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J. Margeson

NOT APPROVED

RECEIVED
JAN 24 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
JANUARY 21, 2003

Present: S. Myers, E. Burdick, R. Bennett, D. Russo, J. Margeson, F. Sinclair, C. Braack, D. Baker, D. Aumick

Guest: D. Sirianni – Director, Probation
T. Parker – District Attorney

The meeting was called to order by Chairwomen S. Myers at 3:00.

DWI Issue:

S. Myers stated her concerns on the New York State DUI/DWI Laws and the need for change, to make all repeat DUI/DWI offenders serve a more serious sentence. She has been in contact with Senator Patricia McGee who is the chairperson for the NY State Alcoholism and Drug Abuse Committee to see what we can do in our county to help change these laws. She also has contacted Mr. Adriano Bongiorno – NYSAC (New York State Association of Counties) Legislative Analyst for NYSAC to support a resolution for the change. E. Burdick is the president of Inter-County Association of Western New York, and he will take a resolution to them if it is approved, and he will forward it on to the Adirondack Inter-County Association for them to approve a resolution.

S. Myers asked Terry Parker what type of resolution would be do able, that could possibly pass through our State Senate and Assembly for approval? One specific issue needs to be the focus on the resolution. Everyone agrees there is not a problem with the first time offenders, just the repeat offenders. A stiffer penalty needs to be enforced.

S. Myers asked David Sirianni to explain the changes that the Probation Department is now doing in regards to DUI/DWI clients. He stated they have a new policy and procedure for the maintenance of a DWI case, which has taken effect immediately.

S. Myers asked D. Russo to check over the internet on how other states handle their DUI/DWI offenders. He stated that a study has been done, and that up to 75 percent of people whose licenses have been suspended continue to drive. When asked why they continue to drive, most stated they had to drive to get to work, and social obligations. In order to keep DUI/DWI offenders from driving, many states have enacted new laws that separate the suspended driver physically from his vehicle. These laws include vehicle impoundment and vehicle forfeiture. Some states affix a sticker onto the license plate or change the license plate entirely so that police will have the necessary probable cause to pull the vehicle over and check the license of the driver. An important component of the Ohio law was the confiscation of offender's vehicle's license plates. In California law enforcement can impound vehicles on the spot when drivers are caught driving with a suspended license. The impoundment lasts for 30 days. In Maine first time offenders have a 0.5 tolerance marked on their licenses, plus a sticker on the plates. There is zero tolerance for repeat offenders and they lose their licenses for ten years.

There was discussion on how to handle these repeat offenders. The Senate had a bill that didn't get approved this year S1228 that establishes "Kurt's law" increasing penalties for

the crime of vehicular manslaughter. On motion by E. Burdick, seconded by D. Russo and carried to support the bill if it is reintroduced in the Senate. There was discussion on having the Public Safety Committee co-sponsor the resolution as well. It was decided that if the S1228-A law will be reintroduced in the Senate, then on Monday January 27th at 1:25 there will be a joint Resource Management/Public Safety meeting to co-sponsor the resolution.

PREPARE A RESOLUTION

On motion by D. Russo, seconded by R. Bennett and carried to approve October 15th and November 25th minutes.

Dianne:

Dianne stated there have been staffing changes. Due to the budget cuts and resignations, they have combined two clerical positions into one, a Youth Development position will not be filled, and the 4-H staff person is now being shared with Cattaraugus County.

Cornell Cooperative Extension is now offering distance-learning classes through spring semester with Jamestown Community College for Farm Bookkeeping Foundations, Introduction to Organic Gardening, Composting and Soil Basics for Home Owners, Bugs You Love to Hate, and Pasture Management for Horse Owners. Next fall there will be classes offered in other locations as well.

There have been changes in the Cornell Cooperative Extension office. A new Director of Extension, Helene Dillard, replaced Merle Ewert. The number of Cornell Extension representatives has been reduced from 6 to 4. The Western New York representative will have 16 counties instead of 8. Regionalization will become the major push in Cooperative Extension Associations across the state.

Craig Braack:

Craig gave an update on the Bicentennial History book. The Allegany County Area Foundation will be the official sponsor, with 2,000 books to be ordered. Any profit will be given to the Bicentennial History Book Committee to fund other projects for local history books. There was discussion on setting up committee's to organize the Bicentennial celebration.

Deb Aumick:

Deb was asked to be on the Genesee Valley Central School – Character Education Coalition Committee, and she went for training in Canandaigua.

She gave an update on the Teen New Years Eve event and stated that there were over 200 students in attendance and it was a big success. The first year there were only seventy-five.

She attended a Call to Action meeting at the Wellsville Elementary School to discuss student drinking and driving for suggestions to see what can be done to help address the issues.

S. Myers asked for an update on the Cuba Skate Park. The youth have received some property in the Chamberlain Park to utilize. Other issues were discussed.

The committee was asked to approve the acceptance of grant funding (for the year 7/02-6/03) from the New York State Division of Criminal Justice Services in the amount of $26,500. To allow the Youth Bureau to "pass through" this funding in the amount of $26,500 to ACCORD Corporation for the operation of the Allegany County Youth Court.

On motion by R. Bennett, seconded by D. Russo and carried to accept said grant funding.

REFFERED TO WAYS AND MEANS

PREPARE A RESOLUTION

Deb asked the committee for permission to attend the New York State Association of Counties meeting. On motion by E. Burdick, seconded by D. Russo and carried to approve Deb attending the meeting.

Fred Sinclair:

Fred stated the bids were opened this morning in relation to the sale of county forest products from the Griffin Lot located in the Town of Birdsall. The bids were received as follows:

Robert T. Chamberlain	$71,140.00
Maple Valley Hardwoods, Eric Wuersig	$61,568.00
Baldwin Forest Products, Inc.	$57,375.00
David Stilson	$53,355.00

On motion by D. Russo, seconded by E. Burdick and carried to accept the high bid of Robert T. Chamberlain, and to expedite the contract.

PREPARE A RESOLUTION

A Soil/Water Conservation District contract was proposed to the committee for the consulting services for Reforestation, Parks and Agricultural Districts, which has been approved by the County Attorney.

On motion by E. Burdick, seconded by D. Russo and carried to approve said contract.

PREPARE A RESOLUTION

Summory of the plan to continue maintenance on the parks:

The routine maintenance responsibilities and housing will be assumed by the Department of Public Works. Control of the Forestry building will be assumed by Public Works. The District will continue to coordinate management of the forests and sale of forest products. The District will also provide consulting and management recommendations for Parks. The District will perform all ministerial responsibilities as they pertain to Agricultural Districts. The District will assist the Agricultural and Farmland protection Board with the implementation of the agricultural viability, planning and implementation program. The county will pay the District the sum of $10,000 upon the execution of this contract.

The District Board approved the District Plan of Operations for 2003 on January 16, 2003, which was presented to the committee. S. Myers asked to have a year-end report on the projects, for their comparison.

There are some changes in the Agricultural Districts Law, which could lead to increased activity, allowing continuous entry to Agricultural Districts. It was recommended that an amendment to this legislation be drafted which will modify the legislation such that it will not represent undue burden on the County. Fred was asked to compile a letter for discussion on the concerns of this law so that it may be presented to Inter-County Association of Western New York. The association represents eighteen counties in Western New York.

Appointments:

The committee was asked to sponsor a resolution for an appointment of Curtis Rung of Friendship to replace Wendell Chamberlain as a Practical Farmer Member on the Soil and Water Conservation District Board for a three-year term.

On motion by R. Bennett, seconded by D. Russo and carried to support said resolution.

PREPARE A RESOLUTION

The committee was asked to sponsor a resolution for the appointments of Rodney K. Bennett and William G. Dibble as Legislative Members of the Soil and Water Conservation District Board for a one-year term.

On motion by D. Russo, seconded by E. Burdick and carried to support said resolution.

PREPARE A RESOLUTION

The committee was asked to sponsor a resolution for an appointment of Rodney K. Bennett as Legislative Member of the Region 9 Forest Practice Board for a two-year term.

On motion by E. Burdick, seconded by D. Russo and carried to support said resolution.

PREPARE A RESOLUTION

The committee was asked to sponsor a resolution for the appointments of Robert Polanowski of Belfast as the Landowner Representative Member and Kevin Redman of Fillmore as the Alternate Landowner Representative Member for a two year term.

On motion by E. Burdick, seconded by D. Russo and carried to support said resolution.

PREPARE A RESOLUTION

Old Business:

After talking with Kier Dirlam – Planning Specialist for an update on the proposition for County use of the fields behind the soon to be vacant Genesee Valley School, Belmont campus, he stated that the proposition is still under review.

S. Myers asked J. Margeson to give an update on the removal of dead elm trees at Oil Springs Park. He stated that he took a tour with Dave Roeske – Supt. of Public Works and they determined that the trees are a hazard to the public and will be removed in the near future.

S. Myers asked if a letter went out to all members of the STAR Task Force thanking them for all the work done on the program that was suggested last month, Alice stated that the letter was sent.

On motion by D. Russo, seconded by R. Bennett to go into executive session to discuss a personnel issue at 4:40. On motion by E. Burdick, seconded by D. Russo and carried to go out of executive session at 4:44.

Meeting was adjourned at 4:50.
Respectfully Submitted:
Alice Alsworth

MEMORANDUM OF EXPLANATION

Intro No._____
(Clerk's Use Only)

COMMITTEE: Resource Management **DATE:** 1/21/03

To allow the Allegany County Youth Bureau to accept grant funding (for the year 7/02 – 6/03) from the New York State Division of Criminal Justice Services in the amount of $26,500. To allow the Youth Bureau to "pass through" this funding in the amount of $26,500 to ACCORD Corp. for the latter's operation of the Allegany County Youth Court.

FISCAL IMPACT: None

FOR FURTHER INFORMATION REGARDING THIS MATTER, CONTACT:

Deborah Aumick	585-268-5394
NAME AND DEPARTMENT	**TELEPHONE NUMBER**

1/97

NOT APPROVED

J. Margeson

RECEIVED
JAN 27 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT/PUBLIC SAFETY SPECIAL MEETING JANUARY 27, 2003

Present: S. Myers, E. Burdick, R. Bennett, P. Regan, D. Russo, J. Graffrath, Wm. Dibble, E. Sherman

Chairwoman S. Myers called the meeting to order at at 1:27.

S. Myers stated the Resource Management Committee is requesting the Public Safety Committee to co-sponsor a resolution to support the reintroduced Senate and Assembly bill S502 and A648 cited as "Kurt's law" which is stiffer penalties for repeat DUI/DWI offenders.

On motion by J. Graffrath, seconded by W. Dibble and carried to co-sponsor said resolution with Resource Management Committee.

Meeting was adjourned at 1:30.

Respectfully Submitted:
Alice Alsworth

BILL TEXT:

STATE OF NEW YORK

648

2003-2004 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2003

Introduced by M. of A. HOYT -- Multi-Sponsored by -- M. of A. SMITH -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to increased penalties for the crime of vehicular manslaughter

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 "Kurt's law".
3 § 2. The closing paragraph of section 125.12 of the penal law, as
4 separately amended by chapters 427 and 805 of the laws of 1992, is
5 amended to read as follows:
6 Vehicular manslaughter in the second degree is a class [D] C felony.
7 § 3. The closing paragraph of section 125.13 of the penal law, as
8 added by chapter 507 of the laws of 1985, is amended to read as follows:
9 Vehicular manslaughter in the first degree is a class [C] B felony.
10 § 4. Paragraphs (a) and (b) of subdivision 1 of section 70.02 of the
11 penal law, as amended by chapter 300 of the laws of 2001, are amended to
12 read as follows:
13 (a) Class B violent felony offenses: an attempt to commit the class
14 A-I felonies of murder in the second degree as defined in section
15 125.25, kidnapping in the first degree as defined in section 135.25, and
16 arson in the first degree as defined in section 150.20; manslaughter in
17 the first degree as defined in section 125.20, vehicular manslaughter in
18 the first degree as defined in section 125.13, rape in the first degree
19 as defined in section 130.35, sodomy in the first degree as defined in
20 section 130.50, aggravated sexual abuse in the first degree as defined
21 in section 130.70, course of sexual conduct against a child in the first
22 degree as defined in section 130.75; assault in the first degree as
23 defined in section 120.10, kidnapping in the second degree as defined in
24 section 135.20, burglary in the first degree as defined in section

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD00183-01-3

140.30, arson in the second degree as defined in section 150.15, robbery in the first degree as defined in section 160.15, criminal possession of a dangerous weapon in the first degree as defined in section 265.04, criminal use of a firearm in the first degree as defined in section 265.09, criminal sale of a firearm in the first degree as defined in section 265.13, aggravated assault upon a police officer or a peace officer as defined in section 120.11, gang assault in the first degree as defined in section 120.07, intimidating a victim or witness in the first degree as defined in section 215.17, and hindering prosecution of terrorism in the first degree as defined in section 490.35.

(b) Class C violent felony offenses: an attempt to commit any of the class B felonies set forth in paragraph (a); aggravated sexual abuse in the second degree as defined in section 130.67, vehicular manslaughter in the second degree as defined in section 125.12, assault on a peace officer, police officer, fireman or emergency medical services professional as defined in section 120.08, gang assault in the second degree as defined in section 120.06, burglary in the second degree as defined in section 140.25, robbery in the second degree as defined in section 160.10, criminal possession of a weapon in the second degree as defined in section 265.03, criminal use of a firearm in the second degree as defined in section 265.08, criminal sale of a firearm in the second degree as defined in section 265.12, criminal sale of a firearm with the aid of a minor as defined in section 265.14, soliciting or providing support for an act of terrorism in the first degree as defined in section 490.15 and hindering prosecution of terrorism in the second degree as defined in section 490.30.

§ 5. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

NOT APPROVED

J. Margeson

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MAY 19 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
SPECIAL MEETING
MAY 12, 2003

Present: S. Myers, R. Bennett, E. Burdick, E. Sherman, J. Margeson

Chairman Myers called the meeting to order at 1:15 p.m.

Daniel Guiney, County Attorney stated the County has been asked to loan its set of volumns of the Nuremberg trial transcripts to the Robert Jackson Center, soon to be dedicated, in the City of Jamestown. Mr. Guiney stated the Jackson Center will provide appropriate insurance coverage for the documents.

Edmund Burdick moved to allow the transcripts to be lent. Motion was seconded by Rodney Bennett and carried unanimously.

John Margeson presented the committee with a proposed contract agreement between the County and the New York State Department of Agriculture and Markets for acceptance of a $12,500 Agriculture and Farmland Protection Planning Grant which had been applied for with previous committee approval by H. Kier Dirlam.

A motion was made by Rodney Bennett to accept the grant and to sponsor a resolution for same. Motion was seconded by Edmund Burdick and carried unanimously. Because this is an unanticipated revenue, the matter is referred to the Ways and Means Committee for resolution co-sponsorship.

PREPARE A RESOLUTION
REFER TO WAYS AND MEANS

Respectfully Submitted:
John E. Margeson

J. Margeson

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RECEIVED
MAR 20 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
MARCH 17, 2003

Present: S. Myers, E. Burdick, R. Bennett, D. Russo, E. Sherman, J. Margeson, Wm. Dibble, F. Sinclair, D. Baker, D. Aumick

The meeting was called to order by chairwomen S. Myers at 3:00.

On motion by E. Burdick, seconded by R. Bennett the minutes were approved with a correction. On the first page bottom it read the Senate had a bill that didn't get approved this year. It should have stated that it didn't get approved for the year 2002.

Dianne Baker:

Dianne stated that she was proud to announce that Lynn O'Brien – Agricultural Economic Development Educator received a $10,000 Grass Based Poultry Production grant. This project will work with two Allegany County poultry farms to encourage similar small scale farming operations in the county.

Allegany County Cooperative Extension was not affected by Governor Pataki's $1 million dollar cut in County Law 224 Funds. Allegany County is one of five counties whose State 225 funds are "grand-fathered" to remain constant. Cattaraugus County will lose $17,000 in funding.

The Family Consumer Sciences Program area will focus on childhood obesity. Cornell Cooperative Extension has developed a new program that will help parents make better nutritional choices for their children. The nutrition educator staff has been trained and in April they will host workshops.

The Rural Landowner Workshop was a success, with over 400 participants attending. Some of the topics included woodlot thinning, timberland appraisal, forest improvement, growing ginseng, multi-use trails, solar energy, oak management, and conservation easements.

Cornell Cooperative Extension will be distributing an electronic bi-weekly "Hort E-Culture" newsletter. You may subscribe by e-mailing Dave Swaciak at dws8@cornell.edu.

Cooperative Extension staff will be holding a pressure canner testing clinics at all farmers' markets in Allegany and Cattaraugus Counties, and at the Belmont and Ellicottville offices on Mondays. This is to promote safe home food preservation.

The Cooperative Extension Education Program will sponsor workshops, and advertisements for long-term health care, and how individuals can cut back on the cost of health care in our county. It is to make people aware that it does hurt everyone by the

misuse of our health care system. It is in the preliminary stages and Diane will report at the next scheduled meeting what plans are being completed to instill this program.

Craig Braack:

The County's Bi-Centennial book committee meets on a semi-monthly basis at various places around the County. As last week's meeting it was discussed and agreed upon by the committee to alter the basic format of the book. The list of topics to be covered in the book is almost finished in a decade-by-decade approach. It has since proved to be unwieldy in that so many topics over-lap into other decades that it was decided to have the chapters be subject/topic oriented and then each specific event's write-up would be chronological to make it a more workable and manageable approach.

Fred:

The contract work has been finalized with NYS Environmental Protection Fund to receive the approved funds for the Rushford Lake Watershed Project, and construction will begin this summer. The District will be working with 10 farms in the watershed to install pollution prevention measures. The $252,000 in NY State funds is being matched with $240,000 in Federal EQIP funds (USDA Environmental Quality Incentive Program), with $77,000 in landowner and $66,000 local (District and NRCS-Natural Resource Conservation Services) match for a total project expenditure of $635,000.

The District has received the $98,000 in Finger Lakes – Lake Ontario Watershed Protection Alliance (FL-LOWPA) funding for implementation of agricultural waste management and prescribed grazing management systems on an estimated 16 farms.

The District contract with the County for management consulting services on Parks, Reforestation areas and Agricultural Districts has been completed.

The Genesee Valley Outdoor Education Center has received notice of an award for $2,500 from the National Wild Turkey Federation to construct a Wild Turkey learning station at the center. To date the Outdoor Education Center has received $20,000 from the East Hill Foundation, $10,000 from Senator Patricia McGee, along with several smaller donations. There was discussion on possible funding from other sources.

Organization of the 88 mbf (thousand board feet) county timber sale on the Griffin lot was expeditiously handled by the County Attorney. As a result, the harvest is 80% complete. The NYS DEC has been very cooperative in issuing easements for usage of their landing and access to one section of the sale. There is no appreciable damage to the town roads. The sale is expected to be wrapped up within a month, weather permitting. The next three lots will be up for evaluation and identification by the consulting forester and the next harvest will occur before summer. There will be a small pine sale advertised this simmer. On motion by R. Bennett, seconded by E. Burdick and approved to send a

letter of appreciation to the NYS DEC for their cooperation on issuing easements for the sale.

An application for NYS Ag and Markets planning dollars to support the development of an Agricultural and Farmland Preservation Plan has been submitted. The application was a collaborative effort by Cornell Cooperative Extension, County Contract Planner and Soil and Water Conservation District, and they will be the primary creators of the plan. The planning project is for $25,000 with in-kind match of $12,500.

The Department of Public Works has completed an evaluation of the underpinnings of the Seneca Oil Spring Pedestrian Bridge, and it is in excellent condition. A crew is expected to complete the new 2-inch oak decking in the spring, the materials are instorage at the Soil and Water District shop.

The District is working with the Department of Public Works on an expansion of a parking lot at the District Center. It will also make the center more handicapped accessible.

The District has completed more research on the Section 1. Subdivision 8 of Section 303 of the Agriculture and Markets law. The NY State Assembly is proposing a bill for an amendment number A3550 to read as follows: The legislative body of any county containing a certified agricultural district shall designate an annual thirty-day period within which a land owner may submit to such body a proposal for inclusion of viable agricultural land within a certified agricultural district prior to the county established review period. This new law if implemented will help eliminate undue burden to the counties.

After a lengthy discussion is was decided to check further into a possible Senate bill addressing this issue, to take this issue to Inter-County Association of Western New York at the March 21st meeting. This is for other counties to review and express their opinions on a possible resolution through our county and Inter-County as well. E. Burdick also suggested Fred attend the up coming local Inter-County meeting April 11, 2003 to be a spokes person on this issue.

Deborah Aumick:

The Youth Bureau has had a state auditor going over the books for the department. Deb has been asked to contact all of the Youth Development and Primary Prevention Program recipients to give back-up data of all bills submitted, and she has to keep them on file for one year.

In the Allegany County Youth Bureau CCP (County Comprehensive Plan) it was stated that the Youth Bureau will monitor all programs every year. Until the plan is rewritten in November there has to be on-site monitoring. Deb has asked the committee members to help with this monitoring and discussion followed with committee approval on this issue.

Deb attended a STOP DWI Coordinator meeting, and there were statistics on how well testing is being completed on the DWI accidents in each state, with New York State ranking fifth. In 2001 there were 825 drivers killed with 485 tested or 58.8% testing being done. For surviving drivers there were 1,246 with only 60 being tested or 4.8% which is not good. There was discussion on following up on this issue.

There was also discussion at the STOP DWI Coordinator's meeting on the latest alcohol advertisements targeting teens and ways of combating this issue.

Deb made a request to the committee for support of her attending a Train the Trainer Program on the subjects of adolescent sexuality and pregnancy prevention offered on May 21-23 and September 24-26 in New York City, the charges are covered by State OCFS (Office of Children and Family Services). She also made a request to the committee for support of her attending a Youth Court Conference on May 4-6 in Albany. On motion by R. Bennett, seconded by D. Russo and carried to support both conferences.

D. Russo asked how the Youth Court was going? Deb stated that there was Youth Court on March 16, 2003 which had two cases tried and it went very well.

Some of the meetings Deb attended were, Career Day Planning, Children and Youth Unified Services: post CTC training update, Call to Action planning group, Victim Impact Panel, Youth Court Board, Genesee Valley School's Character Education, Portville Central Character Counts program, youth newsletter meetings at BOCES, Eckerd Drug Quiz.

New Business:

S. Myers stated that Senator Patricia McGee is sponsoring a Senate Bill #S.1262, and Assemblyman Paul Tokasz is sponsoring an Assembly Bill # A.3222 to amend the vehicle and traffic law, in relation to providing for the permanent revocation of a driver's license in certain cases.

On motion by D. Russo, seconded by E. Burdick and carried to sponsor a resolution in support of Senate Bill S.1262 and Assembly Bill #A.3222 to amend the vehicle and traffic law, in relation to providing for the permanent revocation of a driver's license in certain cases. This resolution is to go to Inter-County Association of Western New York and all others deemed necessary.

PREPARE A RESOLUTION

The committee was asked to sponsor a resolution for the appointments of members to the Youth Board as follows:

Deborah Knapp, Angelica	(District I)
Kathy Morris, Cuba	(District II)
Jack Emrick, Scio	(District III)

Robert Donius, Alfred Station (District V)

On motion by R. Bennett, seconded by E. Burdick and carried to sponsor said resolution.

PREPARE A RESOLUTION

The Youth Board dinner will be April 30, 2003 at Houghton College at 6:30 p.m.; all committee members were invited to attend.

John:

John asked the committee to sponsor a resolution to approve the property lease from the Rushford Lake Recreational District for another three-year term to commence April 1, 2003.

On motion by D. Russo, seconded by E. Burdick and carried to sponsor said resolution.

PREPARE A RESOLUTION

Wm. Dibble asked for committee to support his attending a New York State Snowmobile Association meeting. After much discussion the committee denied the request.

S. Myers asked for discussion in regards to a public hearing of the Senate Committee on Housing, Construction, and Community Development; and the Senate Committee on Local Government regarding the laws governing tax exempt property. The hearing will be held in Niagara Falls on March 21, 2003. S. Myers will check into the issue further and report back to the committee at a later date.

Meeting was adjourned at 4:19.

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI, Sec. 1

(X) Memo on original bill ( ) Memo on amended bill

SENATE BILL #: S.1262 ASSEMBLY BILL #: A.3222

SENATE SPONSOR(S): Patricia K. McGee

ASSEMBLY SPONSOR(S): Paul Tokasz

TITLE: An Act to amend the vehicle and traffic law, in relation to providing for the permanent revocation of a driver's license in certain cases.

PURPOSE: To provide standards for the permanent revocation of a driver's license when a person has accumulated three or more alcohol-related incidents within five years or four or more within ten years.

SUMMARY OF PROVISIONS: Section 1 of this legislation amends Section 511, 3(a) of the Vehicle and Traffic Law to provide that operation of a motor vehicle during a permanent revocation shall constitute aggravated operation of a motor vehicle in the first degree - a felony.

Section 2 adds a new subparagraph 12 to Section 1193, 2(b) of the Vehicle and Traffic Law to provide for permanent license revocation when a person is convicted of a violation of section 1192 or certain sections of the Penal Law, is found to have refused to submit to a chemical test and such conviction or finding constitutes their third such incident in five years or fourth in ten years.

Such permanent revocation may be waived by the Commissioner of Motor Vehicles after a period of ten years under certain circumstances. In addition, the Commissioner may allow for conditional or restricted operation under certain circumstances. No person who has four alcohol-related incidents in a five year period or five within a ten year period may be subject to a waiver or conditional operating privileges.

EXISTING LAW: Currently, the only provisions for permanent license revocation requires two alcohol-related crashes involving personal injury.

JUSTIFICATION: One of the most disheartening aspects of the war against drunk driving are the number of repeat offenders. Every county has records of persons with 5, 6, 7 and even more drunk driving convictions. Yet in many cases, these people are properly licensed when arrested for drunk driving. The person with three or more convictions has evinced a stunning disregard for the safety of others and for the laws of this State. It is unconscionable for the State to allow such a person to be relicensed except under very limited circumstances, if at all. This bill makes

it clear that persons convicted of three or more drunk driving offenses will not be permitted to play Russian roulette with our constituents and their loved ones.

LEGISLATIVE HISTORY:

2001-2002: S.1167 - Passed Senate
1999-2000: S.4179 - Passed Senate
1998: S.597/A.2186 - Calendar#197:S.597/A.2186 - Passed Senate,
1996: S.6460A/A.1647B - Passed Senate

FISCAL IMPLICATIONS: None.

LOCAL FISCAL IMPLICATIONS: None.

EFFECTIVE DATE: This act shall take effect on the first day of September succeeding the date on which it shall have become a law.

NOT APPROVED

J. Margeson

RECEIVED
MAY 22 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
MAY 20, 2003

Present: S. Myers, E. Burdick, R. Bennett, D. Russo, E. Sherman, J. Margeson, Wm. Dibble, C. Braack, F. Sinclair, D. Baker, D. Aumick

Guest: Leonard Watson, Lynn Faecke – ACCORD, Teri Violet, Aihme Ellis – Cooperative Extension

The meeting was called to order by chairwomen S. Myers at 3:00.

On motion by E. Burdick, seconded by R. Bennett and carried, the minutes of March 17; 2003 were approved.

Leonard Watson:

On motion by R. Bennett, seconded by D. Russo and carried to go into executive session at 3:05 for potential sale of real property.

On motion by R. Bennett, seconded by D. Russo and carried to go out of executive session at 3:16.

Lynne Faecke:

Lynne made a request for the committee to sponsor a resolution in support of ACCORD Corporation, along with its subsidiary title-holding corporation, Genesee Valley Improvement Corporation in submitting a loan application to the USDA Rural Development Community Facilities Loan Program to construct a new office facility at its existing location on 84 Schuyler Street, Belmont, New York. If the loan application is successful, it will enable ACCORD to better serve the community of Allegany County as their existing offices are overcrowded and hamper their ability to adequately serve the community.

On motion by R. Bennett, seconded by D. Russo and carried unanimously to support said resolution.

PREPARE A RESOLUTION

Dianne Baker:

Cornell Cooperative Extension is up dating their information to make things more easier friendly. Their programs are for all age groups. They are currently sending out newsletters, and their website is www.cce.cornell.edu/cattaraugus. One of the brochures for distribution is "What does it take for you to become Health, Wealthy, and Wise? There will be different fact sheets that anyone can receive upon request by phone or website such as "How Medicaid Cost$ Effect You", and "Becoming a Healthier Me, as

Easy as ABC". Aihme Ellis explained some of the programs that are offered. Cornell Cooperative Extension gives group presentations and one-on-one assistance as well. Teri Violet explained some of the financial programs that are offered for financial security later in life as well as now. There was a lengthy discussion on how to better educate the public on how Medicaid cost does affect everyone in the county. Due to the changes in the Medicaid system and the counties having more responsibility of the tax burden, it does affect each individual. Some other programs offered are for long term care insurance, and tobacco awareness.

Craig Braack:

The Bicentennial Book Committee will be meeting May 20, 2003 for completion of their plans.

Craig was very please that the set of volumes of the Nuremberg trial transcripts are being loaned out to the Robert Jackson Center in Jamestown to be on display.

Fred Sinclair:

On motion by D. Russo, seconded by R. Bennett and carried to go into executive session for potential sale of real property at 3:55. On motion by D. Russo, seconded by R. Bennett and carried to go out of executive session at 4:16.

S. Myers asked if the Soil and Water District had heard anything from Senator Patricia McGee on Subdivision 8 revision of Section 303 of the NYS Agriculture and Markets Law. The Assembly has submitted a bill #A3550 and correspondence was sent for the Senator to respond, if the Senate was planning on sponsoring a bill as well. Due to the lack of a response Alice was asked to resubmit the correspondence for a response.

Due to the lack of an approved 2003 New York State budget, the Rushford Lake Project is being held up. The district expects the funding to be intact when the budget is passed. The District NY State reimbursement and FL-LOWPA (Finger Lakes – Lake Ontario Watershed Protection Alliance) funding is also up in the air.

An RC&D project measure for Burke field in Houghton has been approved and assistance will be give to the college with recommendations to improve the drainage and quality of sod on the field. The Angelica Park Circle project needs to move ahead, previous grant applications have not been successful. The Village of Wellsville is progressing on the storm water management project on Pine Street and they have received $10,700 in special FL-LOWPA grant dollars to assess and plan storm water management on School Street and Hanover Creek.

Martha J. Buckwalter, a student intern from Brockport will be working with the District at the end of the month. There will also be an intern from Alfred University working on the outdoor education center projects.

There have been numerous private requests for technical assistance with planning drainage, ponds and stream repairs, in which the District is trying to help with.

The towns in the county are seeking to understand their role and responsibilities with the issue of sediment and erosion control under the EPA & DEC Storm water Phase II regulations. The District and Kier Dirlam are collaborating on an educational effort on these issues. Fred made a suggestion to have the Public Safety Committee request the Office of Emergency Services convene a meeting between them, the Soil and Water District, Department of Public Works, and the Health Department to discuss a plan for emergency response to flooding and other issues. S. Myers request that the committee be informed with the progress of the plan. On motion by E. Burdick, seconded by R. Bennett and carried to refer this issue to Public Safety to set up such a meeting in order to move ahead with the plan.

REFER TO PUBLIC SAFETY COMMITTEE

The timber sale on the Griffin Lot is not complete due to the thaw. The completion will be done by this winter.

The consulting forester has been given two lots to evaluate for this years sale.

The damaged trees on the Seneca Oil Spring have been removed.

All mowing and routine maintenance equipment from the old reforestation department has been transferred to the Department of Public Works.

The stream bank on Phillips Creek is eating the right of way to the Coleman Lot in the Town of Amity. Fred suggest that the committee request assistance from the Department of Public Works for surveyors and planners to assist the Soil and Water District with surveying for the development of a permit application to relocate the stream away from the access road. On motion by D. Russo, seconded by R. Bennett and carried to refer to Public Works Committee for assistance with this project.

REFER TO PUBLIC WORKS COMMITTEE

Deborah Aumick:

Deb attended a Victim Impact Panel Presentation at SUNY Alfred, Unified Services meeting, Friendship House meeting, Bicentennial meeting. She gave a presentation to the Belmont Rotary on Character Education in collaboration with Genesee Valley Central School.

The Youth Board dinner was a big success with around fifty-six people in attendance.

Deb is monitoring the Special Olympics at Houghton College. She set up a display at the Health Fair at Scio Central School. She attended a Youth Compeer/Volunteer breakfast;

Youth Court conference in Albany; and a Children & Youth Unified Services/Communities That Care meeting as well.

The STOP/DWI sponsored a SADD awards breakfast at Club Boomers, Scio, New York in which 79 youth attended along with 15 adults.

Deb took the BOCES Business Computer Class to lunch on May 16, 2003, then the class met with Ellen Ruckle – Human Resources Department for a Civil Service presentation.

John Margeson:

John request the committee to sponsor a resolution for the transfer of funds by the County Reforestation Program for the amount of $4,750.00 between the A8710.101 – Personnel Services to A8710.494 – Contractual Services accounts. Some of the work previously performed by Ron Smutzer, who retired at the end of 2002, is now being handled by the Soil and Water conservation District on a contractual basis.

On motion by R. Bennett, seconded by E. Burdick and carried to support said resolution.

PREPARE A RESOLUTION

Meeting was adjourned at 4:40.

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Resource Management DATE: May 19, 2003

A transfer of funds is requested by the County Reforestation Program between the Personnel Services and Contractual Services accounts. Some of the work previously performed by Ron Smutzer, who retired at the end of 2002, is now being handled by the Soil and Water Conservation District on a contractual basis.

From Account Number:	To Account Number:	Amount:
A8710.101 (Personnel Srvcs.)	A8710.494 (Contractual Srvcs.)	$4750

FISCAL IMPACT: None

For further information regarding this matter, contact:

John E. Margeson
County Administrator
Ext. 217

J. Margeson

NOT APPROVED

RECEIVED
JUL 25 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
JULY 21, 2003

Present: S. Myers, E. Burdick, R. Bennett, P. Regan, D. Russo, E. Sherman, J. Margeson, Wm. Dibble, C. Braack, F. Sinclair, D. Baker, D. Aumick

Guest: Emily Klepp – Houghton College Intern – Youth Bureau

The meeting was called to order by chairwomen S. Myers at 3:05.

On motion by D. Russo, seconded by P. Regan and carried, the minutes of May 12th and May 20, 2003 were approved.

Dianne Baker:

Dianne stated the 4-H entries were up at the Allegany County Fair. There were 800 exhibits in the youth building, 40 horse exhibitors, 131 livestock entries, 12 dog entries, 57 rabbit/cavies entries, 20 poultry entries, 61 dairy entries. There are new staff and additional volunteers to help the 4-H program to grow in Allegany County.

The Healthy, Wealthy and Wise kick-off are taking place throughout the month of July 2003. Employers have been enthusiastic about encouraging employees to participate. Other Cooperative Extension offices are tapping into the resources of Allegany-Cattaraugus Extension to help them begin similar programs in their counties. Dianne asked to give a demonstration to the full board at one of their future meetings. E. Sherman stated that she could demonstrate at the next board meeting on July 28, 2003, he will add her to the agenda.

Cooperative Extension has just submitted a $278,000 grant application to the New York State Department of Health for its next round of Eat Smart New York Program funding. This program covers both Allegany and Cattaraugus Counties. It assists families and individuals in making better decisions regarding nutrition, health, and budgeting.

There has been a large interest in food preservation with 23 individuals enrolled in the Master Food Preserver Classes. There will be 15 out of the class to become master food preservers and help with the program.

The number of employees hired through Cooperative Extension that work for the Allegany County Department of Health has increased to (7) full-time and (3) part-time employees. Cornell pays the fringe benefit for these employees, which is $87,000 per year. This amount, paid by Cornell, allows Allegany County to focus resources directly on staff and programs. This also eliminates the health insurance cost that otherwise would be the responsibility of the county.

Deborah Aumick:

Deb distributed her budget sheets for committee to review, with discussion.

Deb introduced her intern from Houghton College – Emily Klepp to the committee.

Deb distributed the application that was approved by the State for the Youth Court funding for 2003.

Deb asked the committee to accept a check for $26,500 for the operation of the Allegany County Youth Court. The Youth Bureau is the pass through for this funding. On motion by P. Regan, seconded by R. Bennett and carried to accept said check, and to ratify the execution of the funding agreement by the Youth Bureau Director, Deborah Aumick which was approved by resolution 47-03 on February 10, 2003.

There was discussion on the availability of jobs in Allegany County for the youth.

Deb has concerns for summer employment for those youth ages 14 on up who don't qualify for summer youth employment. This is a very big problem in the county. Deb asked if there was a way to connect the youth in the county with the senior citizens that need assistance. She would like to have an organization set up to do this for the benefit of both the youth for jobs, and the senior citizens to get jobs completed as needed. After discussion, Deb was asked to contact Kimberly Toot, the Director of the Office for the Aging who is working on a plan on the same nature to see if they can work together to accomplish this goal.

Deb stated that the skate parks are progressing. Some land is being donated for a skate park in the Wellsville area, and the noise issue will not be a factor. Cuba is still working on having a skate park in their area.

Deb has attending meetings for Rural Health Network: Youth Issues in Schools; Unified Services; Outdoor Education Committee; Communities that Care/Children and Youth Unified Services; Health Dept. Focus Group for Community Health Assessment; Accord: Independent Living Skills for older teens; Traffic Safety Board-Fair planning; Schools, Community, Government breakfast meeting. She monitored ASSUM Camp (Allegany Council Prevention at Wellsville Elementary School).

Craig Braack:

Due to Craig's involvement with the Allegany County Fair, he did not have anything to report. Due to busy schedules and vacations, the Bicentennial Book Committee will not be meeting until a later time.

Fred Sinclair:

The Senate and Assembly passed a bill 3550-B in regards to on Subdivision 8 revision of Section 303 of the New York State Agriculture and Markets Law. Fred stated that he reviewed the bill and is pleased with the outcome. It will allow multiple additions to an Ag District and multiple Ag District reviews at the same time.

All contracts are finalized and startup monies have been received for the Round IX Environmental Protection fund project in the Rushford Lake Watershed. The project involves matching of state and federal cost sharing to cover up to 90% of the costs of

implementing pollution prevention measures on 10 farms in the watershed. This is a big step forward.

The Great Lakes funded grazing advocacy program is going well and there is tremendous interest in usage of the services to develop prescribed grazing management plans. Irrigating issues were discussed as well. Cost sharing is available and is planned to remain available for implementing the plans. This involves mostly fencing, access laneways and watering system development. The environmental benefits to this program are far reaching.

Two major storm water management projects in the Village of Wellsville are going well. The detention basin on Pine Street is complete and work has begun on the watershed analysis for the 400-acre Hanover Creek section of town.

The Soil and Water Conservation District will be setting a date to meet with the Emergency Services Department on the implementation of an emergency procedures plan in case of flooding in Allegany County.

The District is working with the Genesee Valley Central School on the development of systems for the irrigation of their athletic facilities. In identifying possible sources of water, the Sanitarium Lot pond and spring system has been identified. Genesee Valley Central School is requesting permission to consider using water resources from the Sanitarium Lot for irrigation. On motion by E. Burdick, seconded by D. Russo and carried to allow consideration of use of the Sanitarium water.

By request of the committee a 100% cruise was completed by consulting forester Paul Kretser on the Sanitarium Lot.

Fred stated that repair work has been completed on the water well head at the Rushford Lake Swim area.

On motion by P. Regan, seconded by D. Russo and carried to go into executive session to talk about the liability and potential sale of property at 3:47. On motion by R. Bennett, seconded by P. Regan and carried to go out of executive session at 4:00.

Meeting was adjourned at 4:02.
Respectfully Submitted:
Alice Alsworth

Jala Margason

NOT APPROVED

RECEIVED
SEP 08 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

JOINT MEETING RESOURCE MANAGEMENT & WAYS AND MEANS SPECIAL MEETING SEPTEMBER 8, 2003

Present: S. Myers, E. Burdick, R. Bennett, P. Regan, D. Russo, K. Nielsen, C. Crandall, J. Graffrath, B. Reynolds, R. Truax

Chairman K. Nielsen called the meeting to order at 2:25.

Deb Aumick:

Deb asked the committees to sponsor a resolution to allow the Allegany County Youth Bureau to enter into contracts with the New York State Division of Criminal Justice Services and ACCORD Corporation to allow ACCORD Corporation to operate the Allegany County Youth Court.

To allow the Allegany County Youth Bureau to accept grant funding (for the year 7/03 – 6/04) from the New York State Division of Criminal Justice Services in the amount of $26,500.

To allow the Youth Bureau to "pass through" this funding in the amount of $26,500 to ACCORD Corporation for the latter's operation of the Allegany County Youth Court.

On motion by P. Regan, seconded by R. Bennett and carried to accept said resolution by the Resource Management Committee.

PREPARE A RESOLUTION

On motion by R. Truax, seconded by C. Crandall and carried to accept said resolution by the Ways and Means Committee.

PREPARE A RESOLUTION

Meeting was adjourned at 2:28.

MEMORANDUM OF EXPLANATION

Intro No._____
(Clerk's Use Only)

COMMITTEE: Resource Management **DATE:** 8/28/03

To allow the Allegany County Youth Bureau to enter into contracts with the New York State Division of Criminal Justice Services and ACCORD Corp. to allow ACCORD Corp. to operate the Allegany County Youth Court. To allow the Allegany County Youth Bureau to accept grant funding (for the year 7/03 - 6/04) from the New York State Division of Criminal Justice Services in the amount of $26,500. To allow the Youth Bureau to "pass through" this funding in the amount of $26,500 to ACCORD Corp. for the latter's operation of the Allegany County Youth Court.

FISCAL IMPACT: None

FOR FURTHER INFORMATION REGARDING THIS MATTER, CONTACT:

Deborah Aumick	585-268-5394
NAME AND DEPARTMENT	**TELEPHONE NUMBER**

1/97

John Margeson

NOT APPROVED

RECEIVED
SEP 25 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
SEPTEMBER 22, 2003

Present: S. Myers, E. Burdick, R. Bennett, P. Regan, D. Russo, E. Sherman, J. Margeson, C. Braack, F. Sinclair, D. Baker, D. Aumick

The meeting was called to order by chairwomen S. Myers at 11:05.

On motion by E. Burdick, seconded by D. Russo and carried, the minutes of July 21st and September 8, 2003 were approved.

Dianne Baker:

Dianne presented the 2004 Cornell Cooperative Extension Budget Appropriation request for the committee to review. She stated that Cooperative Extension contributes a substantial amount of savings for the County due to them partnering with the County Health Department on ten employees with grant funding. On motion by D. Russo, seconded by E. Burdick, the 2004 budget as recommend by the budget officer was unanimously approved.

S. Myers asked if it was possible to have a Tri-County Cornell Cooperative Extension? Dianne was asked to check with her board to see if this would be possible. This could possibly be a way to cut back on County cost. Dianne will report back to the committee at the next meeting.

Dianne distributed the latest newsletter to the committee.

The Food Preservation Workshops are now completed with nine students graduating from the course. They received 100 hours of training. Each workshop can handle approximately 15-20 students at a time; they still have a waiting list.

Craig Braack:

Craig presented the 2004 County Historian Budget for the committee to review. On motion by E. Burdick, seconded by R. Bennett, the 2004 budget as recommended by the budget officer was unanimously approved.

John Margeson:

John presented the 2004 Rushford Beach Swim Area Budget for the committee to review. On motion by P. Regan, seconded by D. Russo, the 2004 budget as recommended by the budget officer was unanimously approved.

Deborah Aumick:

Deb presented the 2004 Allegany County Youth Bureau Budget for the committee to review. The State originally stated that the funding would be cut 10%, which in fact it was cut 15%. Allegany County lost approximately $20,000.00 over-all. There will not be an increase in the budget as presented; it will have to be cut in other programs. On

motion by E. Burdick, seconded by R. Bennett, the 2004 budget as recommended by the budget officer was unanimously approved.

Deb presented the 2004 Allegany County Stop/DWI Budget for the committee to review. She stated that the fines have increased significantly, and she praises the judges for their cooperation. On motion by P. Regan, seconded by E. Burdick, the 2004 budget as recommended by the budget officer was unanimously approved.

Deb attended Youth Court Board, Youth Board, CYUS/CTC, Independent Living Project, Friendship House, Unified Services, Outdoor Education Center, Rural Health Network/Schools, 21st Century Grant meeting to provide and explain youth statistics, Youth Court Coordinator, Victim Impact Panel, Mother/Daughter Retreat, ACASA Prevention Staff to plan Fall SADD Conference meetings throughout the month.

She attended the GED Graduation at Genesee Valley Central School, Summer Youth Employment Open House, and a banquet for Upward Bound Interns.

Deb asked the committee to support her attending a Youth Conference in Lake Placid on October 26, 2003. On motion by E. Burdick, seconded by D. Russo and carried her conference request was accepted.

On motion by E. Burdick, seconded by R. Bennett and carried to go into attorney/client session at 11:28. On motion by P. Regan, seconded by R. Bennett and carried to go out of attorney/client session at 11:41.

On motion by R. Bennett, seconded by D. Russo and carried to refer to the Personnel Committee to co-sponsor a resolution for the hiring of a full-time position to administer the Youth Court Program. This is providing that the funding remains available. The employee will be under the supervision of the Youth Bureau Director/Stop/DWI Coordinator. S. Myers and E. Burdick abstained from the vote.

REFERRED TO PERSONNEL COMMITTEE
PREPARE A RESOLUTION

On motion by P. Regan, seconded by R. Bennett and carried unanimously to refer to Ways and Means Committee to co-sponsor a resolution to allow the Allegany County Youth Bureau to enter into a contract with the New York State Division of Criminal Justice Services, to operate the Allegany County Youth Court. To allow the Allegany County Youth Bureau to accept grant funding (for the year 7/3-6/4) from the New York State Division of Criminal Justice Services in the amount of $26,500, for the administration of said program.

REFERRED TO WAYS AND MEANS COMMITTEE
PREPARE A RESOLUTION

Fred Sinclair:

Fred presented the 2004 Soil/Water Conservation District Budget for the committee to review. On motion by E. Burdick, seconded by R. Bennett, the 2004 budget as recommended by the budget officer was unanimously approved.

There was discussion on the expected sale of timber lots in the near future.

Fred discussed the need to repair the deck on the bridge at the Seneca Oil Springs Park. He asked the committee to requests for assistance from the Public Works Department to perform the project. On motion by P. Regan, seconded by D. Russo and carried to support said request, and to refer the request to the Public Works Committee for approval. It is expected to take approximately three days to complete the project. Fred stated that there is stream erosion reported at the Seneca Oil Springs Park. He will check on this. There is continued concern with garbage and campfires.

There are two sites on East Hill boundary of Angelica and Allen that have erosion due to four wheelers leaving deep ruts that are collecting water and causing problems. They are being assessed and funding being sought to repair the damage from FEMA (Federal Emergency Management Agency).

Fred stated that they are waiting for possible funding to be granted to the 403 Emergency Water Shed Program for performance of emergency repairs on bridges and infrastructure that occurred during the recent flooding.

The FEMA (Federal Emergency Management Agency) has been working well with the Towns and Village to assess the damage done during the flooding for allocating possible funding.

The District would like to have a conference set up with the Supervisors and Mayors of the Towns and Villages, Office of Emergency Services, Department of Public Works, Natural Resource Conservation Services to provide guidance on procedures to follow during such disasters in the future.

Fred asked the committee to fill the position of a member to the RC&D (Resource Conservation District) Board due to the resignation of Kier Dirlam. After discussion Fred was asked to contact Thomas Parmenter to see if he would be interested in being a member instead of an alternate.

S. Myers stated that the Bicentennial Committee's plans for the 2006 celebration are moving forward.

Meeting was adjourned at 12:02.
Respectfully Submitted:
Alice Alsworth

John Margason

NOT APPROVED

RECEIVED
OCT 23 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT COMMITTEE
SPECIAL MEETING
OCTOBER 22, 2003

Present: S. Myers, E. Burdick, R. Bennett, D. Russo, E. Sherman, D. Aumick

The meeting was called to order by chairwomen S. Myers at 12:35.

Deb Aumick:

Deb presented the 2004 STOP-DWI Plan for the committee approval. On motion by D. Russo, seconded by E. Burdick and carried to support a resolution for said plan.

PREPARE A RESOLUTION

Deb presented the funding for the Resource Allocation Plan and the NY State Office of Children & Family Services breakdown of programs for a total funding of $124,543. On motion by E. Burdick, seconded by D. Russo and carried to support said funding. The breakdown of said programs is attached.

REFERRED TO WAYS AND MEANS
PREPARE A RESOLUTION

Deb stated that due to the State cutting the program by $20,000 she had to make drastic cuts. After the draft plan was made and copies sent to the Youth Board and Resource Management Committee, she received notification of extra money allotted by the State for the Special Delinquency Program part B of approximately $7,400. She stated that the Southern Tier Travel Teacher program is rapidly growing. In order to help make up for the cuts she gave them in the general grant funding, she allowed them to set up a Special Delinquency program for ten of the at high risk students that are on probation. The Southern Tier Travel Teacher Program has grown from a graduation class of 25 students two years ago, to last year of 35 students. She went on to explain the other programs that will now benefit with the extra funding in the Special Delinquency Program.

There was discussion on filling the position of Youth Court Coordinator. On motion by R. Bennett, seconded by D. Russo and carried to fill said position.

REFERRED TO WAYS AND MEANS

Meeting was adjourned at 12:44.
Respectfully Submitted:
Alice Alsworth

MEMORANDUM OF EXPLANATION

Intro. No.
(Clerk's Use Only)

COMMITTEE: **Resource Management/Ways & Means** DATE: **2/14/03**

BUDGET SUMMARY

2004 STOP-DWI PLAN

ALLEGANY COUNTY

COMPONENT	TOTALS
Enforcement	$ 34,000.00
Court Related	$ 27,500.00
Probation	$ 21,000.00
Rehabilitation	$ 6,970.61
Public Information/Education	$ 34,826.89
Administration	$ 19,67050
TOTALS	$ 143,968.00

REVENUE ESTIMATES FOR THE 2003 PROGRAM YEAR $ 130,000.00

STOP-DWI FUNDS AVAILABLE FROM PREVIOUS YEAR $ 13,968.00

FISCAL IMPACT: **0%:** Program revenue funded by DWI fines.

For further information regarding this matter, contact:

Deborah Aumick - Youth Bureau
Name and Department

585-268-5394
Telephone Number

MEMORANDUM OF EXPLANATION

Intro. No. _____
(Clerk's Use Only)

COMMITTEE: Resource Management

DATE: 10/22/03

To fill position of Youth Court Coordinator per Civil Service regulations. This position will exist only if it is fully supported by grant funding.

FISCAL IMPACT: None

For further information regarding this matter, contact:

Deborah Aumick - Youth Bureau
Name and Department

585-268-5394
Telephone Number

5/94

John Margeson

RECEIVED
NOV 18 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

NOT APPROVED

RESOURCE MANAGEMENT COMMITTEE
NOVEMBER 17, 2003

Present: S. Myers, E. Burdick, R. Bennett, D. Russo, E. Sherman, J. Margeson, F. Sinclair, C. Braack, D. Baker

Guest: Barbara Casey, Barbara Williams – Green Party
Tim Bingham, Craig Arlit – Farm Bureau

The meeting was called to order by chairwomen S. Myers at 3:00.

On motion by D. Russo, seconded by R. Bennett and carried, the minutes of September 22, 2003 were approved.

Barbara Casey and Barbara Williams from the Green Party addressed the party's concerns on the spraying of pesticides throughout the county. The party collected approximately 100 signatures urging the County Legislature to adopt New York State's Neighbor Notification Law ECL (Environmental Conservation Law) # 33-1004 (1)(b). The law states that commercial applicators must provide 48 hours' advance written notice to occupants of neighboring dwellings with property lines within 150 feet of the application. Erie County has adopted the law in their county. There were examples discussed on how the chemicals do affect certain people.

Tim Bingham and Craig Arlit from the Allegany County Farm Bureau addressed their concerns with passing the law and its ramifications. They addressed the damage done to crops if the infestation of insects is not held under control and the regulations that the farmers must follow with the application of said pesticides. They stated that United States has very strict regulations compared to Canada and other countries. They addressed the issue of giving notification, then the weather changing and how this issue would be addressed. After a lengthy discussion both parties were assured that this issue would be addressed at a later meeting and a decision made whether the committee would support the adoption of the law.

Fred Sinclair:

Three project worksheets have been submitted to FEMA (Federal Emergency Management Agency) for repairs to county reforestation areas. The repairs totaled $60,963. They were access roads #1 and #2 on the Travis Lot, Wag River Trail repair to 300 feet of band and ROW, Sanitarium Lot sediment basin cleaning, gully mitigation and cleaning of drainage above the Genesee Valley Central School athletic facility. The District is very pleased with the support from FEMA officials. Final SEMO (State Emergency Management Agency) approval is anticipated soon.

There have been 200 trees marked for sale on the Horner lot with an estimated value at $21,595. The Silsby and Weir Lots will be marked and sold at the same time yielding an estimated total of $42,000. An additional sale will be organized once this sale is finalized. Projected revenues for 2004 are expected to be met.

Eight agricultural pollution abatement projects in the Rushford Lake Watershed have been completed for this first year under the two year Round IX Environmental Protection Fund project. Nine farms outside of this watershed have recently been completed. A Round X application is currently under formulations for submission this month. Focus will be on the needs of CAFO (Concentrated Animal Feed Lot Operations) operations in priority watersheds.

The District requests the committee approval to begin a feasibility study for the methane-fueled generation of electricity and heat, which could be utilized at County facilities. This will also aid in the reduction of greenhouse gas emissions, appropriate treatment of agricultural wastes and reduction of odors. The District will coordinate the investigations and there will be no cost to the County to develop the study. Ingersoll Rand has already expressed interest in helping by evaluating their Micro Turbines for such a system. A proposal will be developed for NYSERDA (New York State Energy Research and Development Authority) funding to further develop a pilot project. Several farms around the county have expressed an interest in this technology. D. Russo discussed the possibility of windmill generation in our county. Other counties have installed such projects. Fred was asked to check into existing programs and to report back to the committee at a future meeting.

On motion by E. Burdick, seconded by R. Bennett and carried to support the Soil and Water District to begin a feasibility study for methane fueled generation.

Effective December 20, 2002, Agriculture and Markets Law 303, relating to the creation of agricultural districts was amended to allow landowners to submit proposals for the inclusion of viable agricultural land within an existing certified agricultural district prior to the county established review period. The counties have been authorized to designate one month of the year to review the proposals submitted.

On motion by R. Bennett, seconded by E. Burdick and carried to support a resolution to designate October for the month to review proposals for inclusion in the agricultural district.

PREPARE A RESOLUTION

Dianne Baker:

Eight Master Food Preservers have completed their training and they will receive certificates on November 19, 2003 at the annual meeting.

Twelve Allegany County Libraries have signed up to be a part of the Master Gardener/Master Food Preserver Educational series. Programs will address all gardening topics as well as introductory programs on food preservation.

Cooperative Extension is revamping its volunteer management program. All current volunteers will be required to sign a code of conduct memorandum. All new volunteers will be required to fill out a volunteer application, go through an interview process.

Cooperative Extension will be offering its first annual "Rural Living Day" in the spring of 2004. There are approximately seventeen tentative educational programs that have been suggested such as cheese making, root cellar construction and use, and food dehydration. Dianne asked the committee for their suggestions. Dianne asked E. Sherman if he would distribute the list of suggestions to the libraries in the county for their suggestions.

R. Bennett suggested County clean-up, to promote a better living environment. S. Myers stated there is a telephone number that residents can call to have junk cars taken away. Dianne was asked to work with David Roeske, Superintendent of Public Works to implement this in her newsletter.

Craig Braack:

Craig gave an update on the Bicentennial History Book.

November 15, 2003 was the unveiling of the Firefighters Memorial outside the Court House. Craig stated how beautiful the monument was, how moving the ceremony was, and that he took a lot of pictures.

S. Myers asked Craig to check with the Department of Public Works in the removal of the bell within the towers of the museum, and to report back to the committee.

On May 20, 2003 there was discussion of the possible sale of real property. The committee had further discussion on this issue.

On motion by R. Bennett, seconded by E. Burdick and carried the committee unanimously agreed not to sell the property to the interested party.

The committee had further discussion on the pesticide issues that were addressed earlier. The committee decided to invite all parties that addressed the issue earlier, to return on December 8, 2003 at 1:00 in the Legislative Chambers for the committees final decision.

The meeting was adjourned at 4:40.

Respectfully Submitted:
Alice Alsworth

John Margeson

NOT APPROVED

RECEIVED
DEC 08 2003
ALLEGANY COUNTY
BOARD OF LEGISLATORS

RESOURCE MANAGEMENT
SPECIAL MEETING
DECEMBER 8, 2003

Present: S. Myers, E. Burdick, R. Bennett, P. Regan, D. Russo, E. Sherman, D. Aumick

Guest: Barbara Casey, Barbara Williams – Green Party
Tim Bingham, Craig Arlit – Farm Bureau

The meeting was called to order at 1:00.

The meeting was scheduled to have the committee officially make a decision to vote to adopt New York State's Neighbor Notification Law ECL (Environmental Conservation Law) #33-1004 (1)(b). On motion by R. Bennett, seconded by E. Burdick and carried unanimously not to support the adoption of said law.

Deborah Aumick:

Deb asked the committee to support an amendment to the 2004 Tentative Budget to reinstate account A3141.421 Stop DWI Education/Schools in the amount of $4,000.00, which was originally in the budget. This is not funded by tax dollars, but by Stop DWI fines. This money is used to fund the SADD Fall Conference, SADD Banquet, and the Teen New Years Eve Celebration. On motion by E. Burdick, seconded by D. Russo and carried to support said amendment.

PREPARE A RESOLUTION

Meeting was adjourned at 1:15.

Respectfully Submitted:
Alice Alsworth