	July 14, 2003
Carried: Ayes: 1618	Noes: 0	Absent: 0

Chairman Berwanger introduced to the crowd, the new Community Services Director, Stephen Snell. The Chairman then announced the new Public Health Director, Dr. Gregory Collins. Business resumed.

Supervisor Rogers, Chairman of the Human Services Committee asked to withdraw Resolution Office #27 and referred it back to the Human Services Committee.

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:58 PM.

REGULAR SESSION

Tuesday September 9, 2003 2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/ Arcade, called the meeting to order and introduced, Mr. Clinton H. Copeland, Bliss, NY to lead us in the Pledge of Allegiance to the Flag.

Mr. Copeland entered the service on February 22, 1943, at Fort Niagara, NY. He trained as an aerial gunner and left for Europe on September 11, 1944. Mr. Copeland was assigned to the 763rd Bomber Squadron, 460th Bomber Group. He participated in air combat missions over Northern Apennines, Rhineland and Balkans. On December 11, 1994, while flying in a combat mission to Vienna, Austria, his plane was shot down. Mr. Copeland was captured by the German army and he was interred at several different P.O.W. camps in the republic of Germany. He was liberated by the Russian Army at a P.O.W. Camp located approximately 35 miles from Berlin on May 2, 1945.

He returned to the United States on June 1, 1945 and honorably discharged on November 6, 1945.

For his service to his country, Mr. Copeland was awarded the American Campaign Medal with one (1) overseas bar, the European African Middle Eastern Campaign Medal with three (3) bronze star, the Air Medal, the World War II Victory Medal and the Good Conduct Medal. In 1988, he was awarded the Prisoner of War (P.O.W.) Medal and the New York State Conspicuous Service Cross.

Mr. Copeland and his wife, Barbara, live in Bliss, NY.

It is a just tribute to Mr. Copeland, a former prisoner of war, to lead us in the Pledge of Allegiance to the flag in the month of September, as September 19, 2003, is National POW/MIA Recognition Day.

Chairman Berwanger requested that everyone remain standing and went on to announce the passing of a Wyoming County employee with the following:

Charlotte Strathearn passed away on September 7, 2003. Charlotte worked for Wyoming County for 35 years. She started in 1968 as a Nursing Assistant at Wyoming County Community Hospital. In 1971 she obtained her LPN license and remained at the Hospital.

In 1987 Charlotte was hired at the Wyoming County Health Department where she finished her career. She was extremely adaptable and a valuable employee. She helped out in the office, assisted at clinics, and visited patients

in their homes. She was a team player and always willing to help out others. Charlotte would do whatever it took to keep the department going.

Charlotte was also a CSEA Union Steward for many years.

Charlotte was proud of the service she provided to the residents of Wyoming County. She, a resident of Wyoming County herself, cared very deeply about the people here.

Charlotte will be truly missed by her family, friends, co-workers, and her patients. This is a devastating loss for the Wyoming County Health Department and for Wyoming County

Chairman Berwanger asked for a moment of silence in remembrance of Charlotte Strathearn and the remembrance of the Attica Prison riot that started 32 years ago September 8th.

There were no communications.

RESOLUTION NO. 03-232

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

HIGHWAY

To acct 01.52.9901.9.99003 prov. for construction	\$250,000.00		
From any funds available		\$250,000.00	
To acct 04.53.5112.4.42602 Perry Bridge #8	\$250,000.00		
w/rev acct 04.13.5112.5031 inc by same amt.		\$250,000.00	
To acct 04.53.5110.4.41904 Bituminous Product	\$217,453.31		
w/rev acct 04.11.5110.3501 inc by same amt.		\$217,453.31	\$717,453.31

SOCIAL SERVICES

To acct 01.39.6010.4.42274 Family Resolution	\$25,000.00		
w/rev acct 01.12.6010.4610 inc by same amount		\$25,000.00	
To acct 01.39.6010.4.42216 Domestic Violence	\$19,000.00		
w/rev acct 01.12.6010.4610 inc by same amount		\$19,000.00	\$44,000.00

MENTAL HEALTH

To acct 01.38.4310.4.41801			
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Misc Govt. Charges	\$4,613.66		
From any funds available		\$4,613.66	\$4,613.66
DISTRICT ATTORNEY			
To acct 01.37.3315.4.40107 Liability Insurance	\$12.00		
01.37.3315.4.41303 Stenographers	1,297.25		
01.37.3315.4.41404 Copier Maintenance	230.00		
01.37.3315.4.42101 Law Enforce Supplies	1,832.43		
01.37.3315.4.42301 Books, Publ., Subscpt	<u>466.50</u>		
	\$3,838.18		
w/rev acct 01.07.3315.261502 inc by same amt.		\$3,838.18	\$3,838.18
PROBATION			
To acct 01.37.3140.4.43004 Juvenile Officer	\$6,994.25		
w/acct 01.12.3140.431001 J.O. grant		\$6,994.25	\$6,994.25
PATHWAYS			
To acct 23.92.3140.4.40301 Prof. Services	\$6,994.25		
w/rev acct 23.10.3140.282392 inc by same amt.		\$6,994.25	\$6,994.25
TREASURER			
To acct 12.61.9950.9.99004 Capital Fund	\$279,000.00		
From any funds available		\$279,000.00	\$279,000.00
C.I.P.			
To acct. 25.72.3640.2.21001 Property-Fire Training	\$279,000.00		
w/rev acct 25.13.3640.5031 inc by same amount		\$279,000.00	\$279,000.00
SHERIFF/JAIL			
To acct 01.37.3150.4.41711 Inmate Medical	\$18,184.64		
w/rev acct 01.04.3150.1525 inc by same amt.		\$18,184.64	\$18,184.64
EMERGENCY SERVICES			
To acct 01.37.3640.4.40910 Flood & Erosion Cntrl	\$87,441.49		
w/rev acct 01.12.3640.4785 inc by same amt.		\$87,441.49	\$87,441.49
TRANSITIONS			
To acct 24.10.4050282491			

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Trans Admin	(11,777.22)	
From acct 24.91.4050.1.10101		
CSEA Salary	(8,136.54)	
24.91.4050.8.80001 Wrks Comp	(15.00)	
24.91.4050.8.81001 Retirement	(433.00)	
24.91.4050.8.83001 FICA	(518.87)	
24.91.4050.8.85001 Medicare	(121.44)	
24.91.4050.8.89001 Hospitalization	<u>(2,552.37)</u>	
	(11,777.22)	
To acct 24.10.4051.282491 Social Worker		
From acct 24.91.4051.1.10001		
S/D Salaries	(39,859.96)	(34,376.42)
24.91.4051.1.10602 Ins. Repudiation	(300.00)	
24.91.4051.8.80001 Wrks Comp	(200.00)	
24.91.4051.8.81001 Retirement	(2,112.31)	
24.91.4051.8.82001 Disability	(200.00)	
24.91.4051.8.83001 FICA	(2,151.17)	
24.91.4051.8.85001 Medicare	(504.06)	
24.91.4051.8.86001 EAP	<u>(16.00)</u>	
	(39,859.96)	
To acct 24.10.4052.282491 Triage		
From acct 24.91.4052.1.10101		
CSEA Salaries	(27,151.63)	(19,330.20)
24.91.4052.1.10401 Longevity	(400.00)	
24.91.4052.8.81001 Retirement	(1,036.00)	
24.91.4052.8.82001 Disability	(71.84)	
24.91.4052.8.83001 FICA	(1,223.40)	
24.91.4052.8.85001 Medicare	(286.74)	
24.91.4052.8.86001 EAP	(16.00)	
24.91.4052.8.89001 Hosp. Ins.	<u>(4,787.45)</u>	
	(27,151.63)	(\$78,788.91)

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-233

By Mrs. Humphrey, Chairman of the Finance Committee:

September 9, 2003

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

PUBLIC HEALTH (CHHA)

From acct. 01.38.4050.4.44001		
Transitions Admin	\$11,777.22	
To acct. 01.38.4050.1.10101 CSEA Salary		\$8,136.54
01.38.4050.8.80001 Wrks Comp		15.00
01.38.4050.8.81001 Retirement		433.00
01.38.4050.8.83001 FICA		518.87
01.38.4050.8.85001 Medicare		121.44
01.38.4050.8.89001 Hospitalization		<u>2,552.37</u>
		\$11,777.22

From acct 01.38.4050.4.44002		
Trans. Soc. Worker	\$39,859.96	
To acct 01.38.4050.1.10001 S/D Salaries		\$34,376.42
01.38.4050.1.10602 Ins Repudiation		300.00
01.38.4050.8.80001 Wrks Comp.		200.00
01.38.4050.8.81001 Retirement		2,112.31
01.38.4050.8.82001 Disability		200.00
01.38.4050.8.83001 FICA		2,151.17
01.38.4050.8.85001 Medicare		504.06
01.38.4050.8.86001 EAP		<u>16.00</u>
		\$39,859.96

From acct 01.38.4050.4.44003		
Trans Triage	\$27,151.63	
To acct. 01.38.4050.1.10101 CSEA Salaries		\$19,330.20
01.38.4050.1.10401 Longevity		400.00
01.38.4050.8.81001 Retirement		1,036.00
01.38.4050.8.82001 Disability		71.84
01.38.4050.8.83001 FICA		1,223.40
01.38.4050.8.85001 Medicare		286.74
01.38.4050.8.86001 EAP		16.00
01.38.4050.8.89001 Hospital Insurance		<u>4,787.45</u>
		\$27,151.63
		\$78,788.91

September 9, 2003

SOCIAL SERVICES

From acct. 01.39.6055.4.42273			
75% Block Grant	\$20,000.00		
01.40.6123.4.42263			
Juvenile Delinquent	<u>76,000.00</u>		
	\$96,000.00		
To acct 01.39.6055.4.42272			
100% Block Grant	\$81,000.00		
01.40.6101.4.42248 Med. Assistance	10,000.00		
01.40.6142.4.42269 EAA	<u>5,000.00</u>		
	\$96,000.00	\$96,000.00	

DISTRICT ATTORNEY

From acct. 01.32.1168.1.10202			
Temporary	\$1,222.90		
01.32.1168.4.41202 Postage	364.60		
01.32.1168.8.83001 FICA	98.15		
01.32.1168.8.85001 Medicare	<u>22.65</u>		
	\$1,708.30		
To acct 01.32.1168.4.40301 Prof Services	\$1,708.30	\$1,708.30	

BUILDINGS & GROUNDS

From acct 01.34.1620.4.40808			
Mow & Gen Maint	\$793.33		
To acct 01.37.3150.1.10201 PT Salaries			
	\$707.37		
01.37.3150.8.81001 Retirement	31.83		
01.37.3150.8.83001 FICA	43.86		
01.37.3150.8.85001 Medicare	<u>10.27</u>		
	\$793.33	\$793.33	
Carried:	Ayes: 1618	Noes: 0	Absent: 0

Supervisor Totstline, Chairman of the Audit Committee presented the bills in the amount of Two Million, Four Hundred Eighty Eight Thousand, Thirty Four Dollars, Thirty Six Cents (\$2,488,034.36). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-234

By Mr. Rogers, Chairman of the Human Services Committee:

2003 National POW/MIA Recognition Day Proclaimed

September 9, 2003

WHEREAS, The Federal Government has designated the third Friday in September as National POW/MIA Recognition Day; and

WHEREAS, Numerous members of our Armed Forces are still listed as POW/MIAs and we demand an accurate accounting of those still listed as POW/MIAs; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County strongly support our Veterans who sacrificed so much to insure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby designate September 19, 2003 as

NATIONAL POW/MIA RECOGNITION DAY

in Wyoming County; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President George W. Bush, U.S. Senators Charles Schumer and Hillary Clinton, Congressman Thomas M. Reynolds, and all others deemed appropriate and necessary.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-235

By Mr. Miller, Chairman of the Planning Committee:

Chamber Of Commerce Week 2003 Proclaimed

WHEREAS, The Wyoming County Chamber of Commerce serves as a catalyst for cooperation and action in this county; and

WHEREAS, The Wyoming County Board of Supervisors works in unison with the Wyoming County Chamber to provide a vital link between the public and private sectors; and

WHEREAS, The Chamber provides leadership to essential business development projects, programs and events; and

WHEREAS, The Chamber plays a vital role in building a vigorous economic future for this community; and

WHEREAS, The Chamber of Commerce ably serves as one of the leading representatives of Wyoming County and the region and matters of interest before state and federal government bodies; and

WHEREAS, The image and reputation of the entire region are enhanced by the economic development and promotional efforts of the Chamber of Commerce; now therefore

BE IT RESOLVED, That it is the official position of the Wyoming County

September 9, 2003

Board of Supervisors to cooperate with and encourage the efforts of the Wyoming County Chamber of Commerce and its many programs that benefit this area; and be it

FURTHER RESOLVED, That we join with Senate Commerce Committee Chairman James S. Alesi, the New York State Legislature, The Business Council of New York State, The Chamber Alliance of New York State and scores of individual counties, cities and towns in declaring the week of September 14, 2003 through September 20, 2003 as

“Chamber of Commerce Week”

in Wyoming County.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger requested that resolution office numbers 5-21 to be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 5-21 A voice vote was taken and resolution office numbers 5-21 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-236

By Mr. Rogers, Chairman of the Human Services Committee:

Closing Of The V.A. Medical Center At Canandaigua Opposed

WHEREAS, The Department of Veteran's Affairs' Draft National CARES plan has recommended closing the Canandaigua V.A. Medical Center; and

WHEREAS, The closing of the V.A. Medical Center would be an injustice to the Veterans who fought for this great Country; and

WHEREAS, The thousands of Veterans and their families living in various counties in Western New York would be severely impacted by the closing of this V.A. Medical Center; and

WHEREAS, Those Veterans and their families receiving outpatient care at this Medical Center would be forced to travel great distances for their care; and

WHEREAS, Those Veterans and their families receiving inpatient care at this Medical Center would no longer receive treatment at this facility, and

WHEREAS, The closing of this Medical Center would leave more than 700 employees unemployed; and

September 9, 2003

WHEREAS, The closing of this Medical Facility would cause a catastrophic economic impact on Ontario County as well as surrounding counties through the loss of approximately one quarter of a billion dollars in economic activity; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors and the citizens of Wyoming County wish to go on record as being opposed to the Draft National CARES Plan for closing the Canandaigua V.A. Medical Center; and be it

FURTHER RESOLVED, That the Clerk of this Board will forward certified copies of this resolution to Governor George E. Pataki, U.S. Senators Charles Schumer and Hillary Clinton, Congressman Thomas M. Reynolds, Senator Dale M. Volker, Assemblyman Daniel Burling, Secretary of Veterans Affairs Anthony J. Principi, VISN 2 Director William Feeley and all other deemed appropriate and necessary.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-237

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Various Contracts On Behalf Of Social Services

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A) Wyoming County Office for the Aging, 5362 Munger Mills Road, Silver Springs, NY, for the 2003-2004 Low Income Home Energy Assistance program for the period of October 1, 2003 through September 30, 2004, amount not to exceed Five Thousand Dollars (\$5,000.00); contingent upon the availability of funds.

B) Patricia Jones, CSW-R, ACSW, 120 Main Street, Attica, NY for court ordered counseling services (case # S2328) for the period of June 1, 2003 through December 31, 2003, amount not to exceed Two Thousand Dollars (\$2,000.00), contingent upon the availability of funds.

C) Patricia Jones, CSW-R, ACSW, 120 Main Street, Attica, NY for court ordered counseling services (case # S20450) for the period of January 1, 2003 through December 31, 2003, amount not to exceed Six Thousand Dollars (\$6,000.00), contingent upon the availability of funds.

D) David Coron, PhD., 6137 Broughton Hill Road, Farmington, NY 14425, for psychological evaluations for the period of June 1, 2003 through December 31, 2003, amount not to exceed Three Thousand, Five Hundred Dollars (\$3,500.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-238

By Mr. Rogers, Chairman of the Human Services Committee:

**Authorize Chairman To Sign A Lease Agreement
On Behalf Of The Office For The Aging**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with First Niagara Leasing, Inc., 6950 Transit Road, Lockport, New York 14095, for the provision of a copier and maintenance agreement for forty eight (48) months, effective September 1, 2003 through August 31, 2007; amount not to exceed Ten Thousand, Three Hundred Ninety Nine Dollars (\$10,399.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-239

By Mr. Knab, Chairman of the Public Health Committee:

**Chairman Authorized To Sign A Memorandum
Of Understanding On Behalf Of
The Mental Health Department**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a memorandum of understanding on behalf of the Mental Health Department and the District Attorney for the provision of alcohol and substance abuse counseling, effective January 1, 2003 through December 31, 2003; amount not to exceed Ten Thousand Dollars (\$10,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-240

By Mr. Agan, Chairman of the Public Works Committee:

**Superintendent Of Highways Authorized To
Extend The Agreement With Towns And Villages;
Re: " Lump Sum Indexing"**

WHEREAS, The public interest demands the snow removal and the control of ice on all county roads with the County to bear the entire cost in accordance with Section 135a of the Highway Law; and

WHEREAS, The County is desirous of extending agreements with several Towns and Villages of the County for the removal of snow and for control of ice on county roads; now therefore

BE IT RESOLVED, That the County of Wyoming authorizes the Superintendent of Highways to extend the Agreement with the various Towns and Villages for the purpose of removing snow and the control of ice on county roads for the winter seasons of 2003/2004 and 2004/2005. Payment to be made to the Towns and Villages by the County from County Snow Funds as determined by using the "Indexed Lump Sum" methodology; and be it

FURTHER RESOLVED, That the opening and the treating of county roads be done in such a manner as the County Superintendent shall direct. The County Superintendent of Highways for Wyoming County shall be in charge of all work done on county roads; and be it

FURTHER RESOLVED, The records of such work done on county roads shall be done in the manner directed by the County Superintendent of Highways.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-241

By Mr. Davis, Chairman of the Public Safety Committee:

**Chairman Authorized To Sign A Lease Agreement On
Behalf Of The District Attorney's Office**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign a lease agreement with First Niagara Leasing, Inc., 6950 Transit Road, Lockport, New York 14095, for a copier and maintenance agreement for forty eight months (48), effective September 9, 2003 through September 8, 2007; amount not to exceed One Hundred Thirty Four Dollars, Two Cents (\$134.02) a month/Six

Thousand, Four Hundred thirty-two Dollars, ninety-six Cents (\$6,432.96) plus a documentation fee of \$175.00; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-242

By Mr. Davis, Chairman of the Public Safety Committee:

Genesee/Wyoming Flood Mitigation Plan Adopted

WHEREAS, In response to the serious dangers that flooding poses to life and property, Genesee/Wyoming County received full federal funding to develop a joint, two county flood mitigation plan for the Tonawanda Creek and Oatka Creek watersheds, and

WHEREAS, The County of Wyoming has been identified as lying within either the Tonawanda Creek and/or Oatka Creek watersheds and has participated in the joint, two county flood mitigation planning project by designating a contact person to attend monthly project meetings, keep County officials informed about the project, assist in the development of the Flood Mitigation Plan, and otherwise provide voluntary assistance as feasible, and

WHEREAS, Wyoming County Board of Supervisors feels it is in the best interests of the County to implement the Genesee/Wyoming Flood Mitigation Plan, now therefore

BE IT RESOLVED, That the County of Wyoming will adopt the Genesee/Wyoming Flood Mitigation Plan.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-243

By Mr. Rogers, Chairman of the Human Services Committee:

**Resolution No. 03-183 Amended Re:
Chairman/Commissioner Of The Department Of
Social Services Authorized To Sign Various
Contracts On Behalf Of Social Services**

BE IT RESOLVED, That Resolution No. 03-183 re: Chairman/Commissioner of the Department of Social Services authorized to sign various contracts on behalf of Social Services, passed by this Board of Supervisors on July 8, 2003 is hereby amended to decrease the amount of the contract by Four Thousand, Five Hundred Dollars (\$4,500.00) as follows:

D) Home Care & Hospice of WNY, Inc., 11 West Buffalo Street, Warsaw, NY for a Child Care Resource Room, effective July 1, 2003 through December 31, 2003, amount not to exceed Three Thousand Dollars (\$3,000); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-244

By Mr. Miller, Chairman of the Planning Committee:

**Resolution No. 03-52 Amended Re:
Chairman Authorized To Sign An Agreement With
Care Environmental Corp. For GLOW Region 2003
Household Hazardous Waste Collection Program**

BE IT RESOLVED, That Resolution No. 03-52 re: Chairman authorized to sign an agreement with Care Environmental Corp. for GLOW Region 2003 Household Hazardous Waste Collection Program, passed by this Board of Supervisors on February 11, 2003 is hereby amended to increase the amount by Four Thousand Five Hundred Fifty Dollars, Fifty Cents (\$4,550.50), for an amount not to exceed Twenty Nine Thousand, Six Hundred Fifty Dollars, Fifty Cents (\$29,650.50).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-245

By Mr. Agan, Chairman of the Public Works Committee:

**Resolution No. 03-19 Amended Re:
Chairman Authorized To Sign Various Contracts On
Behalf Of The Buildings And Grounds Department**

BE IT RESOLVED, That Resolution No. 03-119 re: Chairman authorized to sign various contracts on behalf of the Buildings and Grounds Department, passed by this Board of Supervisors on April 8, 2003 is hereby amended to read as follows:

A. Wolcott Farms Lawn Care

Section 1 (f) shall be removed and replaced with, snow plowing of the parking lots at the Department of Social Services for the balance of the year 2003 and to include until 1st of May 2004, at the same cost of Two Thousand,

Twenty Five Dollars (\$2,025.00).

Carried: Ayes: 1618 Noes: 0

RESOLUTION NO. 03-246

By Mrs. Humphrey, Chairman of the Finance Committee:

Audit Services Contract Approved

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign contracts with Lumsden and McCormick, LLP, 403 Main Street, Suite 430 Buffalo, NY 14203 to perform the annual audit of Wyoming County and GASB 34, with the exception of the Wyoming County Community Hospital, for a three (3) year period at an annual cost not to exceed Forty Thousand Dollars (\$40,000.00), effective January 1, 2003 through December 31, 2005. The said contracts will include helping to bring Wyoming County Financial Information for 2002 into GASB 34 compliance for a one time fee of Seven Thousand, Five Hundred Dollars (\$7,500.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-247

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Accept Purchase Offer From Western New York Rural Health Education Center

WHEREAS, The Board of Supervisors by Local Law No. 2 of 2003 has authorized the sale of certain surplus property on North Main Street in the Village of Warsaw, New York to the west and adjacent to the existing third tier Wyoming County Community Health System parking lot to Western New York Rural Area Health Education Center; now therefore

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is authorized to accept the purchase offer presented by Western New York Rural Area Health Education Center for Two Thousand, Five Hundred Dollars (\$2,500.00) and is further authorized to execute all documents in connection with the sale of said property.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-248

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Purchase Properties In The Name Of Wyoming County Adjacent To The Wyoming County Fire Training Center

WHEREAS, The Board of Supervisors has determined, in consultation with the New York State Department of Environmental Conservation, that certain properties adjacent to the Wyoming County Fire Training Center may have been effected by surface and subsurface contamination which may have been present on the Wyoming County Fire Training Center property for in excess of thirty (30) years; and

WHEREAS, The County of Wyoming on October 24, 2002 entered into a voluntary clean-up agreement with the New York State Department of Environmental Conservation to remediate the Wyoming County Fire Training Center property; and

WHEREAS, It has been determined that certain properties adjacent to the Wyoming County Fire Training Center property may have been effected by the surface and subsurface conditions present on the property owned by the County of Wyoming; now therefore

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is authorized to purchase the property located at 3647 Wethersfield Road in the Town of Wethersfield, County of Wyoming, New York currently owned by Mary A. Agro, Vincent P. Agro, Gilbert Judd, Mark Weber and Dawn Weber for the sum of \$171,000.00; and be it

FURTHER RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is authorized to purchase the property located at 3689 Wethersfield Road in the Town of Wethersfield, County of Wyoming, New York currently owned by Mark Weber and Dawn Weber for the sum of \$108,000.00; and be it

FURTHER RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is authorized to execute all documents in connection with the purchase of said properties, provided however, that all documentation is subject to the approval of the County Attorney and in particular documents protecting the County of Wyoming from any claims arising from damage or potential damage to the real property acquired.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-249

By Mrs. Humphrey, Chairman of the Finance Committee:

Approves Property Auction Sales

WHEREAS, the County has acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said property and recommends the acceptance thereof, namely:

Village of Perry, 46 North Main Street, Perry, NY 14530 has offered \$1.00 for property located in the Town & Village of Perry, 87 South Main Street, Tax Map #100.7-7-37 formerly assessed to Buell Oil Company Inc.; now therefore

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-250

By Mr. Agan, Chairman of the Public Works Committee:

**F. Humphrey Reappointed
Deputy Highway Superintendent**

BE IT RESOLVED, That Fredrick Humphrey, 243 Liberty Street, Warsaw, NY 14569, is hereby reappointed as Deputy Highway Superintendent for a three (3) year term, said term effective September 10, 2003 through September 9, 2006.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-251

By Mr. Rogers, Chairman of the Human Services Committee:

D. Fuest Appointed Early Intervention Officer

BE IT RESOLVED, That Deborah Fuest, 55 Walnut Street, Perry, NY 14530 is hereby appointed the Early Intervention Officer effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-252

By Mrs. Humphrey, Chairman of the Finance Committee:

**Increasing The Rate Of Taxes On Sales And Uses Of
Tangible Personal Property And Of Certain Services,
And On Occupancy Of Hotel Rooms And Amusement
Charges, Pursuant To Article 29 Of The
Tax Law Of The State Of New York**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 and ending November 30, 2005, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 and ending November 30, 2005, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992 any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible

personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (I) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (c) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 2005, the tax shall be at the rate of four percent, and on and after December 1, 2005, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (I) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 2005, the tax shall be at the rate of four percent, and on and after December 1, 2005, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 2005, the tax shall be at the rate of four percent, and on and after December 1, 2005, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufac-

tured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 2005, the tax shall be at the rate of four percent, and on and after December 1, 2005, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 2005, the tax shall be at the rate of four percent, and on and after December 1, 2005, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for

residential heating purposes; and the receipts

from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992 and ending November 30, 2005.

SECTION 5. Subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(1)(A) In respect to the use of property used by the purchaser in this County prior to March 1, 1981.

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 and ending November 30, 2005, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on December 1, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-253

By Mr. Rogers, Chairman of the Human Services Committee:

Authorize Chairman/Commissioner Of Social Services To Sign A Contract With Cornell Cooperative Extension

BE IT RESOLVED, That the Chairman/Commissioner of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Cornell Cooperative Extension, 401 North Main Street, Warsaw, NY 14569, to provide the Food Stamp Nutrition Education Program, effective October 1, 2003 through September 30, 2004, amount not to exceed One Hundred Seventy Six Thousand Dollars (\$176,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-254

By Mr. Davis, Chairman of the Public Safety Committee:

One Temporary Position Of Probation Officer Trainee

Created In The Probation Department

BE IT RESOLVED, That one (1) fte temporary position of Probation Officer Trainee is hereby created in the Probation Department, to be placed on Schedule A, Grade 13 of the CSEA Agreement, effective September 9, 2003 through the end of the corresponding Medical Leave of Absence.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-255

By Mr. Rogers, Chairman of the Human Services Committee:

One Position Of Handicap Preschool Coordinator Created In The Youth Bureau

BE IT RESOLVED, That one (1) fte Handicap Preschool Coordinator position in the Youth Bureau is hereby created to be placed on Schedule S, Step 1 of the Wyoming County Salary Plan at Thirty Five Thousand Dollars (\$35,000.00) annually, effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Unanimous Consent was requested by Supervisor Humphrey, Chairman of the Finance Committee. A voice vote was taken and the request was granted. The following resolution was presented.

RESOLUTION NO. 03-256

By Mrs. Humphrey, Chairman of the Finance Committee:

Approves Property Auction Sales

WHEREAS, the County has acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said property and recommends the acceptance thereof, namely:

Bernard T. Schwab, 124 School Road, Wyoming, NY 14591 has offered \$2,000 for property located in the Town & Village of Middlebury, 126 School Road, Tax Map #36.16-1-18.1 formerly assessed to Edwin Thompson.

Now, therefore

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to

September 9, 2003

execute and deliver a referee deed to the purchaser.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Unanimous Consent was requested by Supervisor Humphrey, Chairman of the Finance Committee. A voice vote was taken and the request was granted. The following resolution was presented.

RESOLUTION NO. 03-257

By Mrs. Humphrey, Chairman of the Finance Committee:

Approves Property Auction Sales

WHEREAS, the County has acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said property and recommends the acceptance thereof, namely: Christopher E. Carney & Bruce E. Carney have offered \$1.00 for property located in the Town & Village of Castile, 16 North Main Street, Tax Map #147.7-1-2 formerly assessed to Kittinger Company.

Now, therefore

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:38 PM

REGULAR SESSION

Tuesday

October 14, 2003

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present, except Supervisor Agan, T/Attica. Also present was Assistant County Attorney, Toni Delmonte. Chairman Berwanger, T/Arcade, called the meeting to order and introduced Anthony J. Petrillo, Attica, NY to lead us in the Pledge of Allegiance to the Flag.

Mr. Petrillo entered the army on May 26, 1943. After months of training, he left for the European Theater on February 11, 1944. He participated in: the Normandy Invasion, the Battle for the Ardennes, Central Europe, Northern France and the Rhineland. For his actions, he received the European African Middle Eastern Service Medal, the World War II Victory Medal and the Good Conduct Medal. Mr. Petrillo returned from Europe on November 20, 1945, and was honorably discharged on December 28, 1945. For his participation in the Normandy Invasion, Mr. Petrillo was awarded the "Jubilee of Liberty Medal" by the Government of Normandy in May of 2000.

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communications:

C-1. Western New York Inter-County meeting will be held on Friday, October 17, 2003 in Wyoming County, to be held at the Bryncliff Resort, Varysburg, NY, registration is at 9:30 AM. Program is to be a round table discussion with NYS Legislatures.

RESOLUTION NO. 03-258

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

SOCIAL SERVICES

To acct 01.39.6010.4.42215			
Daycare Registration		\$2,499.50	
W/rev acct 01.12.6010.4610			
inc. by same amount		\$2,499.50	\$2,499.50

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MENTAL HEALTH			
To acct 01.38.4250.4.40926			
ARA, Inc.	\$2,026.10		
w/rev acct 01.11.4250.3490			
inc by same amt.		\$2,026.10	\$2,026.10
PUBLIC HEALTH			
To acct 01.38.4025.4.40704 Lab Fees	\$7,000.00		
From any funds available		\$7,000.00	
To acct 01.38.4013.2.20406			
Other Equipment	\$2,500.00		
01.38.4013.2.23001			
Motor Vehicle	23,000.00		
01.38.4013.1.10001			
Salaries Fixed S/D	6,500.00		
01.38.4013.1.10502 On Call Pay	1,250.00		
01.38.4013.4.40301			
Prof. Srvs Contract	10,125.00		
01.38.4013.4.40401 Training	1,000.00		
01.38.4013.4.40405 Employee			
Expenses	500.00		
01.38.4013.4.40503 Gas	2,000.00		
01.38.4013.4.40507 Hghwy			
Maintenance	1,000.00		
01.38.4013.4.41214 Supplies	10,388.00		
01.38.4013.8.81001 Retirement	350.00		
01.38.4013.8.83001 FICA	481.00		
01.38.4013.8.85001 Medicare	113.00		
01.38.4013.8.89001 Insurance	<u>1,590.00</u>		
	\$60,797.00		
W/rev acct 01.12.4013.448916			
inc by same amt.		\$60,797.00	
To acct 01.38.4011.1.10101			
Full Time CSEA	\$10,000.00		
01.38.4011.4.40301 Prof Srvcs			
Contracts	10,000.00		
01.38.4011.4.40704 Lab Fees	5,605.00		
01.38.4011.8.81001 Retirement	450.00		
01.38.4011.8.83001 FICA	620.00		
01.38.4011.8.85001 Medicare	620.00		
01.38.4011.8.89001 Insurance	620.00		

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W/rev acct 01.11.4011.340112 inc.			
by same amt.	<u>3,180.00</u>		
	\$30,000.00	\$30,000.00	\$97,797.00
COUNTY CLERK			
To acct 01.34.1410.2.20001			
Furniture	\$2,303.69		
W/rev acct 01.03.1410.1255 inc. by same amt.		\$2,303.69	\$2,303.69
DISTRICT ATTORNEY			
To acct 01.32.1165.4.41302			
Witness Expense	\$5,000.00		
W/rev acct 01.11.1165.308905			
inc by same amt		\$5,000.00	\$5,000.00
SHERIFF			
To acct 01.37.3110.1.10301			
Overtime	\$30,000.00		
From any funds available		\$30,000.00	\$30,000.00
EMERGENCY SERVICES			
To acct 01.37.3640.4.42001			
Training Facility Cost	\$8,576.51		
W/rev acct 01.12.3640.4785			
inc by same amt.		\$8,576.51	\$8,576.51
INTER GOVERNMENTAL TRANSFER			
To acct 01.40.6102.4.42250			
MMIS IGT	\$2,484.998.00		
W/rev acct 01.09.6102.2772			
inc by same amt		\$2,484.998.00	\$2,484.998.00
PATHWAYS			
To acct 23.90.6010.1.10101			
Salary-CSEA	\$535.67		
23.90.6010.1.10601			
Unused Benefit Time	<u>220.92</u>		
	\$756.59		
W/rev acct 23.10.6010.282390 inc by same amt		\$756.59	\$756.59
TREASURER			
To acct 01.49.8710.4.41802			
Tax/Co. Property	\$1,268.55		
From any funds available		\$1,268.55	\$1,268.55

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and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available there-fore.

Carried: Ayes: 1194 Noes: 260 Absent: 164; Agan
 Humphrey (214)
 Rogers (46)

RESOLUTION NO. 03-259

By Mrs. Humphrey Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby autho-rized and directed to transfer funds within various accounts as follows:

SOCIAL SERVICES

From acct. 01.40.6109.4.42252		
TANF	\$17,433.86	
To acct. 01.39.6010.1.10202		
Temporary	\$2,400.00	
01.39.6010.1.10301 Overtime	5,000.00	
01.39.6010.1.10401 Longevity	633.86	
01.39.6010.1.10601 Unused Benefit	8,400.00	
01.39.6010.4.41701 Physicals	<u>1,000.00</u>	
	\$17,433.86	
From acct 01.40.6109.4.42252 TANF	\$2,500.00	
To acct 01.39.6010.2.20401		
Misc. Equipment	\$2,500.00	\$19,933.86

BUILDINGS AND GROUNDS

From acct 01.34.1620.4.40808		
Mowing & Gen Maint	\$1,112.20	
To acct 01.37.3150.1.10201 PT Salaries	\$991.71	
01.37.3150.8.81001 Retirement	44.61	
01.37.3150.8.83001 FICA	61.49	
01.37.3150.8.85001 Medicare	<u>14.39</u>	
	\$1,112.20	\$1,112.20

FIRE & BUILDING CODES

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From acct. 01.37.3620.8.89001			
Med./Hospital	\$8,744.49		
To acct 01.37.3620.1.10601			
Unused Benefit Time	\$7,700.49		
01.37.3620.4.40107 Liability Insurance	<u>1,044.00</u>		
	\$8,744.49	\$8,744.49	
Carried: Ayes: 1454	Noes: 0	Absent: 164; Agan	

Supervisor Totstline, Chairman of the Audit Committee presented the bills in the amount of One Million, Three Hundred Sixty Thousand, Five Hundred Nineteen Dollars, Eight Cents (\$1,362,519.08). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-260

By Mrs. Humphrey, Chairman of the Finance Committee:

Erie County's Efforts To Circulate Petitions To Pressure The State Legislature On The Growing Problem Of The Cost Of Medicaid To Local Property Taxpayers Supported

WHEREAS, The rising cost of Medicaid places an unacceptable burden on the local property tax payers; and

WHEREAS, New York State charges its counties more for Medicaid than any other State in the nation; and

WHEREAS, The State, with support from this and other counties must also call on Washington for leadership where the majority of the rules are set and the amount of Federal funds for each state are apportioned. The Federal Government sets the FMAP percentage, the percent of each Medicaid dollar the Federal Government will contribute, ranging from 52.95% to 92.95%. New York State's share was slightly increased for a limited 15 month period from 50% to 52.95%. New York's FMAP percent should be re-examined and in-creased in the face of New York's high medical costs, high taxes, and great number of the aging and new immigrants; and

WHEREAS, There is no more important factor effecting government costs at the federal, State and local level than health care costs, and there is no more important factor affecting the entire U.S. economy than health care costs. Health care is a top issue that is facing all citizens and the public and private

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sectors; and

WHEREAS, Erie County has joined the effort to get attention and pressure on the State Legislature on the growing problem of the cost of Medicaid to local property taxpayers; and

WHEREAS, Erie County is circulating petitions informing New York State, that the failure to reform the financing of its Medicaid program is causing county governments across the state to drastically raise taxes, lay-off thousands of employees, eliminate essential public services and reduce funding to needed educational, recreational and cultural programs. This is destroying the quality of life in our communities and is having a serious negative impact on efforts to promote economic development and preserve private sector employment: now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins in the efforts to circulate petitions to pressure the state legislature on the growing problem of the cost of medicaid to local property taxpayers, and ask all residents of Wyoming County to sign the petition to reform medicaid now; and be it

FURTHER RESOLVED, That the Clerk of this Board will forward certified copies of this resolution to President George W. Bush, US Senators Charles Schumer and Hillary Clinton, Congressman Thomas Reynolds, Governor George Pataki, Senator Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, all New York Senators and Assemblyman and all others deemed necessary and proper.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

Chairman Berwanger requested that resolution office numbers 4-21 to be consolidated for consent agenda. Supervisor Humphrey requested that Resolution Office # 16 be voted on separately. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 5-15 and 17-21 A voice vote was taken and resolution office numbers 5-15 and 17-21 were passed.

RESOLUTION NO. 03-261

By Mr. Miller, Chairman of the Planning Committee:

**Chairman Authorized To Sign The G.L.O.W. Region
Solid Waste Management Committee
Inter-municipal Cooperation Contract**

WHEREAS, The Genesee, Livingston, and Wyoming Counties ("GLOW")

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Region Solid Waste Management Project Inter-municipal Cooperation Contract is scheduled to expire on December 31, 2003; and

WHEREAS, The G.L.O.W. Committee has prepared the Eight Amended and Restated Inter-municipal Cooperation Contract and has recommended that this contract be submitted to the three counties for their review and approval, said contract to expire December 31, 2005; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute said contract on behalf of the County of Wyoming.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-262

By Mr. Miller, Chairman of the Planning Committee:

**Chairman Authorized To Sign
2003-2004 Snowmobile Grant Application**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed to file an application for participation in the Snowmobile Trail Grant Program for the State's fiscal year 2003-2004; and be it

FURTHER RESOLVED, That the Chairman of this Board, with approval of the County Attorney, is hereby authorized and directed to enter into an agreement with the State of New York to receive the (funds available through the Snowmobile Trail Grant Program) above noted funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-263

By Mr. Gozelski, Chairman of the Agriculture Committee:

Order Of Protection For Deer Approved

WHEREAS, The Wyoming County Department of Animal Control, has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now, therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2003 through April 1, 2004, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

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FURTHER RESOLVED, That notice of this Order has been given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Arcade, NY
Daily News, Warsaw, NY
and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the Office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-264

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Letter Of Agreement With The NYS Division Of Probation And Correctional Alternatives

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a letter of agreement with the NYS Division of Probation and Correctional Alternatives, on behalf of the Probation Department, for the Intensive Supervision Program (ISP), effective January 1, 2003 through December 31, 2003; amount not to exceed Seven Thousand Dollars (\$7,000.00), contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-265

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With Frontier Communications

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Frontier Communications, 180 South Clinton Avenue, Rochester, NY, on behalf of Wyoming County Office of Emergency Services, for provision of the Computer Aided Dispatch (CAD) Positron System, effective upon the installa-

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tion of said program for a five year period; said amount not to exceed Three Hundred Seventy Eight Thousand, Eight Hundred Fifty Seven Dollars, Twelve Cents (\$378,857.12); renewable annually thereafter, contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-266

By Mr. Herman, Chairman of the Human Resource Committee:

Resolution 03-129 Amended Re: Health Insurance Portability And Accountability Act Policies Adopted

BE IT RESOLVED, That Resolution No. 03-129 re: Health Insurance Portability and Accountability Act (HIPAA) Policies, passed by this Board on Supervisors on April 8, 2003 is hereby amended to reflect changes under the Internal Sanctions Section of the HIPAA Policy to include the following:

PROCEDURE: Once the Privacy Official has thoroughly investigated a complaint involving alleged violation(s) of County Privacy Policies and Procedures by a county employee, business associate, contractor or volunteer; and once the Privacy Official has determined the alleged complaint(s) to be substantiated; then the findings of the Privacy Officer shall be reviewed with the affected County Department Head, County Personnel Officer, County Attorney, Corporate Compliance Officer as well as the Chairman of the Board of Supervisors, in order to determine what appropriate penalty should be assessed.

Each substantiated complaint shall be reviewed with the above county officials on a case by case basis. Factors to be considered in determining the appropriate penalty shall consist of, but not limited to the following:

- Bargaining unit membership (union/non-union)
- Civil Service status
- Egregiousness of the violation(s)
- Years of service
- Statement from the offending party(s)

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-267

By Mr. Knab, Chairman of the Public Health Committee:

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Chairman Authorized To Sign A Contract With C. Miller On Behalf Of The Public Health Department

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Cheryl Miller, 2780 Maxon Road, Varysburg, NY 14167, to perform the duties of the Director of Nursing for the Wyoming County Certified Home Health Agency in the Department of Public Health, effective September 30, 2003 through August 31, 2004; at a rate of Thirty Five Dollars (\$35.00) per hour, not to exceed Five Thousand Dollars (\$5,000.00); contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-268

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign A Contract With Health Research, Inc. On Behalf Of The Public Health Committee

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized to sign a contract with Health Research, Inc., One University Place, Rensselaer, NY 12144, for the provision of breast and cervical cancer early detection services to residents in Wyoming County, effective June 30, 2003 through June 29, 2004; amount of said contract shall not to exceed Four Thousand, Six Hundred Thirty Eight Dollars (\$4,638.00); contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-269

By Mr. Knab, Chairman of the Public Health Committee:

Resolution No. 03-12, Re: Chairman Authorized To Sign Various Contracts On Behalf Of The Public Health Department Amended

BE IT RESOLVED, That Resolution No. 03-12 re: Chairman Authorized to sign various contracts on behalf of the Public Health Department, passed by this Board on January 14, 2003, is hereby amended to include Environ-

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mental Lab Services for testing of water samples with Erie County Department of Health, effective September 25, 2003 through December 31, 2003; the amount of said contract shall remain unchanged.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-270

By Mrs. Humphrey, Chairman of the Finance Committee:

Resolution No. 03-219 Re: Chairman Authorized To Sign A Contract With L. Roche Amended

BE IT RESOLVED, That Resolution No. 03-219 re: Chairman authorized to sign a contract with L. Roche, passed by this board on August 12, 2003 is hereby amended to change the language of the contract for educational reimbursement to obtain her BSN Degree, in accordance with the Wyoming County Salary Plan Schedule "S" Handbook, to amend the sentence, "The County reimbursement payment to Ms. Roche shall be issued once a year by the County Treasurer upon certification from the Chairman of the Board of Supervisors," to the following, "The County's reimbursement payment to Ms. Roche shall be issued at the completion of each module by the County Treasurer upon certification of the Chairman of the Board of Supervisors."

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-271

By Mr. Knab, Chairman of the Public Health Committee:

Resolution No. 02-307 Re: Chairman Authorized To Sign 2003 Renewal Contracts On Behalf Of Mental Health Amended

BE IT RESOLVED, That Resolution No. 02-307 re: Chairman Authorized to sign 2003 Renewal Contracts on behalf of Mental Health, passed by this Board on November 12, 2002 is hereby amended as follows:

3) ARA, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003.

ONE CONTRACT FOR ALCOHOL, SUBSTANCE ABUSE AND MEN'S GROUP (\$313,089) + \$1,879.00 = \$314,968

A. Alcohol Treatment/Education & Substance Abuse Tx. (\$313,089) + \$1,879.00 = \$314,968

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Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-272

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign Contract For Coordinator Services For The WRAP Program

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign a contract with Daniel J. Perkins, 101 West Court St., Warsaw, NY 14569, for the purpose of providing coordinator services for the WRAP (Weatherization Referral Assistance Program), effective from October 1, 2003 through September 30, 2004, in the amount of One Hundred Twenty Seven Dollars, Thirty Four Cents (\$127.34) per day, not to exceed Two Hundred Sixty One (262) days or Thirty Three Thousand, Three Hundred Sixty Four Dollars (\$33,364.00) annually, plus One Hundred Dollars (\$100.00) per month towards liability insurance and reimbursement for mileage accrued while doing Office for the Aging business at the current Wyoming County rate per mile; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

There was a brief discussion regarding resolution office #16. Questions were referred to Commissioner Wallace, Department of Social Services.

RESOLUTION NO. 03-273

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Sign A Contract With Arrow Mart Corporation Convenience Store

BE IT RESOLVED, That the Chairman/Commissioner of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract on behalf of the Department of Social Services with Arrow Mart Corporation Convenience Store, 3229 State Street, Caledonia, NY, , for the provision of gas cards for employable individuals, effective October 1, 2003 through September 30, 2004; amount not to exceed Six Thousand Dollars (\$6,000.00), contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

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RESOLUTION NO. 03-274

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Sign A Contract With The Rochester Genesee Regional Transportation Authority

BE IT RESOLVED, That the Chairman/Commissioner of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract on behalf of the Department of Social Services with the Rochester Genesee Regional Transportation Authority, 1372 East Main Street, Rochester, NY, , for the provision of bus passes for employable individuals, effective October 1, 2003 through September 30, 2004; amount not to exceed Eleven Thousand, Five Hundred Twenty Dollars (\$11,520.00), contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-275

By Mr. Rogers, Chairman of the Human Services Committee:

J. Mcilroy Appointed To The Office Of The Aging Advisory Board

BE IT RESOLVED, That James McIlroy, Town of Covington, 7806 Big Tree Road, Pavilion, NY 14525, is hereby appointed to the Office of the Aging Advisory Board, to fill the unexpired term of Frances Lowe, said term to expire December 31, 2004.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-276

By Mrs. Humphrey, Chairman of the Finance Committee:

D. Almeter Reappointed To The Board Of Managers

BE IT RESOLVED, That David Almeter, 50 Park Street, Town of Warsaw, Warsaw, NY is hereby reappointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term, said term to expire October 13, 2008.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

October 14, 2003

RESOLUTION NO. 03-277

By Mr. Miller, Chairman of the Planning Committee:

Members Appointed/Reappointed To The Micro-Enterprise Loan Review Committee

BE IT RESOLVED, That James M. Pierce, 7304 Northwoods Road, T/ Arcade, NY 14009 is hereby reappointed to the Micro-Enterprise Loan Review Committee for a two (2) year term, said term to expire October 1, 2005; and be it

FURTHER RESOLVED, That Howard C. Wood, 170 South Main Street, T/Castile, Perry, NY 14530 is hereby appointed to the Micro-Enterprise Loan Review Committee for a two (2) year term, said term to expire October 1, 2005.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-278

By Mr. Davis, Chairman of the Public Safety Committee:

Members Appointed/Reappointed To The Conditional Release Board

Be It Resolved, That Constance Barnes, 1509 Saltvale Road, T/Middlebury, Wyoming, NY is hereby reappointed to the Conditional Release Board for a four (4) year term; said term to expire June 30, 2007; and be it

FURTHER RESOLVED, That Stanley Standera, 3458 Beardsley Road, T/ Perry, Perry, NY is hereby appointed to the Conditional Release Board for a four (4) year term; said term to expire March 31, 2007.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-279

By Mr. Rogers, Chairman of the Human Services Committee:

Veterans' Service Director Reappointed

BE IT RESOLVED, That Frank E. Hollister, 42 South Avenue, Town of Warsaw, Warsaw, NY, 14569, is hereby reappointed Veterans' Service Agency Director, pt, for a two year term, said term to expire November 14, 2005.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

October 14, 2003

RESOLUTION NO. 03-280

By Mr. Rogers, Chairman of the Human Services Committee:

Senior Clerk Position Reclassified In The Department Of Social Services

BE IT RESOLVED, That one (1) position of Senior Clerk, fte. in the Department of Social Services, is hereby reclassified to one (1) position of Account Clerk, fte., said position to be placed on Schedule A, Grade 4 of the CSEA Agreement, effective immediately.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO 03-281

By Mr. Knab, Chairman of the Public Health Committee:

Positions Created/Abolished In The Public Health Department

BE IT RESOLVED, That one (1) fte position of Public Health Administrator is hereby created in the Public Health Department, said position to be placed on Schedule "S" of the Wyoming County Salary Plan at Thirty Thousand, One Hundred Twenty Four Dollars (\$30,124) annually, effective immediately; and be it

FURTHER RESOLVED, That one (1) fte position of Administrative Assistant is hereby abolished in the Public Health Department effective immediately.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-282

By Mr. Knab, Chairman of the Public Health Committee:

One (1) Position Of Bio-Terrorism Coordinator In The Public Health Department Created

BE IT RESOLVED, That there is hereby created one (1) fte. position of Bio-Terrorism Coordinator in the Public Health Department, said position to be placed on Schedule G of the Wyoming County Salary Plan at Thirty Five Thousand Dollars (\$35,000) annually, effective September 1, 2003 through August 30, 2004.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

October 14, 2003

RESOLUTION NO. 03-283

By Mrs. Humphrey, Chairman of the Finance Committee:

Date Of November 2003 Regular Session Changed

WHEREAS, The Rule of Procedures of the Board of Supervisors have been suspended by unanimous consent for the purpose recited in this resolution; now therefore

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors scheduled for Tues., November 11, 2003 shall be changed to Wed., November 12, 2003 at 2:00 PM in the Supervisors Chambers at the Wyoming County Government Center.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

After a lengthy discussion on resolution office #27 between the supervisors. Supervisor Brunner motioned that the resolution be separated into two so that Schedule "D" and Schedule "S" may be voted on separately. A voice vote was taken and the motioned was carried.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-284

By Mrs. Humphrey, Chairman of the Finance Committee:

Salary Schedules "D" Adopted

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as follows:

Schedule "D" annexed hereto shall be substituted for the existing Schedule "D", adopted on July 9, 2002. Commencing January 1, 2003, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary committee.

Carried: Ayes: 1357 Noes: 97; Absent: 164; Agan
Kushner (49)
Glosser (48)

RESOLUTION NO. 03-285

By Mrs. Humphrey, Chairman of the Finance Committee:

October 14, 2003

Salary Schedules "S" Adopted

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as follows:

Schedule "S" annexed hereto shall be substituted for the existing Schedule "S", adopted on July 9, 2002. Commencing January 1, 2003, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary committee.

Carried: Ayes: 1357 Noes: 97; Absent: 164; Agan
Kushner (49)
Glosser (48)

Unanimous consent was requested by Supervisor Davis, Chairman of the Public Safety Committee. A voice vote was taken and the requested was granted. The following resolution was presented.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

RESOLUTION NO. 03-286

By Mr. Davis, Chairman of the Public Safety Committee:

Chairman Authorized To Sign A Contract With L. Mysiak On Behalf Of Emergency Services

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Lucy Mysiak, 31 Autumn Lane, Depew, NY, for the provision of a independent contractor to assist in the preparation of a Comprehensive Emergency Plan/Terrorism Annex, effective October 14, 2003 through December 31, 2003; amount not to exceed Nine Thousand Dollars (\$9,000.00); contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

Unanimous consent was requested by Supervisor Herman, Chairman of the Human Resource Committee. A voice vote was taken and the requested was granted. The following resolution was presented.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

October 14, 2003

RESOLUTION NO. 03-287

By Mr. Herman Chairman of the Human Resources Committee:

Resolution No. 99-205 Re: Various Wyoming County Employment Policies Amended

BE IT RESOLVED, That Resolution No. 99-205 re: Various Wyoming County Employment Policies Adopted, passed by this Board of Supervisors on August 17, 1999 is hereby amended to approve and adopt the revised Wyoming County Hiring Policy and consolidate the Hiring Policy with the Supervision and Criminal Record Check Policies, effective immediately; and be it

FURTHER RESOLVED, That the Civil Service Office shall be responsible for providing information on said policies and procedures.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Agan

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 3:01 PM.

REGULAR SESSION

Wednesday November 12, 2003 2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/ Arcade, called the meeting to order and introduced, Mr. Russell L. Hurlburt, Warsaw, NY to lead us in the Pledge of Allegiance to the Flag.

Mr. Hurlburt was born in Bliss, N.Y. and graduated from Bliss High School in 1942.

Russ entered the United States Marine Corps on July 8, 1942, and after extensive training, was sent to the Asiatic-Pacific Theater of Operation on March 5, 1943. He participated in action against the Japanese at Bouganville from November 23, 1943 to December 15, 1943, Vella LaVella from October 8, 1943 to October 10, 1943, Iwo Jima from February 19, 1945 to March 16, 1945 and in the Occupation of Japan from September 24, 1945 to April 5, 1946.

For his actions during World War II, Mr. Hurlburt was awarded: The Purple Heart, The Asiatic-Pacific Medal with four (4) Battle Stars, The American Area Medal, the Presidential Unit Citation with one (1) star, the World War II Victory Medal and the Good Conduct Medal.

Mr. Hurlburt is a member of the Eagle Memorial Post #1720 of the American Legion in Bliss, NY.

I would like to take this opportunity to recognize two (2) employees from the Department of Social Services. Each employee of the month is brought to the Human Services Committee and the Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

The first employee I would like to recognize was last months employee of the month, but was unable to attend the Board meeting. This employee is N. Joseph Santullo. Joe has been the Computer Systems Administrator since June 1999. He assisted with the new lateral filing system, which is now in place as well as his never ending assistance with phone and computer problems. He recently received a Certificate of Appreciation from the Genesee Valley Board of Cooperative Education Services for working with students on site at the Department of Social Services, giving them the opportunity to experience the real work atmosphere. Please join me in recognizing Joe Santullo.

This months Department of Social Services Employee of the Month is Beth Ann Gloss. Beth Ann has been with the department since 1984. She started as a Clerk and worked in that capacity until June 2002, when she was ap-

November 12, 2003

pointed as the Administrative Assistant. Please join me in recognizing Beth Ann Gloss.

Chairman Berwanger, T/Arcade went on to introduce Ed Turner, Junior Governor of the Warsaw Moose Lodge. Mr. Turner informed the Board of the following upcoming events that are to take place at the Warsaw Moose Lodge.

1. Wednesday, November 19th starting at 6:30 PM is the 90th Anniversary of Cornell Cooperative Extension and the Kick Off of the new Cooperative Extension building. Tickets are \$20.00 pp and \$35.00 pc.

2. Saturday, December 6, 2003 there will be a Dinner Dance honoring the 60th Anniversary of the Warsaw Moose Lodge. The Board of Supervisors has been invited as guests of the Warsaw Moose Lodge (Complimentary Tickets).

3. Saturday, January 3, 2004 the Warsaw Moose Lodge will be holding their Annual Veterans Dinner Dance honoring all armed services. There will be a \$8.00 charge for this event.

Suzanne Aldinger, Clerk of the Board of Supervisors read the following communications:

C-1. Western New York Inter-County meeting will be held on Friday, November 21, 2003 in Ontario County, to be held at the Ontario County Jail, 3045 County Complex Drive, Canandaigua, NY, registration is at 9:30 AM. Program: "The Ontario County Jail, and How It Got to Be".

C-2. Reminder: The Rochester-Genesee Regional Transportation Authority Ribbon Cutting Ceremony for the WYTS' First Bus Shelter, tomorrow at 11:30 AM at the Wyoming County Government Center.

RESOLUTION NO. 03-288

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Appropriated To Various 2003 Accounts

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

HIGHWAY

To acct 04.53.5112.4.40948			
Bridge Improvements	\$50,000.00		
W/rev acct 04.11.5112.308912 inc. by same amt.	\$50,000.00		
To acct 04.53.5112.4.40948			
Bridge Improvements	\$10,258.77		
W/rev acct 04.11.5112.308912 inc. by same amt.	\$10,258.77	\$74,775.97	

MENTAL HEALTH

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To acct 01.38.4324.4.42476 CCSI	\$11,083.00		
W/rev acct 01.12.4324.4490			
inc. by same amt.		\$11,083.00	
To acct 01.38.4220.4.40402			
Conf./conv	\$1,500.00		
01.38.4220.4.40405 Employee			
Expenses	500.00		
01.38.4220.4.41204 Advertising	800.00		
01.38.4220.4.41201 Postage	250.00		
01.38.4220.4.40001 Gas	300.00		
01.38.4220.4.41010 Misc. Other	510.00		
01.38.4220.4.42476 CCSI	<u>6,140.00</u>		
	10,000.00		
W/rev acct 01.12.4220.4491 inc. by same amt.	\$10,000.00	\$21,083.00	

PLANNING & DEVELOPMENT

To acct 01.48.8020.4.40307			
Strategic Planning	\$1,050.00		
W/rev acct 01.03.8020.1289 inc. by same amt.	\$1,050.00		
To acct 01.48.8020.4.40307			
Strategic Planning	\$18,000.00		
W/rev act 01.03.8020.1289 inc. by same amt.	\$18,000.00		
To acct. 01.48.8020.4.40307			
Strategic Planning	\$15,000.00		
W/rev acct 01.03.8020.1289 increased by	\$5,000.00		
01.11.8020.3089 increased by	<u>\$10,000.00</u>		
	\$15,000.00	\$34,050.00	

TREASURER

To acct. 12.61.9950.9.99004			
Capital Fund	\$296,683.59		
From any funds available	\$296,683.59	\$296,683.59	

BUILDING & GROUNDS

To acct. 27.74.1620.2.21001			
Bldg. & Grnds. Capital	\$296,683.59		
W/rev acct 27.13.1620.5031 inc. by same amt.	\$296,683.59	\$296,683.59	

PUBLIC HEALTH

To acct 01.38.4010.4.40801			
Contract Bldg. Repair	\$19,936.00		

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From any funds available	\$19,936.00		
To acct 01.38.4050.1.10101			
CSEA Full Time	\$30,000.00		
01.38.4050.4.40924			
Home Health Aide	\$50,000.00		
01.38.4050.8.83001 FICA	1,860.00		
01.38.4050.8.85001 Medicare-FICA	<u>435.00</u>		
	\$82,295.00		
W/rev acct 01.11.4050.3401			
Increased by	\$80,000.00		
01.04.4050.161003 Increased by	<u>2,295.00</u>		
	\$82,295.00	\$102,231.00	

OFFICE FOR THE AGING

To acct 24.93.4050.4.40006			
Telephone Maint.	-\$193.67		
24.93.4050.4.40007			
Telephone - Basic	-1,615.08		
24.93.4050.4.40008			
Telephone Long dist.	-2,300.00		
24.93.4050.4.40401			
Training/Education	-1,144.00		
24.93.4050.4.40603 Postage Meter	-388.32		
24.93.4050.4.40604 Copier Leasing	-1,625.40		
24.93.4050.4.41101 Paper	-452.53		
24.93.4050.4.41201 Postage	-412.00		
24.93.4050.4.41405 Printers	-100.00		
24.93.4050.4.41407 Postage			
Meter Repair	-50.00		
24.93.4050.4.41414 Misc. Repairs	<u>-50.00</u>		
	-\$8,331.00		

W/rev acct 24.10.4050.282493	-\$8,331.00	-\$8,331.00	
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SHERIFF

To acct 01.37.3110.1.10301 Overtime	\$2,502.50		
W/rev acct 01.03.3110.1289 inc. by same amt.	\$2,502.50	\$2,502.50	

And be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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RESOLUTION NO. 03-289

By Mrs. Humphrey, Chairman of the Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

OFFICE FOR THE AGING

From acct. 01.44.6772.8.89001			
Hospital Insurance	\$12,501.78		
To acct. 01.44.6772.4.40916 Food Service	\$12,501.78	\$12,501.78	

PROBATION

From acct 01.37.3141.8.89001			
Medical/Hospitalization	\$475.00		
To acct 01.37.3141.4.40406 Mileage		\$400.00	
To acct 01.37.3141.4.40009 Cell Phone		<u>75.00</u>	
	\$475.00	\$475.00	

PUBLIC HEALTH

From acct 01.38.4010.1.11002			
Early Retirement Incent	\$75,480.00		
01.38.4010.1.10101			
CSEA Full-Time	<u>\$40,000.00</u>		
	\$115,480.00		

To acct 01.38.4050.1.10101			
CSEA Full-Time	\$40,000.00		
01.38.4050.1.11002 Early Retirement Incent	<u>\$75,480.00</u>		
	\$115,480.00	\$115,480.00	

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-290

By Mr. Davis, Chairman of the Public Safety Committee:

Supporting The New York State Association Of Counties And The New York State Council Of Probation Administrators Efforts To Secure Passage Of Legislation For Increased Probation Fees

WHEREAS, the utilization of Probation services has grown and expanded

considerably over the past few decades, and

WHEREAS, compared to prison, jail and parole, Probation is by far the sanction most utilized by judges and magistrates, and

WHEREAS, as such, Probation must be responsive to the orders of the Courts and provide services that not only meet the needs of the courts and offenders, but that also help keep our communities safe, and

WHEREAS, over the past decade, the state has shifted its support for Probation, decreasing reimbursement rates from 46.5% to 20% in 2003-2004, and

WHEREAS, counties have tried to be inventive at coming up with new ways to maintain their Probation systems, including passing local laws to allow for the collection of certain fees, and

WHEREAS, a recent opinion of the New York State Attorney General has declared that counties may not, pursuant to their home rule authority alone, enact local laws imposing administrative Probation fees, and

WHEREAS, counties and Probation departments are no longer in a fiscal position to continue to pick up losses due to decreases in state aid to Probation and are, therefore, seeking legislative relief,

NOW, THEREFORE, BE IT RESOLVED that the Wyoming County Board of Supervisors supports the immediate passage of Senate Bill S5436—A and Assembly Bill A9044-A which allows counties to adopt local laws to impose administrative costs on probationers, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senator Volker and Assemblyman Dan Burling.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Totline, Chairman of the Audit Committee presented the bills in the amount of One Million, Six Hundred Thirty Four Thousand, Nine Hundred Ninety Nine Dollars, Twenty-Two Cents (\$1,634,999.22). A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-291

By Mr. Herman, Chairman of the Human Resource Committee:

Request For Legislature And The Governor Of The State Of New York To Share With County Governments A Portion Of The Filing Fees Collected By County Clerks

WHEREAS, County governments are facing serious economic challenges, with increasing mandated costs and spiraling pension costs; and

WHEREAS, In this economic climate, counties are forced to close serious budget gaps by increasing taxes and cutting programs; and

WHEREAS, New York State recently increased existing fee and imposed new fees for filing documents in the Office of County Clerk, yet shares little or no part of those fees with the local governments that must collect and administer said fees; and

WHEREAS, Since July 2003, the Wyoming County Clerk has collected and administered on behalf of the State over Four Thousand Five Hundred Dollars (\$4,500.00) in fees for filing motions and stipulation, yet shares little or no part of these fees with the local government that must collect and administer said fees; and

WHEREAS, The County also collects and administers on behalf of the State an Index Fee in the amount of \$210.00 per filing yet the State remits to the County only \$25.00 for filing, which does not cover the County's cost of collection and administration; and

WHEREAS, The County collects and administers various other filing fees on behalf of the State, including fees for Notes of Issue, Jury Demands, RJI's and Notices of Appeal, yet the County does not receive any portion of said fees; and

WHEREAS, This Board of Supervisors of Wyoming County requests the State of New York to take appropriate action and to remit a portion of these filing fees and any future filing fees to counties to cover the counties' cost of collection and administration; now therefor

BE IT RESOLVED, That this Board of Supervisors, County of Wyoming, Warsaw, NY, hereby memorializes the Governor and Legislature of the State of New York to take appropriate action to remit to counties that collect filing fees for court documents a portion of the same to cover the counties' costs of collection and administration; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to send a certified copy of this Resolution to the State Legislators representing Wyoming County and to the Governor of New York State, and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger requested that resolution office numbers 5-17 to be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 5-17. A voice vote was taken and resolu-

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tion office numbers 5-17 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-292

By Mr. Herman, Chairman of the Human Resource Committee:

**Chairman Authorized To Sign Lease Agreements
On Behalf Of The County Clerk**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the County Clerk is hereby authorized and directed to sign the following contracts:

1. Crossroads Land Office, 25 East Main Street, Suite 200, Rochester, NY 14614; for the provision office space in the County Clerk's office; effective January 1, 2004 through December 31, 2004; amount not to exceed One Thousand, Three Hundred Fifty Dollars (\$1,350.00).

2. Wyoming Abstract Company, 220 East Main Street, Batavia, NY 14020; for the provision of office space in the County Clerk's office; effective January 1, 2004 through December 31, 2004; amount not to exceed One Thousand, Six Hundred Fifty Dollars (\$1,650.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-293

By Mr. Miller, Chairman of the Planning Committee:

**Chairman Authorized To Sign An Agreement
With American Farmland Trust**

WHEREAS, The County of Wyoming has been awarded a Fifty Thousand Dollar (\$50,000) grant from New York State Agriculture and Markets to prepare an Agriculture Farmland Protection & Development Plan; and

WHEREAS, Consulting assistance is needed for preparation of the plan; now therefore

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the American Farmland Trust, Northeast Regional office, Six Franklin Square, Suite E, Saratoga Springs, New York 12866, said agreement shall not exceed Twenty Two Thousand Dollars (\$22,000), contingent upon the availability of funds.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-294

By Mr. Agan, Chairman of the Public Works Committee:

**Authorizing The Implementation, And Funding
In The First Instance 100% Of The Federal-aid And
State "Marcheselli" Program-aid Eligible Costs, Of
A Transportation Federal-Aid Project, And
Appropriating Funds For The East Main Street Bridge**

WHEREAS, A project for the replacement of County Route #7 (East Main Street) Bridge over Oatka Creek, Village of Wyoming, Wyoming County, P.I.N. 475315; BIN 3319950 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of Construction CI & CS.

NOW, THEREFORE, the Board of Supervisors, duly convened does hereby RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes Construction CI & CS work for the Project or portion thereof; and it is further

RESOLVED, That the sum of \$1,088,000.00 is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, That the Chairman of this Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or Marcheselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid

and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it

FURTHER RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and be it

FURTHER RESOLVED, This resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-295

By Mr. Agan, Chairman of the Public Works Committee:

Authorizing The Implementation, And Funding In The First Instance Of The State Multi-Modal 2000 Program-aid (And State Administered Federal Program-aid) Eligible Costs, Of A Capital Project, And Appropriating Funds For Exchange Street, Attica

WHEREAS, A Project for the rehabilitation of Exchange Street, CR#31 (Town of Attica) P.I.N. #ME 2086.30A (the "Project") is eligible for funding (under Title 23 U.S. Code, as amended, and) New York State's Multi-Modal 2000 Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, The Wyoming County desires to advance the project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; now therefore

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming duly convened does hereby approve the above -subject project; and it is hereby

FURTHER RESOLVED, That the Board of Supervisors of the County of Wyoming hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of \$50,000.00 work for the project or portions therefore; be it

FURTHER RESOLVED, That the sum of \$50,000.00 is hereby appropriated to account #04.53.5110.4.41907 and made available to cover the cost of participation in the above phase of the Project; and be it

FURTHER RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors of the County of Wyoming shall convene as soon as possible to appropriate said excess amount immediately upon the notification by

the Highway Superintendent thereof, and be it

FURTHER RESOLVED, That the Chairman of the is Board is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or Multi-Modal 2000 Program Funding on behalf of the County of Wyoming with NYSDOT in connection with the advancement or approval of the project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are no so eligible, and be it

FURTHER RESOLVED, That a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between the County of Wyoming and the State of New York; and be it

FURTHER RESOLVED, That this resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-296

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Sign A Contract With KA&S Construction, LLC On Behalf Of The Building And Grounds Department

WHEREAS, The Purchasing Agent, with the approval of the Public Works Committee of this Board of Supervisors advertised for and received bids for asbestos Abatement in the Public Health Building, and

WHEREAS, The Public Works Committee is authorized to award to the lowest responsible bidder for asbestos abatement; now therefore

BE IT RESOLVED, That the bid of KA & S Construction, LLC., PO Box 16368, Rochester, NY, 14616 is hereby accepted for asbestos abatement, and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with KA & S Construction, LCC. PO Box 16368, Rochester, NY 14616 for the asbestos abatement in the Public Health Building, effective November 12, 2003, amount not to exceed Nineteen Thousand, Nine Hundred Thirty Six Dollars (\$19,936.00), contingent upon the availability of funds.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-297

By Mr. Knab, Chairman of the Public Health Committee:

**Chairman Authorized To Sign 2003 Amended Contracts
On Behalf Of Mental Health Amending
Resolution 02-307**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following amended contracts for FY 2003 and amends Resolution 02-307, passed by this Board of Supervisors on November 12, 2002 as follows:

- 1) Livingston/Wyoming Arc: Increase contract funding by \$101.00 to \$54,636.00.
 - 2) Suburban Adult Services, Inc:
 - A) Sheltered Workshop Program: Increase contract funding by %365.00 to \$39,589.00
 - B) Supported Employment: Increase contract funding by \$927.00 to \$49,150.00.
 - 3) ARA, Inc.
 - A) Mental Health Clinic & Crisis: Increase contract funding by \$3.00 to \$66,022.00.
 - B) Remains the same.
 - C) Adult Case Management/SPOA: Increase contract funding by \$247.00 to \$79,486.00
 - D) C&Y ICM: Increase contract funding by \$678.00 to \$88,179.00
 - E) POEMS: Increase contract funding by \$6.00 to \$105,990.00.
 - F) MICA: Decrease contract funding by \$92.00 to \$24,200.00
 - G) Geriatric Outreach: Decrease contract funding by \$7,191.00 to \$21,088.00 (Program ended 9/30/03 rather than 12/31//03).
 - H) Juvenile Justice: Increase contract funding by \$65.00 to \$12,828.00
 - I) Remains the same.
 - J) Telemedicine Grant: Decrease contract funding by \$40.00 to \$9,460.00
 - K) Remains the same.
- CSS Continuing Day Treatment Programs: Increase contract by \$2,428.00 to \$28,976.00.

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Chemical Abuse Treatment/MENs: Already taken care of last month.

- 4) Wyoming County Community Hospital:
 - A) Remains the same.
 - B) Jail-based Services: Increase contract funding by \$1.00 to \$68,266.00.
 - C) MICA/Homeless: Increase contract funding by \$3.00 to \$10,614.00.
 - D) Crisis Outreach: Decrease contract funding by \$453.00 to \$63,999.00.
 - E) Telemedicine: Decrease contract funding by \$40.00 to \$9,460.00.
- 5) Chautauqua County Telemedicine: Decrease contract funding by \$40.00 to \$9,460.00.
- 6) Mental Health Association:
 - A) Consumer run thrift store: Decrease contract funding by \$190.00 to \$38,299.00
 - B) Drop-in Center: Increase contract funding by \$3.00 to \$20,963.00.
 - C) Transportation Program: Decrease contract funding by \$534.00 to \$42,511.00.
 - D) Social Club: Increase by \$15.00 to \$90,627.00.
 - E) Peer Advocacy: Increase contract funding by \$3.00 to \$9,435.00.
 - F) Remains the same.
- 7) Hillside Children's Center:
 - A) Crisis Respite: Increase contract funding by \$68.00 to \$16,776.00.
 - B) Family Support: Decrease contract funding by \$49.00 to \$6,414.00.
 - C) Remains the same.
- 8) Living Opportunities of DePaul:
 - A) Temporary Supported Housing: Increase contract funding by \$303.00 to \$10,023.00
 - B) Treatment Apartments: Increase by \$407.00 to \$4,818.00.
 - C) Supported Housing: Decrease contract funding by \$17,997.00 to \$146,834.00.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-298

By Mr. Davis, Chairman of the Public Safety Committee:

**Resolution No. 03-44 Re: Chairman Authorized To Sign
Alternatives To Incarceration Contract Update**

BE IT RESOLVED, That resolution No. 03-44 re: Chairman Authorized to

Sign Alternatives to Incarceration Contract Update, passed by this Board of Supervisors, February 11, 2003, to reduce the amount of the Alternatives to Incarceration grant from Thirty Thousand, Eight Hundred (\$30,800) to Twenty Six Thousand, Two Hundred Dollars (\$26, 200.00); effective January 1, 2003 through December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-299

By Mr. Davis, Chairman of the Public Safety Committee:

Resolutions No.'s 02-209 And 03-150 Re: Chairman Authorized To Sign An Agreement With The Wyoming County Attica Legal Aide Bureau, Inc. Amended

BE IT RESOLVED, That Resolutions No.'s 02-209 and 03-150 re: Chairman Authorized to Sign an Agreement with the Wyoming County Attica Legal Aide Bureau, Inc., passed by this Board of Supervisors on July 9, 2002 and May 13, 2003 is hereby amended to reduce the amount to One Hundred Thousand Dollars (\$100,000.00); effective April 1, 2002 through September 15, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-300

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Contract With D. Pollock On Behalf Of The Youth Bureau

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Dannette Pollock, 9512 South Main Street, Machias, New York 14101, for the provision of Occupational Therapy services for Early Intervention/Pre-school, effective September 1, 2003 through June 30, 2005; amount not to exceed Four Thousand Dollars (\$4,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-301

By Mrs. Humphrey, Chairman of the Finance Committee:

Chairman Authorized To Sign Various Contracts On Behalf Of Wyoming County Emergency Services

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of Emergency Services, is hereby authorized and directed to sign the following contracts:

1. Nature's Way Environmental Consultants and Contractors, Inc., 3553 Crittenden Road, Crittenden, New York 14038; for the provision of clean-up services at the Wyoming County Fire Training Facility; effective for one year commencing September 15, 2003; amount not to exceed One Hundred Fifty Nine Thousand, One Hundred Eighty Dollars (\$159,180.00).

2. URS Corporation, 640 Ellicott Street, Buffalo, New York 14203; for the provision of the oversight of clean-up services at the Wyoming County Fire Training Facility; effective for one year commencing September 15, 2003; amount not to exceed Thirty Two Thousand, Six Hundred Three Dollars (\$32,603.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-302

By Mr. Agan, Chairman of the Public Works Committee:

Chairman Authorized To Sign A Contract With The New York State Unified Court System On Behalf Of Buildings And Grounds

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of the Buildings and Grounds Department, is hereby authorized and directed to sign a contract with the New York State Unified Court System, 110 Franklin Street, Buffalo, New York 14202; for the reimbursement of maintenance and operations of the court facility, for state fiscal year April 1, 2003 through March 31, 2004 renewable annually, amount not to exceed Fifty One Thousand, Five Hundred Forty Six Dollars (\$51,546.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-303

By Mrs. Humphrey, Chairman Of The Finance Committee:

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Members Reappointed To The Wyoming County Hospital Board Of Managers

BE IT RESOLVED, That the following persons are hereby reappointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term, said terms effective January 1, 2004 through December 31, 2008.

NAME	TOWN		
Stuart Hempel	Warsaw, NY		
John Hurst	Warsaw, NY		
Carried:	Ayes: 1618	Noes: 0	Absent: 0

RESOLUTION NO. 03-304

By Mr. Agan, Chairman of the Public Works Committee:

Members Reappointed To The Traffic Safety Board

BE IT RESOLVED, That the following members are hereby reappointed to the Traffic Safety Board, each for a term of three (3) years, said terms to expire as follows:

TOWN	REPRESENTATIVE	TERM
Eagle	Darwin George	11/14/03 to
	Bliss, NY 14427	11/13/06
Gainesville	Gary Rinehart	11/14/03 to
	Silver Springs, NY 14550	11/13/06
Genesee Falls	Gary Vasile	11/14/03 to
	Portageville, NY 14536	11/13/06
Java	Ronald George	11/14/03 to
	North Java, NY 14113	11/13/06
Middlebury	John W. Hurst	11/14/03 to
	Wyoming, NY 14591	11/13/06
Carried:	Ayes: 1618	Noes: 0
		Absent: 0

RESOLUTION NO. 03-305

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Contract With Wyoming County Chamber Of Commerce On Behalf Of The Youth Bureau

BE IT RESOLVED, That the Chairman of this Board, with the approval

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of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Chamber of Commerce, 6470 Route 20A, Suite #2, Perry, New York 14530-0231, for the development and publication of the Pathways Directory in the 2003/04 Business Directory, effective October 1, 2003 through December 31, 2003; amount not to exceed Seven Thousand Dollars (\$7,000.00), contingent upon the availability of funds.

Carried: Ayes: 1429 Noes: 198; Absent: 0
(96) Bush (93) Brunner

RESOLUTION NO. 03-306

By Mr. Knab, Chairman of the Public Health Committee:

C. Librock Appointed As Back Up Director Of Nursing For Certified Home Health Agency

BE IT RESOLVED, That Constance Librock, Town of Sheldon, is hereby appointed as the back up Director of Nursing, said term to expire August 31, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Humphrey, T/Perry asked Chairman Berwanger if he would please call a short recess in order to have a brief Committee of the Whole Meeting. Chairman Berwanger granted her request and called a recess at 2:35 PM. Business resumed at 2:42 PM.

RESOLUTION NO. 03-307

By Mr. Herman, Chairman of the Human Resource Committee:

County Clerk Annual Mortgage Tax Retention Fee

WHEREAS, Section 262 of the New York State Tax Law provides that the recording office of the County Clerk shall be entitled to recover necessary expenses for the purpose of the collection of mortgage taxes; and

WHEREAS, The County Clerk wished to receive an annual expense of One Hundred Forty Two Thousand, Four Hundred Forty Eight Dollars (\$142,488.00); and

WHEREAS, The State Tax Commission has adopted a resolution stating, that if the allowance of a recording officer for expenses is certified by the County

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Board of Supervisors as a reasonable allowance, an allowance can be made; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby request that State Tax Commission to allow the Wyoming County Clerk the sum of Seventy One Thousand, Two Hundred Twenty Four Dollars (\$71,224.00) for the period of October 2003 through March 2004 and the sum of One Hundred Forty Two Thousand, Four Hundred Forty Eight Dollars (\$142,448.00) annually (April 2004 through March 2005) for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-308

By Mrs. Humphrey Chairman of the Finance Committee:

Approves Property Auction Sales

WHEREAS, the County has acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said properties and recommends the acceptance thereof, namely:

Missing parcel numbers were withdrawn.

Parcel #10 Robert Hamblin, 48 Haskell Avenue, Arcade, NY 14009 has offered \$110.00 for property located in the Town & Village of Arcade, Deacon Drive, Tax Map #183.-18-1-56.2.

Parcel #61 Alberto DiMartino & Luisa DiMartino, 12 N. Main Street, Warsaw, NY 14569 has offered \$550.00 for property located in the Town & Village of Castile, 3 South Main Street, Tax Map #147.7-1-15.

Parcel #64 Pete Wierzbicki & Tammy Wierzbicki, 10240 Wagner Road, Chaffee, NY 14030 has offered \$1,430.00 for property located in the Town & Village of Castile, Beechwood Avenue, Tax Map #147.6-1-5.

Parcel #89 William Liberatore & Ann Liberatore, 1859 Saltvale Road, Warsaw, NY 14569 has offered \$14,850.00 for property located in the Town of Covington, Lemley Rd, Tax Map #37.-1-10.

Parcel #101 James Prutsman Jr, 5498 Java Lake Road, Arcade, NY 14009 has offered \$11,000.00 for property located in the Town of Eagle, 3389 Main St, Tax Map #166.1-1-16.

Parcel #106 Earl Hebdon & Georgette Hebdon, 9321 Genesee Road, East Concord, NY 14055 has offered \$15,400.00 for property located in the Town of

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Eagle, Route 39, Tax Map #166.-1-37.2.

Parcel #114 Chester W. Lundy & Valerie Lundy, 11 Shearing Road, Gainesville, NY 14066 has offered \$440.00 for property located in the Town & Village of Gainesville, 15 West Mill Street, Tax Map #133.19-1-12.

Parcel #159 David Sliwinski, PO Box 141, Java Center, NY 14082 has offered \$23,100.00 for property located in the Town of Java, Wildemere Drive, Tax Map #140.8-2-28.

Parcel #163 Edward Schurr & Joyce Schurr, 3749 Main Street, Strykersville, NY 14145 has offered \$880.00 for property located in the Town of Java, Park Rd, Tax Map #138.-1-22.111.

Parcel #170 John Kreutter, 37 Maple Street Box 29, Wyoming, NY 14591 has offered \$2,200.00 for property located in the Town of Middlebury & Village of Wyoming, Sherman Avenue, Tax Map #36.8-1-22.

Parcel #184 Irwin Nutty & Anna Nutty, 1029 Gulf Road, Attica, NY 14011 has offered \$550.00 for property located in the Town of Middlebury, Dale Road, Tax Map #8.-2-9.

Parcel #185 & 169 John Kreutter, 37 Maple Street Box 29, Wyoming, NY 14591 has offered \$8,800.00 for property located in the Town of Middlebury, Lemley Road, Tax Map #36.-2-1 & property located in the Village of Wyoming, Tax Map #37.9-1-1.

Parcel #186 John Kreutter, 37 Maple Street Box 29, Wyoming, NY 14591 has offered \$7,700.00 for property located in the Town of Middlebury, Lemley Road, Tax Map #23.-1-42.1.

Parcel #191 Walter Herod & Anne Herod, 2401 Snyder Road, Varysburg, NY 14167 has offered \$1,100.00 for property located in the Town of Orangeville, Snyder Road, Tax Map #70.-2-37.

Parcel #199 William G. Vandette, 34 Marne Road, Cheektowaga, NY 14215 has offered \$2,530.00 for property located in the Town of Orangeville, Weber Road, Tax Map #94.-1-58.

Parcel #200 Donald Wagner Jr & Joan Wagner, 2325 Snyder Road, Varysburg, NY 14167 has offered \$3,300.00 for property located in the Town of Orangeville, Snyder Road, Tax Map #70.-2-14.

Parcel #201 Clyde E. Brauer & Nancy C. Brauer, 6075 Thompson Road, Clarence Center, NY 14032 has offered \$1,320.00 for property located in the Town of Orangeville, Almeter Road, Tax Map #94.-1-37.

Parcel #205 Alberto DiMartino & Luisa DiMartino, 12 N. Main Street, Warsaw, NY 14569 has offered \$1,650.00 for property located in the Town of Orangeville, Hollow Road, Tax Map #93.-2-8.111.

Parcel #217 John Kreutter, 37 Maple Street Box 29, Wyoming, NY 14591 has offered \$2,640.00 for property located in the Town & Village of Perry, 68

Water Street, Tax Map #100.8-2-48.

Parcel #228 Richard J. Donohue, 3542 Lake Road, Perry, NY 14530 has offered \$880.00 for property located in the Town of Perry, Silver Lake Road, Tax Map #100.10-1-42.

Parcel #258 Roy Kirchmeyer, 936 Currier Road, Arcade, NY 14009 has offered \$9,900.00 for property located in the Town of Sheldon, 3021 Route 98, Tax Map #81.-1-46.

Parcel #268 Kenneth Filipiak, 3435 Route 98, Varysburg, NY 14167 has offered \$4,950.00 for property located in the Town of Sheldon, Route 98, Tax Map #81.-2-36.12.

Parcel #283 Nicholas Gitsis, 105 West Buffalo Street, Warsaw, NY 14569 has offered \$440.00 for property located in the Town & Village of Warsaw, West Buffalo Street, Tax Map #85.7-5-5.

Parcel #291 Daniel Eckert, 248 Warsaw Street, Lackawanna, NY 14218 has offered \$550.00 for property located in the Town of Warsaw, Ryan Road, Tax Map #61.-2-25.4.

Now, therefore, be it

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a standard form tax deed to the purchaser, providing payment of said purchase price is received by him on or before December 5, 2003.

Carried: Ayes:1618 Noes:0 Absent: 0

Supervisor Humphrey, T/Perry requested that resolution office numbers 22, 25, 26 & 27 to be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger to read the titles of resolution office numbers 22, 25, 26, & 27. A voice vote was taken and resolution office numbers 22, 25, 26 & 27 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-309

By Mrs. Humphrey, Chairman of the Finance Committee:

2004 Equalization Table Presented

BE IT RESOLVED, That the 2004 Equalization Table is hereby presented, and be it

FURTHER RESOLVED, that its adoption be tabled for at least one day.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-310

By Mrs. Humphrey Chairman of the Finance Committee:

Chairman Authorized To Sign A Contract With Zientek Realty And Auction Co.

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, are hereby authorized and directed to sign a contract with Zientek Realty and Auction Co., 357 West Main St., Arcade, NY 14009 an auction agency to provide property tax auction services for Manor Oak Nursing Home, 283 N Main Street, Warsaw, NY, in an amount not to exceed the language of said contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-311

By Mrs. Humphrey Chairman of the Finance Committee:

Salary Schedule "F" Adopted

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as follows:

Wyoming County Salary Schedule "F", adopted on July 9, 2002, annexed hereto shall be substituted for the existing Schedule "F". Commencing January 1, 2003; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-312

By Mrs. Humphrey, Chairman of the Finance Committee:

2004 Town Balances Approved

BE IT RESOLVED, That the statement of the county treasurer as to TOWN BALANCES is hereby accepted, and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2003 Tax Rolls of the respective towns:

TOWN	DEBIT	CREDIT
ARCADE	\$116.30	0.00

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ATTICA	\$0.00	0.00
BENNINGTON	\$0.00	0.00
CASTILE	\$414.03	0.00
COVINGTON	\$99.80	0.00
EAGLE	\$414.11	0.00
GAINESVILLE	\$0.00	0.00
GENESEE FALLS	\$137.40	0.00
JAVA	\$15.79	0.00
MIDDLEBURY	\$0.00	0.00
ORANGEVILLE	\$0.00	0.00
PERRY	\$0.00	0.00
PIKE	\$0.00	0.00
SHELDON	\$877.31	0.00
WARSAW	\$0.00	0.00
WETHERSFIELD	\$2,041.91	0.00
TOTAL	\$4,116.65	0.00

Dated: November 12, 2003 JOHN B. EDWARDS
TREASURER

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-313

Mrs. Humphrey, Chairman of the Finance Committee, presented the

Semi-annual Mortgage Tax Report

for the period of April 1, 2003 through September 30, 2003 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: John B. Edwards, County Treasurer of Wyoming County, NY

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to \$423,259.89 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX	VILLAGE	TOWN
	DISTRIBUTED		
Arcade	\$52,584.06	\$13,957.29	\$38,626.77
Attica	\$38,257.00	\$10,353.78	\$27,903.22
Bennington	\$57,898.68	\$0.00	\$57,898.68
Castile	\$40,265.40	\$2,728.44	\$35,251.57

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Perry Village		\$2,285.39	
Covington	\$10,447.97	\$0.00	\$10,447.97
Eagle	\$10,681.08	\$0.00	\$10,681.08
Gainesville	\$20,350.77	\$797.27	\$16,900.28
Silver Springs Village		\$2,653.22	
Genesee Falls	\$6,795.79		\$6,795.79
Java	\$25,914.99		\$25,914.99
Middlebury	\$16,521.10	\$1,295.23	\$15,225.87
Orangeville	\$16,196.49		\$16,196.49
Perry	\$38,301.52	\$8,712.82	\$29,588.70
Pike	\$10,400.61	\$626.41	\$9,774.20
Sheldon	\$24,256.70		\$24,256.70
Warsaw	\$49,089.45	\$12,876.59	\$36,212.86
Wethersfield	\$5,298.28		\$5,298.28
TOTAL		\$56,286.44	\$366,973.45
GRAND TOTAL	\$423,259.89		

Let This Be Your Warrant for Such Payment: \$423,259.89 IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 12th day of November 2003.

s/ Suzanne Aldinger, Clerk
Board of Supervisors

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-314

By Mrs. Humphrey, Chairman of the Finance Committee:

2004 Estimated Workers Compensation Cost Approved

BE IT RESOLVED, That the cost of Workers' Compensation Insurance of the County and Towns, based upon the estimated costs for the calendar year 2004, are as follows:

PARTICIPANTS	ESTIMATED COST
Co. of Wyoming	\$905,800.00
Towns	
Arcade	\$22,246.00
Attica	\$17,271.00
Bennington	\$16,732.00
Castile	\$16,195.00
Covington	\$12,093.00

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Eagle	\$11,792.00
Gainesville	\$11,250.00
Genesee Falls	\$8,920.00
Java	\$12,509.00
Middlebury	\$14,542.00
Orangeville	\$10,555.00
Perry	\$13,829.00
Pike	\$10,104.00
Sheldon	\$15,420.00
Warsaw	\$17,685.00
Wethersfield	\$9,412.00
Town and County Totals	\$1,126,355.00

And be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Wyoming County Workers' Compensation Insurance, estimated costs for villages:

PARTICIPANTS	ESTIMATED COSTS
Arcade	\$41,936.00
Attica	\$29,733.00
Castile	\$3,089.00
Gainesville	\$23.00
Perry	\$38,416.00
Pike	\$273.00
Silver Springs	\$6,810.00
Warsaw	\$66,733.00
Wyoming	\$2,825.00
Total, Village	189,838.00

Wyoming County Workers' Compensation Insurance estimated costs for participating School Districts:

Attica	\$79,800.00
Pioneer	\$130,141.00
Warsaw	\$38,619.00
Wyoming	\$17,775.00
Perry	\$67,754.00
Total, Schools	334,089.00
Community Action	11,935.00

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GRAND TOTALS:

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03 -315

By Mrs. Humphrey, Chairman of the Finance Committee:

Introductory Local Law C, Year 2003 Presented

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on the 12th day of November, 2003, a proposed local law entitled Local Law No. C, Year 2003, County of Wyoming, establishing and relating to the annual compensation of certain County Officers, to become effective for the year 2003, now, therefore,

BE IT RESOLVED, That a public hearing is required to be had on the said local law by this Board of Supervisors on the 9th day of December 2003, at 2:00 PM in the County Government Center in the Village of Warsaw, New York, and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-316

By Mrs. Humphrey, Chairman of the Finance Committee:

**Date Of Public Hearing For
2004 Tentative County Budget Set**

BE IT RESOLVED, That the Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 2004 will be held in the Supervisors' Chambers at the County Government Center in the Village of Warsaw, NY, on December 3, 2003 at 2:00 PM and that copies of that tentative County Budget will be available at the Public Hearing and after 1:00 P.M. on November 15, 2003, in accordance with Section 354(2) of the County Law of this State, at the office of the Clerk of the Board of Supervisors, and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State, and be it

FURTHER RESOLVED, That, with the approval of the Finance Commit-

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tee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on December 3, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 03-317

By Mr. Berwanger, Chairman of the Committee of the Whole

Chairman Authorized To Purchase Property In The Name Of Wyoming County Currently Occupied By DMV

WHEREAS, The Board of Supervisors has determined that significant savings can be realized by acquiring certain property currently occupied by the County Department of Motor

Vehicles under a long term lease and after due deliberation; and BE IT RESOLVED, That the Chairman of the Board of Supervisors and the County Attorney are authorized and directed to execute all documents necessary to acquire for county purposes certain real property owned by Elmwood Save-Rite and located at 6 Perry Avenue, Warsaw, New York which currently is occupied the Department of Motor Vehicles for an amount of Two Hundred Ninety Four Thousand Dollars (\$294,000.00) as adjusted (real property tax adjustment and rent).

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:56 PM

SPECIAL SESSION

Tuesday

December 3, 2003

2:00 PM

The special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisor Chambers, 143 North Main Street, Warsaw, New York with all members present.

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order and lead us in the Pledge of Allegiance.

There were no communications.

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to the 2004 Wyoming County Budget.

Supervisor/Chairman of the Finance Committee, Mrs. Humphrey, T/Perry spoke regarding the budget. The budget is the result of the "perfect storm". Escalating Medicaid costs, a three hundred percent (300%) increase in the County's retirement contribution and the ongoing health insurance crisis have contributed to the needed cuts in the budget.

Supervisor Humphrey, T/Perry, then introduced County Treasurer/Budget Director John B. Edwards, who then presented the 2004 Wyoming County Budget as follows:

Honorable members of the Board of Supervisors, County Officials, and residents of Wyoming County:

This proposed 2004 County Budget has been developed after many hours of work by Department Heads, the Budget Team, and the Committees of the Board of Supervisors and several individuals serving on various Boards and Non-County Agencies. To all of them, we express our appreciation. This budget was even harder than 2003's. As I review the proposed 2004 Wyoming County Budget you will see what I mean.

The County figures look like this:

Table with 4 columns: Item, 2004, 2003, Increase / (Decrease). Rows include Taxable Valuation, Taxable Full Valuation, Co. Avg. Tax Rate Full Value per 1,000, and Co. Avg. Tax Rate per 1,000.

This proposed budget has total appropriations of \$90,516,507.27 up \$3,340,068.67 or a 3.83 % increase. Revenues total \$78,543,548.22, for an increase of \$2,104,118.98 or a 2.75% increase. In order to hold down the tax rate, surplus funds have been applied from the General Fund of \$2,531,250.00. This proposed budget includes the short term borrowing (Bond Anticipation Note) in the amount not to exceed \$1,506,924 to cover the large increase in the

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New York State Retirement bill due December 15, 2004. This will be split between the General Fund (\$706,924) and the Hospital (\$800,000).

The proposed 2004 County Tax Levy is \$9,444,709.05 for an increase of \$771,197.69 (8.89%) over the 2003 Tax Levy. This makes a five percent (5%) increase in the County Average from \$6.13 to \$6.44 per thousand of assessed value. This means that a home assessed at \$80,000 that paid \$490.40 in 2003 would pay \$515.20 in 2004 for an increase of \$24.80.

Estimated Sales Tax of \$11,000,000 is applied for 2004 up \$300,000. For this first time in twelve (12) years the 2004 budget contains a subsidy to the Wyoming County Community Health System of \$600,000. This is due to three major factors that have effected every county in New York State: Medicaid, Health Insurance Premiums and State Retirement.

The larger departments and their percent of Total County Budget Appropriations are as follows:

Hospital	\$41,048,924	45.34 %
Social Services	\$14,478,905	19.99 %
Highway	\$ 5,843,266	6.45 %
Health	\$ 5,742,456	6.34 %
Law Enforcement	\$ 6,212,013	6.86%
Education	\$ 2,610,153	2.88%

This proposed 2004 budget has been balanced by projecting two percent (2%) increases for all employees, NO capital expenditures except Computer Capital Equipment in the Information Technology Department, NO appropriation for new sheriff's cars and only mandated travel and allowances in order to keep departments running have been allowed. All contract agencies have been cut ten percent (10%) from their 2003 allocation and \$300,000 is in the Contingency account for unexpected expenses in 2004.

Medicaid costs have increased 16% or \$800,000 over what was budgeted for 2003. Medicaid is 54.3% (\$5,125,000) of the County Levy with General Operations Levy of 45.7% (\$4,319,709). This is in contrast to 2002 when Medicaid Levy was 36% or \$2,991,000 of the County Levy and General Operations Levy was 64% or \$5,269,487. Retirement costs for the General Fund have been budgeted at \$1,424,284 for 2004, which is a 231% increase over 2003 and a 992% increase over 2002 payment of \$130,405. Health Insurance premiums have been budgeted at a 4.75% (\$200,170) increase over 2003.

The total indebtedness of the County of Wyoming as of November 1st is \$977,433.65 for the Co-Generation Projects (Hospital), \$2,350,000 for the Skilled Nursing Facility Expansion, \$1,010,000 for Hospital Equipment,

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\$4,425,000 for Road Reconstruction / Government Center and \$885,000 for Court House Construction. Total indebtedness is \$9,617,433.65.

The Finance Committee, Chairman of the Board of Supervisors, Deputy Budget Director, Administrator of Budget and Reimbursements and I thank all who helped in putting this 2004 Tentative County Budget together and we present it to you for your consideration.

Respectfully Submitted,
John B. Edwards
County Treasurer / Budget Director

The meeting was then opened for public comments.

Mr. W. Jerome Smith (Warsaw) representing the County Planning Board read a statement in support of reinstating the County Planner position that is expected to be cut. Mr. Dana Grover (Perry), Mr. William Harloff (Attica) also supported the reinstatement of this position.

Mrs. Lorraine Sturm (Perry) read a statement asking the Board to reconsider the additional cut of \$30,000 to the Tourism Department (Contract Agency). She spoke to the fact that the Tourism Council does much marketing bringing in sales tax revenue to Wyoming County.

Mr. Donald Kemp (Silver Springs) cautioned the Supervisors that reducing Tourism is reducing the marketing down for many County businesses and that reductions would be felt in not only sales tax revenue but also could mean loss of jobs.

Mr. Charles Williman (Attica), Mr. Richard Parker (Castile) Ms. Diane Johnson-Jaekel (Director of Wyoming County Tourism / Castile), Ms. Christine Kennedy-Till (Warsaw), Ms. Margaret Tackbary (Wyoming), Mr. Bill Michalek (Beaver Meadows), and Mr. Scott Meidenbauer (Byrncliff Resort / Varysburg) all spoke in favor of restoring funding to the Tourism Council. All spoke to the marketing and other advertising services the Tourism Agency provides to them each year.

Supervisor Miller (T/Warsaw) commented regarding the County Planner position. At present our Planning Department has three staff members. Other counties have at least twice that. A one percent (1%) increase in the tax levy would raise approximately \$86,000 and could restore both of these cuts.

Supervisor Herman (T/Wethersfield) thanked all of those who took the time to comment to the Board. The Board of Supervisors must consider the impact of taxes. As a Board they must consider the impact on BOTH the homeowner and on agriculture. Cuts are used to relieve the impact of taxation. The highway budget reduction in funds has not even been considered. Large cuts have been made to that budget not allowing any need equipment

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purchases. Our roads are in disastrous condition...yet another ten employees are slated to be cut. If people want taxation, we should hear about it!

Supervisor Bush (T/Gainesville) expressed his thanks and appreciation to those in attendance. He encouraged people to lobby their Supervisor for changes they want.

Supervisor Agan (T/Attic) said he felt there was many problems with this budget. A real property position and salary are slated to be cut. The towns receive fees for the services this department provided (Attica in the amount of \$8,600). Will there be a reduction of this revenue to the towns as a result of this cut? Tourism may also result in a loss of tax revenue. In the Planning Department it takes three people to make the department run effectively. We will lose the "triage" effect if this position is cut.

Chairman Berwanger asked Mr. Jerome Smith (Warsaw) if the County Planning Board supports this position. Mr. Smith replied that regardless of the person serving...this position is needed...it is a MUST.

Mr. Kemp also asked why no other contract agencies have taken an additional cut.

The hearing was closed (3:07 PM)

Respectfully Submitted
A. Douglas Berwanger,
Chairman, Board of Supervisors
(minutes prepared by P. Parker)

REGULAR SESSION

Tuesday

December 9, 2003

2:00 PM

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was Assistant County Attorney, Toni Delmonte and County Treasurer John Edwards. Chairman Berwanger called the meeting to order at 2:10 pm and introduced Reverend Donald C. Vogel, Perry, New York, to lead us in the Pledge of Allegiance to the Flag.

Rev. Vogel graduated from Benjamin Franklin High School in Rochester, New York, in June 1942. He entered the United States Army on February 1, 1943 and after more than a year of training, left for the Pacific Theater of operation on March 30, 1944. He participated in the battles of Leyte and New Guinea, and for his service to his Country, was awarded the American Service Medal, the Asiatic-Pacific Service Medal, the Philippines Liberation Ribbon, the World War II Victory Medal and the Good Conduct Medal. Rev. Vogel attended and graduated from Elmhurst College in Illinois and then attended and graduated from the University of Rochester with a Master's Degree in History and Political Science. He continued his studies and was ordained in 1953.

He has been the Pastor at the Perry Center Congregational Church for the last seventeen (17) years, is a member of the McKelton Post #350 in Perry, New York, and is the chaplain for the Wyoming County American Legion.

Rev Vogel thanked the Board for the opportunity and expressed his appreciation to the County leaders for all they do, especially during these difficult times.

Chairman Berwanger then read a poem about our Country's Veterans.

Chairman Berwanger introduced DSS employee of the Month, Dareen Jacoby. Ms. Jacoby is a Program Specialist and has been working with Social Services since 1980. (Ms. Jacoby was recognized).

There were no communications

Chairman Berwanger opened the Public Hearing regarding Local Law C.

RESOLUTION NO. 03-318

By Mrs. Humphrey, Chairman of Finance Committee:

Funds Appropriated To Various 2003 Accounts

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BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

INSURANCE

To: 01.35.1910.4.40113 \$59,000.00
 From: any funds available \$59,000.00 \$59,000.00

TREASURER

To: 01.34.1660.4.40603 \$5,115.00
 W/rec. acct. 01.01.1660.1289 increased by same amt. \$5,115.00 \$5,115.00

HOSPITAL

To: 01.52.9950.9.99008 \$189,889.90
 From: Any funds available \$189,889.90
 To: 02.56.4510.4.42501 \$189,889.90
 W/rec. acct. 02.13.4510.5031 increased by same amt. \$189,889.90 \$189,889.90

DISTRICT ATTORNEY

To: 01.32.1165.4.41303 \$6,000.00
 01.32.1165.4.41302 3,100.00 \$9,100.00
 From: Any funds available.
 To cover costs for the remainder of 2003.

SHERIFF'S DEPARTMENT

To: 01.37.3110.1.10301 (Overtime) \$1,021.96
 w/rev. acct #01.03.3110.1289 i ncreased by same amt. \$1,021.96
 Offset Town of Covington Patrols \$1,021.96
 Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-319

By Mrs. Humphrey, Chairman of Finance Committee:

Funds Transferred In Various 2003 Accounts

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

DSS

From: 01.39.6010.8.89001 \$8,821.30
 To: 01.39.6010.2.20401 \$8,821.30 \$8,821.30

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From: 01.39.6010.8.89001 \$2,997.00
 To: 01.39.6010.4.40944 \$2,997.00 \$2,997.00
 To cover costs for the rest of 2003

PUBLIC WORKS

From: 01.34.1620.4.40808 \$560.00
 To: 01.37.3150.1.10201 \$499.32
 01.37.3150.8.81001 22.47
 01.37.3150.8.83001 30.96
 01.37.3150.8.85001 7.25 \$560.00

To Transfer to Jail for the cost of staffing for inmate work program October 2003

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-320

By Mrs. Humphrey, Chairman of Finance Committee:

Salary Schedule "S" Amended

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "S" which became effective October 14, 2003, as amended, is hereby amended as follows:

POSITION	SALARY	EFFECTIVE
Undersheriff	\$50,000.00	January 1, 2004
Secretary to the Sheriff	\$30,000.00	January 1, 2004
Carried:	Ayes: 1618	Noes: Absent:

RESOLUTION NO. 03-321

By Mrs. Humphrey, Chairman of Finance Committee:

Bond Resolution Of The County Of Wyoming, New York, Dated December 9, 2003, For The Issuance And Sale Of Bonds Of The County Of Wyoming, New York, In The Amount Of \$500,000.00 For The Acquisition Of Hospital Equipment For The County Purposes.

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING, NEW YORK (by the favorable vote of not less than two-thirds of the voting strength of said Board) AS FOLLOWS:

December 9, 2003

Section 1. The County of Wyoming, New York is hereby authorized to acquire by purchase the following equipment for Wyoming County Community Hospital.

ITEM	ESTIMATED MAXIMUM COST
FAX Machine	\$ 400.00
(4) Pentium 4 Workstations and 17" monitors	4,844.00
(4) Pentium 4 Workstations	4,288.00
Computer Office XP Prof. Monitor - MHU1,	365.00
Computer/Printer/Scanner for ASU Area	1,515.00
PC with Printer	1,515.00
Computer System (PC)	1,400.00
Pentium 4 Workstation with Office XP Small Business	1,072.00
Pentium 4 Workstation with Office XP Small Business	1,072.00
2) Pentium 4 Workstation with Office XP Small Business	2,144.00
Computer	1,226.00
Color Printer	1,099.00
(4) Desktop Computers	4,904.00
(10) Intellsyn Software to allow Palm Pilot Sync with GroupWise (e-mail)	890.00
(1) sofa, (1) loveseat; (3) chairs and (2) tables	3,032.00
Handrails for Geriatric patients along Hallway Walls in MHU	1,070.00
(8) Enclose Exposed Plumbing Pipes in Patient Bathrooms	640.00
Bronchoscope - BF 160 Exera Olympus Video	
Bronchoscope	18,018.00
(2) Passport Dina map Monitor Passport II LCMC	12,864.00
(10) Cardiac Transport/Treatment Chairs - Invacare Model 6908A Cat #54680	5,854.00
CV160 Video Processor Olympus	16,494.00
CVL 160 Light Source Olympus	9,373.00
ENT Mastoid Drill (re-usable inst.)	7,306.00
Filshie Clip 5MM Applier (re-usable inst.)	3,095.00
(3) Conmed/Aspen Electrosurgical (Bovie) Units (System 5000)	28,500.00
Rigid Cysto Tray Acmi/Circon	6,600.00
Portable Pulse Oximeter N-30 Handheld Nellcor	1,150.00
Datascope Passport Patient Monitor	8,576.00
Radiometer Blood Gas Machine	13,000.00
Microm HM505N Cryostat (upgrade of current instrument)	1,730.00

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CO57-Flood Source	3,580.00
Overnight Pulse Oximeter (8000)	10,000.00
(2) Dinamap Vital Sign Monitors	6,760.00
Mennon Telemetry Monitor	1,125.00
(3) Standard Size Recliners	873.00
Extra Wide Recliner	715.00
Ice Maker - ICU	3,500.00
Medtronic End-Tital CO2 Monitor LifeCap Plus	3,556.00
Meta Pharmacy Information System & Pharmacy Software	109,300.00
Boiler Tube Puncher	3,800.00
Statement of Conditions Corrections - Various 2003	70,000.00
PM Software (Maintenance)	20,000.00
Signage Program (Interior and Exterior)	22,000.00
Overhead Paging System	15,000.00
Replace Front Entrance Landing by Lobby	33,672.00
(2) Total Lifts Arjo Tempo with Scale	9,711.00
(4) Sit-to-Stand Lifts Arjo Encore	20,772.00
EDI Communicator	600.00

The estimated maximum cost of the acquisition of such equipment is the sum of \$500,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of \$500,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$500,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

b. No current funds need be provided because the period of probable usefulness for each item does not exceed five years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall

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contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to provide equipment for use at Wyoming County Community Hospital, a public general hospital owned and operated by the County of Wyoming.

Section 8. This resolution shall take effect immediately.

Carried: Ayes: 1687 Noes: Absent:

Mrs. Humphrey (T/Perry), Chairman of the Finance Committee, moved to have Resolutions #5, 6, 7 and 8 combined. A voice vote was taken and all voted aye.

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RESOLUTION NO. 03-322

By Mrs. Humphrey, Chairman of the Finance Committee:

Recycling Fees Levied

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2004 as indicated in the amount of \$718,888.50

VILLAGE	UNITS	TOTAL
Castile	884	124,644.00
	68	4,794.00
Gainesville	818	115,338.00
	17	1,198.50
Genesee Falls	185	26,085.00
	11	775.50
Middlebury	589	83,049.00
	11	775.50
Orangeville	443	62,463.00
	20	1,410.00
Perry	509	71,769.00
	6	423.00
Pike	125	17,625.00
	1	70.50
Sheldon	874	123,234.00
	11	775.50
Warsaw	596	84,036.00
	6	423.00
TOTAL	5,023	708,243.00
	151	10,645.50
GRAND TOTAL		718,888.50

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-323

By Mrs. Humphrey, Chairman of Finance Committee:

Return Village Tax Levies Authorized

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the return Village taxes of the year 2003-2004 as presented by the County Treasurer in the total amount of \$383,688.23 including penalties.

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**2003-2004 RETURNED UNPAID VILLAGE TAXES
TO BE SPREAD ON 2004 TOWN TAX ROLLS**

VILLAGE	TAX RETURN	PENALTY	TOTAL
Arcade	29,974.03	2,098.20	32,072.23
Attica	36,714.83	2,570.06	39,284.89
Castile	9,847.34	689.30	10,536.64
Gainesville	2,027.00	141.89	2,168.89
Perry-(Tn of Castile)	14,052.86	983.70	15,036.56
Perry (Tn of Perry)	54,073.94	3,785.20	57,859.14
Pike	4,158.48	291.11	4,449.59
Silver Springs	7,356.37	514.95	7,871.32
Warsaw	192,677.56	13,487.44	206,165.00
Wyoming	7,704.65	539.32	8,243.97
Totals	358,587.06	25,101.17	383,688.23
Carried:	Ayes: 1618	Noes:	Absent:

RESOLUTION NO. 03-324

By Mrs. Humphrey, Chairman of Finance Committee:

Return School Tax Levies Authorized

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the return school taxes of the year 2003-2004 as presented by the County Treasurer in the total amount of \$1,472,199.22 including penalties.

**2003-2004 RETURNED UNPAID SCHOOL TAXES
TO BE SPREAD ON 2004 TOWN TAX ROLLS**

TOWN & SCHOOL DISTRICT	TAX RETURNED	7%	TOTAL
Arcade (Pioneer Central)	107,083.49	7,495.87	114,579.36
Attica (Attica Central)	110,260.34	7,718.23	117,978.57
Attica (Wyoming Central)	183.20	12.83	196.03
Bennington (Alden Central)	21,482.73	1,503.81	22,986.54
Bennington (Alexander Central)	157.00	10.99	167.99
Bennington (Attica Central)	119,496.38	8,364.74	127,861.12
Bennington (Iroquois Central)	50.90	3.56	54.46
Castile (Letchworth Central)	57,448.76	4,021.42	61,470.18
Castile (Perry Central)	59,802.94	4,186.18	63,989.12
Covington (Pavilion Central)	48,283.29	3,379.83	51,663.12

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Covington (Perry Central)	4,711.83	329.82	5,041.65
Covington (Wyoming Central)	8,611.76	602.84	9,214.60
Eagle (Letchworth Central)	34,998.31	2,449.89	37,448.20
Eagle (Pioneer Central)	6,591.22	461.39	7,052.61
Gainesville (Letchworth Central)	28,035.48	1,962.46	29,997.94
Gainesville (Warsaw Central)	14,579.58	1,020.56	15,600.14
Genesee Falls (Fillmore Central)	3,358.68	235.10	3,593.78
Genesee Falls (Keshequa Central)	22,004.45	1,540.28	23,544.73
Genesee Falls (Letchworth Central)	3,287.79	230.15	3,517.94
Java (Attica Central)	33,838.96	2,368.72	36,207.68
Java (Holland Central)	3,374.62	236.23	3,610.85
Java (Pioneer Central)	75,771.20	5,304.08	81,075.28
Java (Warsaw Central)	3,192.29	223.46	3,415.75
Middlebury (Attica Central)	4,124.21	288.69	4,412.90
Middlebury (Pavilion Central)	828.52	58.00	886.52
Middlebury (Warsaw Central)	637.34	44.61	681.95
Middlebury (Wyoming Central)	42,820.17	2,997.44	45,817.61
Orangeville (Attica Central)	18,613.91	1,302.97	19,916.88
Orangeville (Warsaw Central)	40,717.62	2,850.23	43,567.85
Perry (Perry Central)	125,284.82	8,769.95	134,054.77
Perry (Wyoming Central)	674.68	47.23	721.91
Pike (Fillmore Central)	2,587.07	181.10	2,768.17
Pike (Letchworth Central)	31,149.55	2,180.54	33,330.09
Sheldon (Attica Central)	75,848.87	5,309.44	81,158.31
Sheldon (Holland Central)	8,023.14	561.61	8,584.75
Sheldon (Pioneer Central)	2,413.16	168.93	2,582.09
Warsaw (Letchworth Central)	3,483.99	243.88	3,727.87
Warsaw (Perry Central)	1,252.38	87.67	1,340.05
Warsaw (Warsaw Central)	202,454.38	14,171.81	216,626.19
Warsaw (Wyoming Central)	4,478.26	313.48	4,791.74
Wethersfield (Letchworth Central)	17,408.60	1,218.57	18,627.17
Wethersfield (Pioneer Central)	4,334.12	303.34	4,637.46
Wethersfield (Warsaw Central)	<u>22,147.02</u>	<u>1,550.28</u>	<u>23,697.30</u>
Totals	1,375,887.01	96,312.21	1,472,199.22
Carried:	Ayes: 1618	Noes:	Absent:

RESOLUTION NO. 03-325

By Mrs. Humphrey, Chairman of Finance Committee:

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2003 Election Expenses Apportioned

BE IT RESOLVED, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2003 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

TOWNS	NO. ENROLLEDVOTERS	AMOUNT OF LEVY	SPECIAL ELECTION
ARCADE	2596	\$1,200.00	\$0.00
ATTICA	2668	\$1233.00	\$0.00
BENNINGTON	2340	\$1,082.00	\$0.00
CASTILE	2101	\$971.00	\$0.00
COVINGTON	868	\$401.00	\$0.00
EAGLE	869	\$402.00	\$0.00
GAINESVILLE	1598	\$739.00	\$0.00
GENESEE FALLS	319	\$147.00	\$0.00
JAVA	1516	\$701.00	\$0.00
MIDDLEBURY	1039	\$480.00	\$0.00
ORANGEVILLE	870	\$402.00	\$0.00
PERRY	3164	\$1,462.00	\$0.00
PIKE	727	\$336.00	\$0.00
SHELDON	1824	\$843.00	\$0.00
WARSAW	3573	\$3573.00	\$0.00
WETHERSFIELD	<u>608</u>	<u>\$281.00</u>	<u>\$0.00</u>
TOTAL	26680	\$12,332.00	\$0.00

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-326

By Mrs. Humphrey, Chairman of the Finance Committee

Bond Resolution Of The County Of Wyoming, New York, Dated December 9, 2003 For The Issuance And Sale Of A Taxable Variable Rate General Obligation Pension Contribution Bond Of The County Of Wyoming, New York, In An Amount Not To Exceed Of \$1,506,924.00 For The Purpose Of Funding The Contribution To The New York State And Local Employees' Retirement System.

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RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING, NEW YORK (by the favorable vote of not less than two-thirds of the voting strength of said Board) AS FOLLOWS:

Section 1. The County of Wyoming, New York is hereby authorized to fund the contribution to the New York State and Local Employees' Retirement System.

Section 2. Pursuant to Subdivision 11 of the Local Finance Law, the period of probable usefulness shall be five (5) years.

Section 3. The maximum estimated cost of said funding is not to exceed \$1,506,924.00.

Section 4. The estimated maximum cost of said funding is the sum of \$1,506,924.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of \$1,506,924.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest on said bonds.

Section 5. Serial bonds of said County of Wyoming in the principal amount of \$1,506,924.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 6. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued is hereinabove set forth for said renovation, such period of probable usefulness being the period of five (5) years. Also, set forth above is the maximum estimated cost for said funding.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and pursuant to

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Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 9. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. The specific object or purpose of the purchase herein authorized is funding of the contribution to the New York State and Local Employees' Retirement System.

Section 11. This resolution shall take effect immediately.

Carried: Ayes: 1687 Noes: Absent:

Mrs. Humphrey (T/Perry), Chairman of the Finance Committee noted this borrowing is for both the General and Hospital funds and that the borrowing will not be done until sometime in the fall of 2004. Mr. John Edwards, County Treasurer also added that seven percent (7%) of the estimated twelve percent (12%) amount of the New York State Retirement bill must be paid in the 2004.

RESOLUTION NO. 03-327

By Mrs. Humphrey, Chairman of Finance Committee:

Positions Created/Abolished In The Department Of Real Property Tax Service

BE IT RESOLVED, That there is hereby created one (1) full time position of Senior Real Property Tax Services Aide in the Department of Real Property Tax Service; said position to be placed on Salary Schedule S with an annual salary to be set at \$30,000.00, effective January 01, 2004, and be it

FURTHER RESOLVED, That there is hereby abolished one (1) full time

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position of Deputy Real Property Tax Director, in the Department of Real Property Tax Services, effective January 01, 2004.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-328

By Mrs. Humphrey, Chairman of Finance Committee:

Abolish Position In Treasurer's Office Amend Salary Schedule G

BE IT RESOLVED, That there is hereby abolished one (1) full time position of Purchasing Administrator, in the Treasurer's Office, effective December 09, 2003, and be it

FURTHER RESOLVED, That Resolution No 03-282 be amended as follows: To set the salary for one (1) position of Bio-Terrorism Coordinator in the Department of Public Health; said position shall be placed on Salary Schedule G with an annual salary set at \$36,000.00, effective December 10, 2003.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-329

By Mrs. Humphrey, Chairman of the Finance Committee:

HIPAA Compliance Officers Reappointed

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Compliance Officer Positions, for a term of one year, said term to expire December 31, 2004:

Anne C. Humphrey (Vice Chairman of the Board of Supervisors) - Corporate Compliance Officer

Anne Herod (Probation Director) - Privacy Officer

Todd MacConnell (Information Technology Director) - IT Security Officer

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-330

By Ms. A. Humphrey, Chairman of Finance Committee:

Authorize Chairman To Sign A Health Insurance Consultant Contract

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Niagara Insurance in the amount of \$59,000.00 for consulting and negotiating services with respect to our employees' health insurance benefit plans, contingent on the availability of funds.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-331

By Ms. A. Humphrey, Chairman of Finance Committee:

Authorize Chairman To Sign A Postage Machine Lease

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Neopost on behalf of the Treasurer's Office in the amount of \$738.00 per quarter (\$2,952.00 per year) at a yearly savings of \$1,140.00 for four (4) years.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-332

By Mrs. Humphrey, Chairman of Finance Committee:

3 Copies Of Annual Reports Requested

BE IT RESOLVED, That the Public Officials of this County present at least three (3) copies of their annual report, in writing, to the Clerk of this Board not later than January 31, 2004, said annual reports to contain a financial summary of the department, and be it

FURTHER RESOLVED, That any supervisor may request any official to present an oral report in addition to a written report.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-333

By J. Knab, Chairman of Public Health Committee:

Appoint Bio-terrorism Coordinator

BE IT RESOLVED, That Cheryl Mayer, 61 North Water Street, Pike, NY 14130, is hereby appointed as the Bio-Terrorism Coordinator for the Wyoming County Department of Public Health, contingent upon the availability of fund-

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ing from the Bio-Terrorism Grant.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-334

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Commissioner Of Social Services Authorized To Sign Various Contracts On Behalf Of The Department Of Social Services

BE IT RESOLVED, That the Chairman of this Board/Commissioner of Social Services, with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A. Mathew & Virginia Roberts, 22 Liberty Street, Castile, NY for the TOPS office commercial lease, effective January 01, 2004 through December 31, 2004, amount not to exceed Six Thousand, Six Hundred Dollars (\$6,600.00).

B. Michael J. Hendry Cleaning, 12 East Court Street, Warsaw, NY, to provide cleaning services for the TOP Office, effective January 1, 2004 through December 31, 2004; amount not to exceed Four Thousand, One Hundred, Sixty Dollars and Four Cents. (\$4160.04).

C. Department of Labor, 448 North Main Street, Warsaw, NY, for the provision employment services, effective October 01, 2003 through September 30, 2004, amount not to exceed Seventeen Thousand Dollars (\$17,000.00)

D. NYS Office of Children & Family Services, 52 Washington Street, Rensselaer, NY, for the registration and inspection of Child Care Providers, effective August 01, 2003 through July 31, 2004, amount not to exceed Fifty Three Thousand, Eight Hundred Eighty One Dollars (\$53,881.00).

E. NYS Office of Children and Family Services, 52 Washington Street, Rensselaer, NY, to extend the ICP Plan for the period of January 01, 2004 through May 01, 2004.

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO 03-335

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign Various Contracts On

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Behalf Of The Office For The Aging

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the Approval of the County Attorney, is hereby authorized and directed to sign the following contract on behalf of the Office of the Aging:

A. Family Services of Rochester, 30 North Clinton Avenue, Rochester, NY 14604, for the provision of legal services for the 60 and older population of Wyoming County, effective January 01, 2004 through December 31, 2004, amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00).

B. The Cloisters, 171 North Maple Street, Warsaw, NY, to provide adult daycare services and RESPITE services to Caregivers in Wyoming County, effective January 01, 2004 through December 31, 2004; per the language of the contract.

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-336

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign A Renewal Contract With James McGuinness & Associates Inc., Consultants On Behalf Of The Youth Bureau

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with James McGuinness & Associates Inc., 263 State Street, Schenectady, NY, on behalf of the Youth Bureau for the provision of computer services and support for preschool program, effective January 1, 2004 through December 31, 2004; amount not to exceed Five Thousand Dollars (\$5,000.00) contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-337

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman Authorized To Sign The Annual Implementation Plan On Behalf Of Office For The Aging

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign the Annual Implementation Plan for the Office For The Aging for a period of April 2004 through March 2005; amount of this plan not to exceed One Hundred Seventy Nine Thousand, Nine Hundred Seventy One Dollars (\$179,971.00), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-338

By Mr. Rogers, Chairman of the Human Services Committee:

Chairman/Director Of The Youth Bureau Authorized To Sign A Contract With The Business Education Council

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Business Education Council to produce a Wyoming County Youth Resource Guide to be distributed to Wyoming County students; amount not to exceed Seventy Five Hundred Dollars (\$7,500.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-339

By Mr. Agan, Chairman of the Public Works Committee:

Authorizing The Implementation, And Funding In The First Instance 100% Of The Federal Aid-Eligible Costs, Of A Transportation Federal-aid Emergency Relief Project To Fully Fund The Local Share Of Federal-aid Eligible And Ineligible Project Costs, And Appropriating Funds Therefore.

WHEREAS, a Project for the April 2003 Ice Storm Reimbursement (FHWA Emergency Relief), P.I.N. NY-03-01 (the "Project) is eligible for funding under Title 23 U.S. Code, as amended, for federal emergency relief that calls for the apportionment of the costs of such project to be borne at the ratio of 100% federal funds and 0% non-federal funds, and

WHEREAS, the County of Wyoming desires to advance the Project by making a commitment of 100% of the federal and non-federal share of the

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costs thereof.

NOW, THEREFORE, the Board of Supervisors, duly convened does hereby RESOLVE, to approve the Project: and it is hereby further

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of \$5,700.00, work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$5,700.00 is hereby appropriated from account number 04.53.5110.4.41913 and made available to cover the cost of participation in the Project: and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Superintendent thereof, and it is further

RESOLVED, that the Chairman of the Board of the Board of Supervisors be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for federal aid on behalf of the County of Wyoming with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-340

By Mr. Agan, Chairman of the Public Works Committee:

Reappoint The Superintendent Of Buildings And Grounds

BE IT RESOLVED, That Dennis Halstead, 6841 West View Drive, Perry, NY, Town of Perry, is hereby reappointed as the Wyoming County Superintendent of Buildings and Grounds for a two (2) year term, effective January 01, 2004 through December 31, 2005.

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Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-341

By Mr. H. Miller, Chairman of the Planning Committee:

Reappointment Of Planning & Development Director

BE IT RESOLVED, That Richard Tindell, 56 Mt. View Dr., Warsaw, NY Town of Warsaw, is hereby reappointed as the Wyoming County's Director of Planning & Development for a two (2) year term, effective January 01, 2004 through December 31, 2005.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-342

By Mr. H. Miller, Chairman of the Planning Committee:

Members Appointed/Reappointed To The Wyoming County Planning Board

BE IT RESOLVED, That the following members are appointed or reappointed to the Wyoming County Planning Board for terms of three (3) years, said terms to expire December 31, 2006.

TOWN	REPRESENTATIVE	ADDRESS
Town of Arcade	David Dutton	136 Liberty St., Arcade, NY 14009
Town of Attica	Arthur Klein	3921 Fullington Rd., Attica, NY 14011
Town of Castile	Richard Eliasz	16 Park Rd. West, Castile, NY 14427
Town of Covington	Robert Kelley	608 Starr Rd., Wyoming, NY 14591

And be it;

FURTHER RESOLVED, That the following alternate at large members are reappointed to the Wyoming county Planning Board for terms of one (1) year, said terms to expire December 31, 2004.

ALTERNATE	REPRESENTATIVE	ADDRESS
Alternate #1	David Reckahn	111 Warsaw Bd, Lot 2, Silver Springs, NY 14450

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Alternate #2 Douglas Post 100 West Main Street, Attica, NY 14011
Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-343

By Mr. H. Miller, Chairman of the Planning Committee:

Authorize The Chairman To Sign A Contract With Neopost, For The Purpose Of Replacing An Existing Postage Meter

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Neopost, 30955 Huntwood Ave., Hayward, CA 94544 for three (3) years, for the purpose of replacing an exiting postage meter on behalf of the Planning & Development, amount not to exceed Four Thousand Six Hundred and Twenty Eight Dollars and Fifty Two Cents (\$4,628.52); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-344

By Mr. Knab, Chairman of the Public Health Committee:

Chairman Authorized To Sign 2004 Renewal Contracts On Behalf Of Mental Health

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY 2004:

- 1. LIVINGSTON/WYOMING ARC, RENEWAL FOR SHELTERED WORKSHOP PROGRAM FOR THE MENTALLY ILL POPULATION FOR PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004 (\$52,621.00).
- 2. SUBURBAN ADULT SERVICES, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004 (\$88,253.00).
 - A. SHELTERED WORKSHOP PROGRAM FOR THE MENTALLY RETARDED/DEVELOPMENTAL DISABLED POPULATION (\$40,315.00).

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B. SUPPORTIVE EMPLOYMENT (ONE CONTRACT FOR \$49,029.00) - REINVESTMENT FUNDS-\$37,514.00; ONGOING INTEGRATED SUPPORTED EMPLOYMENT FUNDS - (\$11,515.00).

- 3. ARA, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004.
 - ONE CONTRACT FOR MENTAL HEALTH SERVICES (\$428,554.00):
 - A. MENTAL HEALTH CLINIC AND CRISIS (\$56,301.00).
 - B. CSS FUNDING (\$10,150.00).
 - C. ADULT CASE MANAGEMENT/SPOE/SPOA (\$78,855.00).
 - D. CHILD & YOUTH ICM & WRAP AROUND FUNDS (3 ICMS) - (\$87,348.00).
 - E. RIV-POEMS (\$105,727.00).
 - F. RIV-MICA COORDINATION, TX. & CASE MANAGEMENT (\$23,951.00).
 - G. RIV-JUVENILE JUSTICE/MENTAL HEALTH (\$12,762.00).
 - H. TELEMEDICINE GRANT (\$9,460.00).
 - I. CARE COORDINATION PROJECT (\$44,000.00).
 - ONE CONTRACT FOR CSS PROGRAMS (\$26,618.00).
 - A. CSS PROGRAMS CONTINUING DAY TX., CSS CASE MANAGEMENT, CSS TRANSPORTATION (\$26,618.00).
 - ONE CONTRACT FOR ALCOHOL, SUBSTANCE ABUSE AND MEN'S GROUP (\$314,371.00).
 - A. ALCOHOL TREATMENT/EDUCATION & SUBSTANCE ABUSE TX. (\$307,655.00).
 - B. MEN'S GROUP (\$6,716.00).
- 4. WYOMING COUNTY COMMUNITY HOSPITAL - RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004 (\$172,151.00).
 - A. RENEWAL CONTRACT TO PROVIDE STAFFING TO DO THE PAO SCREENINGS FOR PSYCHIATRIC ADMISSIONS (\$20,909.00).
 - B. JAIL BASED MENTAL HEALTH SERVICES IN THE JAIL - (\$68,107.00).
 - C. MICA/HOMELESS - CASE MANAGEMENT (\$10,586.00).
 - D. RIV - CRISIS OUTREACH PROGRAM (\$63,199.00).
 - E. TELEMEDICINE GRANT (\$9,350.00).
- 5. CHAUTAUQUA COUNTY MENTAL HEALTH DEPARTMENT - RENEWAL CONTRACT FOR TELEMEDICINE GRANT FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004 (\$9,350.00)

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6. MENTAL HEALTH ASSOCIATION OF ROCHESTER/MONROE COUNTY, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004:

A. CONTRACT WITH THE MENTAL HEALTH ASSOCIATION OF ROCHESTER/MONROE COUNTY TO MANAGE: (ONE CONTRACT FOR \$198,975.00)

- 1. CONSUMER RUN THRIFT STORE (\$31,338.00)
- 2. RIV-DROP-IN CENTER (\$20,909.00)
- 3. COM. PERF. - TRANSPORTATION PROGRAM (\$41,652.00)
- 4. MICA & PSYCO SOCIAL CLUB (\$90,4554.00)
- 5. PEER ADVOCACY (\$9,410.00)
- 6. PREP (\$5,212.00)

7. HILLSIDE CHILDREN'S CENTER RENEWAL/NEW CONTRACTS, FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004 TO PROVIDE (\$36,537.00)

- A. RIV - CRISIS RESPITE FOR ADOLESCENTS (\$16,731.00).
- B. RIV - GLOW FAMILY SUPPORT (\$6,398.00).
- C. RIV - HBCIS (\$13,408.00).

8. LIVING OPPORTUNITIES OF DEPAUL RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004 FOR: (\$160,573.00).

- A. RIV - TEMPORARY SUPPORTIVE HOUSING (\$9,819.00).
- B. RIV - FOUR BED TREATMENT APARTMENTS (\$4,274.00) (THERE IS ALSO \$9,653.00 WHICH IS PAID DIRECTLY TO LODP THROUGH MEDICAID, FOR THE STATE SHARE OF MEDICAID, OF WYOMING COUNTY REINVESTMENT MONEY. DO NOT INCLUDE AMOUNT IN TOTAL FOR FOUR (4) BED TREATMENT APARTMENTS CONTRACT BUT ACKNOWLEDGE THE AMOUNT AS BEING PAID DIRECTLY TO THEM AS REVENUE.)
- C. SUPPORTED HOUSING (20 SLOTS) (\$146,480.00).

9. CCSI OF ROCHESTER CONTRACT FOR THE PERIOD OF JANUARY 1, 2004 THROUGH DECEMBER 31, 2004: (\$372,733.00).

- A. SERVICE COORDINATION (\$98,147.00).
- B. GRANT-DUAL DIAGNOSIS COORDINATION (\$63,478.00).
- C. COORDINATED CHILDREN'S SERVICES INITIATIVE (\$58,175.00).
- D. PERFORMANCE MEASUREMENTS (\$35,733.00).
- E. CONTRACT WITH CCSI TO PROVIDE AN INDIVIDUAL FOR CCP (\$12,200.00).
- F. SUBSTANCE ABUSE PREVENTION (\$117,200.00).

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10. CONTRACT WITH AN INDIVIDUAL TO WORK WITH THE CCP ADVISORY GROUP (\$10,300.00).

11. CONTRACT WITH THE CHILDREN'S MENTAL HEALTH COALITION OF WNY, INC. FOR PARENT ADVOCATE SERVICES FOR CCSI PROGRAM (\$13,874.00).

12. CONTRACT WITH THE WYOMING COUNTY DISTRICT ATTORNEY'S OFFICE, WHEREAS THE DISTRICT ATTORNEY'S OFFICE PAYS WYOMING COUNTY MENTAL HEALTH DEPARTMENT (\$10,000.00) IN STOP DWI FUNDS FOR 2004.

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-345

By J. Davis, Chairman of the Public Safety Committee:

Authorize Chairman To Sign Alternative To Incarceration Plan For 2004

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Probation Department, is hereby authorized and directed to sign the Alternatives to Incarceration contract with New York State, said contract to be in the amount of Twenty Six Thousand, Two Hundred Dollars (\$26,200.00) which covers the Community Services Program, Pre-Trial Release Program and the Wyoming Drug Abuse Treatment (DATA-Day) Program for the period of January 1, 2004 through December 31, 2004.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-346

By J. Davis, Chairman of the Public Safety Committee:

Authorize Chairman To Sign 2004 Stop DWI Plan

BE IT RESOLVED, That this Board of Supervisors does hereby accept and approve the renewal plan for the STOP-DWI Program for 2004 in Wyoming County; and be it

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FURTHER RESOLVED, That the Chairman of this Board and the STOP-DWI Coordinator are hereby authorized and directed to sign the 2004 Plan and submit the STOP-DWI Program to the State of New York for approval and immediate implementation.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-347

By J. Davis, Chairman of the Public Safety Committee:

**Contract Approved With Oneida County
For Guarding Inmates**

BE IT RESOLVED, That the County of Wyoming shall enter into a renewal agreement with Oneida County for the guarding of Wyoming County inmates at the Central New York Psychiatric Center at the rate of One Hundred Twenty five Dollars (\$125.00) per day, per inmate for the period of January 1, 2004 through December 31, 2004; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to execute said agreement in the name of the County of Wyoming.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-348

By J. Davis, Chairman of the Public Safety Committee:

Reappoint Civil Defense Director/Fire Coordinator

BE IT RESOLVED, That James H. Reger, 3499 Truesdell Rd., Town of Warsaw, Warsaw, New York, 14569, is hereby reappointed as the Wyoming County Fire Coordinator/Civil Defense Director for a two year term, said term to expire December 31, 2005.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-349

By Mr. Herman, Chairman of the Human Resource Committee

J. Coveny Reappointed Records Management Officer

BE IT RESOLVED, That Janet Coveny, 115 Prospect Street, Warsaw, New

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York 14569, is hereby reappointed Records Management Officer (RMO) of the County of Wyoming for a four (4) year term; said term to expire December 31, 2007.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-350

By Mrs. Humphrey, Chairman of Finance Committee:

Authorize Special Meeting For 2004 Budget Adoption

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to set a special meeting for December 19, 2003 at 2:00 p.m. The purpose of said meeting is for budget adoption and any other business as needed by the Board of Supervisors.

Carried: Ayes: 1618 Noes: Absent:

RESOLUTION NO. 03-351

By Mr. Herman, Chairman of the Human Resource Committee

**Resolution No. 91-315As Amended By 95-146, Re:
Employee Pre-placement Physicals**

BE IT RESOLVED, That Resolution No. 91-315, approved on the 27th day of December 1991, and amended by Resolution No. 95-146, approved on the 13th day of June 1995 is hereby amended as follows:

POLICY: All prospective employees shall have a post conditional job offer, pre-placement drug test and physical exam performed prior to obtaining medical clearance to begin work.

PURPOSE: To assure that all prospective employees are medically capable of performing the essential functions of the position for which they have been hired.

PROCEDURE: How to Schedule a Physical:

1. Civil service, in conjunction with the appropriate Department Head, will initiate and ensure that the forms necessary for the prospective employee's post job offer, pre-placement drug test and physical examination are appropriately processed.

2. Civil Service will arrange for drug testing to occur at Workplace Health Services (WPHS). WPHS cannot confirm an appointment without receiving the completed request for medical services from Civil Service and after being

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authorized by the appropriate County Department Head.

3. The prospective employee's drug test and/or physical examination shall consist of but, not be limited to the following:

* A medical examination by a WPHS health care provider (physician, nurse practitioner or physician assistant).

* A physical therapy, and/or occupational therapy evaluation, depending on the corresponding job classification.

* A urine dip for blood, sugar, protein.

* Single sample urine drug collection.

* Any specific job related immunization history, if requested.

Employee Physical Results:

1. Results of all appropriate tests will be reviewed by the assigned health care provider and WPHS nurse to ensure that all requirements have been met before categorizing the medical qualification and forwarding to the corresponding Department Head and Civil Service/Personnel Office. These include drug test results, physical exams, therapy (PT/OT) evaluations and immunizations. Any abnormal findings will be reviewed and the prospective employee will be notified by WPHS.

2. Follow-up on any positive drug test results will be performed by the Medical Review Officer or their designee at WPHS. As this information is highly confidential, it will not be identified on the Qualification Form, which is forwarded to the corresponding Department Head and Civil Service/Personnel Office. For those testing "positive" for illegal controlled substances, the conditional job offer will be automatically withdrawn, unless the prospective employee is able to furnish acceptable documentation for the positive test results (i.e. medical prescriptions). No further drug testing will be offered to the prospective employee applying for the position sought.

3. Completed physicals will be filed in the employees' folder at WPHS.

Effective immediately; and be it

FURTHER RESOLVED, That the Civil Service Office shall be responsible for providing information on said policies and procedures.

Carried: Ayes: 1618 Noes: Absent:

Chairman Berwanger asked for any public comment on Local Law C for the year 2003.

Supervisor Kushner (T/Eagle) spoke. He will not support this Law...considering the fiscal crisis the County is facing, this is not the time to be giving raises.

Being no further comment, Chairman Berwanger closed the public hearing.

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RESOLUTION NO. 03-352

By Mrs. Humphrey, Chairman of the Finance Committee:

Local Law Introductory No. C, Year 2003 Adopted

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 12th day of November, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2003, entitled A Local Law of the County of Wyoming, establishing the salaries of the certain County Officers; and

WHEREAS, in accordance with the provisions of Resolution No. 03-315, there was a public hearing held by this Board of Supervisors on this 9th day of December, 2003 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. C, Year 2003, County of Wyoming, New York, as presented to this Board on the 9th day of December, 2003, is hereby adopted, enacted and passed by this Board in its original form as follows:

Section 1. Effective as hereafter provided, the annual salary of the Director of the Office For the Aging shall be reduced by 16,000.00

Section 2. Effective as hereafter provided, the annual salary of the Election Commissioners (two positions shall be increased by \$239.00 each

Section 3. Effective as hereafter provided, the annual salary of the Clerk of the Board of Supervisors shall be increased by \$751.00

Section 4. Effective as hereafter provided, the annual salary of Fire Coordinator, PT shall be increased by \$131.00

Section 5. Effective as hereafter provided, the annual salary of Director of Fire and Emergency Management shall be increased by \$722.00

Section 6. Effective as hereafter provided, the annual salary of Director of Weights and Measurers shall be increased by \$721.00

Section 7. Effective as hereafter provided, the annual salary of County Attorney PT shall be increased by \$1,010.00

Section 8. Effective as hereafter provided, the annual salary of County Historian shall be increased by \$347.00

Section 9. Effective as hereafter provided, the annual salary of Animal Control Officer shall be increased by \$607.00

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Section 10. Effective as hereafter provided, the annual salary of the Director of Information and Technology shall be increased by \$1,027.00

Section 11. Effective as hereafter provided, the annual salary of the Personnel Officer shall be increased by \$985.00

Section 12. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$988.00

Section 13. Effective as hereafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$1,306.00

Section 14. Effective as hereafter provided, the annual salary of the Director of Veterans Services PT shall be increased by \$346.00

Section 15. Effective as hereafter provided, the annual salary of the Youth Bureau Director shall be increased by \$16,000.00

Section 16. Effective as hereafter provided, the annual salary of the Workers Compensation Program Administrator shall be increased by \$715.00

Section 17. Effective as hereafter provided, the annual salary of the Director of Planning and Development shall be increased by \$1,084.00

Section 18. Effective as hereafter provided, the annual salary of the Probation Director shall be increased by \$962.00

Section 19. Effective as hereafter provided, the annual salary for the Deputy County Highway Superintendent shall be increased by \$866.00

Section 20. Effective as hereafter provided, the annual salary for the Public Defender - PT shall be increased by \$863.00

Section 21. All salaries set forth herein shall be effective as of January 1, 2003.

Section 22. This Local Law shall take effect on the date of filing in the Office of the Secretary of the State of New York.

Section 23. This Local Law is subject to permissive referendum.

Carried: Ayes: 1117 Noes: 501; Absent: (164) Agan (127)Hickey (49)Kushner (20)Totline (93)Brunner (48)Glosser

Supervisor Miller (T/Warsaw) recognized Supervisor Herman (T/Wethersfield) for his many years of service to Wyoming County.

Supervisor Herman, T/Wethersfield, moved to adjourn the meeting at 2:45 PM.

(minutes prepared by P. Parker)

SPECIAL SESSION

Friday

December 19, 2003

2:00 PM

The special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisor Chambers, 143 North Main Street, Warsaw, New York with all members present.

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order. Supervisor Herman, T/Wethersfield lead us in the Pledge of Allegiance.

There were no communications.

RESOLUTION NO. 03-353

By Mr. Berwanger, Chairman of the Committee of the Whole

Approval Of Participation In Phase 1 Of The PROS Plan On Behalf Of Mental Health.

WHEREAS, certain Mental Health programs are being converted by the New York State Office of Mental Health from direct state aid into Personalized Recovery-Oriented Services (PROS) Medicaid-funded programs; and

WHEREAS, these programs are essential services for residents of Wyoming County with mental illness; and

WHEREAS, the cost of not providing these programs is expected to exceed the cost to Wyoming County of converting to PROS; now therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors supports the PROS plan as developed by the Department of Mental Health and approved by the Community Services Board.

Carried: Ayes: 1078 Noes: (127) Gozelski

Absent: (164) Agan 214) Humphrey(35) Herman

Supervisor Humphrey, T/Perry, commented regarding converting the program to Medicaid with the State of New York holding the County harmless. She cautioned that that has not been the case with other programs in the past that have been converted.

Supervisor Herman, T/Wethersfield, agreed with Supervisor Humphrey and expressed concern that the State may "re-nig".

Supervisor Miller, T/Warsaw, spoke regarding the value of the programs provided and how they help people in need of Mental Health services.

Supervisor Gozelski, T/Castile, expressed that the program is valuable,

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but again cost is a concern.

Supervisor Kushner, T/Eagle, asked if the State does not hold the County harmless and funding is not available, is the County Mental Health department prepared to cut staffing?

Supervisor Bush, T/Gainesville, agreed with Supervisor Miller and wants to take the "gamble".

Supervisor Rogers, T/Pike, also spoke regarding the benefit of the programs and how they benefit they clients they serve.

Chairman Berwanger, T/Arcade, commented about OMRDD (Office of Mental Retardation and Developmental Disabilities) and OMH (Office of Mental Health) as they have given us their assurance in witness of the Governor's and Senator Volker's staff that the County will be held harmless.

RESOLUTION NO. 03-354

By Mrs. Humphrey, Chairman of the Finance Committee

Create One Full Time Position Of Domestic Violence Coordinator In The District Attorney's Office

BE IT RESOLVED, That there is hereby created one (1) full time position of Domestic Violence Coordinator in the District Attorney's Office; said position to be placed on Salary Schedule G with an annual salary to be set at \$26,000.00, effective January 01, 2004, contingent on the availability of funds.

Carried: Ayes: 1454 Noes: Absent: (164) Agan

Supervisor Humphrey, T/Perry, explained that this position will continue only as long as the grant funds are available.

RESOLUTION NO. 03-355

By Mrs. Humphrey, Chairman of the Finance Committee

Positions Abolished Within The Wyoming County Sheriff's Department

BE IT RESOLVED, That due to current fiscal constraints, there is hereby abolished four (4) full time, vacant positions effective close of business, Wednesday, December 31, 2003, within the Wyoming County Sheriff's Department as follows:

- (1) Deputy Sheriff Investigator

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(1) Deputy Sheriff Sergeant Investigator

(2) Deputy Sheriffs

Carried: Ayes: 1454 Noes: Absent: (164) Agan

Supervisor Humphrey, T/Perry, commented that these positions are being abolished due to attrition and no one will be laid off.

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions office numbers four (4), five (5) and six (6). A voice vote was taken and all voted aye.

RESOLUTION NO. 03-356

By Mrs. Humphrey, Chairman of the Finance Committee

Annual Organizational Meeting Set

WHEREAS, the Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution;

BE IT RESOLVED, That the Annual Organization Meeting of the Wyoming County Board of Supervisors will be set for Friday, January 2, 2004 at 2:00 PM, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York.

Carried: Ayes: 1454 Noes: Absent: (164) Agan

RESOLUTION NO. 03-357

By Mrs. Humphrey, Chairman of the Finance Committee

Adopts 2004 Equalization Table

BE IT RESOLVED, That the 2004 Equalization Table, which was tabled on November 12, 2003, be lifted from the table, and be it

FURTHER RESOLVED, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2004 is hereby adopted as presented.

ADVISORY EQUALIZ. RATES	TOWN	TOTAL ASS'D VALUE BEFORE EXEMPTIONS	FULL VALUE AT STATE RATES	% OF CO. TAX TO BE PAID BY EACH TOWN	TAXABLE ASSESSED VALUE
100.00%	ARCADE	175,072,435	175,072,435	0.105761633	168,844,405
100.00%	ATTICA	143,622,330	143,622,330	0.086762557	138,367,959
60.00%	BENNINGTON	111,101,180	185,168,633	0.111860768	106,712,090

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100.00%	CASTILE	171,282,0841	71,282,084	0.103471874	155,975,053
100.00%	COVINGTON	60,078,347	60,078,347	0.0362934581	50,922,358
100.00%	EAGLE	38,812,496	38,812,496	0.023446712	36,386,472
100.00%	GAINESVILLE	67,591,439	67,591,439	0.040832133	62,074,096
100.00%	GENESEE FALLS	20,792,179	20,792,179	0.012560600	19,129,145
100.00%	JAVA	102,966,013	102,966,013	0.062201989	95,480,478
100.00%	MIDDLEBURY	71,464,178	71,464,178	0.043171663	67,252,809
100.00%	ORANGEVILLE	61,636,905	61,636,905	0.037234986	55,992,126
100.00%	PERRY	155,582,491	155,582,491	0.093987716	141,490,968
100.00%	PIKE	41,632,105	41,632,105	0.025150044	34,590,429
100.00%	SHELDON	116,704,437	116,704,437	0.070501401	109,219,472
100.00%	WARSAW	193,888,292	193,888,292	0.117128333	186,428,603
100.00%	WETHERSFIELD	49,054,836	49,054,836	0.029634132	36,354,848
TOTALS:		1,581,281,747	1,655,349,200	1.000000000	1,465,221,311

Average Rate of Equalization: \$ 6.45 / Thousand

FINANCE COMMITTEE

Anne Humphrey
Paul Agan
Howard J. Miller
Larry Rogers

E. Joseph Gozelski
Ronald P. Herman, Sr.
John Knab
Jerry Davis

Carried: Ayes: 1454 Noes: Absent: (164) Agan

RESOLUTION NO. 03-358

By Mrs. Humphrey, Chairman of the Finance Committee

**Resolution Of The Board Of Supervisors Levying Taxes
And Assessments Required For Purpose Of Annual
Budget Of Towns Of Wyoming County**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2004 now therefore, be it

RESOLVED, That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

December 19, 2003

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	\$30,000.00	\$152,361.00	\$182,361.00
ATTICA	\$0.00	\$150,114.00	\$150,114.00
BENNINGTON	\$0.00	\$0.00	\$ 0.00
CASTILE	\$24,980.00	\$176,100.00	\$201,080.00
COVINGTON	\$0.00	\$0.00	\$ 0.00
EAGLE	\$0.00	\$0.00	\$ 0.00
GAINESVILLE	\$7,270.00	\$98,200.00	\$105,470.00
GENESEE FALLS	\$0.00	\$0.00	\$ 0.00
JAVA	\$0.00	\$0.00	\$ 0.00
MIDDLEBURY	\$9,650.00	\$240,065.00	\$249,715.00
ORANGEVILLE	\$0.00	\$0.00	\$ 0.00
PERRY	\$13,400.00	\$140,000.00	\$153,400.00
PIKE	\$7,347.00	\$99,519.00	\$106,866.00
SHELDON	\$0.00	\$0.00	\$ 0.00
WARSAW	\$10,970.00	\$263,650.00	\$274,620.00
WETHERSFIELD	\$0.00	\$0.00	\$0.00
TOTALS:	\$103,617.00	\$1,320,009.00	\$1,423,626.00

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefor within the respective fire protection, lighting and water districts in the following towns, as listed below, the following respective budgets:

TOWN	FIRE DISTRICT	FIRE PROT.	LIGHT	UNPAID WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$63,500.00		\$84,966.00	\$148,466.00
ATTICA		\$64,105.00			\$64,105.00
BENNINGTON	B	\$71,787.00	\$2,700.00		\$163,001.00
	C	\$65,539.00			
	HC	\$17,900.00			
	V	\$5,075.00			
CASTILE		\$55,700.00	\$5,800.00****	\$241,799.00	\$312,775.69
					*9,476.69
COVINGTON	PA	\$34,192.00		\$500.00	\$46,842.00
	WY	\$9,000.00			
	PE	\$3,150.00			
EAGLE		\$39,960.00	\$6,000.00	*\$6,113.34	\$59,073.34
				\$7,000.00	

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TOWN	FIRE DISTRICT	FIRE PROT.	LIGHT	UNPAID WATER/SEWER & RECYCLE FEE	TOTAL
GAINESVILLE		\$28,400.00			\$28,400.00
GENESEE FALLS		\$31,000.00	\$7,500.00		\$38,500.00
JAVA	NJ \$2,459.00	NJ \$24,499.00	NJ	\$14,517.50	\$94,828.56
		S \$47,366.00	\$2,400.00	*\$3,287.06	
			JC \$300.00		
MIDDLEBURY		F1\$54,000.00			\$64,500.00
		F2\$10,500.00			
ORANGEVILLE		V \$28,395.00	L3 \$350.00		\$41,545.00
		O \$12,800.00			
PERRY	F3 \$850.00	F4 \$23,000.00	PC	\$15,580.00	\$56,030.00
			\$1,600.00	****\$15,000.00	
PIKE		\$18,500.00			\$18,500.00
SHELDON	V \$5,620.00	ST \$26,443.83	L1 \$4,050.00	*\$316.21	\$123,299.58
		NJ 4,599.54	L2 \$2,425.00		
		V 19,970.00	L3 \$ 700.00		
		SH 40,000.00	L9 \$1,275.00		
		HC 17,900.00			
WARSAW		\$44,000.00		\$4,500.00	\$48,500.00
WETHERSFIELD		G \$8,200.00			\$24,334.66
		NJ \$11,134.66			
		B \$3,300.00			
		SS \$1,700.00			
TOTAL:	\$8,929.00	\$885,616.03	\$35,100.00	\$403,055.80	\$1,332,700.83

* = UNPAID WATER BILLS **Relevied Recycling ***Recycling ****Sewer and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND	HIGHWAY FUND	TOTAL
	TOWN WIDE	TOWN WIDE	
ARCADE	\$105,964.00	\$229,363.00	\$335,327.00
ATTICA	\$141,729.00	\$155,601.00	\$297,330.00
BENNINGTON	\$38,983.00	\$545,600.00	\$584,583.00
CASTILE	\$143,788.00	\$158,110.00	\$301,898.00

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COVINGTON	\$86,570.00	\$249,814.00	\$336,384.00
EAGLE	\$155,963.00	\$207,265.00	\$363,228.00
GAINESVILLE	\$120,975.00	\$78,200.00	\$199,175.00
GENESEE FALLS	\$89,676.00	\$139,888.00	\$229,564.00
JAVA	\$106,700.00	\$275,650.00	\$382,350.00
MIDDLEBURY	\$104,260.00	\$152,355.00	\$256,615.00
ORANGEVILLE	\$78,087.00	\$310,079.00	\$388,166.00
PERRY	\$228,260.00	\$144,151.00	\$372,411.00
PIKE	\$101,630.00	\$65,090.00	\$166,720.00
SHELDON	\$163,673.00	\$349,543.00	\$513,216.00
WARSAW	\$340,719.00	\$263,650.00	\$604,369.00
WETHERSFIELD	\$94,060.00	\$162,498.00	\$256,558.00
TOTAL	\$2,101,037.00	\$3,486,857.00	\$5,587,894.00
Carried:	Ayes: 1454	Noes:	Absent: (164) Agan

At this time resolution office number seven (7) was read. Supervisor Gozelski requested that it be split into two parts: A. One for the highway amendments and; B. one for all other accounts. There was a short recess at 2:24 PM to consult with County Attorney, Eric Dadd. The meeting was reconvened at 2:40 PM. Supervisor Humphrey requested that resolution office number seven (7) be withdrawn until later in the meeting. A voice vote was taken with all voting aye.

Chairman presented unanimous consent resolution office number UC11. There was no objection and the resolution was presented.

RESOLUTION NO. 03-359

By Mr. Berwanger, Chairman of the Committee of the Whole

Allow Public Comment Regarding Highway Issues

BE IT RESOLVED, That the Board of Supervisors will allow for Public comment regarding Budget issues relating to the Wyoming County Highway Department at this board meeting. Each comment will be limited to two (2) minutes.

Carried: Ayes: 1454 Noes: Absent: (164) Agan

Mr. Ted LaWall, a thirty-year County Highway employee spoke. He asked the Board what the intentions of the "abolishments" were. He also expressed his concern regarding the safety of our County Residents... especially if there were to be some type of weather emergency. The Board's intent is that this

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lay-off is temporary in nature and positions would be refilled in the spring.

Mrs. Lorraine Sturm asked if there was a plan in place should there be some type of emergency.

Chairman Berwanger explained that the Towns plow the roads, not the County.

Resolutions (previously office #7) office number 7A and 7B were represented. (Mr. Gozelski's previous request was granted per rule number 24 in the procedure rules). The first vote is on 7A. County Attorney, Eric Dadd clarified that a "aye" vote will abolish the positions and keep the budget reduction in place.

RESOLUTION NO. 03-360

By Mrs. Humphrey, Chairman of the Finance Committee

Approve The Amendments To The 2004 Tentative Budget

WHEREAS, The 2004 Tentative Budget was reviewed by the Board of Supervisors and certain amendments to the Tentative Budget were recommended, Now Therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2004 Budget:

DECREASE GENERAL FUND APPROPRIATIONS		
9901.9 Transfer to Lowman	Highway Dept	\$ 52,000.00
Total Decrease General Fund Appropriations		\$ 52,000.00
DECREASE COUNTY ROAD FUND APPROPRIATIONS		
5110.1 Salaries Full Time	County Road	\$ 52,000.00
DECREASE COUNTY ROAD REVENUES		
13.5110.5031 Interfund Transfer	County Road	\$ 52,000.00
DECREASE GENERAL FUND BALANCE		
0900.01 General Fund - Reserve	General Fund	\$ 52,000.00

Carried: Ayes: 821 Noes: (162) Berwanger Absent: (164) Agan
 (127) Gozelski
 (96) Bush
 (213) Miller
 (35) Herman

December 19, 2003

RESOLUTION NO. 03-361

By Mrs. Humphrey, Chairman of the Finance Committee

Approve The Amendments To The 2004 Tentative Budget

WHEREAS, The 2004 Tentative Budget was reviewed by the Board of Supervisors and certain amendments to the Tentative Budget were recommended, Now Therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve the following amendments and does authorize the Budget Officer to effect these amendments into the 2004 Budget:

INCREASE GENERAL FUND APPROPRIATIONS		
1167.1 Salaries S/D/I	S.T.O.P Violence Agst Women	\$26,000.00
1167.4 Contractual Expense		
	S.T.O.P Violence Agst Women	\$ 1,007.64
1167.8 Fringes	S.T.O.P Violence Agst Women	11,992.36
1355.8 Fringe Benefits	Assessment Dept	1,100.00
	Unemployment	3,000.00
3110.1 Salaries S/D/I	Sheriff's Dept	5,000.00
6421.8 Fringe Benefits	Economic Dev	
	Planner Unemployment	<u>22,411.00</u>
Total Increase General Fund Appropriations		\$69,411.00

DECREASE GENERAL FUND APPROPRIATIONS		
1345.1 Salaries S/D/I	Purchasing	\$ 36,474.00
1345.4 Contractual Expense	Purchasing	340.00
1345.8 Fringe Benefits	Purchasing	7,695.00
1355.1 Salaries S/D/I	Assessment Dept	3,000.00
1355.1 Salaries Part Time	Assessment Dept	12,017.00
1355.8 Fringe Benefits	Assessment Dept	1,100.00
3110.1 Salaries Full Time	Sheriff's Dept	130,000.00
3110.8 Fringe Benefits	Sheriff's Dept	10,600.00
6420.4 Contractual Expense	Promotion of Tourism	30,000.00
6421.1 Salaries S/D/I	Economic Dev Planner	41,638.00
6421.8 Fringe Benefits	Economic Dev Planner	<u>3,100.00</u>
Total Decrease General Fund Appropriations		\$ 275,964.00

INCREASE GENERAL FUND REVENUES		
12.1167.4389 Federal Block Grant		
	S.T.O.P Violence Agst Women	\$ 39,000.00

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DECREASE GENERAL FUND REVENUES

11.6010.3610 Social Services Admin	Social Services	\$	249.00
12.6010.4610 Soc Serv Admin Fed Rev	Social Services		8,013.00
12.6010.4611 Food Stamp Program	Social Services		<u>399.00</u>
Total Decrease General Fund Revenues		\$	8,661.00

DECREASE GENERAL FUND BALANCE

0900.01 General Fund - Reserve	General Fund	\$	236,892.00
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Carried: Ayes: 1206 Noes: (213) Miller Absent: (164) Agan (35) Herman

RESOLUTION NO. 03-362

By Mrs. Humphrey, Chairman of the Finance Committee

Tentative 2004 Budget For Wyoming County Approved

BE IT RESOLVED, That the tentative budget for the year 2004, as filed with the Clerk of this Board, and as subsequently altered and amended by resolutions subsequently passed, and as hereto attached, is hereby adopted as the county budget for the year 2004, which requires the raising by tax levy the amount of Nine Million, Four Hundred Forty Four Thousand, Seven Hundred Nine Dollars and Five Cents (\$9,444,709.05) and be it

FURTHER RESOLVED, That the said sum of Nine Million, Four Hundred Forty Four Thousand, Seven Hundred Nine Dollars and Five Cents (\$9,444,709.05) is hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation, and be it

FURTHER RESOLVED, That the several amounts specified in such budget in the column entitled "ADOPTED", and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2004.

Carried: Ayes: 1206 Noes: (213) Miller Absent: (164) Agan (35) Herman

RESOLUTION NO. 03-363

By Mrs. Humphrey, Chairman of the Finance Committee

Authorize Chairman And/Or Clerk To Sign Tax Warrants

December 19, 2003

WHEREAS, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board, and

WHEREAS, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board, now, therefore, be it

RESOLVED, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls: warrants to be returned on or before April 1, 2004.

Carried: Ayes: 1454 Noes: Absent: (164) Agan

RESOLUTION NO. 03-364

By Mrs. Humphrey, Chairman of the Finance Committee

Authorizes Chairman Execute All Documents Necessary (As Clerk) For The Board Of Supervisors

BE IT RESOLVED, That effective retroactive to December 3, 2003, the Board of Supervisors hereby authorizes and directs the Chairman of the Board, A. Douglas Berwanger, to execute any and all documents necessary to effectuate the actions of the Wyoming County Board of Supervisors. Such actions will include, but not be limited to items regarding real property taxation. This resolution shall remain effective until such time as a Clerk of the Board of Supervisors is appointed.

Carried: Ayes: 1454 Noes: Absent: (164) Agan

Before the meeting was adjourned, Chairman Berwanger thanked Supervisors Hickey, Brunner and Herman (especially Mr. Herman) for their service to the County of Wyoming.

The meeting was adjourned at 3:10 PM.

(Minutes prepared by P. Parker)

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