

PROCEEDINGS
OF THE
BOARD OF
SUPERVISORS

Volume I

WYOMING COUNTY
NEW YORK

2017

A. Douglas Berwanger, Chairman
Cheryl Ketchum, Clerk
James Wujcik, County Attorney

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 2017.

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

s/ Cheryl J. Ketchum
Clerk, Board of Supervisors



Wyoming County Board of Supervisors

Left to right, front row: **Sandy King** (T/Pike); **Susan May** (T/Orangeville); **Ellen Grant** (T/Bennington); **Rebecca Ryan** (T/Warsaw ~ Vice Chairman of the Board); **Cheryl Ketchum** (Board Clerk)

Second row: **Vanessa McCormick** (T/Java); **Daniel Leuer** (T/Middlebury); **James Wujcik** (County Attorney); **James Brick** (T/Perry); **Janis Cook** (Budget & Reimbursement Officer)

Third row: **David Tallman** (T/Gainesville); **John Copeland** (T/Wethersfield); **Michael Vasile** (T/Genesee Falls); **Keith Granger** (T/Castile); **Lisa Perez** (Deputy Board Clerk)

Fourth row: **Brian Becker** (T/Sheldon); **Bryan Kehl** (T/Attica); **Brett Hastings** (T/Eagle); **Jerry Davis** (T/Covington); **A. Douglas Berwanger** (T/Arcade ~ Chairman of the Board),

Contents

VOLUME I

2017 Supervisors for Wyoming County.....	iv
2017 Board of Supervisors Standing Committees.....	v
Officers for Wyoming County.....	vi
January 3, Annual Organizational Meeting.....	1
January 17, Regular Session.....	12
February 14, Regular Session.....	62
March 8, Special Session.....	125
March 14, Regular Session.....	131
April 11, Regular Session.....	254
May 9, Regular Session.....	291
June 13, Regular Session.....	345
June 30, 2017 Public Hearing.....	382
Index.....	384

VOLUME II

July 11, Regular Session.....	1
August 15, Regular Session.....	40
September 12, Regular Session.....	76
October 10, Regular Session.....	149
November 14, Regular Session.....	267
November 21, Special Session.....	315
December 12, Regular Session.....	329
Index.....	376

2017 Supervisors for Wyoming County

<u>TOWN</u>	<u>SUPERVISOR</u>	<u>PHONE</u>
Arcade	A. DOUGLAS BERWANGER 6608 E. Arcade Rd., Arcade, NY 14009	492-3798 492-4685 Ofc.
Attica	BRYAN KEHL 9 Water St., Attica, NY 14011	591-2920
Bennington	ELLEN GRANT 134 Clinton St., Alden, NY 14004	937-9913 591-2157 Ofc.
Castile	KEITH GRANGER 31 E. Mill St., Castile, NY 14427	493-2233
Covington	JERRY DAVIS 7414 Court Rd., PO Box 445, Pavilion, NY 14525	584-3162
Eagle	BRETT HASTINGS 6032 Horton Rd., Bliss NY 14024	322-9257
Gainesville	DAVID TALLMAN 16 Beardsley Ave., PO Box 177 Silver Springs, NY 14427	492-5800
Genesee Falls	MICHAEL VASILE 6440 Pike. St., PO Box 394, Portageville, NY 14536	468-5968
Java	VANESSA MCCORMICK 2436 McCormick Rd., North Java, NY 14113	457-3233
Middlebury	DANIEL P. LEUER 712 Transit Rd., Wyoming, NY 14591	495-6804
Orangeville	SUSAN MAY 2916 Orangeville Ctr. Rd., Warsaw, NY 14569 786-2883 Ofc.	786-5508
Perry	JAMES R. BRICK 7618 Route 20A, Perry, NY 14530	237-2472 237-2241 Ofc.
Pike	SANDRA KING 4643 Safford Rd., Gainesville, NY 14066	493-5140
Sheldon	BRIAN BECKER 1514 Perry Rd., North Java, NY 14113	535-7644
Warsaw	REBECCA RYAN 172 W. Buffalo St., Warsaw, NY 14569	786-2523 786-2800 Ofc.
Wethersfield	JOHN F. COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

Wyoming County Board of Supervisors

2017 Standing Committees

***Effective January 3, 2017**

FINANCE COMMITTEE

Brick, Grant, Kehl, Davis, Tallman, Leuer, May, King, Ryan, Copeland

AGRICULTURE COMMITTEE

Kehl, Brick, Hastings, McCormick, King, Becker, Copeland

AUDIT COMMITTEE

King, Davis, Grant, Granger, Vasile, Becker, Ryan (01/2017-11/2017)
Granger, Davis, Grant, Vasile, King, Becker, Ryan (11/2017-12/2017)

HUMAN RESOURCE COMMITTEE

Tallman, King, Kehl, Grant, Hastings, McCormick, Leuer, Becker, Copeland

HUMAN SERVICES COMMITTEE

Grant, Ryan, Davis, Hastings, Tallman, Vasile, McCormick, King, Copeland

PLANNING COMMITTEE

Leuer, Davis, Granger, Hastings, McCormick, Brick, King, Ryan

GREEN ENERGY COMMITTEE

May, Hastings, Granger, McCormick, Brick, Becker, Copeland

PUBLIC HEALTH COMMITTEE

Ryan, Grant, Kehl, Granger, Hastings, McCormick, May, King, Becker

PUBLIC SAFETY COMMITTEE

Copeland, May, Kehl, Granger, Davis, Tallman, Vasile, Brick, Becker

PUBLIC WORKS COMMITTEE

Davis, Grant, Kehl, Tallman, Leuer, May, Brick, Ryan

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

Officers for Wyoming County ~ 2017

US Congressman, 27 th District	Chris Collins	Williamsville
NYS Senator, 59 th District	Patrick M. Gallivan	Warsaw
NYS Assemblyman, 147 th District	David DiPietro	East Aurora
Republican Comm. Chairman	James Schlick	Darien
Democratic Comm. Chairman	Harold Bush	Gainesville
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Vice Chair	Rebecca Ryan	Warsaw
Board of Supervisors, Clerk	Cheryl Ketchum	Eagle
Animal Control Officer	Justa D. Goodell	Castile
Budget Officer/Reimbursements	Janis Cook	Warsaw
Civil Service Commission	Tim Moran	Attica
	Sandra Domnissey	Warsaw
	Tom Dutton	Eagle
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	Neil Williams	Arcade
	Renee Hill	Attica
	Jennifer Prutsman-Pfeiffer	Darien Center
County Attorney	James Wujcik	Attica
County Clerk	Rhonda Pierce	Wethersfield
County Judge	Michael Mohun	Cowlesville
County Judge	Michael F. Griffith	Warsaw
District Attorney	Donald G. O'Geen	Warsaw
Election Commissioners	James Schlick (R)	Bennington
	Harold Bush (D)	Silver Springs
Fire & Building Code Officer	Donald Roberts	Pike
Fire & Emergency Mgmt. Director	Anthony Santoro	Attica
Health Dept. Commissioner	Gregory Collins, DO, MPH	Avon

Highway Superintendent	Todd Gadd	Cowlesville
Historian	Cynthia Amrhein	Perry
Hospital Administrator	Donald T. Eichenauer	Rush
Human Resource Director	Peter Bendyna	Warsaw
Information Technology Director	Todd E. MacConnell	Warsaw
Mental Health Director	Nancy Balwick	Middlebury
Office for the Aging Director	Andrea Aldinger	Attica
Planning & Development Director	William Daly	Geneseo
Planning Board Chairman	Dana Grover	Perry
Probation Director	Joan Kibler	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	James Kirsch	Sheldon
Records Retention Director	Gail Royce	Warsaw
Sheriff	Gregory Rudolph	Attica
Social Services Commissioner	David Rumsey (10/2017)	Stafford
	Kimberley Barber (10/2017)	Perry
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Treasurer	Cheryl Mayer	Pike
Veterans' Services Director	Richard Perez (5/2017)	Perry
	Christ Reynolds (7/2017)	Portageville
	Lisa Siemer-Harvey (12/2017)	Arcade
Weights & Measures Director	James Marley	Gainesville
Worker's Comp./Health Ins. Adm.	Dixie Perkins	Warsaw
Youth Bureau Director	Andrea Aldinger	Attica
Zoning Enforcement Officer	Alyssa Cutcliff	Warsaw

ANNUAL ORGANIZATIONAL MEETING**(January 3, 2017)****Tuesday****2:00 PM**

The annual organizational meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Clerk to the Board, Cheryl Ketchum, called the meeting to order at 2:00 pm.

The Veteran leading the Pledge of Allegiance for the January 3, 2017 Organizational Board Meeting is:

Adam Maneti

Mr. Maneti was born in Rochester, NY and graduated from Greece- Olympia High School in 2004. He always knew he wanted to join the military and enlisted in 2003 with the Air Force Reserves while still attending school. After graduation he went to Lackland Air Force Base in Texas, the only entry processing station for Air Force enlisted Basic Military Training.

After basic training, Mr. Maneti stayed on the base for technical training in the "services" department. "Services include food service, fitness training, mortuary affairs and lodging. After all his training was completed, Mr. Maneti returned to civilian life while actively drilling at Niagara Falls Air Force Base until his first deployment in 2005 to Keesler Air Force Base in Mississippi to participate in the relief efforts due to hurricane Katrina.

While deployed, Mr. Maneti assisted in security guarding distribution points that stored food and water earning him the "Humanitarian Service Medal". His next deployment was in 2008 to Iraq for a six-month tour. During this tour, Mr. Maneti helped run a recreational center designed to keep troops in shape and boost morale. His last deployment was in 2010 to Dover Air Force Base in Delaware working in the Mortuary Affairs Department ensuring that fallen soldiers arrived back home to their final resting places.

In 2012, Mr. Maneti's enlistment was up and he was honorably discharged from the Air Force Reserves at the rank of E-4. For his valor and courageous service to his country and in addition to the Humanitarian Service Medal, Mr. Maneti earned the:

January 3, 2017

Air Force Outstanding Unit Award with 1 oak leaf cluster
Air Force Reserves Meritorious Service Medal
National Defense Service Medal
Iraq Campaign Medal
Global War on Terrorism Service Medal
Air Force Expeditionary Medal with gold border
Air Force Longevity Service Award
Air Force Training Ribbon

The best memories of his service include the mental toughness that asserts itself while being in the active military.

After returning home, Mr. Maneti enrolled in college using his GI bill, married his wife Sabryna, and started a family. Currently he stays busy finishing college, working at Wal-Mart, and raising his family of four. In his spare time, he enjoys fishing, occasional gaming, and most of all his family. Mr. Maneti is also an active member of the Warsaw VFW Post 4823.

The pledge was said by all.

Clerk Ketchum presented the customary Certificate of Appreciation to Mr. Maneti and also offered him the opportunity to address the Board of Supervisors.

Mr. Maneti graciously thanked the Board for the invitation to lead the pledge to the flag. He also stated that he had always wanted to serve his country and feels everyone should serve at least two years in honor of those that paid the ultimate sacrifice for this country.

Father Joe Gullo of St. Mary's Church in East Arcade provided the invocation.

Judge M. Griffith administered the oath of office to the 2017 Board of Supervisors.

The Clerk then called for nominations for Temporary Chairman over today's proceedings. Supervisor Berwanger, T/Arcade nominated Supervisor Brick, T/Perry. Seconded by Supervisor Tallman, T/Gainesville. As there were no other nominations Supervisor Grant, T/Bennington moved that the nominations be closed, the motion was seconded by Supervisor Becker, T/Sheldon. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0)**; Supervisor Brick was declared Temporary Chairman over today's proceedings.

Judge M. Griffith administered the oath of Office to Temporary Chairman Brick.

Organizational Meeting

Temporary Chairman Brick thanked his fellow Supervisors for the honor of presiding over today's proceedings as Temporary Chair. He then called for nominations for Chairman of the Board for the year 2017. Supervisor May, T/Orangeville nominated Supervisor Berwanger, T/Arcade; seconded by Supervisor Hastings, T/Eagle. As there were no other nominations Supervisor Ryan, T/Warsaw moved that the nominations be closed, the motion was seconded by Supervisor Becker, T/Sheldon. A roll call vote was taken with the following results: **Ayes: (1499); Noes: (150 – Java (88) Middlebury (62); Absent: (0); Abstain: (0)**; Temporary Chairman Brick declared Supervisor Berwanger, T/Arcade as Chairman of the Wyoming County Board of Supervisors for the year 2017.

Judge M. Griffith administered the oath of Office to Chairman Berwanger.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Davis, T/Covington nominated Supervisor Ryan, T/Warsaw. Seconded by Supervisor Brick, T/Perry. As there were no other nominations, Supervisor Grant, T/Bennington moved that nominations be closed. The motion was seconded by Supervisor Kehl, T/Attica. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0)**; Supervisor Ryan, T/Warsaw was declared Vice-Chairman of the Wyoming County Board of Supervisors for the year 2017.

Judge M. Griffith administered the oath of Office to Vice Chairman Ryan.

Chairman Berwanger called for nominations for Clerk to the Board for 2017. Supervisor Ryan, T/Warsaw nominated Cheryl J. Ketchum. Seconded by Supervisor Hastings, T/Eagle. As there were no other nominations, Supervisor Brick, T/Perry moved that nominations be closed. The motion was seconded by Supervisor Leuer, T/Middlebury. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0)**. Cheryl J. Ketchum was declared Clerk to the Wyoming County Board of Supervisors for the year 2017.

Judge M. Griffith administered the oath of Office to Board Clerk Ketchum.

Chairman Berwanger asked that the Standing Committee assignments for 2017 be distributed.

Chairman Berwanger called for a short recess for a special meeting of the Finance Committee at 2:21 PM.

At 2:28 PM, the meeting resumed with the following results:

RESOLUTION NO. 17-001
(January 3, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RULES OF PROCEDURE ADOPTED

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: XXX **Ayes:** 1471 **Noes:** **Absent:** **Abstain:** #2

RESOLUTION NO. 17-002
(January 3, 2017)

By Mr. Brick, 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, New York; Country Courier, Warsaw, New York; The Daily News, Batavia, New York; and the Perry Herald, Perry, New York 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.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

REPUBLICAN DESIGNATION TO PUBLISH

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 2017:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election Notice	Daily News	Batavia, New York
Sheriff's Proclamation	Daily News	Batavia, New York

Organizational Meeting

Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.

Daily News Batavia, New York

Official Canvass

Country Courier Warsaw, New York

Constitutional amendments and concurrent resolutions (including tax sales and redemptions).

Country Courier Warsaw, New York

Signed this 3rd day of January 2017:

s/ A.D. Berwanger

s/ Michael Vasile

s/ Bryan Kehl

s/ Vanessa McCormick

s/ Ellen Grant

s/ James Brick

s/ Keith Granger

s/ Sandra King

s/ Jerry Davis

s/ Rebecca Ryan

s/ Brett Hastings

s/ John Copeland

s/ David Tallman

s/ Daniel Leuer

s/ Susan May

s/ Brian Becker

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 2017:

Designation
Election Notices

Publication
Perry Herald

Village of
Perry, New York

Sheriff's Proclamations

Perry Herald

Perry, New York

Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.

Perry Herald

Perry, New York

Official Canvass

Arcade Herald

Arcade, New York

Constitutional amendments and concurrent resolutions

Arcade Herald

Arcade, New York

(including tax sales and redemptions).

Signed this 3rd day of January 2017:

#3

RESOLUTION NO. 17-003
(January 3, 2017)

By Mr. Brick, Chairman of the 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 March 31, 2017, 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: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

2017 Chairman's
State of the County Address
January 3, 2017

Fellow Supervisors, Judge Griffith, Judge Dadd, District Attorney O'Geen, Sheriff Rudolph, Treasurer Mayer, County Clerk Pierce, Father Joe Gullo, Department Heads, family and friends who are joining us today for the annual organizational meeting of the Wyoming County Board of Supervisors, welcome!!

Today we look back upon the accomplishments of Wyoming County Government for 2016 and talk about how this Board of Supervisors must build upon their accomplishments moving forward into 2017.

Let us begin with 2016 as the year in which Wyoming County celebrated its 175th Anniversary and along with that celebration several notable milestones were accomplished beginning with the opening of the Wyoming County Agriculture and Business Center. This Center, which is now home to several county departments and contract agencies, is a model for intergovernmental and interdepartmental efficiencies. It fulfills the vision of one stop shopping for the county's major economic driver, agriculture, and the vast array of businesses

Organizational Meeting

located within the county boundaries. The creation of the Ag and Business Center was also a collaboration of Federal, State, County and private investment which ultimately proves that a positive result can happen with open dialogue and a clear goal.

The Center is home to:

- Cornell Cooperative Extension of Wyoming County
- Wyoming County Soil & Water Conservation District
- United States Department of Agriculture - Farm Service Agency
- United States Department of Agriculture - Natural Resources Conservation Service
- Cornell University's Quality Milk Production Services
- Wyoming County Business Center
- Wyoming County Business Education Council
- Wyoming County Chamber of Commerce and Tourism
- Wyoming County Industrial Development Agency
- Wyoming County Planning and Development Department
- Wyoming County Fire and Building Codes Department
- Business Development Center
- Wyoming County Water Resource Agency (WCWRA)

All of these departments and agencies are now enjoying the synergies and efficiencies, which were envisioned when the project was first, spoke of.

Second on the list of notable accomplishments was the award of the grant by the State of New York to the Wyoming County Community Health System in the amount of \$20 million. This is the largest single amount of funding awarded to Wyoming County in its history. The hospital is one of three county owned hospitals in New York State and on behalf of this Board of Supervisors I want to graciously thank Governor Cuomo, Lt. Gov. Hochul and Senator Gallivan for their assistance and work in making this award possible.

What does this \$20 million mean to the taxpayers of Wyoming County? Following the reconstruction of the hospital at a cost of \$33 million in 2013 through 2015, the financing for these renovations break down like this:

- \$9 million in HEAL Grants
- \$2.7 million of the \$5 million from Capital One campaign which was generously donated by the residents of Wyoming County.
- Leaving \$18 million for county borrowing at an annual payment of \$1.3 million for the next 20 years.

The \$20 million will defease that debt over time along with other capital investment and bonds which the health system was also responsible for.

So the \$20 million essentially saves the tax payers of the county \$1.3 million in levy per year for the next 20 years which would equate to a reduction of 6.5% of the levy.

The hospital continues to serve the health and wellbeing of the residents of Wyoming County. These folks are our family, friends and neighbors. In 2016, the hospital emergency room treated 13,000 patients, that is 1,100 patients per month and about 35 patients per day. That's an astounding number for a small rural hospital. The hospital lab processes 190,000 tests annually and 29,100 radiology exams. These numbers speak for themselves when over 35% of the population of Wyoming County utilizes the emergency room on an annual basis. It points to the fact that the hospital is vital to the residents of the county and to the surrounding areas that do not have access to emergency health care.

The Nursing facility continues to provide care for our elderly and folks who require specific treatment and rehabilitation services. The daily average census of 136 beds filled, with a possible accommodation of 138. The residents of the county require and want take advantage of the quality care available not only at the hospital but at the skilled nursing facility, as well.

The economic factor connected to the Health System:

- 650 full, part time and per diem employees derive their financial compensation from their work at Wyoming County Community Health System.
- 80% of these employees are county residents who in turn stimulate the local economy.

During 2016 the hospital Board of Managers through Hospital CEO, Don Eichenauer continued in discussions with larger Health Systems in an effort to maximize services and specialties that only a larger system can provide. At present University of Rochester Strong Hospital is providing a variety of these services such as Emergency Room doctors, Ear, Nose and Throat specialists, cardio specialists, OB physician relief, pharmacy and Finance Officer being the most prominent. Buffalo Orthopedics continues to provide the residents of the county with high quality orthopedic services.

The Board of Supervisors recognizes the importance of the hospital and nursing facility and continues to support the operation financially; indicating the high level of importance this county department carries!

Also in 2016, the Board of Supervisors voted to borrow \$12 million to finish the Better Pavement Program. This past summer and fall, Perry Road in the Towns of Java and Sheldon was resurfaced and Exchange Street located in the Towns Orangeville and Attica were also resurfaced. Roads remaining to be rebuilt,

Simmons Rd. in the Town of Perry and Telegraph Rd. in the Towns of Pike and Eagle, Starr Rd. in the Town of Covington, along with the completion of Liberty Street in the Town Warsaw to Jefferson Street in the Village. This roadwork is coordinated and directed by County Highway Superintendent, Todd Gadd. In a recent conversation with Todd, he spoke about the many road and bridge projects he has overseen in his 9 plus year tenure with Wyoming County. He is proud of his work and the work of his very capable staff and deservedly so!!

When these last projects are finished it will mark the completion of rebuilding all of the county road over the past 20 years at a total cost \$20 million.

Public Safety, a very important part of the Wyoming County Government. Sheriff Rudolph and Undersheriff Linder are responsible for the safety of the 43,000 residents of Wyoming County and they are doing an excellent job!! The number of calls to the County Dispatch Center increases annually making it a challenge to provide the assistance our residents deserve. The Board of Supervisors recognizes the mission of the Sheriff's Department and continues to be supportive. In the world we live in today, I don't believe the county can spend too much on law enforcement. Beginning in 2017 the Board appropriated funds for one additional Deputy, a position which was cut from a previous budget.

At the other end of the spectrum in public safety is the Department of Emergency Services. This department overseen by Tony Santoro the Director of Fire and Emergency Management and assisted by County Fire Coordinator, Bill Streicher is responsible to coordinate efforts between the unsung heroes of Wyoming County, the 800 volunteer fire men and women who respond to the 5,000 Fire, ambulance and rescue calls annually. The volunteers save the county tax payers tens of millions of dollars every year! On behalf of the Board of Supervisors I want to say THANK YOU for your work!

Next, let's look at economic development successes. As previously mentioned, with the opening of the Ag and Business Center we would be remiss if we did not recognize several terrific success stories both in agriculture and manufacturing. Wyoming County leads New York State with 700 farms producing \$320 million total Ag sales, 1.1 billion pounds of milk, which equates to 129.5 million gallons. There are 230,000 acres of farmland under cultivation.

Wyoming County agriculture is number one statewide in the production of milk, potatoes, hay, honey and corn silage. Total worth of cattle \$140 million with 147,000 cows.

Connected to all of these Ag productions are local farmers who have entered the retail marketplace such as McCormick Farms of Wethersfield with their

connection to Wise Potato Chips, Marquart Farms of Gainesville with the production of New York Chips and East Hill Creamery with their new cheese making facility in Perry are all helping to solidify Wyoming County's reputation and position as the #1 Agricultural County in New York State.

Wyoming County continues to maintain a presence state wide in our commitment to agriculture as members of the New York State Association of Counties Agricultural Committee, New York State Agriculture Society of which Covington resident, Hans Kunze is President and the New York State Council of Agricultural Organizations.

In manufacturing, Upstate Door's, Rob Fontaine has built a tremendous business with locations in Warsaw and Castile manufacturing and building custom made doors. Drasgow Industries owned and operated by Karl Drasgow of Wethersfield continues to expand its business with great success in manufacturing of parts for the auto industry. And finally, Hillcrest Industries, in Attica, a leading manufacturer of crushed glass abrasives and glass beads for traffic marking and specialized blasting, alongside Hillcrest Coatings, providing quality commercial and industrial blasting and painting services for all of Western New York, continues to expand their operation, the Hillcrest businesses are owned and operated by Dan and Tina Kirsch.

All three of these businesses were created by Wyoming County residents and, when given the opportunity, they employ Wyoming County residents. These are some of the major economic success stories for Wyoming County in 2016.

Moving on, the 2017 County Budget continues to be a challenge. Residents want lower taxes but also want the services that they rightfully expect to be delivered. State mandates continue to use 100% of the tax levy collected. Again, this year, sales tax is the one revenue the Board has no control over and is the main source of revenue to maintain county operations.

Public Safety is a major priority. Keeping our residents safe is paramount. County Highway continues to maintain the road and bridge infrastructure of the county.

Continued support of the county's agriculture and business manufacturing operations:

Health and Human Services Departments:

- Office for the Aging – maintain programs to enhance the life experience of our senior population.

- Public Health - The opioid crisis, which is a priority for the New York State Association of Counties for 2017 is an epidemic, not only in western New York but also in Wyoming County.

Dr. Greg Collins, Commissioner of Public Health is scheduled to make a presentation on this situation in Wyoming County at the February 14th Board of Supervisors' meeting.

We must continue to work toward a fair and financially sound affiliation agreement with a major health care institution, such as the University of Rochester Strong hospital to assure quality health care for our residents. And finally to negotiate a fair and equitable labor contract with the county's labor unions. Keeping in mind, priorities of this Board were communicated through the four public informational forums conducted in 2015.

We have accomplished much in our 175th year as a county. Much more needs to be addressed in 2017.

I want to thank the Supervisors who supported me as Chairman for 2017. Once again it is an honor and a privilege to carry this title on behalf of all of you. I appreciate your trust and confidence.

In closing, Happy New Year to you all and God Bless Wyoming County!!

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 2:46 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

REGULAR SESSION**(January 17, 2017)****Tuesday****2:30 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 located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:31 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this month's Board Meeting is:

William Koch

William Koch was born in Springville, New York. He grew up in Arcade and attended high school at Arcade Central School. He enlisted in the United States Navy at the age of 19, as he thought it best to enlist as opposed to being drafted. Shortly after enlisting, the Navy enabled him to earn a high school GED and college degree.

Basic training was conducted at Great Lakes, Illinois and "A" school for becoming a gunner's mate. While this "A" school was originally very hands-on, it is now primarily conducted through self-study computer-based training. The training focuses on the operation, maintenance and troubleshooting of naval guns, missile launchers and torpedoes as well as a strong emphasis on basic explosives, guidance and tracking systems, small arms, Naval ammunition classification and safety. After this 16-week school, Mr. Koch headed out to the west coast for additional training, learning how to conduct river patrols and fix the riverboats.

Soon after training, Mr. Koch deployed to Vietnam patrolling the very dangerous inland waterways as well as conducting land patrols. Experiencing the realities of war, it was his job to "simply survive" the environment. After his Vietnam tour, Mr. Koch returned stateside where he spent two years aboard an oil tanker based out of Norfolk, Virginia. Throughout the rest of his enlistment, Mr. Koch went on a Mediterranean cruise, two North Atlantic cruises, and two Caribbean cruises.

In 1970 with his four-year enlistment over, Mr. Koch was honorably discharged.

For his valor and courageous service to his country, Mr. Koch earned the:

National Defense Service Medal

Vietnam Service Medal

Vietnam Campaign Medal

Returning to Wyoming County, Mr. Koch earned an Associate's Degree from Alfred College in machine design and production engineering. He went on to work for Motorola, Fisher Price, J.P. McKonka and Prestolite where he finally retired from in 2011.

Mr. Koch lives in the Town of Arcade and is the Treasurer for the Arcade VFW where he runs the business aspect of the organization. In his free time, he enjoys golfing with friends as much as possible, traveling with his camper and spending quality time with his three sons.

The pledge was said by all.

Chairman Berwanger, before offering Mr. Koch the opportunity to address the Board, told everyone that he and Mr. Koch served mass together for a number of years at St. Mary's in East Arcade, went to St. Pius X Catholic School in Delevan, NY and cannot remember a time when he did not know Bill Koch. He further stated what a great asset Mr. Koch has been to the Town of Arcade, acknowledging his involvement in the VFW and said he is proud to know him as a friend.

Chairman Berwanger then presented the customary certificate of appreciation to Mr. Koch and offered him the opportunity to address the Board.

Mr. Koch thanked the Board for the privilege of leading the pledge today and for recognizing him as a Veteran. As far as he is concerned, that is not done enough today around the country. He said it is good to see veterans being appreciated today, as that was not always the case. He specifically mentioned how he and fellow vets were treated when they returned home from Vietnam. He thanked everyone again for this opportunity.

There was a brief interruption of the meeting as attending press took pictures.

Communications ~

- None

#1

**RESOLUTION NO. 17-004
(January 17, 2017)**

January 17, 2017

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2016 accounts as follows:

Human Resource			
From: 01.34.1431.1.10001 Salaries – Fixed SDI	\$23,000.00		
To: 01.34.1431.4.40301 Professional Services		\$23,000.00	
Reason: To cover Hancock Estabrook, LLP expenses.			
Human Resource Total			\$23,000.00

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #2

RESOLUTION NO. 17-005 (January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Treasurer			
To: 01.42.6420.4.40901 Bed Tax Payment to Tourism w/01.02.1000.1113 Bed Tax	\$23,339.32	\$23,339.32	
Reason: Reflect 2016 revenue and payments to Tourism.			
Treasurer Total			\$23,339.32
Early Intervention			
To: 01.38.4059.4.41503 EI Tuition w/01.03.4059.1621 EI Medicaid Fees	\$22,400.00	\$22,400.00	
Reason: To cover EI Tuition Expense w/ 01.03.4059.1621 EI Medicaid Service Fees.			
Early Intervention Total			\$22,400.00
Family Planning			
To: 01.38.4035.4.41706 Medical & Safety Supplies w/01.11.4035.3489 State Aid-Base (FP)	\$311.00	\$311.00	
Reason: For medical and safety supplies in connection with NYSDOH Family Planning Cost of Living Adjustment (COLA) payments for State Fiscal Year (SFY) 2016-2017 (Resolution #16-019).			
Family Planning Total			\$311.00

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #3

RESOLUTION NO. 17-006 (January 17, 2017)

Regular Session

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2017 accounts as follows:

Planning			
To: 01.42.6421.4.42477 Small Cities Grant w/01.12.6421.408916 Fed. Aid - Small Cities Reason: To appropriate grant funds awarded for the Rural Arts Initiative Microenterprise Program/Small Cities.	\$200,000.00	\$200,000.00	
Planning Total			\$200,000.00

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$4,927,470.91** for the month of **December 2016**.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

There was a motion by Mr. Tallman, T/Gainesville, to vote on Non Consent resolution #4 separately and combine the vote on resolutions #5 and #6. Hearing no objection resolution titles were read.

Supervisor Tallman recognized the error in Non Consent resolution #4 and read the corrected section of the handbook that was being voted on.

Chairman Berwanger recognized Supervisor Kehl, T/Attica. Supervisor Kehl stated that an extra fourteen days of vacation to a few employees is irresponsible at this time due to the financial restraints of the County.

Chairman Berwanger recognized Supervisor Leuer, T/Middlebury. Supervisor Leuer pointed out that 24-days of vacation was always the case until the 2014 decision, which was arbitrary and capricious, in his opinion. It was unfair at that time to select a small group of employees to be excluded from this vacation time when it was previously given to all employees.

Chairman Berwanger recognized Supervisor Becker, T/Sheldon. Supervisor Becker said that whenever someone is hired, they are aware of the restrictions. He stated when he was hired at the County, he became a Tier 6 NYS Retirement employee and wished he could be a Tier 1, but he can't.

**Non Consent
#4**

**RESOLUTION NO. 17-007
(January 17, 2017)**
January 17, 2017

By Mr. Tallman, Chairman of the Human Resources Committee:

SALARY SCHEDULE “S” HANDBOOK AMENDMENT APPROVED

BE IT RESOLVED, That Salary Schedule “S” Handbook is hereby approved as amended; effective January 1, 2017 and annexed hereto.

Carried: XXX	Ayes: 862	Noes: 164 (Attica)	Absent:	Abstain:
		140 (Bennington)		
		123 (Castile)		
		53 (Covington)		
		19 (Genesee Falls)		
		88 (Java)		
		48 (Pike)		
		<u>102</u> (Sheldon)		
		737 Total		

Wyoming County, NY

SCHEDULE S MANAGEMENT SUPPORT

EMPLOYEE BENEFITS



Revised 17-007 (01-01-2017)
Revised 16-154 (03-08-2016)
Revised 15-010 (01-20-2015)
Revised 13-418 (01-01-2014)
Revised 10-006 (01-04-2010)
Revised 09-004 (01-02-2009)
Revised 05-270 (9-14-2004)
Adopted 96-244

TABLE OF CONTENTS**GENERAL INFORMATION**

Eligibility For Benefits	4
Hours of Work	4
Overtime Pay and Compensatory Time	4
Time Sheets and Pay Day	4
Time Off Requests	5

PAID TIME OFF

Vacation Time	5
Personal Days	5
Sick Time	6
Holidays	6

LEAVES

Bereavement Leave	6
Jury Duty	7
Leave of Absence	7
Family Medical Leave	7
Military Leave	7

INSURANCE

Health Insurance	7
Dental Insurance	8
Disability Insurance	8
Worker's Compensation Insurance	8

RETIREMENT

Retirement	8
Deferred Compensation Retirement Plan 457	8

OTHER

Tuition Reimbursement	9
Performance Evaluation	9
Disclaimer	9

APPENDIX A

10-11

ELIGIBILITY FOR BENEFITS

Part Time (with benefits)

A part time Schedule S employee whose salary is set at **\$12,000** or more per year shall be eligible for health insurance, and a proration of those benefits provided to regular full time Schedule S employees.,.

Part Time (without benefits)

A part time Schedule S employee whose salary is set at less than **\$12,000** per year shall be eligible for only to those benefits mandated by law. These employees may participate in the health insurance program at their own expense.

Full Time

Employees shall receive all benefits mandated by law. Additional benefits described in this manual are available to employees in Schedule S unless otherwise stated by resolution, for the position.

An employee appointed to a Schedule S position who has continuous prior County employment in a full-time or part-time position shall have his/her date of hire or years of service determined for benefits under Schedule S by using his/her first date of hire or permanent appointment in the County to a full-time or part-time position which is continuous to his/her employment in a Schedule S position. In addition, such an employee shall carry over unused sick and vacation accruals earned in such prior County employment. If the amount of sick leave carryover exceeds the maximum for such leave in Schedule S, then the employee shall not receive any additional sick leave accruals under Schedule S until the accruals fall below the maximum. If the amount of vacation carryover exceeds the maximum for such leave in Schedule S, then the employee shall be paid for the excess at his/her rate of pay in his/her prior position in the first payroll following his/her employment in the Schedule S position.

HOURS OF WORK OVERTIME PAY AND COMPENSATORY TIME

Full time Schedule S employees are expected to work a minimum of 35 or 40 hours per week depending on the department the employee is assigned to.

Not all employees covered under Salary Schedule S are exempt from the Fair Labor Standards Act.

TIME SHEETS AND PAY DAY

Employees will be paid on a biweekly basis. Such pay shall be in the form of a payroll check or through direct deposit.

The employee is responsibility to maintain a time sheet that must be reviewed and signed by their Department Head.

TIME OFF REQUESTS

Employees requesting time off must complete a Benefit Time Off form and submit to their Department Head in advance. Whenever possible, the employee's request for time off shall be granted, but the final right to determine when such leave is to be granted is expressly reserved to the Department Head.

VACATION TIME

Update (01/01/17 Res. #17-007): Effective January 1, 2017, Full time employees in a Schedule S position shall accrue annual vacation time biweekly, based on twenty-four (24) days per anniversary year. After having completed ten (10) years of employment, a maximum and total of twenty-five (25) days is granted.

Part time employees accrue vacation time on a pro-rated basis. A maximum of sixty (60) days may be accrued at any time.

In a situation involving a request for time off for 5 or more days, the employee shall make such a request at least two (2) weeks in advance. Any request involving less than 5 days shall be submitted to the Department Head within the time frame designated by the department.

Update (03/08/16 Res. #16-154): Effective April 1, 2016, Schedule S employees who have accrued at least 90% of the maximum allowed, shall be permitted to receive vacation pay without taking vacation for which they are eligible up to a maximum of 5 days in any fiscal year. A schedule S employee must submit the request to tender benefit time to their Department Head. The Department Head will determine if the employee has the required amount of vacation accrued: for a 35 hour/week employee, 378 hours and for a 40 hour/week employee, 432 hours. Upon approval the Department Head will add the vacation buy-back amount to the payroll and submit to the Treasurer's Office for payment.

An employee, who is laid off, retires or resigns; shall receive payment for accrued vacation time if the employee provides four (4) weeks of notification to their department head. If an employee fails to give four (4) weeks' notice or is terminated for cause, he/she is not entitled to payment for their accrued vacation time. **PERSONAL DAYS** Employees shall earn four (4) personal days per anniversary year. New employees with less than one (1) year of service shall receive one (1) personal day at the beginning of each three-month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

SICK TIME

Full-time employees on the active payroll working or on paid leave accrue sick time biweekly based on twelve (12) days per anniversary year. Part time employees accrue sick time on a pro-rated basis. A maximum of two hundred ten (210) days may be accrued at any time.

Accrued sick time credit can be applied to an employee's service credit at retirement under the provisions of Section 41J of the Retirement Law.

Upon retirement, an employee who has accrued at least thirty (30) sick days shall be allowed paid health insurance on a day for day basis not to exceed two hundred ten (210) days up to seven (7) months.

Absence from duty by reason of the employee's own sickness, or medical treatment shall be known as sick leave.

Employees who are absent under the provisions of this section shall notify the Department Head of the absence.

After 3 consecutive days of illness, a medical certificate shall be required when returning to work.

Payout of Sick Time as a death benefit:

In the event a full time Schedule S employee passes away while actively employed by Wyoming County, their accrued and available sick time will be paid out to their estate.

HOLIDAYS

The following holidays shall be observed as paid holidays:

1. New Years Day	6. Labor Day
2. President's Day	7. Columbus Day
3. Memorial Day	8. Thanksgiving Day
4. Veteran's Day	9. Christmas Day
5. Independence Day	10. Floating Holiday

Saturday holidays will be celebrated on the preceding Friday. Sunday holidays will be celebrated the following Monday.

The floating holiday is to be used as a full day and cannot be used in hourly increments within the calendar year.

Unused floating holiday cannot be carried over into the following calendar year and will not be paid out upon separation from county employment.

BEREAVEMENT LEAVE

When a death occurs in the employee's family, they will be entitled to time off with pay in accordance with the following schedule:

5 WORK DAYS	3 WORK DAYS	1 WORK DAY
Parent/Step Parent	Brother/Sister	Brother/Sister-in-Law
Spouse/Domestic Partner	Grandparent	Aunt/Uncle
Child/Step Child	Grandchild	
Foster Child/Guard	Son/daughter-in-Law	
Related member of the Employee's household	Parent-in-Law	

Time off must be taken in consecutive workdays starting with the first day following the death. Such leave shall be deducted from the employee's accrued sick, vacation, or personal days. If such accumulations are not available to the employee, bereavement leave shall be granted without pay.

JURY DUTY

Upon presenting proof of the necessity for the employee to serve jury duty, or to attend court for other than personal matters, a leave of absence with pay shall be granted by the Chairman of the Board of Supervisors.

Any juror pay received by the employee shall be turned over to the County Treasurer.

LEAVE OF ABSENCE

A leave of absence without pay, not to exceed one (1) year, may be granted to full-time employees' at the sole discretion of the board of supervisors upon the terms and conditions established by the board.

FAMILY MEDICAL LEAVE

The county complies with the federal Family and Medical Leave Act. Refer to the county's Family Medical Leave policy.

MILITARY LEAVE

The county complies with state and federal laws relative to military leave rights.

HEALTH INSURANCE

Full and part time employees with a salary of \$12,000 annually or greater are eligible to participate in the County's current health plan with a Health Reimbursement

Account (HRA). The county will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited.

The employer will pay 100% of the cost of single or family health insurance coverage for employees hired or appointed prior to 1/1/2014. Employees hired or appointed on or after 1/1/2014 will contribute 10% of the total premium. Premiums will be deducted over 24 pay periods per year on a pre-tax basis.

An employee who is eligible for health insurance and does not participate is eligible for a repudiation payment. Repudiation amounts are \$750 for Single coverage and \$1,000 for Family coverage. Proof of other insurance is required. The repudiation period is February 1 to January 31. Repudiation will be paid in the first paycheck of February following the date of hire.

DENTAL INSURANCE

Employees are eligible to participate in the current County Dental Insurance Plan. Two plans are available; a High Option or a Low Option. The employee will pay the total premium and it will be deducted over 24 pay periods per year on a pre-tax basis. For information on the Dental Insurance or to enroll in the plan, contact the County Insurance Office.

DISABILITY INSURANCE

Full time employees are covered under the enhanced Disability Insurance Plan for an injury or illness NOT arising out of or in the course of employment. The weekly benefit is 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Accrued sick time must be exhausted prior to receiving benefits under this plan. After sick is exhausted the employee may elect to use vacation, personal leave time or comp. time to supplement the plan and to provide the employee within 2% of a full week's wage. These benefits are subject to the terms of the plan. This insurance coverage is provided at no cost to the employee.

Part time employees are not entitled to NYS statutory disability benefits.

WORKERS' COMPENSATION INSURANCE

Workers compensation insurance covers lost wages and medical care payments for employees injured on-the-job. These benefits are based on New York State Workers' Compensation Law.

Employees who suffer a work related injury or illness must immediately notify their supervisor, and assist such supervisor in the completion of the necessary forms.

RETIREMENT

The County offers retirement benefits in accordance with the requirements of the New York State Retirement System. For more information go to their website at <http://www.osc.state.ny.us/retire>.

DEFERRED COMPENSATION RETIREMENT PLAN 457

Employees are eligible to participate in the voluntary supplemental retirement savings plan at any time. This program allows employees to save and invest a portion of their earnings toward retirement. Pre-tax contributions are automatically deducted from each pay check and deposited to your account. Information about this program can be obtained from the Human Resource Department.

TUITION REIMBURSEMENT

Full-time employees, with the specific prior permission of their "sponsoring" Board of Supervisors' Standing committee and the Board of Supervisors' Finance committee, may be eligible to receive tuition reimbursement up to 50% of the tuition and fees with an annual cap of \$2,500. The degree or specific courses (if not pursuing a degree) MUST be directly work related or lead to advancement opportunities within the county, and funds must be available and budgeted. In order to qualify for such reimbursement the employee must have obtained a grade of B or better. The employee must work for Wyoming County for three (3) years after completion of the degree. If an employee separates employment before the completion of three (3) years, all tuition reimbursement must be repaid to the county.

A tuition reimbursement request must be submitted and approved by the appropriate committees prior to classes being taken for full eligibility. A tuition reimbursement request voucher, along with proof of the grade and payment for the class(es) must be submitted to the Chairman of the Board of Supervisors for final approval.

PERFORMANCE EVALUATION

Employees will be evaluated annually by their department head or their supervising designee.

DISCLAIMER

The Schedule S Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule S. Some of the items described in this booklet are covered in detail by County policy and/or procedure documents. You should refer to these documents for specific information, since this booklet only briefly summarizes those benefits. Please also note that a full description of insurance and deferred compensation benefits offered by the County are set forth in written plan

documents which are controlling in the event of any inconsistency with what is contained in this booklet.

Nothing in this booklet creates any contractual rights to the benefits described herein, or creates any contractual rights to employment. In that regard, the Board of Supervisors reserves the right to eliminate, modify or deviate from the provisions of this booklet in its sole discretion. Every attempt will be made to inform you of any changes when they occur. If you have questions about the information in this booklet, please contact the Human Resource Department.

APPENDIX A

The following employees listed by position and classification are covered by Schedule S

Position Title	Status	Civil Service Classification	Term	Length of Term
Administrative Assistant (DA)	Full	Competitive	CT	
Administrative Assistant (DSS)	Full	Competitive	CT	
Administrative Assistant (EMS)	Full	Competitive	CT	
Administrative Assistant (Fiscal Ops.)	Full	Competitive	CT	
Administrative Assistant (HR)	Full	Competitive	CT	
Animal Control Assistant	Part	Noncompetitive	CT	
Assessor	Full	Competitive	CT	
Asst County Historian	Part	Noncompetitive	CT	
Asst Director of Veterans Services	Part	Competitive	CT	
Asst. County Attorney (1 st)	Part	Exempt	AW	
Asst. County Attorney (2 nd)	Full	Exempt	AW	
Asst. County Attorney (Supervisor)	Part	Exempt	AW	
Asst. District Attorney (1 st)	Full	Exempt	AW	
Asst. District Attorney (2 nd)	Full	Exempt	AW	
Asst. Public Defender (2 nd)	Part	Exempt	CT	
Asst. Public Defender (3 rd)	Part	Exempt	CT	
Building Inspector	Full	Competitive	CT	
County Fire Coordinator	Part	Competitive	CT	
County Planner	Full	Competitive	CT	

Deputy Budget Officer	Part	Noncompetitive	CT	
Deputy Clerk of the Board	Full	Unclassified	FTOB	1 yr
Deputy County Clerk	Full	Exempt	CT	
Deputy Commissioner of Elections (2)	Full	Unclassified	FTOB	1 yr
Deputy County Highway Supt.	Full	Exempt	AW	
Deputy Director of Aging	Full	Competitive	CT	
Deputy Fire Coordinator PT (4)	Part	Competitive	CT	
Director of Child Enf & Fraud	Full	Competitive	CT	
Director of Children & Family Svc	Full	Competitive	CT	
Director of Environmental Health	Full	Competitive	CT	
Director of Nursing	Full	Competitive	CT	
Director of Programs	Full	Competitive	CT	
Engineering Technician	Full	Competitive	CT	
Exam Monitor (6)				
Finance Clerk I	Full	Competitive	CT	
Finance Clerk 1 (Probation)	Full	Competitive	CT	
Fire Safety Inspector	Part	Competitive	CT	
Fiscal Administrator	Full	Competitive	CT	
Fiscal Director	Full	Competitive	CT	
Fiscal Officer I	Full	Competitive	CT	
Handicapped Preschool Coordinator	Full	Competitive	CT	
Human Resource Assistant (2)	Full	Competitive		
Information Systems Admin. (DSS)	Full	Competitive	CT	
Information Systems Specialist	Full	Competitive	CT	
Information Technology Assistant	Full	Competitive	CT	
Information Technology Specialist	Full	Competitive	CT	
Insurance Program Assistant	Full	Competitive	CT	
Jail Administrator	Full	Competitive	AT	
Medical Assistance Coordinator	Part	Competitive	CT	
Network Administrator	Full	Competitive	CT	
Nurse Practitioner	Full	Competitive	CT	
Nutrition Service Coordinator	Full	Competitive	CT	
Real Property Tax Service Coordinator	Full	Competitive	CT	
Secretary I (DSS)	Full	Competitive	CT	
Secretary I (PT) (Public Defender)				
Secretary II (DSS)				
Secretary to the County Attorney	Part	Exempt	AW	
Secretary to the Co. Hwy Supt.	Full	Exempt	AW	
Secretary to the DA	Full	Exempt	AW	
Secretary to the Public Defender	Part	Exempt	AW	
Secretary to the Sheriff	Full	Exempt	AW	
Tax Map Technician	Full	Exempt	AW	
Undersheriff	Full	Exempt	BA	

Term:

AT-Appointment Temporary
AW-At Will
BA-By Assignment
CT-Continuous Term
F-Fixed by law
F/TOB- Fixed Term of Board

RESOLUTION NO. 17-008
(January 17, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE ARTS COUNCIL OF WYOMING COUNTY ON
BEHALF OF THE COUNTY HISTORIAN**

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 acceptance award with the Arts Council of Wyoming County, 31 South Main Street, Perry, New York 14530 on behalf of the County Historian. Said grant to fund a county-wide *“Eat Your Way Through History”* tour in a minimum amount of two thousand one hundred eighty-one dollars (\$2,181.00); effective March 1, 2017 through January 30, 2018.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#6

RESOLUTION NO. 17-009
(January 17, 2017)

By Mr. Tallman, Chairman of the Human Resources 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 wishes to receive an annual expense of one hundred eighty-one thousand five hundred dollars (\$181,500.00); 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 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 the State Tax Commission allow the Wyoming County Clerk the sum of one hundred eighty-one thousand five hundred dollars

January 17, 2017

(\$181,500.00) annually, April 2017 through March 2018, for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #7 through #10 Hearing no objection resolution titles were read.

#7

**RESOLUTION NO. 17-010
(January 17, 2017)**

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH CATHOLIC CHARITIES OF BUFFALO
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 grant application and acceptance award with Catholic Charities of Buffalo, 741 Delaware Avenue, Buffalo, NY 14209 on behalf of the Office for the Aging. Said grant to provide funding for respite services to caregivers of individuals with Alzheimer's disease in a minimum amount of one hundred ten thousand seven hundred seventy-nine dollars (\$110,779.00); effective January 1, 2017 through December 31, 2017.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 17-011
(January 17, 2017)**

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION NUMBER 16-504 AMENDED

WHEREAS, Resolution Number 16-504 entitled, “ **MEMBERS
APPOINTED/REAPPOINTED TO THE WYOMING COUNTY YOUTH
BOARD,**” passed by this Board of Supervisors on December 13, 2016 and provides for various appointments to the Youth Board; now therefore

BE IT RESOLVED, That Resolution Number 16-504 be hereby amended to remove Jake Kramell as a Youth Member.

Regular Session

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #9

RESOLUTION NO. 17-012
(January 17, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
2-1-1 ADVISORY BOARD**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the 2-1-1 Advisory Board for a term of one (1) year; effective January 1, 2017 through December 31, 2017 as follows:

- **David Rumsey** (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw, NY 14569
- **Laura Paolucci** (County Health Department), 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #10

RESOLUTION NO. 17-013
(January 17, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
COMPANION CARE OF ROCHESTER ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with Companion Care of Rochester, 187 North Main Street, Geneva, NY 14456 on behalf of the Department of Social Services. Said contract is through the State WMS System to provide consumer directed personal care for a select few Medicaid cases where personal care is not appropriate. Contract has a variable amount depending on services provided; effective January 1, 2017 through December 31, 2017.

January 17, 2017

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #11 and #12. Hearing no objection resolution titles were read.

#11

RESOLUTION NO. 17-014
(January 17, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**GREGORY J. COLLINS, DO, MPH REAPPOINTED
MEDICAL DIRECTOR, PT**

BE IT RESOLVED, That *Gregory J. Collins, DO, MPH*, 4820 Darby Road, Avon, NY 14414 be hereby reappointed as Medical Director, PT; effective January 1, 2017 through December 31, 2017.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#12

RESOLUTION NO. 17-015
(January 17, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**THOMAS WAKEFIELD, DVM REAPPOINTED TO THE
WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That *Thomas Wakefield, DVM*, 1925 Blackhouse Road, Warsaw, New York 14569 is hereby reappointed to the Wyoming County Board of Health as a Physician Member for a six (6) year term; effective January 1, 2017 through December 31, 2022.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

Chairman Berwanger then introduced Dr. Gregory Collins for his presentation on the very serious heroin and opioid abuse epidemic not only in Wyoming County but New York State and nationally.

The Chairman stated further that this epidemic is also the focus of New York State Association of Counties where many of the Supervisors are going at the end of the month. He wants local input from this Board before that time. He

congratulated Dr. Collins on his reappointment and welcomed him to the podium.

Presentation ~

Wyoming County Public Health Commissioner and Medical Director Dr. Gregory Collins

- Heroin and Opioid Abuse Epidemic

Dr. Collins stated that we are in the midst of a heroin epidemic. Years ago, the “face” of a heroin user conjured up pictures of someone shooting up in an abandoned house. Now, this picture of abuse is the face of our friends, neighbors, family members and is in our schools.

“Opiates,” is the name of a class of drugs and are known as hydrocodone (Loritabs or norco); morphine, heroin, codeine, fentanyl, etc...

These drugs work by attaching to “receptors” that are in our brains and bodies. Opiates bind to these receptors and are effective at alleviating pain. However, they also create a very intense pleasurable experience, which is much more intense than what our own endorphins can create. When treating pain with one of these medications, it does what it is supposed to do, alleviate the pain. However, when you are not treating pain, the medication binds to these receptors and makes you feel good, makes you feel high. The down side is, too much stimulation of these receptors suppresses your brain, your breathing and ultimately causes death.

The other component to this is the addiction issue. For this particular drug, there are two components to the addiction, physical and psychological. Even if you take this drug only a short period, once you stop, you will experience some form of physical withdrawal (shakes, nausea, diarrhea, etc.). This is perfectly normal and goes away once the body responds and adjusts, usually in a few days.

The more difficult component is the psychological addition, that “feel good” experience that your brain and psyche really crave and desire. The reason some people become addicted and other do not is complex. The short answer is addiction is based upon a person’s genetics, social makeup and all sorts of different things. Even once the physical addition is gone, a person will still have those intense cravings and desires to seek the drug. The problem becomes when the body actually starts to “re-wire” itself creating the need for more and more and more of the drug in order to get that same pleasurable high experience. Ultimately once the brain is rewired, the body’s chemistry changes and in order just to feel normal, you need to have that drug. You no longer get high from it.

We have to go back about 20 years to see how this all evolved. There are four components that created this perfect storm:

- **Clinicians** - who are on the front lines prescribing these medications with most trying to do the right thing.
- **Pharmaceutical Companies** - play a big role and moved this problem forward. If you want to read about this to see influence the pharmaceutical companies played, read the two articles done by the Los Angeles Times in May and December this year.
<http://www.latimes.com/projects/oxycontin-part1/>
<http://www.latimes.com/projects/la-me-oxycontin-part3/>
- **Regulatory Entities** such as Joint Commission that oversees the hospital and CMS, a national organization that looks at Medicare and Medicaid and guides the states on what they need to do. There is an enormous emphasis placed on a patient's perception of how their pain is treated which is tied to hospitals and physicians performance rating thus putting pressure on them.
- **Patients** and their expectations for the treatment of pain that is sometimes unrealistic.

This latest wave of heroine abuse, which developed over the last several years, started with prescription opiates. We now have a nationwide epidemic of people who are addicted to prescription drugs; both physically and psychologically. As a response, New York State enacted its I-STOP/Prescription Monitoring Program, which is a database physicians can access to see a person's prescription record. All pharmacies are required to report the prescriptions filled for individuals, which allows practitioners and pharmacists to evaluate a patient's treatment as it pertains to prescribing and dispensing a controlled substance. This put an end to "doctor hopping" ...going from one doctor to another to gain access to controlled substances.

Drug dealers being the entrepreneurs they are and with heroine being very inexpensive, the market was flooded with the drug. This, for the most part, took the place of the prescription drug abuse when the prescription market, for the most part, dried up due to the I-STOP/Prescription Monitoring Program. The face of this epidemic is no longer the person shooting up in a vacant house; it is the very people around us.

Treatment of opioid addiction is now the focus but the addict must be motivated. That person will need a social structure for recovery along with psychological and medical support to help the bogy transition back to normal. Narcan is being used successfully in overdose situations but immediately puts the addict into withdrawal. It may save their life in that specific instance but then they are

right back out there using again to avoid withdrawal symptoms. The hope is to keep people alive long enough that they can get help.

Methadone is being used successfully for the treatment of withdrawal symptoms but is only accessible through Methadone clinics that are only in Buffalo and Rochester. There are some newer drugs also being used in an attempt to treat this addiction but medicine alone will not work, there must be a recovery plan.

With regard to locally, we do not have enough treatment available for the all the people that need and want the help right now. Public Health and Mental Health

are attempting a tri-county approach with Genesee, Orleans and Wyoming to address this issue and the “First Opioid Taskforce” meeting will be held at the Genesee County Health Department on January 31, 2017 at 11:30 am.

Chairman Berwanger asked Dr. Collins how many overdoses are seen at the hospital in a week. Dr. Collins said that all drugs combined there are several overdoses a week.

Supervisor Becker, T/Sheldon asked what percentage of people are successful at beating this addiction. Dr. Collins responded that it is probably a 20 to 30 percent success rate, but there are many variables that influence these results.

Chairman Berwanger thanked Dr. Collins for his presentation. He also advised that Judge Mohun will be speaking next month on this topic relative to the impact on the court system and asked Sheriff Rudolph, who was present, if he could make a presentation from a law enforcement perspective next month as well.

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #13 and #14. Hearing no objection resolution titles were read.

#13

**RESOLUTION NO. 17-016
(January 17, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION SUPPORTING CORNELL COOPERATIVE
EXTENSION ASSOCIATIONS IN THE STATE OF NEW YORK**

WHEREAS, The mission of Cornell Cooperative Extension (“CCE”) is

January 17, 2017

“CCE puts knowledge to work in pursuit of economic vitality, ecological sustainability and social well-being. We bring local experience and research based solutions together, helping New York State families and communities thrive in our rapidly changing world”; and

WHEREAS, Section 224 of the County Law of the State of New York adopted in 1914 established the ability for New York State (“NYS”) and its County’s to contribute funds to support the creation of Cornell Cooperative Extension Associations (the “Associations”) in each county and there are now 56 associations across NYS; and

WHEREAS, The key objectives of the Associations as stated in their constitutions are:

- 1) To provide for an association of residents in cooperation with Cornell University and the United States Department of Agriculture;
- 2) To extend the educational resources of Cornell University, including Agriculture and Life Sciences, Human Ecology, Veterinary Medicine, land grant system, and other educational institutions to foster economic, social, and environmental improvement of individuals families, and communities;
- 3) To further the objectives of the Associations and the CCE system in the fields of agriculture, community and economic vitality, environment and energy, nutrition and healthy families, and youth development; and

WHEREAS, Primary program areas and objectives of CCE are focused on improving economic and community vitality and are aligned with the primary mission areas of the National Institute of Food and Agriculture; and

WHEREAS, The primary programs and objectives of CCE are directly linked to at least eight of sixteen goals of Governor Cuomo’s initiatives for improving NYS, and CCE educators are key community partners in helping to implement these initiatives state-wide, including:

- Maximizing agriculture and beverage production
- Strengthening the Upstate Economy
- Promoting a healthier NY
- Fighting Poverty
- Preserving our environment
- Building Opportunity through education
- Designing a clean energy economy
- Investing in tourism; and

WHEREAS, The Associations are invaluable partners at the County level and NYS expects CCE educators to assist in supporting state initiatives; and

WHEREAS, Costs for operating the Associations (501c3 subordinate organizations) have increased significantly yet the annual funding allocated by NYS for this system has remained stagnant since the 1970's; now, therefore,

BE IT RESOLVED, The County of Wyoming does hereby request that NYS allocate an additional \$10 million per year to County 224 funding (that is just 50 cents per New York resident) to support the CCE Associations in NYS; and be it

FURTHER RESOLVED, That the Clerk of the Wyoming County Board of Supervisors is hereby authorized and directed to forward certified copies of this Resolution to Governor Andrew Cuomo, Senator Patrick Gallivan, Assemblymen David DiPietro, New York State Department of Agriculture and Markets, Cornell Cooperative Extension, New York State Association of Counties, Inter-County Association of Western New York, and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #14

RESOLUTION NO. 17-017
(January 17, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

RESOLUTION NUMBER 16-062 AMENDED

WHEREAS, Resolution Number 16-062 entitled, "CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT," passed by this Board of Supervisors on February 9, 2016 and provides contracts for 2015 and 2016 on behalf of Wyoming County Soil and Water Conservation District for agricultural district reviews on behalf of Wyoming County; now therefore

BE IT RESOLVED, That Resolution Number 16-062 be hereby amended to increase the annual agricultural district review contract for 2016 in an amount not to exceed seven thousand two hundred dollars and three cents (\$7,203.03) for a new total of twenty-two thousand two hundred three dollars and three cents (\$22,203.03) to accommodate the additional agricultural district review changes for Agricultural District Number 3 completed in 2016. All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

January 17, 2017

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #15 and #16. Hearing no objection resolution titles were read.

#15

RESOLUTION NO. 17-018
(January 17, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS REAPPOINTED TO THE WYOMING COUNTY
WATER RESOURCE AGENCY BOARD OF DIRECTORS**

BE IT RESOLVED, That the following members are hereby reappointed to the Wyoming County Water Resource Agency Board of Directors for a term of one (1) year; effective January 1, 2017 through December 31, 2017:

- *James Brick* (T/Perry), 7618 Route 20A, Perry, NY 14530
- *Daniel Leuer* (T/Middlebury), 712 Transit Road, Wyoming, NY 14591
- *Cheryl Ketchum* (T/Eagle), 7409 Centerville Road, Bliss, NY 14024

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #16

RESOLUTION NO. 17-019
(January 17, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Wyoming County Planning Board:

Voting Members

Three (3) years term effective January 1, 2017 through December 31, 2019

- *Edwin Smart* (T/Middlebury) 5949 West Middlebury Road, Wyoming, NY 14591 (*replacing R. Crandall*)
- *David Johnson* (T/Covington) 507 Pavilion-Warsaw Road, Wyoming, NY 14591 (*replacing R. Lathan*)

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Regular Session

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #17 through #20. Hearing no objection resolution titles were read.

#17

RESOLUTION NO. 17-020
(January 17, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES 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 grant application and acceptance award with New York State Division of Criminal Justice Services, 80 Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office. Said grant is for the funding for victim services under VAWA grant in a minimum amount of thirty-two thousand six hundred twenty-three dollars and eighty-four cents (\$32,623.84); effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #18

RESOLUTION NO. 17-021
(January 17, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ORLEANS
COUNTY SHERIFF ON BEHALF OF THE COUNTY JAIL**

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 Orleans County Sheriff, 26 Platt Street, Albion, NY 14411 on behalf of the County Jail. Said contract to provide prisoner housing for Orleans County inmates in an amount not to exceed ninety dollars (\$90.00) per day; effective January 1, 2017 through December 31, 2017.

Revenue Contract

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

January 17, 2017

RESOLUTION NO. 17-022
(January 17, 2017)

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

**DAVID LINDER REAPPOINTED AS THE
STOP-DWI COORDINATOR, PT**

BE IT RESOLVED, That David Linder, 563 Perry Road, Strykersville, NY 14145 be hereby reappointed as the STOP-DWI Coordinator, PT for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #20

RESOLUTION NO. 17-023
(January 17, 2017)

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

**CHAIRMAN/DIRECTOR OF PROBATION AUTHORIZED TO SIGN A
CONTRACT WITH AUTOMON, LLC ON BEHALF OF
WYOMING COUNTY PROBATION**

BE IT RESOLVED, That the Chairman of this Board and the Director of Probation, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with AutoMon, LLC 10450 North 74th Street, Suite 210, Scottsdale, AZ 85258 on behalf of Wyoming County Probation. Said contract is for software maintenance in an amount not to exceed five thousand seven hundred thirteen dollars and nine cents (\$5,713.09); effective June 19, 2017 through June 18, 2018.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Mr. Davis, T/Covington, to combine resolutions #21 through #24. Hearing no objection resolution titles were read.

Chairman Berwanger commented on resolution #24...the vehicle bid going to

Van Bortel Ford. He stated that the Board of Supervisors always tries to deal with companies, dealers and vendors in Wyoming County. Supervisor Tallman, T/Gainesville who has a significant amount of experience in the vehicle business, always peruses our vehicles. Many times, we do not get a response to our bid requests from businesses in Wyoming County.

#21

RESOLUTION NO. 17-024
(January 17, 2017)

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and pursuant to General Municipal Law §104(b) is hereby authorized and directed to sign the following various contracts on behalf of Building and Grounds (Co. Bldgs.) as follow:

- **Simplex Grinnell**, 90 Goodway Dr , Rochester NY 14623 for sprinkler and alarm testing at the Wyoming County Courthouse, Government Center and Jail for three (3) years in an amount not to exceed six thousand six hundred seventy-six dollars (\$6,676.00) per year; effective January 1, 2017 through December 31, 2019. *OGS Contract #PT63104*
- **U & S Services Inc.**, 95 Stark St, Tonawanda NY 14150 for HVAC control and preventive maintenance at Social Services, Jail, Courthouse and Health Department for one (1) year in an amount not to exceed eight thousand five hundred sixty-five dollars (\$8,565.00); effective January 1, 2017 through December 31, 2017. *OGS Contract #PT63600*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

#22

RESOLUTION NO. 17-025
(January 17, 2017)

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

January 17, 2017

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BIDS
AND SIGN CONTRACTS WITH VAN BORTEL FORD, INC. ON
BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and pursuant to General Municipal law §104(b) is hereby authorized and directed to accept the following New York State Office of General Services Vehicle Marketplace bids and sign contracts on behalf of County Highway:

- **Van Bortel Ford, Inc., 71 Marsh Road, East Rochester, NY 14445**
 - Mini-Bid No. 16120051/Contract No. PC66688 for two (2) Ford F-150 pickup trucks in an amount not to exceed twenty-six thousand eight hundred ninety dollars and sixty-six cents (\$26,890.66) each for a total of fifty-three thousand seven hundred eighty-one dollars and thirty-two cents (\$53,781.32); effective through delivery of vehicles.
 - Mini-Bid No. T1612006/Contract No. PC67290WBE for one (1) Ford F-350 truck with cab and utility body in an amount not to exceed thirty-six thousand nine hundred sixty dollars and sixty-three cents (\$36,960.63); effective through delivery of vehicles.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #23

RESOLUTION NO. 17-026
(January 17, 2017)

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

RESOLUTION NUMBER 16-184 AMENDED

WHEREAS, Resolution Number 16-184 entitled, “**ANNUAL HIGHWAY MATERIAL BIDS APPROVED**,” passed by this Board of Supervisors on April 12, 2016 and approved material bids effective April 2, 2016 through April 1, 2017 on behalf of County Highway; now therefore

BE IT RESOLVED, That Resolution Number 16-184 be hereby amended to extend **only** the 2016 pavement marking bid pricing with Zebra Paint Striping, 7590 Airport Road, Hornell, NY 14843 through the 2017

Regular Session

construction season per the contract extension clause in the 2016 bid award. All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #24

RESOLUTION NO. 17-027
(January 17, 2017)

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH GEORGE & SWEDE SALES AND SERVICE, INC.
ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and pursuant to General Municipal law §104(b) is hereby authorized and directed to sign a contract with George & Swede Sales and Service, Inc., 7155 Big Tree Road, Pavilion, NY 14525 on behalf of County Highway. Said contract is for one (1) 2017 Laymor Sweep Master 400 in an amount not to exceed fifty-three thousand nine hundred ninety-five dollars (\$53,995.00); effective January 17, 2017 through September 17, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Mr. Brick, T/Perry, to combine resolutions #25 through #33. Hearing no objection resolution titles were read.

#25

RESOLUTION NO. 17-028
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**INVESTMENT POLICY FOR WYOMING COUNTY ADOPTED;
CHAIRMAN AUTHORIZED TO SIGN CUSTODIAL AGREEMENTS
TO MAINTAIN PLEDGED SECURITIES**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves and adopts the following investment policy:

January 17, 2017

INVESTMENT POLICY FOR WYOMING COUNTY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- * to conform with all applicable federal, state and other legal requirements (legal);
- * to adequately safeguard principal (safety);
- * to provide sufficient liquidity to meet all operating requirements (liquidity); and
- * to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include and adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulates the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wyoming to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County of Wyoming to diversify its deposits and

investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the County of Wyoming for all moneys collected by any officer or employee of the government to transfer those funds to the chief fiscal officer within 7 days of deposit, or within the time period specified in law, whichever is shorter.

The Chief Fiscal Officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from un-authorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and is managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of moneys up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount Officer</u>
Five Star Bank	\$20,000,000.00
Bank of Castile	\$20,000,000.00
M & T Bank	\$20,000,000.00
Steuben Trust Company	\$20,000,000.00
JP Morgan Chase	\$10,000,000.00
Key Bank	\$10,000,000.00

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec. 10, all deposits of Wyoming County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating

organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the County of Wyoming authorizes the Chief Fiscal Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- * Special time deposit accounts;

- * Certificates of deposit;
- * Obligations of the United States of America;
- * Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- * Obligations of the State of New York;
- * Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Wyoming;
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investments.
- * Certificates of Participation (COP's) issued pursuant to GML Sec. 109b.
- * Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Wyoming within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Wyoming within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wyoming. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listings shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Chief Fiscal Officer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.

2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Wyoming by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- * All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- * Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- * Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- * No substitution of securities will be allowed.
- * The custodian shall be a party other than the trading partner.

APPENDIX A

Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.
- (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (xi) Zero coupon obligations of the United States government marketed as "Treasury strips"; and be it

FURTHER RESOLVED, That the Chairman of this Board and/or the County Treasurer, with the approval of the County Attorney, are hereby authorized and directed to sign Custodial Agreements with the different area banks or their agents to maintain pledged securities to cover deposits made by the County of Wyoming.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

RESOLUTION NO. 17-029
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-432 AMENDED

WHEREAS, Resolution Number 16-432 entitled, “ **CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY TREASURER**,” passed by this Board of Supervisors on October 11, 2016 and provides for various contracts on behalf of the County Treasurer, in part, as follows:

- **Mail Finance**, 478 Wheelers Farms Road, Milford, CT 06461 for a postage meter for Central Storeroom in an amount of one thousand nine hundred fifty-nine dollars (\$1,959.00) annually; effective January 1, 2017 through December 31, 2021.

now therefore

BE IT RESOLVED, That Resolution Number 16-432 be hereby amended to correct the contract amount to one thousand eight hundred fifty-eight dollars (\$1,858.00) annually. All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #27

RESOLUTION NO. 17-030
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

HIPAA OFFICERS APPOINTED/REAPPOINTED

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the following HIPAA Officer Positions, for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Corporate Compliance Officer

- **David Tallman**, (T/Gainesville), 16 Beardsley Avenue, P.O. Box 177, Silver Springs, NY 14550

Privacy Officer

- **Joan Kibler** (Probation Director), 143 North Main Street, Warsaw, NY 14569

IT Security Officer

- **Todd MacConnell** (Information Technology Director), 66 Mount View Avenue, Warsaw, NY 14569

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #28

RESOLUTION NO. 17-031
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

MEMBERS APPOINTED/REAPPOINTED
TO THE INTER-COUNTY ASSOCIATION OF WESTERN NEW YORK

BE IT RESOLVED, That the following members are hereby appointed/reappointed to Inter-County of Western New York Association:

Member

One (1) year term effective January 1, 2017 through December 31, 2017

- **Jerry Davis**, (T/Covington), 7414 Court Road, P.O. Box 445, Pavilion, NY 14525
- **Ellen Grant**, (T/Bennington), 905 Old Alleghany Road, Attica, NY 14011
- **John Copeland**, (T/Wethersfield), 5888 Sheppard Road, Bliss, NY 14024

Alternate Member

One (1) year term effective January 1, 2017 through December 31, 2017

- **Cheryl Ketchum**, 7409 Centerville Road, Bliss, NY 14024
- **Rebecca Ryan**, (T/Warsaw) 172 West Buffalo Street, Warsaw, NY 14569

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #29

RESOLUTION NO. 17-032
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

January 17, 2017

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. 15-395, passed October 13, 2015, now therefore

BE IT RESOLVED, That the County of Wyoming hereby requests the New York State Legislature to create 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 (3%) through November 30, 2019; and be it

FURTHER RESOLVED, That the Chairman of this Board and the Clerk to 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: XXX Ayes: 1599 Noes: Absent: Abstain: #30

RESOLUTION NO. 17-033 (January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES "C", "P", "D", "G" AND "S" AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule "C":

Wyoming County Community Health System

- Set the salary for the position of ***Director of Outpatient Services*** on Salary Schedule "C" under Imaging and Testing at \$76,000.00 per year; effective date January 1, 2017.
- Set the salary for the position of ***Maintenance Supervisor*** on Salary Schedule "C" under Plant Maintenance at \$60,000.00 per year; effective date January 1, 2017.
- Place two (2) positions of ***RN Supervisor SNF*** (per diem) under Nursing Facility Administration and set the salary at \$150.00/4-hour shift; position available date is December 28, 2016.

Salary Schedule "P":***Wyoming County Community Health System***

- Amend one (1) position of ***Mid-Level Provider*** (0.60 FTE) on Salary Schedule "P" under Pediatric Clinic and set the salary at \$66,194.00 per year; position available date is September 28, 2016. *Revised from an hourly rate to an annual salary.*

Salary Schedule "D":***Fire and Building Code Enforcement***

- Combine the salary of the ***Code Enforcement Officer*** of \$55,621.00 annually, the Planning Department Administrative oversight stipend of \$17,171.00 annually and the County Planner stipend in the amount of \$30.4443/hr. not to exceed \$3,653.32 (10 hrs.) for a total salary of \$76,445.00 annually; effective January 1, 2017.

Salary Schedule "G":***Public Health***

- Amend the salary of the ***Emergency Preparedness Coordinator*** (Wyoming County) from \$44,217.00 annually to \$48,000.00 annually; effective January 1, 2017. Position will continue to be shared by the Health Department and Wyoming County Community Health System funded by the New York State Department of Health Public Health Emergency Preparedness grant (58%) and New York State Department of Health Hospital Preparedness grant (42%).

Salary Schedule "S":***County Historian***

- Set the salary of the ***Assistant County Historian*** at \$18,200.00/annually (to reflect \$10.00/hr. as minimum wage increases to \$9.70/hr. on December 31, 2016); effective December 31, 2016.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #31

RESOLUTION NO. 17-034
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE WYOMING COUNTY COMMUNITY
HEALTH SYSTEM**

BE IT RESOLVED, In accordance with Resolution Number 11-209

January 17, 2017

passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, "**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**," the Chairman of this Board with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **GE Healthcare**, PO Box 640944, Pittsburg, PA 15264 on the Nuclear Medicine Gamma Camera in an amount not to exceed fifty-one thousand six hundred dollars (\$51,600.00) per thirty-six (36) month; effective January 1, 2017 through December 31, 2019.
- **Jean Jurek Associates, Inc.**, 8975 Main Street, Clarence, NY 14031 to provide medical coding and auditing services, \$500 one-time set up fee, mileage, tolls and expenses for on-site visits, plus per diem charges/fees as negotiated in the agreement in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00) per term; effective December 8, 2016 through September 1, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #32

RESOLUTION NO. 17-035
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

JANIS COOK REAPPOINTED COUNTY AUDITOR

BE IT RESOLVED, That Janis Cook, 6 East Court Street, Warsaw, NY 14569 is hereby reappointed County Auditor; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #33

RESOLUTION NO. 17-036
(January 17, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-326 AMENDED

Regular Session

WHEREAS, Resolution Number 16-326 entitled, “**SALARY SCHEDULES “P”, “C”, “S” AND “G” AMENDED**,” passed by this Board of Supervisors on August 16, 2016 and provides for amendments to various Salary Schedules, in part, as follows:

Salary Schedule “G”:

Office for the Aging

- Funds (*stipend plus corresponding fringes*) provided through Alzheimer’s Disease Caregiver Support Initiative Grant contract through Catholic Charities of Buffalo. Amounts to be paid annually effective January 1, 2016 through December 31, 2020 to current employees for additional assigned duties only for the duration of the grant:
 - Director of Aging and Youth \$2,000.00
 - Deputy Director of Aging \$5,000.00
 - Senior Clerk \$3,000.00
 - Account Clerk \$3,000.00
 - Transportation Coordinator \$3,000.00

now therefore

BE IT RESOLVED, That Resolution Number 16-326 be hereby amended to reflect the revisions to the Alzheimer’s Disease Caregiver Support Initiative Grant as follows:

- ***Director of Aging and Youth*** (position code #014.098) be reduced to \$1,500.00 per year; effective January 1, 2017 through December 31, 2020.
- ***Deputy Director of Aging*** (position code #271.389) be reduced to \$4,000.00 per year; effective January 1, 2017 through December 31, 2020.
- ***Senior Clerk*** (position code #001.222) be reduced to \$2,500.00 per year; effective January 1, 2017 through December 31, 2020.
- ***Account Clerk*** (position code #274.002) be reduced to \$2,500.00 per year; effective January 1, 2017 through December 31, 2020.
- ***Transportation Coordinator*** (position code #024.267) be reduced to \$2,500.00 per year; effective January 1, 2017 through December 31, 2020.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Chairman Berwanger, T/Arcade asked if any Supervisor opposed the presentation of unanimous consent resolutions #34 and #35. Hearing no objection resolution titles were read.

January 17, 2017

RESOLUTION NO. 17-037
(January 17, 2017)

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

**WYOMING COUNTY SHERIFF'S EMPLOYEES ASSOCIATION
(S.E.A.) MEMORANDUM OF AGREEMENT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby ratifies the Tentative Agreement between the Wyoming County Sheriff's Employees Association (S.E.A) and the County of Wyoming/Wyoming County Sheriff dated January 01, 2016 to December 31, 2019, subject to agreement between the County and SEA representatives as to actual contract language reflecting the negotiated changes; 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, with the approval the County Attorney are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

*Chairman Berwanger, T/Arcade recognized Supervisor Brick, T/Perry.
Supervisor Brick advised that the phone number on the form is incorrect. Clerk Ketchum stated that it will be corrected.*

UC #35

RESOLUTION NO. 17-038
(January 17, 2017)

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

**WYOMING COUNTY AG AND BUSINESS CENTER USE OF
FACILITIES POLICY AND FEE SCHEDULE APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the *Wyoming County Ag and Business Center Use of Facilities Policy and Fee Schedule*, annexed hereto; effective immediately.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Regular Session

USE OF FACILITIES

Wyoming County Agriculture and Business Center
Center Street, Warsaw, NY 14569

Office: (585) 786-8820 Monday – Friday, 8:00 a.m. – 4:00 p.m.

Facility Use Policy and Applications are available at the Wyoming County Ag & Business Center Reception Area and at: www.wyomingco.net

Submit reservations to the Wyoming County Building and Codes Department (2nd floor of Ag & Business Center). Include application, hold harmless waiver, certificate of liability insurance and fees including \$50.00 deposit. All forms require same applicant name. Applications will be accepted up to one year in advance of requested rental date.

GENERAL INFORMATION

Any accident resulting in injury to any person or damage to any A & B Center property must be reported immediately to Wyoming County Building and Codes 585-786-8820.

Smoking is prohibited in all A & B Center facilities.

Admission fees may be charged only when the proceeds are to be expended for a charitable purpose. Exceptions are provided by law for Veteran Organizations and Volunteer Firemen.

Noise from any sound reproduction system, operating or playing radio, stereo, television, or similar device that reproduces or amplifies sound in such a manner as to be heard over any property line shall be prohibited. There may be meetings occurring in other conference/classrooms at the same time as yours, so please be respectful.

Applicants must supply their own plates, cups, table covers, napkins, silverware, garbage bags, dish clothes/towels and soap. No live animals should be part of a presentation in LC4 as it is adjacent to the kitchen (food preparation area).

No decoration or other material of any kind may be nailed, tacked, screwed, or pinned to any surface within facility.

January 17, 2017

CLEANING CHECKLIST

Please remove all personal effects, rental equipment, and decorations from A & B Center facilities. Please return tables, chairs and other equipment to same configuration as it was originally presented. Return facility to condition upon leaving as it was upon arrival. Additional fees may be charged if applicant fails to comply.

All cleaning must be performed before scheduled departure time.

- All supplies, equipment, decorations have been removed
- Floors swept and/or dust-mopped (broom, dust-pan & dust-mop located in room next to elevator; please replace when finished)
- All papers and trash bagged securely
- Refrigerator, freezer, microwave cleaned (if applicable)
- Sinks and countertops cleaned
- Restrooms clean
- Tables and chairs wiped down
- Furniture returned to its proper place
- All cleaning equipment returned to proper storage area
- Lights turned off
- Outside doors locked

Conference/Classroom Fees

Conference Room	Maximum Capacity	Rate
LC 1	80	\$50 for one hour + deposit \$200 for 4 hrs. + deposit \$300 for day + deposit
LC 2	12	\$25 for 0 - 4 hrs. + deposit \$50 for day + deposit
LC 3	12	\$25 for 0 - 4hrs. + deposit \$50 for day + deposit
LC 4 (next to kitchen)	25	\$20 for one hour + deposit \$60 for 4 hrs. + deposit \$90 for day + deposit
LC 5	50	\$40 for one hour + deposit \$125 for 4 hrs. + deposit \$200 for day + deposit

*Weekly and monthly rates available upon request.

***FEE & SECURITY DEPOSIT:**

1. Fifty dollars (\$50.00)
 - a. Payable to the County of Wyoming
 - b. Returned after inspection of premises determines that all is clean and no damage was done.
 - c. Non-Refundable if applicant cancels.
 - d. Fully Refundable if conditions of rental are complied with.

IT Assistance/Support may require additional fee of \$50/hour based on amount of assistance needed and time and day of event.

**WYOMING COUNTY AGRICULTURE & BUSINESS CENTER
APPLICATION FOR USE OF CONFERENCE/CLASSROOM**

NAME _____

(PLEASE PRINT)

(Circle appropriate description below)

Municipality Not-for-Profit Private Business

ADDRESS _____

PHONE # _____

EMAIL _____

TODAY'S DATE _____

Room(s) Requested: LC 1 (seats 80) _____ LC 2 (seats 12) _____
LC 3 (seats 12) _____ LC 4 (seats 25) _____
LC 5 (seats 50) _____

Date(s) and Time(s) Requested: _____

Proposed Use:

IT Assistance Requested: YES _____ NO _____

(\$50/hour fee may be required for IT assistance)

Approximate number of people to attend: _____

Will function be catered? Yes

Will function be catered? Yes _____

No _____

If Yes, Caterer's Name and Address _____

Wyoming County Health Inspection Certificate obtained: Yes No *
*Indicates that the property is subject to inspection by the Wyoming County Health Department.

*If answer is no, please have caterer contact Wyoming County Health Dept. 585-786-8890

I am familiar with and agree to abide by the rules for use of this facility.

Signature: _____

A Certificate of Insurance is required listing the County of Wyoming, Wyoming County IDA and Center Street Business Center, LLC as additional insured.

Regular Session

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:31 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

REGULAR SESSION**(February 14, 2017)****Tuesday****2:30 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 located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:33 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this month's board meeting is:

Dennis Crowley

Mr. Crowley was born in Rochester, New York and graduated from Perry Central High School. In 1979, shortly after graduation, he enlisted into the United States Coast Guard. Mr. Crowley completed the nine-week basic training course at Cape May, New Jersey and reported for his first duty assignment at the Coast Guard Station in Milwaukee, Wisconsin. Mr. Crowley served as a *coxswain* and had the authority to direct all boat and crew activities during the mission and to modify planned missions to provide for the safety of the boat and crew.

From there, Mr. Crowley went to Calumet Harbor in Chicago and then to St. Louis, Missouri. In 1983, when the Mississippi River flooded, Mr. Crowley earned the Humanitarian Service Medal for his efforts in search and rescue missions for those affected by the flood. In 1987, Mr. Crowley achieved the rank of BM2 and transferred to Miami Beach, Florida. Specializing in boat maintenance, search and rescue and law enforcement, the Coast Guard worked closely with U.S. Customs and Mr. Crowley earned the Coast Guard Special Operations Ribbon for assisting Customs in the Bahama Islands.

In 1989, he moved to Fire Island, New York and achieved the Rank of BM1. During a severe storm, Mr. Crowley was on duty for what later became the Hollywood movie "*The Perfect Storm*" which starred George Clooney. Over the next few years, Mr. Crowley graduated from Advanced Navigation and National Search and Rescue Schools and worked at the Coast Guard Operation Centers in Milwaukee and Buffalo.

After 20 years of service to his country, Mr. Crowley retired at the rank of Petty Officer 1st Class BM1. For his valor and courageous service to his country and in addition to the Humanitarian Service Medal and Special Operations Ribbon, Mr. Crowley also earned the:

Secretary's Outstanding Unit Award
Meritorious Unit Commendation Ribbon
Bicentennial Unit Commendation Ribbon
Six (6) Good Conduct Awards
National Defense Service Medal
Sea Service Ribbon
Expert Rifle Medal
Pistol Marksman Ribbon

After retiring from military service, Mr. Crowley earned his Bachelor's degree in History and Education from SUNY Geneseo and taught at Perry and Albion Central Schools. He currently works in the Collection Department at Pioneer Credit. He is the published author of a book entitled, "A *Celebration of Faith*" which is a comprehensive history of St. Joseph's Church in Perry.

His biggest fan is his wife Pam who he has been married to for 38 years and together they have raised three children. When the day comes to officially retire Mr. Crowley plans to devote his time to family, house renovations, making model ships, music and being a movie "buff".

The pledge was said by all.

Chairman Berwanger invited Town of Perry Supervisor, J. Brick to join him in the presentation of the customary certificate of appreciation to Mr. Crowley and an opportunity to address the Board. At which time, Mr. Crowley very graciously thanked the Board and extended a very special thank you to Veteran Services, adding that they don't receive enough recognition for their hard work ...

There was a brief interruption of the meeting as attending press took pictures.

Communications ~

- None to Report

#1

RESOLUTION NO. 17-039
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

February 14, 2017

FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2017 accounts as follows:

Treasurer			
To: 01.47.7989.4.40918 Snowmobile w/01.11.7989.3317 Snowmobile Revenue Reason: Adjust 2017 budget to match grant letter.	\$24,205.00	\$24,205.00	
Treasurer Total			\$24,205.00
County Attorney			
To: 01.34.1420.4.40301 Prof. Serv. Contracts <i>w/any funds available</i> Reason: Rollover from 2015 and 2016 allocated expense for legal services associated with creation of a 501(c)(3) for the Ag Center.	\$4,027.50	\$4,027.50	
County Attorney Total			\$4,027.50
Mental Health			
To: 01.38.4323.4.42497 Suicide Prevention Grant w/01.03.4323.1289 Other Dept. Income /MH CCS Reason: In order roll over the remainder of the 2016 Suicide Prevention Academy Grant.	\$785.96	\$785.96	
Mental Health			\$785.96
Public Health			
To: 01.38.4035.1.10202 FP – Temporary 01.38.4035.4.40401 FP – Training/Education 01.38.4035.4.40405 FP – Employee Expenses 01.38.4035.4.40503 FP – Gas w/01.12.4035.4489 Other Health - Federal increase Reason: For temporary training/education, employee expenses and gas in connection with the NYSDOH's Cicatelli Title X Learning Collaborative in Albany.	\$768.52 744.00 322.04 165.44 \$2,000.00		
To: 01.38.4010.4.42434 Komen for the Cure Grant w/01.03.4010.160113 Komen for the Cure Grant Reason: For community outreach event expenses to increase the awareness of breast cancer screening in connection with the Susan G. Komen for the Cure Grant from 10/01/16 - 09/30/2017.	\$3,469.57	\$3,469.57	
To: 01.38.4189.1.10101 FT CSEA Contract 01.38.4189.8.83001 FICA 01.38.4189.8.85001 Medicare – FICA w/01.10.4189.280113 Interfund Rev WCCH PHEP Reason: For F/T CSEA Contract and Fringe in connection with salary adjustment for B. Meyers, effective January 1, 2017 and approved by Resolution #17-033 for the Public Health Emergency Preparedness program. Increase in expense fully funded by Interdepartmental.	\$3,956.00 245.27 57.36 \$4,258.63		
Public Health Total			\$9,728.20
Animal Control			
To: 01.37.3510.4.40803 Bldgs. Supplies-Repairs w/01.09.3510.2705 Gifts and Donations Reason: To cover the building updates.	\$2,500.00	\$2,500.00	
Animal Control Total			\$2,500.00

District Attorney			
To: 01.32.1167.4.42494 LG Grant w/01.11.1167.3089 LG Preventative	\$1,159.48	\$1,159.48	
Reason: Rollover unused 2016 Grant Funds – Domestic Violence.			
District Attorney Total			\$1,159.48
Emergency Services			
To: 01.37.3645.2.20401G Misc. Equipment 01.37.3645.2.20101H Telecommunications 01.37.3645.2.20201H Computer Equipment w/01.12.3645.43890G Federal Aid HSG2015 01.12.3645.43890H Federal Aid HSG2016	\$1,020.59 41,625.00 1,682.92	\$1,020.59 43,307.92	
Reason: To rollover unspent grant funds from 2015 and 2016 budget years.			
Emergency Services Total			\$44,328.51

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #2

RESOLUTION NO. 17-040
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Medicaid			
To: 01.40.6102.4.42250 MMIS IGT / DSH Payment <i>w/any funds available</i>	\$875,657.50	\$875,657.50	
Reason: To cover the 50% county share of the Medicaid Disproportionate Share Hospital (DSH) Payments.			
Medicaid Total			\$875,657.50
Ag District Review			
To: 01.42.6421.4.40311 Ag. District Services <i>w/any funds available</i>	\$6,355.28	\$6,355.28	
Reason: To cover balance of work done by Wyo. Co. Soil & Water Conservation District on Ag. District No. 3.			
Ag District Review Total			\$6,355.28

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$3,615,344.79** for the month of **January 2017**.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

February 14, 2017

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #5. Hearing no objection resolution titles were read.

#3

RESOLUTION NO. 17-041
(February 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CSEA
AND THE COUNTY OF WYOMING APPROVED**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and County Labor Attorney is hereby authorized and directed to sign the individual Memorandum of Understanding by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreement to allow for the following:

- Step 1 wage rate from \$9.64 to \$9.70 per hour for consistency with the non-mandatory New York State Minimum Wage Law effective December 31, 2016 and in the interest of effective recruiting of new employees.

All else remains unchanged.

Carried: XXX **Ayes:** 1599 **Noes:**

Absent:

Abstain:

#4

RESOLUTION NO. 17-042
(February 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EDUCATIONAL RESOURCE ASSOCIATES ON BEHALF OF THE
HUMAN RESOURCE DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Educational Resource Associates, 218 Main Street, Batavia, NY 14020 on behalf of Human Resource. Said contract is for employee assistance services in an amount not to exceed eleven thousand seven hundred ninety-one dollars (\$11,791.00); effective January 1, 2017 through December 31, 2017.

Regular Session

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #5

RESOLUTION NO. 17-043
(February 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION NUMBER 15-276 AMENDED

WHEREAS, Resolution Number 15-276 entitled, “ **CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MICHAEL DEFREITAS, ESQ. ON BEHALF OF THE COUNTY ATTORNEY,**” passed by this Board of Supervisors on August 18, 2015 and provides for legal services relative to the creation of a 501(c)(3) associated with the new Ag and Business Center; now therefore

BE IT RESOLVED, That Resolution Number 15-276 be hereby amended to extend the expiration date of the contract from July 31, 2016 to “*through the completion of the project*”.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 through #9. Hearing no objection resolution titles were read.

#6

RESOLUTION NO. 17-044
(February 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

ELLEN GRANT REAPPOINTED TO THE OFFICE FOR THE AGING ADVISORY COUNCIL

BE IT RESOLVED, That **Ellen Grant** (T/Bennington), 134 Clinton Street, Alden, NY 14004 is hereby reappointed to the Office for the Aging Advisory Council as the Supervisor Member; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

February 14, 2017

RESOLUTION NO. 17-045
(February 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION NUMBER 16-013 AMENDED

WHEREAS, Resolution Number 16-013 entitled, “ **CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY OFFICE FOR THE AGING**,” passed by this Board of Supervisors on January 19, 2016 and provides for various contracts on behalf of the Office for the Aging, in part, as follows:

- **New York State Office for the Aging**, 2 Empire State plaza Albany, NY 12223-1251 to provide choices for Long Term Care Services to residents of all ages in Wyoming County in an amount not to exceed forty-three thousand two hundred eighty-nine dollars (\$43,289.00); effective October 15, 2015 through September 30, 2016.

now therefore

BE IT RESOLVED, That Resolution Number 16-013 be hereby amended to correct the contract effective date from October 15, 2015 to October 1, 2015.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #8

RESOLUTION NO. 17-046
(February 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION NUMBER 16-505 AMENDED

WHEREAS, Resolution Number 16-505 entitled, “ **CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE YOUTH BUREAU**,” passed by this Board of Supervisors on December 13, 2016 and provides for various contracts on behalf of the Youth Bureau, in part, as follows:

Regular Session

- **Beth Wolcott**, 3675 Saint Helena Street, Perry, NY 15430 for pre-school related services in Wyoming County. Contract not to exceed 2016~2018 budget; effective December 1, 2016 through June 30, 2018.

now therefore

BE IT RESOLVED, That Resolution Number 16-505 be hereby amended to correct the contract rate from fifty-four dollars (\$54.00) per half hour to fifty dollars (\$50.00) per half hour.
All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:**

Absent:

Abstain:

#9

RESOLUTION NO. 17-047
(February 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN VARIOUS WELFARE MANAGEMENT SYSTEM
CONTRACTS ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign contracts with the following agencies on behalf of the Department of Social Services:

- **Color Your World Childcare Center North, Inc.**, 7432 Olean Road, Holland, NY 14080 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective November 1, 2016 through December 31, 2017 with variable amounts depending on services provided.
- **Cynthia and Nicholas Baltz**, 681 Perry Road, Pavilion, NY 14525 to provide foster care services; effective January 1, 2017 through December 31, 2017 with variable amounts depending on services provided.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:**

Absent:

Abstain:

February 14, 2017

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #10 through #15. Hearing no objection resolution titles were read.

#10

RESOLUTION NO. 17-048
(February 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESCIND AND REPLACE RESOLUTION NUMBER 16-055

WHEREAS, Resolution Number 16-055 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CIPA WESTERN NEW YORK IPA, D/B/A CATHOLIC MEDICAL PARTNERS (CMP) ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on February 9, 2016 and authorized a contract to hire a part time (.5) prevention specialist in an amount not to exceed twenty thousand dollars (\$20,000.00); effective April 1, 2016 through March 31, 2017); now therefore

BE IT RESOLVED, That Resolution Number 16-055 be hereby rescinded in its entirety effective April 1, 2016; 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 **GRANT APPLICATION AND ACCEPTANCE AWARD** with CIPA Western NY, IPA, Inc. d/b/a Catholic Medical Partners (CMP), 144 Genesee Street, Buffalo, NY 14203 on behalf of Mental Health. Said grant funding is for the hiring of a part time (.5) prevention specialist in a minimum amount of twenty thousand dollars (\$20,000.00); effective April 1, 2016 through March 31, 2017.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#11

RESOLUTION NO. 17-049
(February 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 16-461 AMENDED

WHEREAS, Resolution Number 16-461 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HILLSIDE CHILDREN’S CENTER ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on November 10, 2016 and provides for children

Regular Session

services in an amount not to exceed one hundred twenty-two thousand eleven dollars (\$122,011.00) annually; effective January 1, 2017 through December 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-461 be hereby amended to increase the contract amount by seven dollars (\$7.00) for a new contract total of one hundred twenty-two thousand eighteen dollars (\$122,018.00) annually.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #12

RESOLUTION NO. 17-050
(February 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**REBECCA RYAN REAPPOINTED TO THE MENTAL HEALTH
COMMUNITY SERVICES BOARD AND MENTAL HEALTH
SUBCOMMITTEE**

BE IT RESOLVED, That **Rebecca Ryan**, T/Warsaw, 172 West Buffalo Street, Warsaw, NY 14569 is hereby reappointed to the Mental Health Community Services Board and Mental Health Subcommittee as the Supervisor Member for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #13

RESOLUTION NO. 17-051
(February 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK COUNCIL ON
PROBLEM GAMBLING 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 and acceptance award with the New York Council on Problem

February 14, 2017

Gambling, 100 Great Oaks Boulevard Albany, NY 12203 on behalf of Mental Health. Said grant funding is for problem gambling, Youth Decide engagement in a minimum amount of fifteen thousand dollars (\$15,000.00); effective January 27, 2017 through November 17, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #14

RESOLUTION NO. 17-052
(February 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**REBECCA RYAN REAPPOINTED TO THE WYOMING COUNTY
 BOARD OF HEALTH**

BE IT RESOLVED, That **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, New York 14569 be hereby reappointed as a Supervisor Member to the Wyoming County Board of Health; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #15

RESOLUTION NO. 17-053
(February 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
 NEW YORK STATE DEPARTMENT OF HEALTH IN PERSON
 ASSISTORS AND NAVIGATOR GRANT SUB-AGREEMENTS WITH
 WYOMING COUNTY CHAMBER OF COMMERCE AND WYOMING
 COUNTY COMMUNITY ACTION ON BEHALF OF THE COUNTY
 HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign Sub-Agreements for reimbursement of Navigator Grant activities, as required by the New York State Department of Health work plan; effective October 1, 2016 through September 30, 2017 as follows:

- **Wyoming County Chamber of Commerce**, 36 Center Street, Suite A,

Regular Session

Warsaw, NY 14569 ten thousand dollars (\$10,000.00) annually; renewable through September 30, 2018.

- **Wyoming County Community Action**, 6470 Route 20A, Suite 1, Perry, NY 14530 forty-nine thousand three hundred eighty-two dollars (\$49,382.00) annually; renewable through September 30, 2018.

Fully reimbursed by the New York State Department of Health In Person Assistors and Navigator Grant.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #16 through #20. Hearing no objection resolution titles were read.

#16

RESOLUTION NO. 17-054
(February 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JAMES BRICK REAPPOINTED TO THE CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY BOARD OF DIRECTORS

BE IT RESOLVED, That **James Brick** (T/Perry), 7618 Route 20A, Perry, NY 14530 is hereby reappointed to the Cornell Cooperative Extension of Wyoming County Board of Directors as the Supervisor Member for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

#17

RESOLUTION NO. 17-055
(February 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JOHN COPELAND AND BRYAN KEHL REAPPOINTED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ADVISORY COMMITTEE

BE IT RESOLVED, That **John Copeland** (T/Wethersfield), 5888

February 14, 2017

Sheppard Road, Bliss, NY 14024 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as a Supervisor Member for a term of one (1) year; effective January 1, 2017 through December 31, 2017; and be it

FURTHER RESOLVED, That **Bryan Kehl** (T/Attica), 914 Route 98, Attica, NY 14011 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as the Supervisor Member/Alternate for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #18

RESOLUTION NO. 17-056
(February 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JAMES BRICK REAPPOINTED TO THE
REGION 9 FISH AND WILDLIFE MANAGEMENT BOARD

BE IT RESOLVED, That **James Brick** (T/Perry), 7618 Route 20A, Perry NY 14530 be hereby reappointed to the Region 9 Fish and Wildlife Management Board as the Supervisor Member (Legislative Rep.) for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #19

RESOLUTION NO. 17-057
(February 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JOHN KNAB AND E. JOSEPH GOZELSKI REAPPOINTED TO THE
SENECA TRAIL RESOURCE CONSERVATION AND
DEVELOPMENT COUNCIL

BE IT RESOLVED, That **John Knab**, 2246 Thomas Road, Varysburg, NY 14167 be hereby reappointed as a Board of Supervisors Representative to the Seneca Trail Resource Conservation and Development Council for a term of one (1) year; effective January 1, 2017 through December 31, 2017; and be it

FURTHER RESOLVED, That **E. Joseph Gozelski**, 6175 East Lake Road, P.O. Box 331, Silver Springs, NY 14550 be hereby reappointed to the Seneca Trail Resource Conservation and Development Council as a Member at Large for a term of three (3) years; effective January 1, 2017 through December 31, 2019.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #20

RESOLUTION NO. 17-058
(February 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JAMES BRICK AND VANESSA MCCORMICK REAPPOINTED TO THE WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

BE IT RESOLVED, That **James Brick** (T/Perry), 7618 Route 20A, Perry, NY 14530 and **Vanessa McCormick** (T/Java), 2436 McCormick Road, North Java, NY 14113 are hereby reappointed as Supervisor Members of the Wyoming County Soil and Water Conservation District Board for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #21 and #27. Hearing no objection resolution titles were read.

#21

RESOLUTION NO. 17-059
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A SUBLICENSE AGREEMENT WITH WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY ON BEHALF OF THE WYOMING COUNTY AG AND BUSINESS CENTER

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Sublease Agreement with **Wyoming County Industrial Development Agency** for 5,121 sq. ft. of office space located in the Wyoming County Ag and Business Center, 36 Center Street, Suite D, Warsaw NY 14569. Base rent is in the

February 14, 2017

amount of eleven dollars and forty-four cents (\$11.44) per square foot and utilities are at two dollars and eighty cents (\$2.80) per square foot; effective February 19, 2017 through February 18, 2018.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

#22

RESOLUTION NO. 17-060
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**REBECCA RYAN AND A. DOUGLAS BERWANGER REAPPOINTED
 TO THE WYOMING COUNTY INDUSTRIAL DEVELOPMENT
 AGENCY BOARD OF DIRECTORS**

BE IT RESOLVED, That **Rebecca Ryan** (T/Warsaw) Supervisor, 172 West Buffalo Street, Warsaw, NY 14569 and **A. Douglas Berwanger** (T/Arcade), Chairman of the Wyoming County Board of Supervisors, 6608 East Arcade Road, Arcade, NY 14009 are hereby reappointed as members of the Board of Directors for the Wyoming County Industrial Development Agency for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

#23

RESOLUTION NO. 17-061
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS REAPPOINTED TO THE
 GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

BE IT RESOLVED, That the following members are hereby reappointed to the Genesee/Finger Lakes Regional Planning Council for a term of one (1) year; effective January 1, 2017 through December 31, 2017:

Chairman Member

- **A.D. Berwanger** (T/Arcade), 6608 E Arcade Road, Arcade, NY 14009

Chairman Member / Alternate

- **Daniel Leuer** (T/Middlebury), 712 Transit Road, Wyoming, NY 14591

Supervisor Member

- **Jerry Davis** (T/Covington), 7414 Court Road, PO Box 445, Pavilion, NY 14525

Executive Committee

- **Jerry Davis** (T/Covington), 7414 Court Road, PO Box 445, Pavilion, NY 14525

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#24

RESOLUTION NO. 17-062
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**REBECCA RYAN REAPPOINTED TO THE ARTS COUNCIL
 BOARD OF DIRECTORS**

BE IT RESOLVED, That **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby appointed to the Arts Council Board of Directors as the Supervisor Member for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#25

RESOLUTION NO. 17-063
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**VANESSA MCCORMICK AND BRETT HASTINGS
 APPOINTED/REAPPOINTED TO THE
 BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That **Vanessa McCormick** (T/Java), 2436 McCormick Road, North Java, NY 14113 be hereby reappointed to the Business Education Council as the Supervisor Member for a term of one (1) year; effective January 1, 2017 through December 31, 2017; and be it

FURTHER RESOLVED, That **Brett Hastings** (T/Eagle), 6032 Horton Road, Bliss, NY 14024 be hereby reappointed to the Business Education Council as the Supervisor Member/Alternate for a term of one (1) year; effective

February 14, 2017

January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
Local Law
#26

RESOLUTION NO. 17-064
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. A
YEAR 2017

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14th day of February, 2017, a proposed local law entitled, “Local Law Introductory No. A Year 2017, “**A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM IN WYOMING COUNTY**”; and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on *the 14th day of March, 2017 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

INTRODUCTORY LOCAL LAW NO. A - YEAR 2017
A Local Law Establishing a Sustainable Energy Loan Program
in the County of Wyoming

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. Title

This Local Law shall be known as the “Energize NY Benefit Financing Program Law of the County of Wyoming” and shall read as follows:

Section 2. Legislative Findings, Intent and Purpose, Authority

Regular Session

a. It is the policy of both the County and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County Board of Supervisors finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewal energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County, to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this Local Law and fulfilling an important public purpose.

b. The County is authorized to implement this Energize NY Benefit Financing Program pursuant to Article 5-L of the New York General Municipal Law.

Section 3. Definitions

For purposes of this Local Law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated.

Authority. The New York State Energy Research and Development Authority, as defined by subdivision two of Section Eighteen hundred fifty-one (§1851(2)) of the Public Authorities Law or its successor.

County. Wyoming County, State of New York.

EIC. The Energy Improvement Corporation, a local development corporation, duly organized under Section Fourteen hundred Eleven (§1411) of the Not-for-Profit Corporation Law, authorized hereby on behalf of the County to implement the Energize NY Benefit Financing program by providing funds to qualified property owners (as defined in this Local Law) and providing for repayment of such funds from monies collected by the County tax collector as a charge to be levied on the real property and collected in the same manner and same form as the County taxes.

Energy Audit. A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

Energy Efficiency Improvement. Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weather stripping, air sealing, insulation

and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority not including lighting measures or household appliances that are not permanently fixed to real property.

Qualified Property Owner. An owner of residential or commercial real property located within the boundaries of the County that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this Local Law.

Renewable Energy System. An energy generating system for the generation of electric or thermal energy, to be used primarily as such property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

Renewable Energy System Feasibility Study. A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

Section 4. Establishment of an Energize NY Benefit Financing Program

- a. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC acting on its behalf may provide funds to Qualified Property Owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.
- b. The funds provided shall not exceed the lesser of ten percent (10%) of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

Section 5. Procedures for Eligibility

- a. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County offices.
- b. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for mailing a financing

enumerated in subsection A of Section 6 of this Local Law. EIC may also request further information from the property owner where necessary to aid in its determination.

c. If a positive determination on an application is made by EIC acting on behalf of the County, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under Section 7 of this Local Law; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

Section 6. Application Criteria

a. Upon submission of an application, EIC acting on behalf of the County shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- i. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective by the Authority;
- ii. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems will generate an estimated annual cost savings greater than the annual charge payments;
- iii. Sufficient funds are available to provide to the property owner;
- iv. The property owner is current in payments on any existing mortgage;
- v. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three (3) years; and
- vi. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

Section 7. Opt-In, Energize Finance Agreement

a. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an Energize Finance Agreement made by and between the Qualified Property Owner and EIC acting on behalf of the County.

b. Upon execution of the Energize Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of the County, for the acquisition, construction and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of Section 8 of this Local Law have been met.

c. The Energize Finance Agreement shall include the terms and conditions of repayment set forth under Section 9 of this Local Law.

Section 8. Energy Audit, Renewable Energy System Feasibility Study

a. No funds shall be made available for Energy Efficiency Improvements unless determined to be appropriate through an Energy Audit as defined in Section 3.

b. No funds shall be made available for a Renewable Energy System unless determined to be feasible through a Renewable Energy System Feasibility Study as defined in Section 3.

c. The cost of such Energy Audit and/or Renewable Energy System Feasibility Study shall be borne solely by the property owner but may be included in the financed amount if the work is approved.

Section 9. Terms and Conditions of Repayment

The Energize Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the County shall set forth the terms and conditions of repayment in accordance with the following.

a. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on their real property tax bill and shall be levied and collected at the same time and in the same manner as County taxes, provided that such charge shall be separately listed on the tax bill. The County shall make payment to EIC or its designee in the amount of all such separately listed charges within thirty (30) days of the County real property tax due date.

b. The term of such repayment shall be determined at the time the Energize Finance Agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by the EIC acting on behalf of the County.

c. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County at the time the Energize Finance Agreement is executed by the property owner and EIC.

d. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

Section 10. Verification and Report

- a. EIC shall be responsible for verifying and reporting to the County on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such program.
- b. The County shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

Section 11. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

DATED at Warsaw, New York

February 14, 2017 (Introduced)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

#27

RESOLUTION NO. 17-065
(February 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**APPROVING PUBLIC EMPLOYEES FIDELITY (BLANKET) BOND
FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

WHEREAS, The County of Wyoming has appropriated the sum of six thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2017 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, Pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of an agency designated by the agency to receive such monies, provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket

February 14, 2017

bond coverage for officers and employees of the Council in the amount of five hundred thousand dollars (\$500,000.00); now therefore

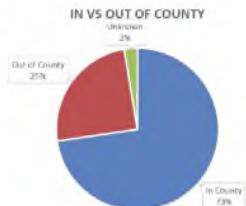
BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

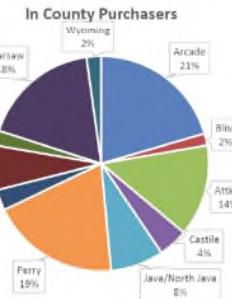
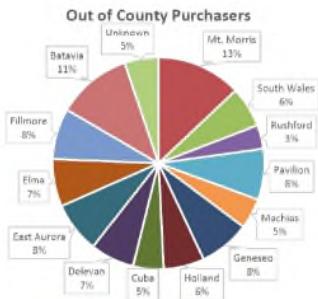
After the passage of resolutions numbered 21 through 27, Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to make an introduction. Wyoming County Chamber of Commerce President and CEO, Scott Gardner was introduced and asked to come forward to make his presentation.



**“SHOP WYOMING & WIN”
2016-17 RESULTS
“A Win for Wyoming County”**



Success by the Numbers:
650 Shoppers Participating
33 Business Drop Boxes
\$451,519 in Total Purchases
27% Increase over 2015-16
\$36,121 in est. Sales Taxes



Special thanks to these businesses for their strong support and prize donations.



Record Year for 5th Wyoming County Chamber & Tourism's "Shop Wyoming and Win" Buy Local Promotion

(Warsaw, NY) – Three lucky individuals were selected on Tuesday, February 14, 2017, as winners of the Chamber's "Shop Wyoming and Win" annual Buy Local promotion. This year's winners are: Stephanie Baiocco of Marilla won the Weber Gas Grill donated by Ace Hardware of Attica and Warsaw; Ron Snell of Delevan won the Rocker Recliner donated by Harding's Attica Furniture and Flooring in Attica; and Annette Hyman of Strykersville won the \$100 Wyoming County Visa Gift Card.

The Wyoming County Chamber & Tourism held the drawing at the Wyoming County Board of Supervisors regular February Meeting. As the most senior members of the Board, Town Supervisors Jerry Davis (Covington), Doug Berwanger (Arcade), and John Copeland (Wethersfield) drew the winning tickets.

"Congratulations to the winners of this year's "Shop Wyoming and Win" contest. This year's promotion was another record breaker and we again exceeded local shopping revenue goals over last year," said Scott Gardner, President of the Chamber. "Thank you to the local businesses who participated, and all the shoppers for making this event a success. Thank you to everyone who participated by shopping locally, placed a drop box in their business, or supported the program in some way."

"The prizes are made possible with the strong support of two county businesses. We thank Ace Hardware of Attica and Warsaw for the first time donation of the Weber gas grill, and thank Harding's Attica Furniture and Flooring for stepping up again this year and donating a Rocker Recliner," concluded Gardner. "These two businesses never hesitate to participate and we hope that shoppers will stop in to support these outstanding local family run small businesses."

This year marks the fifth time that the Chamber has sponsored the holiday promotion as part of the Wyoming County Chamber of Commerce's buy local program. After weeks of planning and delivering the entry boxes to small businesses all over the county, the contest kicked off on "Black Friday" November 25, 2016.

Participants were required to save their receipts from purchases made in Wyoming County between "Black Friday," November 25, 2016 and Christmas Eve, December 24, 2016. They then submitted the receipts by mail, in-person, or in drop boxes by the deadline of January 13, 2017. For every \$50 worth of purchases made in Wyoming County, the participants were eligible for one entry in the drawing. We are very pleased the report that we broke last year's record

with 650 participants and total purchases at \$451,519, up 27% over last year. Shoppers turned in sales receipts which brought in estimated sales taxes of \$36,121 during the 31-day promotional period.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #28 through #31. Hearing no objection resolution titles were read.

#28

RESOLUTION NO. 17-066
(February 14, 2017)

By Mr. Copeland, 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, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of Emergency Services:

- **Emergency Services Marketing Corp., Inc.**, P.O. Box 93, Dewitt, NY 13214 for access to *IamResponding.com* in an amount not to exceed forty-one thousand six hundred twenty-five dollars (\$41,625.00); effective January 15, 2017 through January 14, 2020.
- **Saia Communications, Inc.**, 100 Stradtman Street, Buffalo, NY 14206 for magnetic non-pen mounts for the new 11 GHz microwave radios for the Perry Water Tower in an amount not to exceed thirteen thousand eight hundred dollars (\$13,800.00); effective February 14, 2017 through completion.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:**

Absent:

Abstain:

#29

RESOLUTION NO. 17-067
(February 14, 2017)

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

**RESOLUTION IN SUPPORT OF ADOPTING THE NEW YORK STATE
UNIFIED SOLAR PERMIT FOR SOLAR PROJECTS IN
WYOMING COUNTY**

Regular Session

WHEREAS, Local governments are critical partners in achieving a new energy vision for New York State where municipal leaders play a critical role in affecting energy choices in their communities, both in terms of government operations, and also across homes, businesses, and community institutions; and

WHEREAS, The New York State Clean Energy Communities Program provides grants, direct technical support to communities, and recognition to local governments that demonstrate leadership in the area of clean energy; and

WHEREAS, New York State Energy Research and Development Authority (NYSERDA) has identified ten high-impact actions that local governments can take to save money, foster a vibrant economy, and improve the environment, and by completing four of the ten high-impact actions, the applying jurisdiction shall earn the Clean Energy Community designation as well as a grant, up to \$250,000.00 per municipality with no local cost share, to support additional clean energy projects; and

WHEREAS, The Wyoming County Board of Supervisors, by passing legislation to adopt the New York State Unified Solar Permit to reduce costs and delays for solar projects in the jurisdiction, will complete one of the Ten High-Impact Actions; now, therefore be it

RESOLVED, The Wyoming County Board of Supervisors endorses the adoption of the New York State Unified Solar Permit for use by Wyoming County Fire and Building Codes; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports the goal of earning the Clean Energy Community designation, as well as, a grant up to \$250,000.00; and be it

FURTHER RESOLVED, That the Clerk of the Wyoming County Board of Supervisors is hereby authorized and directed to forward certified copies of this Resolution to NYSERDA, the Genesee/Finger Lakes Regional Planning Council and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#30

**RESOLUTION NO. 17-068
(February 14, 2017)**

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

February 14, 2017

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL
AGREEMENTS WITH PARTICIPATING MUNICIPALITIES OF
WYOMING COUNTY FOR COUNTYWIDE ZONING ENFORCEMENT
SERVICES ON BEHALF OF WYOMING COUNTY
FIRE AND BUILDING CODE ENFORCEMENT**

WHEREAS, The Wyoming County Board of Supervisors offers countywide zoning enforcement services to municipalities within the borders of Wyoming County; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign applicable and appropriate Inter-Municipal Agreements with participating municipalities of Wyoming County for countywide zoning enforcement services on behalf of Wyoming County Fire and Building Code Enforcement in accordance with the negotiated fees outlined therein; effective upon signing and remains in effect until both parties agree to dissolution.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #31

**RESOLUTION NO. 17-069
(February 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF
INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC
DEFENDER'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 grant application and acceptance award with the New York State Office of Indigent Legal Services , 80 South Swan Street, 11th Floor, Albany, NY 12203 on behalf of the Public Defender's Office. Said grant funding to offset costs of indigent legal defense in a minimum amount of seventeen thousand twenty dollars (\$17,020.00) annually for a total contract amount of fifty-one thousand sixty dollars (\$51,060.00); effective January 1, 2017 through December 31, 2019. (*Distribution #7*)

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

After the passage of resolution numbers 28 through 31 the Chairman paused to discuss a very serious topic plaguing not only Wyoming County but the entire country, heroin and opioid abuse. Last month Dr. Collins offered a presentation on the situation from a healthcare point of view. This month we invited County Court Judge, Michael Mohun and Sheriff Greg Rudolph to give a law enforcement point of view.

Judge Mohun presented the Supervisors with the following Stakeholder Report and discussed the many different service areas of Treatment Court.

Wyoming County Treatment Court: Stake Holders

The Wyoming County Treatment Court is venued in Warsaw New York. The Village of Warsaw is the County seat of Wyoming County. Wyoming County is located in the western part of New York State. Per the 2010 census it has a population of 42,531 people. The county consists of 596 square miles. The predominant industry is agriculture; dairy farming and cash crops. There are no cities within Wyoming County. Law enforcement duties are performed by the New York State Police, Wyoming County Sheriff's office and four Village police departments. The Wyoming County Treatment Court is a collaborative effort. A meeting is held every Wednesday morning at the Court House in Warsaw with all of the stake holders. Attending this meeting are members of the following agencies and organizations:

- 1) **Wyoming County Court Judge Michael Mohun, Court**

Clerks, Becky Miller and Betty Fisher, Treatment Court

Coordinator, James Messe.

All are employees of the New York State Office of Court Administration. Judge Mohun is the elected County Court Judge of Wyoming County. He presides over the Wyoming County Treatment Court on a weekly basis. Judge Mohun chairs the weekly meeting, which are attended by all the stake holders. He presides over the actual court proceedings involving the arraignment, plea, sanctions, hearings, sentences and graduations.

Becky Miller and Betty Fisher are Court Clerks, who are responsible for the data entry required for the smooth and proper administration of the Wyoming County Treatment Court.

James Messe is the Wyoming County Treatment Court Coordinator. He is initially responsible for interviewing potential Treatment Court candidates and conducts a psycho-social assessment. He then presents his assessment to the Treatment Court team, along with the Probation assessment to determine eligibility for the Wyoming County Treatment Court. He establishes the necessary level of treatment for each individual client and assesses what entitlements they have or may need. Upon entry into the program, Mr. Messe connects the participant with the appropriate treatment provider. He is responsible to assure the production of regular status reports. He assists the navigator in assuring Health Insurance coverage. Mr. Messe is invaluable in securing in-patient treatment for those participants who are unable to remain in the community. He assists in securing and testing participant's samples for the detection of illicit drugs and alcohol. He communicates regularly with each participant to assure their compliance with the Treatment Court conditions.

2) Wyoming County District Attorney Donald O'Geen

Donald O'Geen is the elected District Attorney of Wyoming County. His office consists of him and two assistant District Attorneys. Mr. O'Geen has recognized the value and importance of the Treatment

Court model. He personally reviews each participant for eligibility. If eligible, he along with the Public Defender or private attorney negotiate a disposition that includes Treatment Court participation. He attends each weekly meeting and actively participates in the discussion. He is an advocate for the People. Mr. O'Geen represents the State during the court proceedings, which include arraignment, plea, sanctions, hearings, sentences and graduation.

The District Attorney's office expends tremendous resources because of its participation and support of the Wyoming County Treatment Court. Mr. O'Geen devotes every Wednesday to attend the meeting and subsequent Court proceeding. A Treatment court participant will appear in court a minimum of twenty-five times before the matter is resolved. A typical criminal case will be resolved in usually four to eight appearances. The District Attorney recognizes that this extra effort exerted by his office reflected in time and manpower will result in breaking the cycle of addiction and criminality.

3) Wyoming County Public Defender, Norman Effman

Norman Effman is the appointed Public Defender of Wyoming County. His office consists of him and three Assistant Public Defenders. Mr. Effman's office represent all indigent criminal defendants who are charged with a crime in Wyoming County. Along with the District Attorney, he identifies those criminal defendants that are potential Treatment Court participants. If eligible he along with

the District Attorney negotiate a disposition that includes Treatment Court participation. He also attends each weekly meeting and actively participates in the discussion as an advocate for the individual. Mr. Effman represents the individual during the court proceedings, which include arraignment, plea, sanctions, hearings, sentences and graduations.

The public Defender's office expends tremendous resources because of its participation and support of the Wyoming County Treatment Court. Mr. Effman devotes every Wednesday to attend the meeting and subsequent Court proceeding. A treatment court participant will appear in court a minimum of twenty-five times before the matter is resolved. A typical criminal case will be resolved in usually four to eight appearances. The Public Defender recognizes that this extra effort reflected in time and manpower will result in breaking the cycle of addiction and criminality.

4) **Wyoming County Probation Department: Gene Traxler**

Gene Traxler, Sr. Probation Officer with the Wyoming County Probation Department. The Wyoming County Probation Department is operated under the direction of Director Joan Kibler. The department consists of 7 officers. This department has been involved in the Treatment Court since its inception in 2003 and has been un-wavering in its support and has been primarily responsible for its success.

Each participant is placed on Interim Probation supervision immediately upon his or her acceptance into the Wyoming County Treatment Court. These conditions of Probation are tailored specifically to assure that the participant leads a law abiding, productive and drug free life. Gene Traxler is assigned to supervise each and every Treatment Court participant. This requires PO Traxler to initially assess each participant needs regarding treatment, home environment, educational, vocational and transportation needs. At a minimum PO Traxler meets with each participant weekly to assess their compliance with the terms of Probation and contract. Additionally, PO Traxler, with other members of the department performs random and unannounced home visits to ensure curfews are followed, and compliance.

Testing of each participant is both random and scheduled. Each participant is tested prior to each Treatment Court session. These tests ensure sobriety. Officer Traxler is in constant contact with treatment agencies, family members, employers and other service providers, to verify attendance, compliance, and employment. Employers are made aware of tax credits for hiring participants through the Work Opportunity Tax Credit Program. If there are any violations, positive tests, attendance issues, discrepancies or other issues, this information is relayed to the team for discussion at the next team meeting or in some cases a warrant is sought for the

participant's arrest for violating Probation, and the participant may be and jailed. Strict compliance with the terms of probation and the terms of the contract will assure that the participant is afforded the opportunity to break the vicious cycle of addiction and lead a law abiding, healthy and productive life.

5) Wyoming County Jail Medical Services: Cheryl Glaus, R.N. and Laura Dutton, R.N.

Wyoming County Jail Medical Services works collaboratively with the treatment team to address every participant that is incarcerated while participating in Treatment Court. The jail nurse attends Treatment Court meetings to identify participants who may be presenting with withdrawal concerns, their needs for medical or mental health services while incarcerated, and their need for continuation of medications. Jail medical services also works to gather participants' medical and mental health information to provide a comprehensive and inclusive plan of care. This information can then be shared with all members of the treatment team and with inpatient treatment providers. The goal is to work with all disciplines involved to provide continuity of care while they are incarcerated and to keep the treatment team informed of each participant's progress.

Additionally, New York's internet system to combat over prescribing (I-STOP) is utilized. This system, begun in 2012, aims to reduce the number of deaths caused by opioid addiction and the over

prescription of opioid medications. As of March 27, 2016 all drugs, including controlled substances must be prescribed electronically. As of August 27, 2013 all New York prescribers must consult the Prescription Monitoring Program when writing a prescription for a Schedule II, III, or IV controlled substance.

It is widely known that inmates with a mental illness have increased in numbers. Additionally, the intensity and complicated nature of their illnesses and life circumstances is challenging to manage in the jail setting. It is estimated that 20 percent of inmates in jail and 15 percent of inmates in state prisons have a serious mental illness. Mentally-ill inmates are often jail management problems as they do not understand jail rules, and violate them. These inmates also are more likely to contemplate suicide. Because of the need to have added staffing, mentally-ill inmates cost more to house in a jail setting. (Treatment Advocacy Center, Arlington, VA). The Wyoming County Sheriff's Dept. and other Departments that work with inmates regularly, agree that mentally-ill inmates have increased in the jail in the last several years. As the numbers have increased, the jail behaviors and intensity of mental illness, the Sheriff's Dept. contends, have increased as well.

The regular, on-site presence of mental health professional, Laura Dutton, R.N. provides mental health services to inmates thus decreasing management problems and safety issues (i.e., suicide

watch). As a result, utilization of extra staff time by corrections officers is decreased as well, saving the County dollars. Having mental health professional, Laura Dutton, R.N. working at the jail, brings continuity of services to the inmates and provides ongoing and regular consultation with the Jail Nurse and the corrections officer staff. Some hospitalizations have been avoided by having increased mental health services provided at the jail site. Although housed at the jail site, Laura Dutton, R.N. functions as a member of the WCCHS Behavioral Health Unit and is supervised by the Unit's Director and Psychiatrist. There are additional WCCHS staff who provide complimentary and additional services in the jail through special referral by the Jail Nurse or Administrator.

6) Spectrum Human Services: Mitchell Kibler

Spectrum Human Services provides outpatient mental health and chemical dependency treatment services to the treatment court participants through their Warsaw location as well as providing supportive housing. Participants attend weekly group and individual sessions to address their diagnosis.

The treatment program offers a multi-phase treatment curriculum. This allows the clinical staff to develop recommended treatment frequencies based upon the individual's diagnosis. This is structured similarly to the Treatment Court Program as the early phases of treatment are intensive. Clients will attend a combination of

group and individual therapy sessions. In early phases these groups and individual sessions could be attended up to five times per week to address identified needs. As the client progresses throughout the treatment program they will be seen less frequently to facilitate the development of a personal support network and to allow vocational training or employment.

Spectrum Human Services offers care coordination services. The staff assist the individuals by providing support and advocacy for needed services. This, at times, involves finding housing and assisting the individuals in obtaining daily life necessities, as well as assisting in transportation to, and scheduling of appointments, while offering emotional support. The care coordination and housing program staff attend meetings with the Wyoming County Treatment Court team to collaborate with the other involved agencies. This allows individuals involved with the Treatment Court access to a myriad of services to address ongoing needs.

Medication assisted treatment for opiate addiction is offered. Suboxone and Vivitrol are prescribed. Suboxone combines Buprenorphine, an opiate with Naloxone, an opiate blocker. It is taken orally daily and requires strict testing and physician supervision. Vivitrol is purely an opiate blocker and given once a month by injection. These medications are used in conjunction with either inpatient or outpatient treatment.

7) **Wyoming County Mental Health Clinic: Kazmiera Ostertag**

The Wyoming County Mental Health Clinic provides outpatient mental health services, focusing on co-occurring disorders. Participants attend weekly group or individual sessions to address their diagnosis. Medication assisted treatment for opiate addiction is offered. Suboxone and Vivitrol are prescribed. Suboxone combines Buprenorphine, an opiate with Naloxone, an opiate blocker. It is taken orally daily and requires strict testing and physician supervision. Vivitrol is purely an opiate blocker and given once a month by injection. These medications are used in conjunction with either inpatient or outpatient treatment.

8) **Literacy West NY, Inc.: Holly Mazurkiewicz**

This organization assists Treatment Court participants to earn a high school equivalency diploma. Classes are scheduled in their Warsaw Office, Monday through Friday. The following topics are covered: reading, writing, social studies, science and mathematics. When a Treatment Court participant obtains a high school equivalency diploma, Literacy West will assist that individual in attending college. Genesee Community College has campuses in two locations in Wyoming County. Literacy West works closely with Genesee Community College is enrolling Treatment Court participants. Those who do not wish to attend college are offered National Work Readiness Credential Classes and career coaching.

9) Department of Veterans Affairs: John LaHood

Veteran Justice Outreach Coordinator John LaHood has been assigned by the Veteran's Administration to assist our Court when dealing with Veterans. Mr. LaHood first determines whether treatment court participants are eligible for services through the Veterans Administration. If they are eligible, he coordinates efforts to determine the appropriate level of care after diagnosis. The eligible veterans are treated at the various Veteran's Administration facilities located throughout Western New York. These locations are located in Batavia, Bath, Canandaigua and Buffalo.

10) Wyoming County Health Department Navigator Program:**Cathy Murdie**

The navigator identifies those treatment court participants in need of health insurance. Providing health insurance removes some of the barriers associated with inpatient and outpatient treatment options as well as the ability to afford prescribed medication necessary for successful completion.

11) Wyoming County Mental Health Department: Colleen Eccleston and Sue Gagne

The Wyoming County Mental Health Department assures the delivery of quality services to residents of Wyoming County in the areas of mental health, alcoholism and substance abuse and developmental disability. This includes services coordination,

community-oriented prevention education, consultation, and performance management of agencies providing treatment, prevention, rehabilitation and/or recovery services on behalf of the County of Wyoming. The Department plays a key role in monitoring services outcomes, determining areas of unmet needs and/or gaps in the services delivery system, setting priorities for services development and allocation, identifying potential sources of funding and initiating proposals in collaboration with providers and peers to meet those needs.

Weekly Meeting/Court Proceedings

When the Treatment Court first began almost fourteen years ago participants addicted to opiates was a rarity. The court dealt with alcohol, cocaine, methamphetamine, designer drugs and non-opiate prescription pill abuse primarily. Today, over 70% of the participants are diagnosed as opiate dependent, primarily heroin. At the weekly meetings, each treatment court participant is discussed individually. First, a discussion is had regarding their treatment; whether there is regular attendance and active participation in counselling whether in groups or individually. Testing of either breath or urine is routinely done by both the Probation Department and the treatment providers. A failed test will result in a jail sanction or if the subject denies use, then the sample is sent to the lab for testing. Next, the discussion focuses on the participant's employment, vocational training or schooling. Lastly, the participant's overall attitude and demeanor is

discussed in regards to his/her compliance with the probation terms and contract conditions.

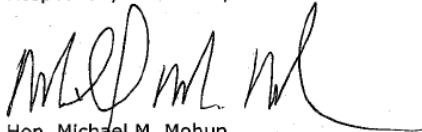
The Wyoming County Treatment Court process has evolved into a unified system of care, with an integrated cross-systems approach supported by non-traditional, community partnership. This unique team offers a wide-open door of hope for each individual qualifying for the program. Whether the primary problem is mental health or addiction, the treatment team utilizes weekly meetings to review the participant's status; including their life domain needs, while recognizing and promoting the individual's areas of strength and support.

The Wyoming County Treatment Court is in tune with the need for timely and efficient screening and assessment by local treatment providers. This helps to identify all challenged areas and to link them with the necessary treatment modalities. Following evaluations and recommendations, the team works diligently to view treatment planning with a holistic approach, by several community-based professionals to aid in their particular specialized areas for each individual. The Treatment Court Coordinator and Probation Officers ensure prompt service delivery, participant engagement, provider collaboration and continuity of care for each participant.

The Wyoming County Treatment Court offers just that; an opportunity to link treatment, vocational training, supportive living, educational needs and employment opportunities while working towards goals of hope and

recovery, and a chance to break the vicious cyclical nature of an addict involved in the Criminal Justice system.

Respectfully submitted,



Hon. Michael M. Mohun
Wyoming County Court Judge
Wyoming County Courthouse
147 North Main Street
Warsaw, New York 14569
(585) 786-3148
mmohun@nycourts.gov

CASE #	DOA	CRIME	Rearrest?	Drug Related	Alcohol Related	DV	Theft	Other
14-F-077	4/26/2014	DWI (E Felony); Grand Larceny 4th	N					
14-F-044	3/15/2014	DWI (E Felony); DWI (Misd)	N					
13-F-219	1/8/2014	CSCS 3rd; CPC5 7th	N					
13-M-0564	8/23/2013	DWI (Misdemeanor)	N					
13-F-197	10/7/2013	Criminal Possession of a Forged Instrument 2nd	N					
13-F-146	8/2/2013	Attempted Burglary 2nd	N					
13-M-0586	9/15/2013	CPCS 7th; Petit Larceny	N					
13-M-0332	5/29/2013	Operating a MV Impaired by Drugs	N					
13-F-182	9/1/2013	Grand Larceny 4th	N					
13-F-182	6/30/2013	DWI (E Felony)	N					
13-F-100	5/18/2013	Grand Larceny 3rd	N					
13-F-081	4/26/2013	DWI (E Felony)	N					
13-F-019	2/1/2013	DWI (E Felony)	N					
13-F-006	1/17/2013	Aggravated DWI (E Felony)	N					
12-M-0531	9/7/2012	DWI (Misdemeanor)	N					
12-F-297	12/25/2012	DWI (E Felony)	N					
12-M-0756	12/18/2012	Criminal Mischief 4th	N					
12-M-0263	5/19/2012	DWI (Misdemeanor)	YES	N	N	N	N	Rape/EWOC
12-F-280	11/3/2012	Aggravated DWI (E Felony)	N					
12-F-194	9/8/2012	Aggravated DWI (E Felony)	N					
12-F-182	6/8/2012	DWI (Misdemeanor)	N					
12-F-163	7/28/2012	Grand Larceny 3rd; Petit Larceny	N					
12-M-0245	5/13/2012	CPCS 7th	N					
		DIED						
12-M-0352	6/15/2012	Petit Larceny	YES	Y	N	N	N	CPCS 7th
12-M-0072	2/17/2012	Petit Larceny	N					
14-F-094	11/14/2013	Attempted Forgery 2nd	YES	Y	N	N	N	CPCS 7th
13-M-0070	2/14/2013	CPCS 7th	YES	Y	N	N	N	CPCS 7th
12-F-080	4/20/2012	Aggravated DWI (E Felony)	N					
12-F-095	5/4/2012	CSCS 3rd	N					
12-F-093	4/30/2012	Aggravated DWI (E Felony)	N					
12-M-0051	2/4/2012	DWI (Misdemeanor)	N					

			YES	N	N	Y	N	N	MENACING
12-F-049	3/15/2012 CSCS 4th, CPCS 7th		N						
12-M-0060	1/29/2012 DWI (Misdemeanor)		N						
12-F-061	3/18/2012 Agg. DWI (F Felony); DWI (Misd)		N						
12-F-048	3/15/2012 CSCS 5th		N						
12-F-039	2/18/2012 Grand Larceny 4th		N						
11-F-236	1/12/2011 DWI (F Felony)		N						
11-F-165	7/24/2011 DWI (Misdemeanor)		N						
12-F-029	1/21/2012 DWI (F Felony)		N						
12-F-007	1/1/2012 DWI (F Felony)		N						
11-F-293	12/21/2011 Burglary 2nd		YES	N	N	Y	N		BAD CHECK
09-F-020	2/17/2019 Grand Larceny 3rd		N						
11-F-233	10/25/2011 Forgery 2nd		YES	Y	N	N	N	N	POSS/HYPO
11-F-111	1/27/2011 Drug Court transfer from Steuben County		YES	N	N	N	N	Y	AUD 2ND
11-M-0333	6/21/2011 CPCs 7th		YES	N	Y	N	N	N	DWI
11-M-0491	8/28/2011 DWAI by Alcohol		N						
11-F-136	7/1/2011 Grand Larceny 4th		YES	N	N	N	Y	N	GLATH
11-F-026	2/9/2011 DWI (F Felony)		YES	N	N	N	N	Y	TAMPERING
11-F-141	6/26/2011 Criminal Mischief 4th		N						
15-F-007	1/3/2015 Grand Larceny 4th		N	N	N	N	Y	N	
14-F-218	11/10/2014 Burglary 2nd; Burglary 3rd Grand Larceny 4th		N	N	N	N	Y	N	
13-F-172	10/1/2013 CSCS 5th		N	Y	N	N	N	N	
14-F-086	5/9/2014 DWI (F Felony)		N	N	Y	N	N	N	
14-F-094	11/14/2013 Forgery 2nd; Grand Larceny 4th		N	N	N	N	Y	N	
13-F-276	12/15/2013 DWI (F Felony)		YES	N	Y	N	N	N	
13-M-0648	10/12/2013 DWI [Misdemeanor]		N	N	Y	N	N	N	
TOTAL NUMBER OF CASES									
57									
TOTAL # OF DEF. REARRESTED SINCE GRAD.									
12									
22%									
TOTAL # OF DEF NOT REARRESTED									
44									
78%									
% OF DEF. REARRESTED FOR DRUG OFFENSES									
4 OF 12									
33%									
% OF DEF. REARRESTED FOR ALCOHOL REL. OFF									
1 OF 12									
8%									
% OF DEF. REARRESTED FOR THEFT OR PROP. CRIM.									
2 OF 12									
17%									
% OF DEF. REARRESTED FOR DV RELATED CRIME									
1 OF 12									
8%									
OTHER									
4 OF 12									
33%									
100%									

Honorable Michael M. Mohun

JAMES F. MESSEWyoming County
Treatment Court CoordinatorRecidivism Rate of 2016 Graduates

<u>Date Admitted into Treatment Court</u>	<u>Crime client plead to be Admitted into Treatment Court</u>	<u>Re-Arrested</u>
1/21/16	Criminal Poss. Cont. Sub. 3 rd	NO
1/4/16	Criminal Poss. Cont. Sub. 3 rd	NO
12/21/16	Criminal Poss. Of Marijuana	NO
12/9/16	Assault 3 rd	NO
10/28/15	Grand Larc. 4 th	NO
9/23/15	Criminal Poss. Cont. Sub. 3 rd	NO
7/8/15	Criminal Poss. Cont. Sub. 3 rd	NO
3/11/15	Felony DWI	YES - AUO (No Drugs Involved)
5/6/15	Grand Larc. 4 th	NO
4/29/15	Criminal Poss Hypo Needle	NO
4/6/16	Grand Larc. 4 th	NO
1/14/15	Burg. 3 rd	NO
11/12/14	Criminal Poss. Cont. Sub. 3 rd	NO
10/16/14	Felony DWI	NO
5/21/14	Felony DWI	NO
8/5/15	Criminal Poss. Of Forged Instrument	NO

In addition to the above information, Judge Mohun talked about the many different medications used by the medical professionals in the County's Treatment Court.

In addition to the above information, Judge Mohun described employment opportunities for participants and the motivation provided by the backing of drug treatment court for employers that program participants would be to work on time and sober...

Judge Mohun explained the importance of the Department of Mental Health's participation in the program under the guidance of Mental Health Director Nancy Balbick.

Since Laura Dutton started providing Mental Health services in the County Jail suicide watches are down which translates to manpower costs being down...

In closing, Judge Mohun informed the Supervisors that it is not all doom and gloom and that the program is really working... Participants have the potential to become productive members of society once again...

Judge Mohun followed up by answering a couple questions from attendees...

Sheriff Rudolph was introduced by Judge Mohun to provide his perspective from a law enforcement point of view...

Sheriff Rudolph told the Board of Supervisors that he would hazard to guess that there is no other county in the state that gets together collaboratively with service providers to discuss plans for care of inmates. He provided statistics for 2016 and 2017. Sheriff Rudolph talked about the School Resource Officer, Drug Take Back day in the lobby of the Jail and several public forums. He thanked Public Health Admin. Laura Paolucci, for including him in the Drug Task Force discussions. He advocated for the many service programs that are available to individuals needing help.

Sheriff Rudolph spoke of a Drug Task Force where officers are initiating drug buys. He explained that these buys are not marijuana. It's heroin... He told of a member of law enforcement that witnessed someone offering their toddler as collateral...

Sheriff Rudolph talked about transportation issues that plague people getting out of jail. In many cases licenses have been revoked so getting to appointments and a job is a real challenge.

Chairman Berwanger told attendees that Erie County Executive, Mark Polencarz has taken the issue in Erie County national...

Judge Mohun added that Wyoming County works very hard to manage jail numbers to be certain people are getting needed services vs. jail time. Mental

Health issues should not be solved simply by throwing someone in jail...

There was a motion by Mr. Davis, T/Covington, to combine resolutions #32 through #35. Hearing no objection resolution titles were read.

#32

RESOLUTION NO. 17-070
(February 14, 2017)

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

RESOLUTION NUMBER 13-332 AMENDED

WHEREAS, Resolution Number 13-332 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY**,” passed by this Board of Supervisors on October 8, 2013 and provides for various contracts with any of the following vendors for Bridge and Highway Related Engineering Design Services, as needed, in an amount not to exceed fifty thousand dollars (\$50,000.00) per contract per year, on behalf of County Highway; effective October 8, 2013 through October 8, 2016 which includes two one year extensions:

- **Bryant Associates, P.C.**, 108 West Jefferson Street, Suite 400, Syracuse, NY 13202
- **Clark Patterson Lee**, 205 St. Paul Street, Rochester, NY 14604
- **LaBella Associates, D.P.C.**, 300 State Street, Suite 201, Rochester, NY 14614

now therefore,

BE IT RESOLVED, That Resolution Number 13-332 be hereby amended to extend the contract with **LaBella Associated, D.P.C.** through November 7, 2016 so there is no lapse in contract period with the new contract authorized by Resolution Number 16-472.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#33

RESOLUTION NO. 17-071
(February 14, 2017)

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

Regular Session

CHAIRMAN AUTHORIZED TO ACCEPT STATE BID AND SIGN A CONTRACT WITH GEORGE AND SWEDE SALES AND SERVICE, INC. ON BEHALF OF COUNTY HIGHWAY

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with George & Swede Sales and Services, Inc., 7155 Big Tree Road, Pavilion, NY 14525 on behalf of County Highway. Said contract is for one (1) 2017 Hyundai Loader HL960 in an amount not to exceed one hundred eighty-five thousand three hundred dollars (\$185,300.00) with a three-year buy back of one hundred fifty-eight thousand dollars (\$158,000.00) for a net price with delivery of twenty-seven thousand three hundred dollars (\$27,300.00); effective February 14, 2017 through delivery of equipment.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #34

RESOLUTION NO. 17-072
(February 14, 2017)

By Mr. Davis, 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 THEREFORE

WHEREAS, A Project for the **CR-59 Bixby Hill Road Highway Preventative Maintenance, Town of Arcade; PIN 4WY0.00** (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 90% Federal funds and 10% 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 costs of **Scoping, PE and ROW**

NOW, THEREFORE, the Board of Supervisors, duly convened does hereby

February 14, 2017

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 the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, That the sum of eight thousand two hundred twenty-five dollars (\$8,285.00) is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of 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 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 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 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: XXX **Ayes:** 1599 **Noes:** **Absent:**

#35

RESOLUTION NO. 17-073
(February 14, 2017)

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

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE
Regular Session

**FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, A Project for the **CR-2 Broughton Road Highway Preventative Maintenance, Town of Gainesville; PIN 4761.09** (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 90% Federal funds and 10% 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 costs of **Scoping, PE and ROW**.

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 the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, That the sum of six thousand two hundred twenty-five dollars (\$6,225.00) is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of 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 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 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 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: XXX Ayes: 1599 Noes: Absent: Abstain:

There was a motion by Mr. Brick, T/Perry, to combine resolutions #36 through #46. Hearing no objection resolution titles were read.

#36

RESOLUTION NO. 17-074
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2017 DENTAL INSURANCE
RATES ON BEHALF OF THE COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of the Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign dental insurance rates with Univera Healthcare, 205 Park Club Lane, Buffalo, NY 14221 for County employees; effective March 1, 2017 to February 28, 2018:

- **Dental Select / High Option:**

- o Single \$33.40
- o Employee/Spouse \$60.44
- o Employee/Child(ren) \$69.40
- o Family \$95.84

• *Dental Select / Low Option:*

- o Single \$21.66
- o Employee/Spouse \$41.96
- o Employee/Child(ren) \$49.50
- o Family \$69.86

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

#37

RESOLUTION NO. 17-075
(February 14, 2017)

Regular Session

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SIMPLEX
GRINNELL ON BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Simplex Grinnell, 90 Goodway Drive, Rochester, NY 14623 on behalf of Information Technology. Said contract is for the separation of existing jail security/fire alarm system and installation of new addressable fire alarm system in an amount not to exceed seventy five thousand, seven hundred ninety-two dollars (\$75,792.00); effective February 14, 2017 through December 31, 2017. *NYS Contract # PT63104.*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

#38

**RESOLUTION NO. 17-076
(February 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE WYOMING COUNTY COMMUNITY
HEALTH SYSTEM**

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Med Care Administrators**, 9360 River Road, Marcy, New York 13403 to provide medical billing and credentialing services for certain WCCHS clinics and employed or contracted providers in an amount not to exceed eighty thousand dollars (\$80,000.00) per year; effective May 1, 2017 through April 30, 2019.

- **General Physician, P.C.**, 726 Exchange Street, Suite 516, Buffalo, NY 14210 to provide physician services in otolaryngology (ear, nose and throat) medicine at WCCHS clinic, inpatient and call as per the contract two (2) days per week in an amount not to exceed two hundred eighty thousand dollars (\$280,000.00) per year; effective April 1, 2017 through March 31, 2019 or upon completion of credentialing.

- WCCHS to retain all generated fees.

Carried: XXX **Ayes:** 1599 **Noes:**

Absent:

Abstain:

#39

RESOLUTION NO. 17-077
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-004 AMENDED

WHEREAS, Resolution Number 15-004 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on January 2, 2015 and provided, in part, for the following contract:

- **University of Rochester Medical Center** (a division of the University of Rochester) 601 Elmwood Avenue, P. O. Box 670, Rochester, NY 14642 for an ***Interim Consulting Agreement*** in an amount not to exceed two hundred thousand dollars (\$200,000.00); effective January 2, 2015; and

WHEREAS, That Resolution Number 15-004 was previously amended by this Board of Supervisors on February 9, 2016 by ***Resolution Number 16-086*** as follows:

Original Term:

- Add the end date of June 30, 2015.

Amendment No. 1:

- Amend the title of the contract from “***Interim Consulting Agreement***” to “***Administrative Services Agreement***”.
- Extend term from July 1, 2015 through December 31, 2015.
- Increase the dollar amount to \$400,000.00.

Amendment No. 2:

- Extend term of the *Administrative Services Agreement* from January 1, 2016 through June 30, 2016 in an amount not to exceed \$400,000.00; and

WHEREAS, That Resolution Number 15-004 as previously amended by Resolution Number 16-086 was further amended by this Board of Supervisors on September 13, 2016 by *Resolution Number 16-364* as follows:

Amendment No. 3:

- Extend term of the *Administrative Services Agreement* from June 30, 2016 to December 31, 2016; now therefore

BE IT RESOLVED, That Resolution Number 15-004 as previously amended by Resolution Number 16-086 and Resolution Number 16-364 be further amended as follows:

Amendment No. 4:

- Extend term of the *Administrative Services Agreement* from December 31, 2016 to December 31, 2017.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:**

Absent:

Abstain:

#40

RESOLUTION NO. 17-078
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C” AND “G” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule “C”:

Wyoming County Community Health System

- Set the salary of the *Biomedical Supervisor, FT* on under Biomedical Engineering at \$67,500.00 per year; effective January 16, 2017.

Salary Schedule "G":***District Attorney***

- To set the salary of the ***Domestic Violence Coordinator*** at \$31,490.00; effective January 1, 2017.
 - Grant funding applied as follows:
 - Violence Against Women Act (VAWA) 50.19%
 - Victims of Crime Act (VOCA) 49.81%

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #41

RESOLUTION NO. 17-079
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-437 AMENDED
WHEREAS, Resolution Number 16-437 entitled, "SALARY SCHEDULES "C", "P" AND "G", passed by this Board of Supervisors on October 11, 2016 and in part, amended Salary Schedule G, as follows:

Salary Schedule G:***District Attorney's Office***

- To provide Stipends from the 2016~2017 Aid to Prosecution Grant plus corresponding fringes to be paid annually after January 1, 2017 as follows:
 - 1st Assistant DA \$15,000.00
 - 2nd Assistant DA \$ 5,000.00
 - Secretary to the District Attorney \$ 3,462.00

now therefore,

BE IT RESOLVED, That Resolution Number 16-437 be hereby amended by eliminating the stipend and corresponding fringes for the 2nd Assistant DA position and increase the stipend to the 1st Assistant DA position in the same amount as follows:

- 1st Assistant DA \$20,000.00
- 2nd Assistant DA \$ 00.00

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

RESOLUTION NO. 17-080
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-530 AMENDED

WHEREAS, Resolution Number 16-530 entitled, “**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2017**”, passed by this Board of Supervisors on December 13, 2016 for expenditures in a total amount of \$419,580.57, now therefore

BE IT RESOLVED, That Resolution Number 16-530 be hereby amended as follows:

- Wyoming County Soil & Water in the amount of \$159,710.25 be amended by removing Erie Wyoming Soil & Water in the amount of \$1,809.60 for a new total of **\$157,900.65**.
- Wyoming County Chamber of Commerce (Tourism) in the amount of \$150,234.00 be amended by removing the hotel/motel tax amount of \$109,250.00 for a new total of **\$40,984.00**.
- Add Erie Wyoming Soil & Water in the amount of **\$1,809.60**; and be it

FURTHER RESOLVED, That the new expenditures for the 2017 contract agencies total \$310,330.57. All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

#43

RESOLUTION NO. 17-081
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION CALLING ON STATE LEGISLATIVE LEADERS TO REFORM THE HOME RULE REVENUE PROCESS BY ENACTING A 4-YEAR AUTHORIZATION PERIOD FOR ALL LOCAL SALES TAX EXTENDERS IN 2017 WITH A GOAL OF MAKING THIS LOCAL RENEWAL AUTHORITY PERMANENT

WHEREAS, Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap; and

February 14, 2017

WHEREAS, Counties must administer and pay for more than 40 state programs that can consume up to 85 percent of a county's entire budget; and

WHEREAS, Counties' ability to raise revenues from the property tax are limited by the state imposed property tax cap, which resulted in an inflation growth factor of only .73 percent in 2016 and .68 percent in 2017 (three times smaller than the State's self-imposed two percent spending cap); and

WHEREAS, Locally raised revenues are necessary to implement and deliver State mandated programs as well as local public health and safety, economic development, and "quality of life" services demanded and expected in our communities; and

WHEREAS, Counties often share the local sales tax with other local governments, where more than one out of every four local sales tax dollars collected are passed through to cities, towns, and villages to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, The pass through of local sales tax revenue from counties to cities, towns, villages and school districts will approach \$1.8 billion in 2016; and

WHEREAS, State required renewals every two years creates a significant amount of work to manage the process for both the state and county elected officials and staff to satisfy drafting the necessary legislation, providing notices and conducting public meetings, and the need to set aside legislative time to act on bills locally and at the state level; and

WHEREAS, New York City has been granted permanent authority to control their local sales tax rate without state legislative review; and

WHEREAS, Enacting a four-year authorization period still allows for appropriate state legislative review; and

WHEREAS, The longer authorization period proposed would cut in half the administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state

and local level, provides more stability to county finances, while retaining recurring local legislative review; and be it

FURTHER RESOLVED, The State should, upon the next renewal of local sales tax rates, provide a four year (rather than a two year) authorization for all counties; and be it

FURTHER RESOLVED, The State should work to make this a permanent local authorization that requires periodic local renewals to ensure appropriate review by elected officials; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #44

RESOLUTION NO. 17-082
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON NEW YORK'S CONGRESSIONAL
DELEGATION TO PRESERVE THE FEDERAL TAX EXEMPTION
FOR MUNICIPAL BONDS**

WHEREAS, Current federal law provides a tax exemption for municipal bonds; and

WHEREAS, Tax-exempt municipal bonds are the most important tool in the United States for financing investment in schools, roads, water and sewer systems, airports, bridges and other vital infrastructure; and

WHEREAS, Over the last decade more than 3,500 projects have been financed using tax-exempt municipal bonds in New York accounting for nearly \$150 billion in investment in our future; and

WHEREAS, The availability of these municipal bonds not only supports local needs and jobs, it strengthens the regional and national network of essential public infrastructure that makes the U.S. economy productive, dynamic and better fit to compete globally in the next century; and

February 14, 2017

WHEREAS, Congressional discussions to repeal or cap the municipal bond exemption as part of a comprehensive tax overhaul may ultimately be counterproductive by making future infrastructure projects more expensive and ending the creation, or maintenance, of millions of jobs nationwide; and

WHEREAS, If this exemption had not been in place during the 2003-2012 period, it is estimated the \$1.65 trillion of state and local infrastructure investment would have cost these local governments an additional \$495 billion of interest expense; and

WHEREAS, The American Society of Civil Engineers estimates that New York alone will require nearly \$200 billion in infrastructure investment over the next decade to repair, replace and update these critical systems; and

WHEREAS, The United States severely lags much of the rest of the developed world in regards to efficient and modern transportation, water and utility infrastructure; and

WHEREAS, In 2013, the American Society of Civil Engineers rates the United States' current commitment to our infrastructure at a D+ and this continues a nearly 25 year decline in this metric; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors calls upon the Governor and State Legislature to strongly encourage the New York Congressional Delegation to preserve this critically important tax exemption; and

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #45

RESOLUTION NO. 17-083
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON NEW YORK'S CONGRESSIONAL
DELEGATION TO SUPPORT THE ENACTMENT OF FEDERAL
LEGISLATION TO SIMPLIFY AND EASE SALES TAX**

Regular Session

**COLLECTIONS ON INTERNET-BASED PURCHASES AND TO
SUPPORT A LEVEL PLAYING FIELD FOR "MAIN STREET"
RETAILERS**

WHEREAS, The ongoing expansion and maturity of internet-based retailing, or e-commerce, continues to dramatically outpace the annual growth in physical storefront retail sales with e-commerce growing at a 15 percent annual rate compared to "Main Street" local storefronts retail growing at about 2 percent per year; and

WHEREAS, E-commerce has grown from about 1.5 percent of total U.S. retail sales to nearly 9 percent of total U.S. retail sales in the last 12 years; and

WHEREAS, Total e-commerce sales are expected to reach nearly \$400 billion in 2016 according to the Census Bureau; and

WHEREAS, A large number of internet-based retailers do not collect sales taxes on the sale of their goods or services; and

WHEREAS, The growing migration of retail sales to the internet and mobile electronics is creating an unfair competitive advantage over many local brick and mortar retailers that provide many jobs in communities throughout New York; and

WHEREAS, A 2015 national poll found that 70 percent of respondents support federal legislation that requires online vendors to collect and remit sales taxes for online purchases rather than having individuals track and remit their own sales tax liabilities for online purchases; and

WHEREAS, The same poll also found that a majority of respondents believe it is unfair that online vendors receive a tax advantage over local businesses in their communities; and

WHEREAS, The State Streamlined Sales Tax Governing Board estimates that more than \$20 billion annually in sales taxes are not being collected under the current system, severely impeding state and local government's revenue collections necessary to provide and fund critical public services; and

WHEREAS, Counties in New York rely heavily on local sales tax collections to pay for government services such as public health and safety, social services, economic development and quality of life services strongly supported in their communities; and

WHEREAS, Congress and the President have indicated their desire to

February 14, 2017

improve the federal tax code by making it simpler and more fair, while removing obstacles that hinder economic growth and the efficient use of capital, along with modernizing the code to reflect the needs of our nation and economy in the decades to come; now therefore,

BE IT RESOLVED, The Wyoming County Board of Supervisors does hereby call on the New York Congressional Delegation to support federal legislation that requires online vendors to collect and remit sales taxes owed on purchases made over the internet as part of their federal tax code modernization efforts; and be it

FURTHER RESOLVED, That federal efforts to modernize the collection of sales tax across jurisdictions and modes of commerce include provisions that allow states flexibility in satisfying the streamlining and simplification of state and local sales tax models necessary to ease the burden for retailers to collect sales and use taxes on products and services sold over the Internet; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #46

RESOLUTION NO. 17-084
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

CREATED:

Sheriff

- One (1) position of ***Deputy Sheriff, FT*** on WCDSA Grade 4 (\$19.50 - \$24.94/hr.). Position available date: February 12, 2017.

Social Services

- One (1) position of **Registered Nurse** (Per Diem) on CSEA Schedule A Grade 10B (~~\$26.65~~ **\$26.54** - \$28.90/hr. includes 10% no benefits). Position available date: January 9, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Supervisor Leuer, T/Middlebury informed the Board that US Congress controls and regulates interstate commerce not the state of NY. He opposes not because he doesn't believe in the collection of sales tax on internet purchases but the manner in which this resolution directs the Governor in NYS Legislature to go about it...

Non Consent
#47

RESOLUTION NO. 17-085
(February 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE STATE TO ENACT LEGISLATION TO
ENSURE A FAIR AND LEVEL PLAYING FIELD FOR ALL
RETAILERS BY ADDRESSING LOOPHOLES IN INTERNET SALES
TAX COLLECTION PRACTICES**

WHEREAS, The State has identified significant loopholes in certain internet-based sales tax collection practices and the State estimates that as much as \$200 million annually in state and local sales taxes are not being collected; and

WHEREAS, The ongoing expansion and maturity of internet-based retailing, or e-commerce, continues to dramatically outpace the annual growth in physical storefront retail sales with e-commerce growing at a 15 percent annual rate compared to "Main Street" local storefronts retail growing at about 2 percent per year; and

WHEREAS, The Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus; and

WHEREAS, Enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and

WHEREAS, Providing for an easy to use platform for large highly experienced internet transaction facilitators to collect sales tax on behalf of their participating vendors will provide a fairer and more balanced marketplace for local "bricks and mortar" New York based retailers, as well as New York based online vendors; and

WHEREAS, These improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a more level playing field for retailers; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: 62 (Middlebury) Absent: Abstain:

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:30 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

**SPECIAL SESSION
(March 8, 2017)
Tuesday
12:00 PM**

The special session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except for Ellen Grant, T/Bennington, Sandra King, T/Pike and Rebecca Ryan, T/Warsaw. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 12:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this special board meeting is:

Deanna Nikiel

High school is a difficult time for a lot of kids and for me it was not different, wrote Deanna Nikiel in a letter to Chairman of the Board of Supervisors, A. D. Berwanger. It is the time in your life where you have to use the last 12 years of school to decide where the starting line is to the road for rest of your life. Without much of a plan, she decided to look into the Military as she knew it would teach her the discipline, teamwork and skills needed for the future and with a bonus of free Collage she decided it was the start she knew she needed. The decision to become a Military Police Officer was an easy one so she signed up before she was even finished with high school.

In November 2001, Ms. Nikiel left for basic training in Fort Leonard Wood Missouri and graduated from Military Police training as the top female in her Company.

Once back home she was part of the 105th Military Police unit in Buffalo. In 2003, the 105th MP unit was deployed as part of Operation Iraqi Freedom. However, she was not medically cleared to join her unit in the deployment. One of the many responsibilities for soldiers that remain behind during a deployment is to preform color guard for fallen soldiers of the unit. She recalled having had the unfortunate opportunity to assist SGT Heath McMillin and SPC Mike Williams to their final resting place here at home after giving the ultimate sacrifice during Operation Iraqi Freedom.

In 2004, Ms. Nikiel was honorably discharged from the Army National Guard.

March 8, 2017

Her short career with the military proved to be instrumental in shaping her future. She will tell you that she is strong, disciplined and patriotic. She will tell you that it was truly an honor for her to serve her country.

The pledge was said by all.

Chairman Berwanger thanked Ms. Nikiel for participating in today's Special Meeting. Ms. Nikiel is employed by the County, serving as Finance Clerk I in the Budget Office since August 01, 2016.

We thank you for your service...

Communications ~

- ***None***

Chairman Berwanger next turned his attentions to County Attorney Wujcik and asked for a brief explanation of the resolution the Board was about to consider.

County Attorney Wujcik referenced county finance law and explained that the resolution about to be considered is necessary for the acceptance of the \$20 million grant award and of several months of working with the NYS Dept. of Health, the County's financial advisor and bond counsel to maximize a structure for the defeasance of certain indebtedness incurred with respect to the hospital's facilities and to assure long term financial stability of WCCH for many years to come.

Hearing no further comment Chairman Berwanger called upon Supervisor Brick for the presentation of the resolution...

Finance Committee Chair, Supervisor Brick, T/Perry, presented resolution number 1, having been passed by the Finance Committee this morning and moved for its adoption. Hearing no objection, Clerk Ketchum read the title to resolution number 1 and Chairman Berwanger directed the roll be called.

2/3 Majority
#1

**RESOLUTION NO. 17- 086
(March 8, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF WYOMING AUTHORIZING THE APPLICATION OF GRANT
MONEYS TO BE RECEIVED BY THE WYOMING COUNTY
COMMUNITY HEALTH SYSTEM (THE "HOSPITAL") FROM THE**

Special Session

**NEW YORK STATE DEPARTMENT OF HEALTH TO THE
DEFEASANCE OF CERTAIN INDEBTEDNESS INCURRED WITH
RESPECT TO THE HOSPITAL'S FACILITIES, APPROPRIATING
SAID MONEYS THEREFORE AND PROVIDING FOR OTHER
MATTERS IN RELATION THERETO**

WHEREAS, The County of Wyoming (the “County”) has previously issued the following obligations for Hospital related purposes: (i) \$10,520,000 (original principal amount) Public Improvement (Serial) Bonds, 2010 (MBBA Series), dated November 26, 2010 of which \$2,147,577.58 was issued as part of \$18,100,000 Sub-Series 2010 D1 (Tax-Exempt) Bonds (the “2010 D1 Bonds”) issued by the State of New York Municipal Bond Bank Agency (“MBBA”) and \$6,999,857 was issued as part of \$27,980,000 Sub-Series 2010 D2 (Federally Taxable-Build America Bonds and Recovery Zone Bonds) (the “2010 D2 Bonds”) issued by MBBA, (ii) \$8,905,000 (original principal amount) Public Improvement (Serial) Bonds, 2013, dated November 15, 2013 (the “Series 2013 Bonds”), (iii) an energy performance Equipment Lease Purchase Agreement (the “EPC”) in the amount of \$1,982,125, (iv) a \$375,000 bond anticipation note dated March 7, 2017 and maturing March 3, 2018 (the “March BAN”), and (v) a \$300,000 bond anticipation note dated October 27, 2016 maturing July 27, 2017 (the “July BAN”); and

WHEREAS, The 2010 D1 Bonds, the 2010 D2 Bonds, the EPC, the March BAN and the July BAN are referred to herein collectively as the “Obligations”; and

WHEREAS, Pursuant to grant agreement, dated June 1, 2016, between the New York State Department of Health (“DOH”) and the Hospital (the “Grant Agreement”), the Hospital has obtained a commitment from DOH to fund a grant to the Hospital in the amount of up to \$20,000,000 (the “Grant”) under DOH’s Essential Health Care Provider Program for the purposes of debt retirement, with the proceeds of the Grant to be applied, subject to satisfaction of the conditions set forth in the Grant Agreement, to defease all or a portion of the outstanding Obligations, to pay costs incurred by the County and/or the Hospital in connection therewith and to reimburse a debt service payment to be made on March 27, 2017 for the 2010 D2 Bonds (if such payment is made prior to receipt of the grant); and

WHEREAS, The Hospital Board of Managers, by resolution adopted on March 8, 2017 authorized the Hospital to apply the Grant funds as described above, subject to the adoption by the Board of Supervisors of a resolution authorizing the defeasance of the Obligations with the Grant funds and all necessary steps in connection therewith; and

WHEREAS, The application of the Grant funds to the defeasance of the Obligations is in the best interest of the County and it will reduce the overall debt burden of the County; now therefore,

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING, NEW YORK, AS FOLLOWS:

1. The Wyoming County Board of Supervisors hereby authorizes the retirement of the outstanding Obligations hereinabove described, through the establishment of a defeasance escrow or escrows with the proceeds of the Grant from the NYS Department of Health to the Hospital to be received by or on behalf of the County in accordance with the terms of the Grant Agreement, with such Grant moneys to be deposited with an escrow agent or agents appointed by the County Treasurer in accordance with the delegation of authority set forth in Section 2 below, provided that the full cost of establishing and funding such defeasance escrow, and all costs incurred by the County in connection therewith, shall be funded out of such Grant. The County Treasurer is hereby authorized to accept the Grant in the amount of up to \$20,000,000 for such purpose, or so much thereof as is necessary in accordance with this resolution and such amount is hereby appropriated for such purpose.
2. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (the “Escrow Contract”) with a bank or trust company located and authorized to do business in the State as the County Treasurer shall designate (the “Escrow Agent”).
3. The amount deposited with the Escrow Agent for the defeasance of the Obligations (the “Escrow Deposit Amount”) shall be deposited into an escrow account (the “Escrow Account”) and may be invested in direct obligations of the United States of America or in obligations, the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations, together with any remaining uninvested cash held in the Escrow Account, will be sufficient to pay, and will mature and be available to pay in a timely manner, the principal of, interest on, and redemption premium, if any, payable with respect to, the Obligations as the same shall become due and payable. The sufficiency of such Escrow Deposit Amount, as so invested shall be established by a verification or accountant’s report certifying that such amount, as so invested, will be sufficient to pay principal, redemption premium, if any, and interest on the Obligations when due.
4. After depositing the Escrow Deposit Amount into the Escrow Account in accordance with Section 3 above, the remaining balance so deposited with

the Escrow Agent shall immediately upon receipt thereof be deposited into a separate account (the “Expense Account”) held by the Escrow Agent to be applied as the County Treasurer may direct to pay the costs incurred by or behalf of the County in connection with the defeasance, including the fees and expenses of the County’s financial advisor, bond counsel, verification agent, and the Escrow Agent.

5. The Board of Supervisors of the County hereby authorizes and directs the County Treasurer, upon establishment and funding of the Escrow Account in accordance with Section 3 above, to elect to call in and redeem on the earliest permissible date(s) thereafter, or such later date or dates as is hereafter determined by the County Treasurer, all the Obligations on or after such date that are subject to redemption prior to maturity at the option of the County. The Escrow Agent is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the respective Obligations being redeemed or in the certificates or documentation of the County pursuant to which they were issued.
6. The County Treasurer, the Clerk of the Board of Supervisors, the County Clerk and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.
7. All other matters pertaining to the defeasance of the Obligations shall be determined by the County Treasurer and all powers in connection therewith are hereby delegated to the County Treasurer. The County Treasurer is hereby authorized to retain the services of the County Financial Adviser and Bond Counsel to assist the County in connection with such defeasance, to retain an accounting firm to serve as verification agent with respect to the defeasance so as to provide the verification report required by Section 3 hereof.
8. The County Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Obligations, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”).
9. This resolution shall take effect immediately upon its adoption.

Carried: XXX Ayes: 1104 Noes: Absent: 128 (Bennington) Abstain:
42 (Pike)
197 (Warsaw)
367 Total

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 12:15 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

REGULAR SESSION

(March 14, 2017)

Tuesday

2:30 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 located at 143 North Main Street, Warsaw, New York with all Supervisors present except S. May, T/Orangeville. Also present were County Attorney Jim Wujcik; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:33 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this month's board meeting is:

David Johnson

Mr. Johnson was born in Warsaw in 1947 and was raised in various locations throughout Wyoming County. His father was a construction worker for the New York State Thruway and was a former Marine Veteran. Growing up, Mr. Johnson worked very hard cleaning and washing windows and working at the Wyoming Cemetery. There he assisted in digging graves, pulling weeds and mowing grass with a push mower. For fun and adventure, Mr. Johnson liked to hunt, especially woodchucks.

After graduating from high school, Mr. Johnson attended college at Cornell University. There, he became aware of a group of students called the "*Students for a Democratic Society*", a communist group conducting demonstrations with intentions of taking over the local student union. This was during the height of the Vietnam War and Mr. Johnson immediately enlisted into the US Navy. His father was very proud of his choice, but like many other parents, was very concerned of the potential danger. Mr. Johnson successfully completed basic training and continued his military education by attending "A" School to become an engineman. After "A" School, he embarked upon the USS Park County where he trained as a diesel mechanic.

The USS Park County was instrumental to the operations in Vietnam. The ship was a "brown water" vessel and during the Vietnam War earned eleven battle stars, three of which Mr. Johnson was part of. In an 18-month period Mr. Johnson progressed through the ranks to become an E-5. He stayed in Hong Kong, Vietnam, Taiwan, Japan, and even climbed Mt. Fiji. Thereafter, as a

Navy Seabee, he transferred to the Amphibious Construction Battalion One based out of California. This unit's motto was "*We put the Sea in Seabees*". After four years of courageous service to his country, Mr. Johnson was honorably discharged and earned the:

National Defense Service Medal
Vietnam Service Medal with three Bronze Stars
Vietnam Campaign Medal
Navy Unit Commendation

After his time in the Navy, Mr. Johnson was employed by Catipiller where he worked as a diesel mechanic, welder and soundproofed cabs. In 1976, he obtained a Class A driver's license and set off with his wife driving for Fed-Ex. Together they logged over three million miles crisscrossing the country with one of the more memorable moments being when he sat in a real space capsule.

Eventually, this husband/wife team settled back into Wyoming County becoming the owner/operators of the "Johnson Space Center Recycling" in Wyoming. Mr. Johnson's hobbies include collecting and repairing tractors and his love of firearms. He has been married to his wife Cathy for 40 years and is proud that she volunteers for the Disabled American Veteran (DAV) driving Veterans to their medical appointments.

The pledge was said by all.

Chairman Berwanger invited Town of Middlebury Supervisor, D. Leuer to join him at the podium for the presentation of the customary certificate of appreciation to Mr. Johnson. Supervisor Leuer offered a bit of a technical correction, in that Mr. Johnson is from the Town of Covington with a Wyoming mailing address. Chairman Berwanger poked a little fun at the mix up and invited Supervisor Davis, T/Covington to join them. At which time, Mr. Johnson thanked the Board for their hard work and in being asked to lead the pledge...

There was a brief interruption of the meeting as attending press took pictures.

Communications ~

- ***Assemblyman David DiPietro ~ 02/08/17 and 02/27/17***
correspondence acknowledging receipt of several resolutions passed by the Board of Supervisors

Open Public Hearing ~

- ***"Local Law No. 1, Year 2017 (Introductory A, Year 2017) Entitled, "A Local Law to Establish a Sustainable Energy Loan Program in Wyoming County"***

RESOLUTION NO. 17-087
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2017 accounts as follows:

Youth Bureau			
From:	01.36.2960.4.40502 Vehicle Leasing 01.38.4059.4.40502 Vehicle Leasing 01.45.7310.4.40502 Vehicle Leasing	\$3,502.00 \$3,502.00 \$3,502.00	
To:	01.36.2960.2.23001 Equipment - Cars 01.38.4059.2.23001 Equipment - Cars 01.45.7310.2.23001 Equipment - Cars	\$3,502.00 \$3,502.00 \$3,502.00	
Reason:	To help cover the cost of two (2) new Ford Fusions.		
Youth Bureau Total			\$10,506.00

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #2

RESOLUTION NO. 17-088
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2017 accounts as follows:

Information Technology			
To:	01.34.1681.4.40301 Professional Services w/01.03.1681.1289 Other Income	\$19,066.00	\$19,066.00
Reason:	Website redesign with CivicPlus.		
Information Technology Total			\$19,066.00
Ag & Business Center			
To:	01.42.6422.4.40601 Rent <i>w/ any funds available</i>	\$17,080.16	\$17,080.16
Reason:	To cover annual rent for the Ag Business Center (budget correction).		
Ag & Business Center Total			\$17,080.16

March 14, 2017

Youth Bureau			
To: 01.36.2960.2.23001 Equipment – Cars 01.38.4059.2.23001 Equipment – Cars 01.45.7310.2.23001 Equipment – Cars <i>w/any funds available</i>	\$8,461.33 \$8,461.33 \$8,461.34		\$25,384.00
Reason: To cover the cost of two (2) new Ford Fusions.			
	Youth Bureau Total		\$25,384.00
Historian			
To: 01.46.7510.4.42404 Grant Expense <i>w/01.03.7510.128901 Other Dept. Income</i>	\$2,181.00		\$2,181.00
Reason: “Eat Your Way Through History” grant.			
	Historian Total		\$2,181.00
Mental Health			
To: 01.38.4323.4.42497 Suicide Prevention Grant <i>w/01.03.4323.1289 Other Dept. Income /MH CCS</i>	\$63.04		\$63.04
Reason: To roll over funds remaining in the 2016 SPCA grant			
To: 01.38.4220.4.40932 Youth Contracts-MH <i>w/01.03.4220.1289 Other Dept. Income</i>	\$15,000.00		\$15,000.00
Reason: To accommodate the receipt of funding for the 2017 You(th) Decide Problem Gambling Grant.			
	Mental Health Total		\$15,063.04
District Attorney			
To: 01.32.1165.4.41010 Misc. Equip./Supplies <i>w/01.12.1165.4389 Federal Block Grant</i>	\$5,049.98		\$5,049.98
Reason: Rollover unused 2016 Grant Funds for Video recording grant.			
	District Attorney Total		\$5,049.98

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #3

RESOLUTION NO. 17-089
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Wyo. Co. Comm. Hospital			
To: 02.56.4510.4.42501 Hospital Contractual <i>w/02.03.4510.163501 Hospital Income IGT</i>	\$4,195,800.00		\$4,195,800.00
Reason: To cover 2016 expenses.			
	Wyo. Co. Comm. Hospital Total		\$4,195,800.00

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$2,817,339.57** for the month of **February 2017**.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #11. Hearing no objection resolution titles were read.

#4

**RESOLUTION NO. 17-090
(March 14, 2017)**

By Mr. Tallman, Chairman of the Human Resources Committee:

**RESOLUTION URGING NEW YORK STATE TO COVER THE
ADDED COSTS OF EARLY VOTING**

WHEREAS, County Boards of Elections are responsible for managing election operations and paying for all or most of the costs of these operations; and

WHEREAS, It is anticipated Governor Andrew M. Cuomo's proposed 2017-18 State Budget will require counties to provide and staff early voting sites for all New York residents; and

WHEREAS, Last year's Executive Budget also included a plan for early voting that called for early voting hours and access up to twelve days prior to all special, primary and general elections; and

WHEREAS, This proposal also required polling places be open at least eight hours per weekday (with extended hours at least twice a week) and at least five hours per weekend or holiday during the early voting period; and

WHEREAS, Counties take great pride in their ability to provide quality and efficient services to the people on behalf of the State of New York but due to the State's imposed real property tax cap, counties can no longer be required to expand services without accompanying compensation; now therefore,

BE IT RESOLVED, That if Governor Andrew M. Cuomo and New York State Legislature agree to the early voting provisions proposed in the Executive Budget, the State must reimburse counties for the added costs of this new mandate; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward

March 14, 2017

copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #5

RESOLUTION NO. 17-091
(March 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES THAT ARE SET AND CONTROLLED BY THE STATE

WHEREAS, On December 24, 2015, New York State Commission on Legislative, Judicial and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, The recommended increase placed Supreme Court judges' salaries at \$193,000.00 in 2016 and \$203,000.00 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

WHEREAS, On April 1, 2016 the State approved the Commission's recommendation; and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, Historically, for over 50-years, the State has fully funded all district attorney salary increases that they imposed on the counties; and

WHEREAS, The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the State fund this salary increase as well; and

WHEREAS, On April 1, 2016 the New York State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million

in reimbursement costs for the increase in District Attorney salaries; and

WHEREAS, This salary increase recommendation occurred well after all counties set their 2016 budgets in law resulting in a direct cost shift from the State to county taxpayers; and

WHEREAS, The State has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the State imposed property tax cap; and

WHEREAS, For some counties, this salary increase represented approximately one-third of their total allowable property tax growth for all government operation in 2016; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to fully fund this mandated salary increase as part of the 2017-18 budget, including a one-time amount for the retroactive salary increase that was not funded last year; and be it

FURTHER RESOLVED, The Wyoming County Board of Supervisors calls on the State to pay for this increase and any similar state mandated salary increase in future years; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #6

**RESOLUTION NO. 17-092
(March 14, 2017)**

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES

WHEREAS, New York county clerks play an historic and important role as public servants. Along with the Sheriff and District Attorney, the county clerk is one of three county officials named in the State Constitution; and

March 14, 2017

WHEREAS, Over 240 years later, the role of the county clerk as the chief record and filing officer for the county have remained consistent, but their duties have grown much more complex with changes in population, technology, and the state's laws, policies and regulations; and

WHEREAS, Today 51 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, This local DMV operation is one of many examples of shared services that counties provide for the State; and

WHEREAS, Under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, The remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, Governor Andrew M. Cuomo and the New York State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, Increasing the county DMV revenue sharing rate with the State will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

WHEREAS, There is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs to fulfill these DMV services needed for state residents, yet the State takes 87.3 percent of the revenue generated from providing these service; and

WHEREAS, The State Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Richie's bill S.4964, which would raise the 12.7 percent county share up to a twenty-five percent share; and

WHEREAS, The counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund; now therefore,

BE IT RESOLVED, The Wyoming County Board of Supervisors calls

Regular Session

on Governor Andrew M. Cuomo and members of the New York State Legislature to require a substantial increase of the county DMV revenue share with the State; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #7

RESOLUTION NO. 17-093

(March 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION SUPPORTING EFFORTS TO ALLOCATE NEW YORK STATE RESOURCES AND FUNDING TO REGIONS, COUNTIES AND MUNICIPALITIES THAT WANT TO TAKE PART IN THE US CENSUS BUREAU LOCAL UPDATE OF CENSUS ADDRESSES (LUCA) PROGRAM

WHEREAS, The U.S. Census Bureau's Local Update of Census Addresses Program (LUCA) is the only opportunity offered to tribal, state, and local governments to review and comment on the U.S. Census Bureau's residential address list for their jurisdiction prior to the 2020 Census; and

WHEREAS, The Census Bureau relies on a complete and accurate address list to reach all living quarters and associated population for inclusion in the census; and

WHEREAS, By participating in LUCA it helps ensure an accurate decennial census count in communities across New York State; and

WHEREAS, Decennial census counts help the federal government distribute more than \$400 billion in funds annually for infrastructure, programs, and services; and

WHEREAS, The decennial census helps communities plan for future needs and deal with population based programs; and

WHEREAS, The decennial population counts affect state and federal congressional representation and redistricting; and

March 14, 2017

WHEREAS, This process has resulted in increased numbers and accuracy in delivery of the Census short form, thereby increasing participation rates and accurate counts for the past decennial Censuses; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports efforts to allocate New York State resources and \$350 million in funding to Regions, Counties and Municipalities that want to take part in the U.S. Census Bureau Local Update of Census Addresses Program and calls on Governor Cuomo and state leadership to commit to prioritizing local efforts for the local revision of the Census Master Address File and the Local Update of Census Addresses Program; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #8

RESOLUTION NO. 17-094
(March 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

**RESOLUTION CALLING ON THE PUBLIC EMPLOYMENT
RELATIONS BOARD (PERB) TO WORK IN CONJUNCTION WITH
COUNTIES TO IMPROVE THE ARBITRATION SYSTEM**

WHEREAS, The Public Employment Relations Board (PERB) was created in 1967 with the enactment of the Public Employees' Fair Employment Act (commonly known as the Taylor Law); and

WHEREAS, PERB is a policy-making body which administers the collective negotiations dispute resolution process and is responsible for resolving representation and improper practice matters; and

WHEREAS, Many county labor and employee matters are under the jurisdiction of PERB, which oversees the arbitration process that resolves many public employee and management disputes; and

WHEREAS, By working together, counties and PERB can develop a more efficient and fair process to make for more equitable outcomes and

Regular Session

reducing costs; and

WHEREAS, Labor costs and costs associated with labor disputes are a major factor in a county budget; and

WHEREAS, Making a more efficient system is in the best interest of public employees and taxpayers alike; and

WHEREAS, Counties support PERB in their continuing effort to make processes electronic where possible and expand the online posting of previously decided arbitration awards; and

WHEREAS, The Wyoming County Board of Supervisors calls on PERB to restore a minority and women recruitment program for mediators/factfinders and arbitrators along with a general recruitment program as many of the current arbitrators are at or nearing retirement in the foreseeable future; and

WHEREAS, The Wyoming County Board of Supervisors call on PERB to create an annual training program for arbitrators and mediators/factfinders doing public sector work because they need to understand current county programs and policy issues such as the impact of the tax cap on localities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby call on PERB to work in conjunction with counties to improve the arbitration system and reduce labor costs; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #9

**RESOLUTION NO. 17-095
(March 14, 2017)**

By Mr. Tallman, Chairman of the Human Resources Committee:

**RESOLUTION CALLING ON THE STATE TO PAY FOR ANY
REQUIRED INCREASES IN COST TO THE CHILD PROTECTIVE
SERVICE PROGRAM**

March 14, 2017

WHEREAS, In recent years the New York State Legislature has passed legislation setting workload standards for child protective service workers, but it was vetoed by Governor Andrew M. Cuomo; and

WHEREAS, This bill places a cap of no more than fifteen active cases per month per full time child protective services worker; and

WHEREAS, Child protective services are provided for and partially paid for by our county governments; and

WHEREAS, Every county has unique challenges providing this service such as geography, population, economics, and demographics that make one statewide case-cap standard illogical; and

WHEREAS, Due to the fact that each county has unique challenges, it is the county themselves and the county DSS commissioners that are best situated to understand and manage caseload assignment; and

WHEREAS, A one-size fits all standard of case-caps does not address the increased costs that this cap would cause, nor recognize case severity and oversight needs, along with each case worker's experience and skill level; and

WHEREAS, Counties cannot meet any new state unfunded mandates while maintaining the state-imposed property tax cap; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and the New York State Legislature to abstain from passing these types of caseworker cap bills without covering 100 percent of the costs to support these new positions; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors also calls on the State to study the best possible way to provide the essential functions of child protective services, and those changes to the services that require additional funding, the State must meet that need; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-096
(March 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

**RESOLUTION CALLING ON THE STATE TO INCREASE THE
SALARY CAP FOR RETIRED PUBLIC EMPLOYEES SEEKING
COUNTY EMPLOYMENT**

WHEREAS, Under current state law a retired public employee may earn up to \$30,000.00 if retained/rehired to state or local government positions without this salary impacting their retirement benefits; and

WHEREAS, Any retired public employee salary amount over \$30,000.00 will result in a decrease in pension payments for the employee; and

WHEREAS, The \$30,000 cap was set last in 2007, with the intent of minimizing misuse, while at the same time providing enough incentive for employees with broad experience and institutional knowledge to be retained in a government service capacity; and

WHEREAS, This cap has not been adjusted since 2007 to keep pace with inflation rates or cost of living adjustments; and

WHEREAS, Every county has unique challenges when hiring for certain skilled or knowledge based positions due to each county having different populations, economics, and demographics; and

WHEREAS, County governments are being asked to provide more services with less funding, a goal that becomes more difficult when those that best understand local government service needs are retiring and either are replaced by someone with less experience or in some cases not being replaced at all; and

WHEREAS, In 2016 a bill was introduced (S.2447D (Farley)/A.6786D (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduced health insurance costs as the person is already retired; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Cuomo and the New York State Legislature to place into the

March 14, 2017

2017/2018 State Budget the bill language found in S.2447D/A6786D; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #11

RESOLUTION NO. 17-097
(March 14, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

2017 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, That 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 2017 campaign goal of one hundred fifty thousand dollars (\$150,000.00) for these much needed services to County residents; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2017 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the issues we face and no single solution. However, great things happen when we “**LIVE UNITED**”!

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

Supervisor Tallman, T/Gainesville was invited to the podium to present the 2017 United Way Proclamation. Supervisor Tallman, T/Gainesville invited Human Resource Assistant, L. Nash to join him.

Ms. Nash thanked the Board for the proclamation and introduced herself as a member of the Executive Board of the Wyoming County United Way Campaign cabinet. She explained the United Way’s long standing commitment to Wyoming County residents through the employee donations. Ms. Nash also acts in the

capacity of Coordinator for the Wyoming County Employee Campaign and she extended her assistance in completing the pledge forms...

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #12 through #26. Hearing no objection resolution titles were read.

#12

RESOLUTION NO. 17-098
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ADECCO
ON BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Adecco, 230 East Main Street, Arcade, NY 14009 on behalf of the Office for the Aging. Said contract will provide for a temporary clerical worker for the Office for the Aging until the results of the Civil Service list are available in an amount not to six thousand dollars (\$6,000.00); effective March 18, 2017 through June 30, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #13

RESOLUTION NO. 17-099
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE FOR
THE AGING ON BEHALF OF WYOMING COUNTY
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 grant application and acceptance award with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223-1251 on behalf of the Wyoming County Office for the Aging. Said funding is for the continued implementation of the expansion and enhancement of NY Connects in a minimum amount of

March 14, 2017

one hundred sixty-four thousand eighty-six dollars and nine cents (\$164,086.00); effective January 1, 2017 through March 31, 2018.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #14

RESOLUTION NO. 17-100
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION NUMBER 15-161 AMENDED

WHEREAS, Resolution Number 15-161 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE FOR THE AGING ON BEHALF OF WYOMING COUNTY OFFICE FOR THE AGING**,” passed by this Board of Supervisors on April 14, 2015 which provides funding for Balanced Inceptive Program Caregiver Support which will increase offerings and access to non-institutional Long Term Care Services and Supports for Caregivers and their Medicaid-eligible loved ones in a minimum amount of twenty thousand dollars (\$20,000.00); effective April 1, 2015 through March 31, 2016; and

WHEREAS, Resolution Number 15-161 was previously amended by this Board of Supervisors on March 8, 2016 by Resolution Number 16-110 to extend the expiration date of the grant application and acceptance award from March 31, 2016 to June 20, 2017; and

WHEREAS, That Resolution Number 15-161, as previously amended by Resolution Number 16-110 was further amended by this Board of Supervisors on August 16, 2016 by Resolution Number 16-305 to correct the expiration date of the grant application and acceptance award from June 20, 2017 to June 30, 2017; now therefore

BE IT RESOLVED, That Resolution Number 15-161 be hereby amended further to extend the expiration date from June 30, 2017 to September 30, 2017. All else remains the same.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #15

RESOLUTION NO. 17-101
(March 14, 2017)

Regular Session

By Ms. Grant, Chairman of the Human Service Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PITNEY BOWES ON BEHALF OF THE YOUTH BUREAU

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Pitney Bowes, 405 North French Road, Suite 116, Buffalo, NY 14228 on behalf of Youth Bureau. Said contract is for the leasing of a postage meter machine for sixty (60) months in an amount not to exceed eight thousand four hundred eighty-four dollars (\$8,484.00); effective January 1, 2017 through December 31, 2022.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #16

RESOLUTION NO. 17-102
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

CHAIRMAN AUTHORIZED TO ACCEPT BID AND SIGN A CONTRACT WITH CONROY MOTOR CORP ON BEHALF OF THE YOUTH BUREAU

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with Conroy Motor Corp, 1457 Main Street, Java Center, NY 14082 on behalf of the Youth Bureau. Said contract is for the purchase of two (2) 2017 Ford Fusions in an amount not to exceed thirty-five thousand eight hundred ninety dollars (\$35,890.00); effective March 1, 2017 through the delivery of the vehicles.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #17

RESOLUTION NO. 17-103
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

March 14, 2017

**RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND THE
NEW YORK STATE LEGISLATURE TO HOLD COUNTIES
HARMLESS FROM ANY LOST FEDERAL MEDICAID
REIMBURSEMENT IF PROVISIONS OF THE AFFORDABLE CARE
ACT ARE REPEALED, OR FEDERAL MEDICAID
REIMBURSEMENTS TO STATES ARE CAPPED**

WHEREAS, The incoming President and Congress have indicated they plan to repeal and replace the Affordable Care Act; and

WHEREAS, Congress is also considering capping federal Medicaid reimbursements to states through a block grant or per capita cap; and

WHEREAS, The Affordable Care Act provides significant fiscal benefits to the State, counties and New York City through expanded Medicaid coverage and enhanced federal Medicaid matching rates; and

WHEREAS, Counties and New York City are currently saving nearly \$600 million annually from these enhanced federal Medicaid matching payments; and

WHEREAS, The New York State Association of Counties estimates that these savings will continue to grow over the next several years; and

WHEREAS, This federal fiscal relief, in conjunction with other state mandate relief initiatives and county actions to lower costs for taxpayers, has enabled more than half the counties to lower their property tax rates and nearly one-third to lower their property tax levies in recent years; and

WHEREAS, If these enhanced federal Medicaid matching funds are lost, every county in the State would experience significant increases in their annual Medicaid costs that would far outstrip their ability to maintain the State imposed property tax cap; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and State Legislature to hold local taxpayers fiscally harmless from any federal changes to the Affordable Care Act or Medicaid financing so we may preserve the gains that have been made so far due to the enhanced federal Medicaid matching rates available under the Affordable Care Act; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the

New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #18

RESOLUTION NO. 17-104
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND THE
NEW YORK STATE LEGISLATURE TO CONTINUE TO REFORM
AND IMPROVE THE EARLY INTERVENTION PROGRAM TO
BETTER SERVE CHILDREN AND FAMILIES**

WHEREAS, The Early Intervention Program in New York State is in need of comprehensive reform in order to address the concerning issue of provider capacity since the transition to State administered provider agreements in April 2013; and

WHEREAS, Counties are responsible to ensure that services developed in an Individualized Family Service Plan (IFSP) begin within a timely fashion, namely thirty (30) days from the date of the authorizing IFSP; and

WHEREAS, Counties must assign providers to a child's IFSP that have current provider agreements with the New York State Bureau of Early Intervention and are listed per county in the New York Early Intervention System (NYEIS) database; and

WHEREAS, Providers listed in the NYEIS database are frequently unavailable to service a child due to factors including the area in which the child resides, provider only accepting referrals for one (1) or two (2) children enrolled in the Early Intervention Program (EIP) due to other commitments outside of the EIP, provider case load is full and/or the provider no longer works for the EIP although is still listed in the NYEIS; and

WHEREAS, There are many children not receiving the EIP services they are entitled to, and are instead placed on wait lists pending an available provider; and

WHEREAS, The existing number of rendering providers are inadequate to meet the needs of the currently enrolled EIP children and their families and for this reason the Wyoming County Board of Supervisors supports

and advocates for necessary reforms to address this issue and improve the Early Intervention Program; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and New York State Legislature to consider reforms to the Early Intervention Program to ensure that counties will be held harmless; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #19

RESOLUTION NO. 17-105
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND
NEW YORK STATE LEGISLATURE TO ADHERE TO THE LAW AS IT
APPLIES TO THE STATE FISCAL RESPONSIBILITY FOR
PRESCHOOL SPECIAL EDUCATION AND ELIMINATE COUNTY
RESPONSIBILITY FOR SUMMER SCHOOL SPECIAL EDUCATION
PROGRAMS**

WHEREAS, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as 4410 of the Education Law; and

WHEREAS, The original law included a provision to limit the county fiscal responsibility to 25% by the 1993-94 school year; and

WHEREAS, A gubernatorial statewide task force on reforming preschool special education determined that counties should be removed completely from financing the State's preschool special education program; and

WHEREAS, These recommendations were never enacted; and

WHEREAS, We commend Governor Andrew M. Cuomo and the New York State Legislature for the recent reimbursement reforms, including SEIS

regional rates, in the preschool special education program; and

WHEREAS, The State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100% with state resources; and

WHEREAS, The State also requires counties to support 10% of summer school special education 4408 program costs for all children; and

WHEREAS, The fact that other states do not require county government to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes to New York's highest in the nation property tax burden; and

WHEREAS, Over the last decade the failure of the State to fund these costs has shifted more than \$1.5 billion to county property taxpayers, exceeding \$250 million annually today, raising costs for homeowners and small businesses throughout New York; and

WHEREAS, In the 2017/2018 Executive Budget, Governor Cuomo proposed to shift \$22 million in committee on special education (CSE) administrative charges to New York City by requiring them to fund 100% of the fiscal responsibility, with the justification of aligning costs with the entity making placement decisions; and

WHEREAS, School districts statewide make similar decisions in all of the counties for preschool special education (4410 program), but do not share in any of the program costs; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to adhere to the law as it applies to the county fiscal responsibility for the preschool special education program (4410) at no more than 25% as intended at the inception of the program to help reduce pressure on property taxes; and be it

FURTHER RESOLVED, To eliminate county responsibility for school age summer school special education (4408) programs; and be it

FURTHER RESOLVED, That Wyoming County Board of Supervisors objects to Governor Andrew M. Cuomo's proposal to shift \$22 million in CSE costs to New York City; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward

copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #20

RESOLUTION NO. 17-106
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS

WHEREAS, Prior to 2013, counties funded 100% of the cost of the State's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, The State implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, The State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health's Early Intervention System (NYEIS); and

WHEREAS, Recent problems have arisen under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires and a lack of follow through by providers when insurers ask for more information; and

WHEREAS, Any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the State and counties to pay; and

WHEREAS, We commend Governor Andrew M. Cuomo on his 2017/2018 state budget proposals for prioritizing and requiring providers to enforce current insurance regulations regarding payment of Early Intervention service claims in an attempt to increase commercial insurance collections; and

WHEREAS, Governor Andrew M. Cuomo's proposal was rejected in the final 2016/2017 enacted budget, we strongly encourage the New York State Legislature to support the requirement of timely provider claims in the final 2017/2018 state budget; and

WHEREAS, We also ask that as part of these system enhancement proposals, Medicaid revisit the Retro Re-Billing Process where the State identifies all claims that the cities and state pay including, but not limited to, waivered services, and resubmit those to Medicaid to identify if a child's coverage changed. We ask that Medicaid instead pay the claims in the first instance, so that counties don't have to pay upfront and then receive these monies many years later; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and the State of New York to implement policies and procedures to ensure that provider claims are filed in a timely manner to commercial insurance providers and Medicaid; and be it

FURTHER RESOLVED, That the final 2017/2018 budget include a requirement for all providers to enroll in 835 electronic remits and a timely filing requirement; and be it

FURTHER RESOLVED, The State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the State Early Intervention reform proposal, ensure providers exhaust all appeals in a timely manner before moving on to the next payer of record; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #21

**RESOLUTION NO. 17-107
(March 14, 2017)**

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE DIVISION OF BUDGET TO IDENTIFY ALL OUTSTANDING CLAIMS AND PRIORITIZE REIMBURSING COUNTY COSTS FOR EARLY

March 14, 2017

**INTERVENTION SERVICES THAT WERE PROVIDED AND PAID
FOR BY COUNTIES PRIOR TO THE STATE FISCAL AGENT
ADMINISTRATIVE TAKEOVER AND REMAIN UNREIMBURSED**

WHEREAS, Prior to 2013, counties funded 100% of the cost of the State's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, The State implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, Due to limitations of the New York State Department of Health's (NYSDOH's) New York Early Intervention System (NYEIS), and inaccuracies in reporting and data that continue since its launch in 2010, counties have sought to settle these outstanding reimbursements for almost three years, but are reliant on the NYSDOH to provide data to identify the exact claims outstanding; and

WHEREAS, NYSDOH and a special work group of counties that have been in place for over two years has made minimal progress due to a lack of dedicated resources and prioritization by NYSDOH; and

WHEREAS, This initial work is finding that up to 20% of claims submitted by counties for state share reimbursement remain outstanding after several years for a variety of NYEIS computer system technical problems; and

WHEREAS, Some of these unreimbursed claims are nearly five years old; and

WHEREAS, Counties estimate that tens of millions of dollars remain unreimbursed by the State as a result; and

WHEREAS, Counties cannot afford to wait any longer for reimbursement from the State, while also trying to maintain the State imposed property tax cap; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Department of Health and the Division of Budget to dedicate the resources to ensure the repayment of these outstanding claims to all counties including New York City a top priority with payments issued in the first quarter of the 2017-18 State Fiscal Year; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State

Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #22

RESOLUTION NO. 17-108
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**RESOLUTION CALLING FOR THE REVAMPING OF OUTDATED
NYSED PRESCHOOL SPECIAL EDUCATION SERVICE PROGRAM
REIMBURSEMENTS AND WAIVER REVIEW PROCESS FOR
CONTRACTED SERVICE AGENCIES**

WHEREAS, The New York State Education Department (NYSED) has been entrusted with designing and overseeing the implementation of vital, quality preschool special education programs, such as speech and occupational therapy, to be administered at the local level for children between 3 and 5 years of age; and

WHEREAS, County officials throughout the State of New York have both the responsibility and burden of insuring that local private and not-for-profit service agencies efficiently manage such programs and, in so doing, adhere to the strict guidelines established by NYSED; and

WHEREAS, Counties throughout the State of New York are mandated to initially fund 100% of the costs of such important services for special needs children in hopes that within a two to three-year period counties will eventually be reimbursed by NYSED for 59.5% of the preschool special education program costs closed out years before; and

WHEREAS, Successful monitoring of these important preschool education programs by counties requires input, support and sound direction from NYSED looking at all related aspects of these important programs in a timely, collaborative and transparent fashion to positively impact and/or respond to a myriad of issues that arise over the course of a program year; and

WHEREAS, On too many occasions NYSED has chosen not to examine all relevant facts in matters of importance and dispute at the local level with said service providers, especially in regards to its post-contract year waiver review process wherein NYSED has unilaterally altered contract terms with

preschool service providers, thus forcing host counties to endure unplanned financial hardships with no defined appeals process for the county; and

WHEREAS, Counties, for years, have been consistently calling for reforms to both the programming and funding of preschool special education programs for special needs children ages 3-5 years throughout the State of New York; and

WHEREAS, The New York State Comptroller's Office has uncovered significant misappropriation of public dollars by local preschool special education providers across the State, highlighting the stressful conditions that continue to exist because of the lack of important reforms to the way these programs were designed long ago by the State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the New York State Legislature to undertake a thorough review of how NYSED and the State can improve transparency and accountability in the preschool special education program, including matters of retroactive rate-setting for providers, and supporting county efforts to improve accountability to local taxpayers; and be it

FURTHER RESOLVED, That NYSED and the State Comptroller identify and recoup any funds owed as a result of audit findings and return such funds to the counties; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #23

**RESOLUTION NO. 17-109
(March 14, 2017)**

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION URGING NEW YORK STATE TO FULLY FUND ALL COSTS RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY AND ENSURE THAT ANY STATUTORY OR ADMINISTRATIVE CHANGES FULLY RECOGNIZE THE RESPONSIBILITY OF LOCALLY ELECTED DISTRICT ATTORNEYS

Regular Session

**TO PROMOTE PUBLIC SAFETY, MAINTAIN VICTIMS' RIGHTS
AND ENSURE ACCOUNTABILITY IN THE JUSTICE SYSTEM**

WHEREAS, Governor Andrew M. Cuomo is prioritizing fundamental reform of the juvenile justice system in New York State, including a statutory change to the age of criminal responsibility; and

WHEREAS, Structural changes to raising the age of criminal responsibility will require a significant investment in services based on a children and families social services model; and

WHEREAS, These services will produce the need for job-training skills, high school equivalency education, transportation, drug and alcohol treatment, family and individual counseling, coordinated mental health services, case management, and other interventions resulting in higher expenses; and

WHEREAS, Many regions of the State currently do not have adequate capacity to provide such services in their local communities; and

WHEREAS, The State currently caps funding for foster care and youth detention, and also limits reimbursement for other child welfare and probation costs, resulting in a significant unfunded mandate on counties which will grow worse if the State changes the age of criminal responsibility while not also providing full funding to alleviate these new costs; and

WHEREAS, Governor Andrew M. Cuomo's SFY 2017-18 budget proposal seeks again to raise the age of criminal responsibility, but it no longer provides 100 percent state funding for the new costs that will be incurred by counties and New York City; and

WHEREAS, The new proposal appears to provide no fiscal reimbursement to New York City at all for the increased costs related to this proposal; and

WHEREAS, Governor Andrew M. Cuomo's budget estimates that in excess of \$100 million in new local government costs would be created under this initiative; and

WHEREAS, Without state reimbursement for New York City costs and only partial reimbursement for new costs incurred by the 57 counties, this proposal creates a new unfunded mandate on counties and New York City; and

WHEREAS, Locally elected district attorneys are responsible for protecting the public safety, maintaining victim's rights and ensuring

accountability for all in the criminal justice system; and

WHEREAS, The District Attorney's Association of the State of New York has, in the past, provided recommendations to state legislative leaders on their proposals to reform the juvenile justice system including; 1) providing local prosecutorial consent for the removal of all violent felonies and some non-violent felonies from criminal court to family court, 2) not allowing adjustment for violent and serious non-violent felonies, 3) any new presumption for granting youthful offender status should be limited to certain classes of non-violent felony offenses, 4) reduced sentencing should not be offered for certain violent crimes and 5) ensuring that some level of secure detention options be maintained for certain cases; and

WHEREAS, These recommendations are intended to preserve the delicate balance between offender rehabilitation and accountability, and public safety; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors calls on the State of New York to fully cover all new costs associated with changing the age of criminal responsibility for counties and New York City to avoid the imposition of a new unfunded mandate on local taxpayers; and be it

FURTHER RESOLVED, That fiscal caps must be removed for foster care and youth detention as part of this age of criminal responsibility reform; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urge the New York State Legislature to reject Governor Andrew M. Cuomo's state foster care match reduction as proposed in his SFY 2017-18 budget which also shifts more costs to counties and New York City; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors also urge the New York State Legislature to reject Governor Andrew M. Cuomo's budget proposal to shift more foster care tuition costs to New York City; and be it

FURTHER RESOLVED, State funding must be provided to build capacity for infrastructure and services under child welfare and probation services, and to identify mental health and drug and alcohol issues and strategies to minimize absences without leave from the education system; and be it

FURTHER RESOLVED, The State must also reverse state budget reimbursement rate cuts it made to counties for local child welfare services, restoring the State reimbursement rate to 65% from the current 62% level to

ensure counties have more resources to provide critical services to children and families in need of services; and be it

FURTHER RESOLVED, That recommendations from local District Attorneys should be provided due consideration and inclusion if the reform proposal moves forward; and be it

FURTHER RESOLVED, There will need to be flexibility in recognition of the differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate in some counties depending on local conditions and service capacity; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #24

RESOLUTION NO. 17-110
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND THE NEW YORK STATE LEGISLATURE TO GRADUALLY RESTORE THE 50/50 STATE/COUNTY COST-SHARING FOR THE SAFETY NET PROGRAM, TO INCREASE SHELTER GRANT REIMBURSEMENTS TO COUNTIES AND TO PROVIDE SUFFICIENT RESOURCES TO PROVIDE SAFE AND SECURE HOUSING

WHEREAS, The 2011-12 State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent county/29 percent state, severing the historic 50 percent state/50 percent county partnership; and

WHEREAS, This continues a long line of state legislative actions that has transferred the State's constitutional and fiscal responsibility to care for the needy to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

WHEREAS, The Safety Net funding shift also builds upon recent trends where the State has leveraged significant savings from maximizing

available federal resources largely for state financial plan purposes, at the expense of local property taxpayers; and

WHEREAS, The net effect of this state practice forces local property taxes to be higher than they should because available savings are being spent by the State rather than used to lower the cost of state mandates which can provide direct relief to local property taxpayers; and

WHEREAS, Nearly half of the states do not have Safety Net programs and New York is one of only 11 states that provide benefits to childless adults that do not have some disability; and

WHEREAS, Most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, Counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

WHEREAS, State data through May 2016 indicates that non-federally participating Safety Net costs continue to grow faster than federally participating TANF costs; and

WHEREAS, Counties believe the rising cost of providing shelter assistance to recipients is a major contributor to this increase; and

WHEREAS, Enhanced shelter assistance and state reimbursement, along with more permanent affordable housing, are essential components necessary to achieve State goals of reducing homelessness and providing stability for families and individuals in need; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for the Safety Net program over a five-year period, starting with an increase in county reimbursement for shelter assistance in order to help alleviate the lack of affordable housing alternatives in many areas of the State, while also lowering the local property tax burden for homeowners and small businesses; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-111
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND NEW YORK STATE LEGISLATURE TO MAINTAIN OUR MUTUAL GOALS OF NOT SHIFTING NEW COSTS TO COUNTIES, WHILE MAINTAINING REASONABLE LOCAL FLEXIBILITY OVER ADMINISTRATIVE FUNCTIONS, AS THE STATE REALIGNS MEDICAID ADMINISTRATIVE FUNCTIONS AND HUMAN SERVICES PROGRAMS

WHEREAS, The State Department of Health continues its multi-year effort to take over the administrative responsibilities of the Medicaid program from county government as a way to provide improved consistency in the administration of Medicaid and to reduce administrative burdens for counties and New York City; and

WHEREAS, Counties support efforts to streamline government operations in ways that can improve the delivery of services and responsiveness to recipients' needs, while not shifting new costs to county taxpayers; and

WHEREAS, The State has enacted a cap in reimbursement to counties and New York City related to Medicaid administrative claiming, and for many counties this cap continues to be in place prior to the actual state takeover of a significant portion of local Medicaid administrative functions; and

WHEREAS, Local departments of social services (DSS) continue to be required to take on additional administrative responsibilities; and

WHEREAS, Policies have evolved such that the local DSS role is shrinking in terms of eligibility determinations, but simultaneously increasing in terms of home care assessments and responsibilities; and

WHEREAS, Capped reimbursement with minimal relief from administering the State's Medicaid program creates significant fiscal and liability concerns for counties and is counterproductive in the current property tax cap environment; and

WHEREAS, Counties also struggle with administering all other human services programs mandated by the State especially since State financial

support for local social service district administrative costs was essentially eliminated several years ago to help balance state budget shortfalls; now therefore

BE IT RESOLVED, That until the State Medicaid administrative takeover is complete the Wyoming County Board of Supervisors urge Governor Andrew M. Cuomo and the New York State Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap, continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the State falls short in its attempt to takeover local Medicaid administrative functions; and be it

FURTHER RESOLVED, The State should not reduce counties' Medicaid administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts; and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and be it

FURTHER RESOLVED, The Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently associated with the Medicaid program on the local level; and be it

FURTHER RESOLVED, The State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #26

RESOLUTION NO. 17-112
(March 14, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**RESOLUTION URGING THE NEW YORK STATE CONGRESSIONAL
DELEGATION TO PRESERVE THE MEDICAID EXPANSION AND
BASIC HEALTH PLAN PROGRAM OPTIONS ALLOWED UNDER**

Regular Session

THE AFFORDABLE CARE ACT AND OPPOSE EFFORTS TO CAP FEDERAL MEDICAID PAYMENTS TO THE STATES

WHEREAS, The Affordable Care Act (ACA) provides federal subsidies to help low income working families and individuals afford health insurance coverage; and

WHEREAS, The ACA allows states the option of expanding eligibility for Medicaid along with higher federal Medicaid reimbursements to provide health insurance for the very low income population; and

WHEREAS, Section 1331 of the Affordable Care Act gives states the option of creating a Basic Health Program (BHP), a federally subsidized health insurance benefits program for low-income residents who would otherwise be eligible to purchase coverage through the Health Insurance Marketplace; and

WHEREAS, New York State has adopted these major health insurance coverage options including the eligibility expansion of Medicaid coverage and the Basic Health Plan coverage option (called The Essential Plan in New York); and

WHEREAS, Since the enactment of the ACA the number of uninsured individuals in New York State has dropped by 850,000 (leading to a decline in the number of uninsured of more than 50 percent statewide), with many Upstate counties experiencing declines in their uninsured rates of 60 percent or more -- leaving fewer than five percent of their residents without health insurance coverage by the end of the January 2016 open enrollment period; and

WHEREAS, The completion of the January 2017 ACA enrollment period is expected to lower the number of uninsured New Yorkers even more, likely reaching one million; and

WHEREAS, Expanded health insurance coverage for New Yorkers helps reduce bad debt and charity care costs for hospitals, clinics and other health care providers, including those operated by counties and New York City; and

WHEREAS, The enhanced federal Medicaid matching rates provided under the ACA have provided billions of dollars in direct fiscal relief to New York State and its counties since enactment, helping to reduce pressure on local property taxes benefitting homeowners and businesses; and

WHEREAS, The individual health insurance market in New York has seen dramatic changes fostered by the Affordable Care Act, with 2017 health insurance premium rates for individuals being more than 55% lower than before

the implementation of the ACA, adjusted for inflation; and

WHEREAS, New York State has implemented the Basic Health Plan option under the Affordable Care Act with great success, providing extremely affordable health insurance to nearly 650,000 low income people with monthly premiums of \$20 or less that includes comprehensive benefits with no annual deductibles, free preventive care, and low copayments; and

WHEREAS, Nearly 3.5 million New Yorkers use the New York State health insurance exchange created under the ACA to buy health insurance (or enroll in Medicaid, CHIP or the Essential Plan); and

WHEREAS, The incoming President and Congress have indicated they want to repeal and replace the Affordable Care Act and to also cap federal reimbursements to states for Medicaid; and

WHEREAS, A blanket repeal of all provisions of the Affordable Care Act, especially those identified here would eliminate health insurance coverage for 3.5 million New Yorkers; and

WHEREAS, The loss of health insurance will increase unreimbursed costs to hospitals, clinics and other health care providers across New York costing them billions of dollars in lost revenue; and

WHEREAS, Repeal of the Medicaid expansion and other provisions of the ACA would cut federal reimbursements to New York State and its counties by nearly \$6 billion annually according to the New York State Comptroller; and

WHEREAS, The direct fiscal assistance to counties and New York City from the ACA approaches \$600 million annually today, and will likely grow; and

WHEREAS, Capping Federal Medicaid reimbursements to states through a block grant, or per capita cap, will only increase the reimbursement losses noted above to New York, including health care providers in congressional districts across New York; and

WHEREAS, The loss of this federal funding will cause state and local taxes to increase dramatically and alter or eliminate health insurance coverage currently enjoyed by millions of New Yorkers; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the New York State Congressional Delegation to follow a "do no harm" strategy as they work to improve health care by preserving the Medicaid

expansion and enhanced federal Medicaid reimbursement as provided under the ACA for those states that have chosen to implement this option; and be it

FURTHER RESOLVED, The New York Congressional Delegation should also preserve the Basic Health Plan option that is working so successfully in New York; and be it

FURTHER RESOLVED, Capping federal reimbursements to states for Medicaid will fundamentally undermine the safety net function this program was established to provide and NYSAC is urging the New York delegation to avoid this approach; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #27 through #38. Hearing no objection resolution titles were read.

#27

**RESOLUTION NO. 17-113
(March 14, 2017)**

By Ms. Ryan, Chairman of the Public Health Committee:

**RESOLUTION TO REDUCE THE ADMINISTRATIVE
BURDEN ON LOCAL HEALTH DEPARTMENTS CAUSED BY
ARTICLE SIX STATE AID FOR GENERAL PUBLIC HEALTH WORK
MAINTENANCE OF EFFORT REQUIREMENTS**

WHEREAS, New York State has imposed a cap on property taxes that restricts the ability of local governments to fund services; and

WHEREAS, Article Six State Aid for General Public Health Work places a Maintenance of Effort (MOE) requirement on municipalities; and

WHEREAS, The current statute requires only that municipalities demonstrate that they have maintained current year funding to the base year funding level; and

WHEREAS, The New York State Department of Health adopted

March 14, 2017

regulatory changes to NYCRR 10 Subpart 40-1 in 2014, which increased frequency of reporting and monitoring requirements regarding MOE from an annual basis to ongoing monitoring throughout the year; and

WHEREAS, The New York State Department of Health's 2014 published analysis of the regulatory changes to NYCRR 10 Subpart 40 stated that "With respect to the amendments to the administrative regulations governing the State Aid program, overall these regulations represent a reduction in the administrative burden of applying for State Aid"; and

WHEREAS, The New York State Association of County Health Officials (NYSACCHO) provided formal public comment expressing concern that the regulatory changes to the MOE language could result in increases to local health departments' (LHDs) administrative workloads; and

WHEREAS, MOE reporting requirements for LHDs subsequently increased from annual reporting to quarterly reporting; and

WHEREAS, Local health officials report a substantial increase in time and effort spent on MOE justifications; and

WHEREAS, This more frequent reporting schedule further fails to acknowledge normal fluctuations in expenses during the year; and

WHEREAS, The ongoing monitoring of MOE places an undue and unnecessary administrative burden on local health departments; and

WHEREAS, The New York State Department of Health requires that local share funding for eligible expenditures be maintained at base year levels for each of the core services, rather than on the overall annual local share; and

WHEREAS, This narrower administration of MOE limits local health departments' flexibility to direct scarce resources to respond to public health emergencies and/or emerging public health threats such as Zika virus; and

WHEREAS, In a home rule state, municipalities should also have the ability to redirect public health funding between core services to address the implementation of new or increased state mandates and changing public health needs in their communities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and the New York State Legislature to take the following steps to reduce the current administrative burdens related to Maintenance of Effort and increase flexibility in the application of MOE

requirements to allow local health departments to maximize limited local resources to respond to the public health needs of their communities:

- Direct the New York State Department of Health to immediately return Maintenance of Effort monitoring requirements to no more than twice a year to reduce the administrative burden on municipalities;
- Amend Article Six, §617 of the Public Health Law to stipulate that evidence of Maintenance of Effort for eligible services shall be based on the total amount contributed annually by a municipality for all eligible core public health services, rather than the amount contributed to each individual core public health service; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Division of Budget, the New York State Health Department, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #28

RESOLUTION NO. 17-114
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION URGING NEW YORK STATE TO MAINTAIN THE CARVE-OUT FROM MEDICAID MANAGED CARE FOR SCHOOL-BASED HEALTH CENTERS

WHEREAS, 20 Counties and New York City operate 231 school-based health centers across the State, serving over 200,000 students; and

WHEREAS, School-based health centers provide cost-effective comprehensive primary medical care, dental, vision and mental health services at no out-of-pocket cost to all students, regardless of insurance status; and

WHEREAS, School-based health centers increase access to health care, prevent unnecessary hospitalizations, and reduce emergency room visits; and

WHEREAS, School-based health centers are a vehicle for eliminating racial and ethnic health disparities in the communities that they serve and foster

health equity for low-income communities and communities of color; and

WHEREAS, The State is requiring that all School-Based Health Centers move to a mandatory Medicaid Managed Care health care delivery model as of July 1, 2017; and

WHEREAS, Family planning health services will remain carved out from Medicaid Managed Care. The transition to Medicaid Managed Care would force school-based health centers to submit both fee-for-service and Medicaid Managed Care claims, and significantly increase the administrative burden on providers; and

WHEREAS, School-based health centers will be forced to contract with multiple Medicaid Managed Care plans for each participating school, in addition to plans for dental and behavioral health services, which would complicate the billing process and revenue streams for all providers; and

WHEREAS, Medicaid currently accounts for 89 percent of third party insurance revenue for school-based health centers statewide; and

WHEREAS, There is no guarantee that school-based health center providers will be able to negotiate payment rates from Medicaid Managed Care plans comparable with existing revenue; and

WHEREAS, As a result of the transition to Medicaid Managed Care and reduced Medicaid revenue, some school-based health centers will be forced to close; and

WHEREAS, In the event of closure of school-based health centers, in order to ensure continued provision of health services mandated by law, counties and New York City would be required, at a substantial cost, to provide nurses and equivalent staff at every school; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and New York State Legislature to maintain their commitment to school-based health centers and maintain their carve out from Medicaid Managed Care; and

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-115
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE OFFICE OF MENTAL HEALTH AND THE DEPARTMENT OF
HEALTH OF THE STATE OF NEW YORK TO PRESERVE AND
MAINTAIN THE ROLE OF CHILDREN'S SINGLE POINT OF ACCESS
TO ENSURE THAT HIGH-NEED/HIGH-RISK CHILDREN AND
YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE AND THEIR
FAMILIES HAVE TIMELY ACCESS TO THE COMPREHENSIVE
SERVICES AND SUPPORTS THEY NEED AS THE STATE
IMPLEMENTS MEDICAID REDESIGN FOR CHILDREN, YOUTH
AND FAMILY SERVICES**

WHEREAS, Article 41 of the Mental Hygiene Law charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of services to individuals with mental illness, substance use disorders and developmental disabilities at the local level; and

WHEREAS, Every county and borough in New York State has a working Children's Single Point of Access (CSPOA) which is embedded in the LGU; and

WHEREAS, LGUs have developed the CSPOA system to simplify and coordinate the process of linking children and their families to the services that can assist in meeting their needs; and

WHEREAS, A CSPOA is designed to identify, screen and assign Care Coordination and Wraparound Services to eligible high-need/high-risk children and youth with a serious emotional disturbance (SED) and/or behavioral disorder and their families; and

WHEREAS, A CSPOA serves children and youth at risk and/or with history of psychiatric hospitalization or out-of-home placement, with multi-system involvement or needs, with substantial functional impairments and/or psychiatric symptoms, and an unsuccessful history of mental health treatment; and

WHEREAS, Children's SPOA provides timely access to an array of intensive Office of Mental Health services and supports based on the

identified service need of the youth and his/her family; and

WHEREAS, Services include Home and Community Based Waiver; Health Home Care Management for children with SED; Community Residences; and Residential Treatment Facilities; and

WHEREAS, A CSPOA serves children and youth determined to have SED regardless of their health coverage and provides continuity for children and families during transitions in care; and

WHEREAS, A CSPOA is situated in the community and is positioned to provide consultation and assistance for all SED children and youth in receipt of Health Home Care Management for care planning and network navigation; and

WHEREAS, The primary goals of CSPOA include maintaining high-need/high-risk children in the community with their families, reducing out-of-home placements, facilitating the earlier return of children and youth already placed out-of-home, increasing access to community-based services, utilizing an individualized care model with strength-based approach and assuring active parent involvement at all levels of SPOA; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo, the Office of Mental Health, and the Department of Health to preserve and maintain the role of Children's SPOA to ensure that high-need/high-risk children and youth with serious emotional disturbance and their families have timely access to the comprehensive services and supports they need as the State implements Medicaid Redesign for children, youth and family services; and be it

FURTHER RESOLVED, That these comprehensive array of services include: Emergency and Crisis Services, Family Support, Respite Services, Outpatient Services, Community Residential Services and Inpatient Services; as the State implements the children's Health Home, the transition of behavioral health services to Medicaid Managed Care and the expansion of children's Home and Community Based Waiver Services under Medicaid Redesign; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-116
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND
SUBSTANCE ABUSE SERVICES AND GOVERNOR ANDREW M.
CUOMO OF THE STATE OF NEW YORK TO PROVIDE STATE
FUNDING TO SUPPORT THE TREATMENT OF INDIVIDUALS WITH
SUBSTANCE USE DISORDERS WHO ARE INCARCERATED IN
COUNTY JAILS, IN ORDER TO HELP COMBAT THE HEROIN AND
OPIOID ABUSE EPIDEMIC AND OTHER ADDICTIONS, SAVE LIVES
AND REDUCE THE RATE OF RECIDIVISM**

WHEREAS, The rise in heroin and prescription opioid addiction and overdose-related deaths continue to be a major epidemic across New York State; and

WHEREAS, Substance use disorders, including heroin and opioid addiction, are very common among incarcerated individuals; and

WHEREAS, According to the National Center on Addiction and Substance Abuse at Columbia University, 65 percent of individuals incarcerated in jails and prisons in the U.S. meet the medical criteria for a substance use disorder and only 11 percent receive any treatment for substance abuse while incarcerated; and

WHEREAS, Without access to substance use disorder treatment while incarcerated, many individuals start using drugs again immediately upon release from incarceration; and

WHEREAS, In the first two weeks after an individual with a substance use disorder is released from jail, the risk of a fatal drug overdose is much higher than at any other time, resulting in individuals dying from overdoses in high numbers after they are released from incarceration or getting re-arrested for drug-related crimes; and

WHEREAS, Article 41 of the Mental Hygiene Law charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of services to individuals with mental illness, substance use disorders and developmental disabilities at the local level; and

WHEREAS, The LGU works closely with local correctional facilities, community providers and other stakeholders to improve in-jail behavioral health treatment, facilitate community linkages upon reentry and reduce recidivism with very limited resources; and

WHEREAS, While the Office of Mental Health provides some state aid to counties for the provision of mental health services in the jails, there is no comparable funding provided by the State for incarcerated individuals with substance use disorders; and

WHEREAS, State funding is needed to help provide access to comprehensive substance use disorder services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS, Access to substance use disorder treatment in jails, especially to medication assisted treatment for individuals with opioid addiction, is critical for positive post-release outcomes; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment of incarcerated individuals with substance use disorders in our county jails; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the Office of Alcoholism and Substance Abuse Services, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #31

**RESOLUTION NO. 17-117
(March 14, 2017)**

By Ms. Ryan, Chairman of the Public Health Committee:

**RESOLUTION CALLING ON GOVERNOR ANDREW M.
CUOMO AND THE NEW YORK STATE LEGISLATURE TO URGE
THE PRESIDENT AND CONGRESS TO INCREASE FEDERAL**

FUNDING TO LOCALITIES TO COMBAT THE SPREAD OF THE ZIKA VIRUS IN THE UNITED STATES

WHEREAS, The Zika virus is a mosquito-transmitted infection related to dengue fever, yellow fever and West Nile virus. It was discovered in the Zika forest in Uganda in 1947 and is believed to be common across Africa and Asia; and

WHEREAS, Zika is spread mostly by the bite of an infected Aedes species mosquito (Ae. aegypti and Ae. albopictus); and

WHEREAS, There are more than 749 confirmed cases of the Zika virus across New York State; and

WHEREAS, Though the majority of those infected have no symptoms, and those who do usually recover within a week, Zika can have devastating impacts on a pregnancy; and

WHEREAS, Zika can be passed from a pregnant woman to her fetus, and can cause certain birth defects including congenital microcephaly and other serious brain defects, and has neurological impact on adults; and

WHEREAS, there is no vaccine or medicine for Zika, which means prevention of the Zika virus and control of the Aedes species mosquito population is of the utmost importance; and

WHEREAS, For prevention and mosquito control to be effective, federal funding needs to be allocated to state and local entities as soon as possible; and

WHEREAS, The World Health Organization (WHO) has designated Zika as a chronic threat; and

WHEREAS, On November 9, 2016, the Centers for Medicare & Medicaid Services (CMS) announced a funding opportunity providing up to \$66.1 million available to support prevention activities and treatment services for health conditions related to the Zika virus; and

WHEREAS, Congress authorized this funding in the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act (P.L. 114-223), but more funding is still needed; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and New York State Legislature to urge

the United States Congress to take immediate action to approve additional funding to fight the spread of Zika; and

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #32

RESOLUTION NO. 17-118
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION SUPPORTING RABIES PREVENTION ACROSS THE STATE AND PROVIDING APPROPRIATE FUNDING NECESSARY TO ACHIEVE THIS GOAL

WHEREAS, Rabies is a deadly disease caused by a virus that attacks the central nervous system, and is almost always fatal once symptoms appear; and

WHEREAS, Rabies is most often seen among wild animals such as raccoons, bats, skunks, and foxes; and infected mammals can transmit the rabies virus to humans and other mammals including cattle, cats and dogs; and

WHEREAS, The first signs of a rabies infection is usually change in an animal's behavior: an animal may become aggressive or tame and it may lose its fear of humans, or froth at the mouth; and

WHEREAS, Without vaccination, dairy farms are at great risk when sending their cattle out to pasture where they could come in contact with rabid animals; and

WHEREAS, Rabies vaccination shots are expensive and can cost farms thousands of dollars annually; and

WHEREAS, Losing a single animal can be a significant financial burden for a farmer; and

WHEREAS, Humans are typically only exposed to rabies when an infected animal bites them, or when saliva from an infected animal enters an open cut or mucous membrane such as one's eyes, nose or mouth, but those who

work on farms are at a greater risk of contracting rabies if working with unvaccinated livestock; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo to increase funding available to counties for rabies awareness, vaccination, and treatment in the 2017-18 state budget, proportionate to the number of suspected rabies cases; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #33

RESOLUTION NO. 17-119
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**RESOLUTION SUPPORTING AN END TO EXECUTIVE
ADMINISTRATIVE CUTS, AN INCREASE IN THE BASE GRANT, PER
CAPITA RATE, AND STATE AID FORMULA THAT CONSTITUTE
ARTICLE 6 STATE AID REIMBURSEMENT FOR MANDATED
GENERAL PUBLIC HEALTH WORK UNDERTAKEN BY LOCAL
HEALTH DEPARTMENTS AS POPULATION HEALTH PARTNERS OF
NEW YORK STATE**

WHEREAS, The prevention and population health activities of county health departments and New York City are essential to the overall health of the State's residents and communities, and crucial to the success of the State's Medicaid Redesign Team efforts; and

WHEREAS, Unhealthy community environments lead to incidents such as the discovery of PFOA in drinking water supplies in Rensselaer County, which has presented significant disease risks to the residents of these communities; and

WHEREAS, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola, the harmful Zika virus, and other communicable diseases that may arrive from other nations via global travelers at any time; and

March 14, 2017

WHEREAS, Stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health Law is necessary for the protection of all communities within New York State; and

WHEREAS, Article 6 of the Public Health Law currently provides a base grant of either a set amount or a per capita rate of local health department (LHD) expenditures on core public health services, and then State reimbursement for 36% of LHD costs beyond the base grant; and

WHEREAS, The State has reduced its annual appropriations for Article 6 Public Health spending by 40% over the last several years; and

WHEREAS, New York State does not allow local government to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6; and

WHEREAS, In state fiscal year 2011-12, the State eliminated the allowance of state aid for so-called "optional services" by local health departments, such as early intervention administration, medical examiners, dental health services, some environmental health activities, certified home health agencies, and more; and

WHEREAS, Administrative actions by the New York State Department of Health (NYSDOH) such as the reduction since 2012 of revenue offset; the refusal to cover costs associated with the contribution that other local governmental offices make to the work of their local health department Maintenance in Lieu of Rent (i.e. "MILOR"); and a refusal to cover technical assistance in rural counties for well water and septic tank problems that can compromise the sanitation and health of communities throughout rural areas of the State; and

WHEREAS, The reduction and eventual elimination of the revenue offset and other administrative actions leads to a reduction in the generation of fee and penalty revenue that, in turn increases the need for local budget cuts, including staff reductions that compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public's health; and

WHEREAS, NYSDOH has frequently applied changing and inconsistent standards in what it allows as state aid claims without advance notice, from quarter to quarter, region to region, or county to county; and

WHEREAS, Inflation-adjusted payments by New York State for Article 6 state aid to local health departments have declined since 2011, and as a result, local expenditures for public health services and subsequent claims for such state aid have declined dramatically; and

WHEREAS, Executive administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public including:

- enforcing regulations intended to reduce the incidence and risk of Legionnaire's Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE;
- monitoring the public health impact of an influx of unaccompanied minors into the United States and specifically New York State;
- monitoring and responding to international health threats and emergencies, among other public health needs; and

WHEREAS, Local health departments deserve respect for their dedication to public health and their expertise in population health; and

WHEREAS, local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda; and

WHEREAS, The current limits on base grants and state aid, combined with increasing administrative cuts and disallowances, are creating a cascading negative financial impact on local health departments and eroding their local public health infrastructure; and

WHEREAS, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services; and

WHEREAS, More than 50 of the State's 58 local Health Departments

March 14, 2017

bear responsibility for ensuring access to Early Intervention (EI) services; and

WHEREAS, The State's NYEIS system and state fiscal agency takeover have been plagued with problems resulting in increased administration costs and lower reimbursements for counties; and

WHEREAS, This additional fiscal burden for EI has a negative impact on counties' ability to provide funding for core public health services; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo to compensate, within the 2017-18 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

1. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of state aid to local health departments.
2. Increase the base grants that ensure 100 percent reimbursement of local expenditures:
 - Increase the base grant to Full Service LHDs (i.e. those with environmental health units) from \$650,000 to \$750,000;
 - Increase the base grant to Partial Service LHDs (i.e. those with environmental health units) from \$500,000 to \$550,000;
 - Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30.
3. Increase the beyond-base-grant state aid reimbursement rate from 36% to 38%.
4. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #34

**RESOLUTION NO. 17-120
(March 14, 2017)**

Regular Session

By Ms. Ryan, Chairman of the Public Health Committee:

DEVELOPMENTAL DISABILITIES MONTH PROCLAIMED

WHEREAS, Individuals with developmental disabilities, their families, neighbors, and co-workers encourage everyone to focus on the abilities of people; and

WHEREAS, The most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and

WHEREAS, Policies must be developed, attitudes shaped, and opportunities offered for citizens with developmental disabilities to live as independently and productively as possible in our community; and

WHEREAS, We encourage all citizens to support opportunities for people with disabilities that include full access to education, housing, employment, and recreational activities; and

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim March 2017 to be **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** in Wyoming County and urges our citizens to give full support to efforts towards enabling people with developmental disabilities to live full and productive lives of inclusion in our communities.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #35

RESOLUTION NO. 17-121
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK COUNCIL ON PROBLEM
GAMBLING 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 acceptance award with the New York Council on Problem Gambling on behalf of Mental Health. Said grant is for correcting common youth misconceptions and belief's surrounding gambling and increase awareness in a

minimum amount of fifteen thousand dollars (\$15,000.00); effective January 27, 2017 through November 17, 2017.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #36

RESOLUTION NO. 17-122
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 16-460 AMENDED

WHEREAS, Resolution Number 16-460 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH COORDINATED CARE SERVICES, INC. ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on January 17, 2017 for employment services in an amount not to exceed three hundred ninety thousand seven hundred ninety dollars (\$390,790.00) annually; effective January 1, 2017 through December 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-460 be hereby amended to allow for a student intern to provide prevention services for the 2016 You(th) Decide Project in an amount not to exceed six thousand, three hundred dollars (\$6,300.00) for a new total contract amount of three hundred ninety-seven thousand ninety dollars (\$397,090.00); effective March 1, 2017 through October 31, 2017.

All else remains the same.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #37

RESOLUTION NO. 17-123
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH SUICIDE PREVENTION CENTER OF NEW YORK (SPCNY) 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

Regular Session

grant application and acceptance award with Suicide Prevention Center of New York (SPCNY), 150 Broadway, Menands, NY 12204 on behalf of Mental Health. Said grant to provide funding for suicide postvention and education in a minimum amount of four thousand five hundred dollars (\$4,500.00); effective March 27, 2017 through January 31, 2018.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #38

RESOLUTION NO. 17-124
(March 14, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE 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 grant application and acceptance award with New York State Department of Health, Corning Tower, Room 2834, ESP, Albany, NY 12237 on behalf of the Public Health Department. Said grant to provide funding for early intervention administration services in a minimum amount of twenty thousand three hundred forty-five dollars (\$20,345.00) annually for a total grant award of one hundred one thousand seven hundred twenty-five dollars (\$101,725.00); effective October 1, 2016 through September 30, 2021.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

Supervisor Ryan, T/Warsaw was invited to the podium to present the Developmental Disabilities Month Proclamation. In turn, Mrs. Ryan invited Asst. Director, Child and Family Services for CCSI, Kelly Dryja and Mental Health Fiscal Administrator, Lynnell Schreiber to join her. Along with representatives from Livingston/Wyoming ARC to include Public Relations Director, Jeff Thomas; Members of the Board of Directors, Eric Parker and Linda Leblond; and staff member Mike Fitch. Due to the weather self-advocates planning to attend today's meeting were unable to do so...

The proclamation was accepted by Board of Directors member, Linda Leblond who told attendees of her brother, Randy. Randy had Down Syndrome and was a Livingston/Wyoming ARC participant. She stated that the Livingston/Wyoming ARC helped to give her brother purpose.

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #39 through #44. Hearing no objection resolution titles were read.

#39

RESOLUTION NO. 17-125
(March 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND STATE LAWMAKERS TO SUSTAIN FUNDING FOR FARMLAND PRESERVATION

WHEREAS, The enacted 2016/17 state budget included \$30,915,000 in agricultural funding aid to localities; and

WHEREAS, Governor Andrew M. Cuomo's 2017/18 proposed budget, released on January 17, 2017, allocated \$20 million to farmland preservation, and \$21,459,000 to agriculture local assistance programs; and

WHEREAS, The agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our state and beyond; and

WHEREAS, The agricultural sector, farms and related food system are major economic engines in New York State; and

WHEREAS, While funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the historic commitment New York State has made toward farmland preservation; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to sustain this level of funding in future state budgets and continue New York's significant commitment to farmland preservation; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the

New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #40

RESOLUTION NO. 17-126
(March 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JOSEPH MEYER REAPPOINTED TO THE REGION 9 ~ FISH AND WILDLIFE MANAGEMENT BOARD AND FOREST PRACTICE BOARD

BE IT RESOLVED, That the Joseph Meyer, 611 Route 20A, Strykersville, NY 14145 is hereby reappointed to the Region 9 ~ Fish & Wildlife Management Board and Forest Practice Board as a Landowner Representative for a two (2) year term; effective January 1, 2017 through December 31, 2018.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #41

RESOLUTION NO. 17-127
(March 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

DARYL HEIBY AND E. JOSEPH GOZELSKI REAPPOINTED TO THE WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

BE IT RESOLVED, That Daryl E. Heiby, 14 Stanton Place, Perry, NY 14530 is hereby reappointed to the Soil and Water Conservation District Board as the Member at Large for a term of three (3) years; effective January 1, 2017 through December 31, 2019; and be it

FURTHER RESOLVED, That E. Joseph Gozelski, 6175 East Lake Road, PO Box 331, Silver Springs, NY 14550 is hereby reappointed to the Soil and Water Conservation District Board as the Pomona Grange Member for a term of three (3) years; effective January 1, 2017 through December 31, 2019.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

RESOLUTION NO. 17-128
(March 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

**GIRL SCOUTS 105th ANNIVERSARY AND 100 YEARS OF
COOKIE SALES PROCLAIMED**

WHEREAS, The iconic Girl Scout Program began one hundred and five years ago with one woman, Girl Scouts' founder Juliette Gordon "Daisy" Low, who believed in the power of every girl and organized the first Girl Scout troop on March 12, 1912 in Savannah Georgia; and

WHEREAS, Every year since, this vision has been made a reality by helping girls discover their strengths, passions and talents; and

WHEREAS, This Girl Scout Program boasts a membership of 1.9 million girls and 800,000 volunteers who believe girls can change the world; and

WHEREAS, This Program continues to be a strong platform for helping to build girls of courage, confidence and character who make the world a better place; and

WHEREAS, This Girl Scout Program is the largest girl-run business in the world and once a year, Girl Scouts around the country venture into the entrepreneurial world to learn business and financial skills and earn money to fund their Girl Scout goals through the renowned Girl Scout Cookie Program; and

WHEREAS, Through "*Learning by Earning*," Girl Scouting aims to empower girls through the development of five essential skills: 1.) *Goal Setting*, 2.) *Money Management*, 3.) *People Skills*, 4.) *Decision Making* and 5.) *Business Ethics*; and

WHEREAS, This year marks the 100th anniversary of the Girl Scout Cookie Program along with the 105th anniversary of the Program's existence; now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, in celebration of these two momentous occasions, do hereby proclaim March 2017 as Girl Scouts Month in Wyoming County; and be it,

FURTHER RESOLVED, That the Wyoming County Government

Regular Session

Center will be lit in green for the month of March in honor of these two occasions; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors congratulates all Girls Scouts and encourages them to keep up the good work!

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #43

RESOLUTION NO. 17-129
(March 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

**CELEBRATION OF THE 4-H PROGRAM AND COOKIE SALES
PROCLAIMED**

WHEREAS, 4-H programs are based in science, healthy living and citizenship and are backed by a network of 100 public universities and a robust community of 4-H volunteers and professionals; and

WHEREAS, Through hands-on learning, youth build not only confidence, creativity and curiosity, but also life skills such as leadership and resiliency to help them thrive today and tomorrow; and

WHEREAS, 4-H programs are grounded in the belief that youth learn best by doing. Youth complete hands-on projects in areas like science, health, agriculture and citizenship, in a positive environment where they receive guidance from adult mentors and are encouraged to take on proactive leadership roles; and

WHEREAS, Youth can concentrate on one focus area or they can try a variety of programs throughout their 4-H experience and nationally 4-H'ers participate annually in five million science projects, 2.5 million health living projects and 2.5 million citizenship projects; and

WHEREAS, The 4-H Youth Development Program empowers young people to be well-informed citizens who are actively engaged in their communities and the world; and

WHEREAS, The Wyoming County 4-H Program also includes the sale of 4-H cookies from March 7th through the 21st, sponsored by the Wyoming County 4-H Leaders' Association. The proceeds from this sale support

numerous opportunities for local 4-H members and volunteers which include a variety of educational award trips, camperships at 4-H Camp Wyomoco, National 4-H Week support, scholarships for 4-H leaders to attend specialized trainings and other program incentives; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, in commemoration of the Wyoming County 4-H Program and cookie sale, do hereby proclaim March 2017 as 4-H Month in Wyoming County; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors congratulates all 4-H'ers and encourages them to keep up the good work!

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #44

RESOLUTION NO. 17-130
(March 14, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

AGRICULTURAL MONTH IN WYOMING COUNTY PROCLAIMED

WHEREAS, National Agriculture Day is Tuesday, March 21, 2017; and

WHEREAS, Agriculture is critical to the economic well-being of Wyoming County and its residents; and

WHEREAS, Wyoming County leads New York State with \$318 million in sales of agricultural products from its 713 farms and 230,000 acres of cultivated farmland; and

WHEREAS, Wyoming County agriculture is #1 statewide in the production of milk, potatoes, hay, honey and corn silage; and

WHEREAS, 1.1 billion pounds of milk, which equates to 129.5 million gallons, is also produced in Wyoming County; and

WHEREAS, Sixty percent of the land base in Wyoming County is dedicated to farming; and

WHEREAS, Wyoming County recognizes and appreciates the leadership farmers provide in our rural communities, regional and statewide organizations and in the agriculture industry worldwide; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim March 2017 as Agriculture Month in Wyoming County; and be it,

FURTHER RESOLVED, That it is the desire of this Board of Supervisors to encourage the people of Wyoming County to understand how food and fiber products are produced, appreciate the role agriculture plays in providing safe, abundant and affordable products, value the essential role of agriculture in maintaining a strong economy and acknowledge and consider career opportunities in the agriculture, food and fiber industry.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

Supervisor Kehl, T/Attica was invited to the podium to present the three proclamations. Cornell Cooperative Extension of Wyoming County Interim Director, Joan Petzen was asked to join the Supervisor to receive the Ag. Month and 4-H Cookie Sales proclamations.

Supervisor Kehl first presented the Agricultural Month proclamation. He then asked Ms. Petzen to read the 4-H proclamation.

The Girl Scout Cookie Sales Celebration proclamation was presented. There were no representatives of the Girl Scouts present to accept the proclamation.

Ms. Petzen thanked the board for their continued support of the agriculture industry and 4-H programs in Wyoming County.

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #45 through #52. Hearing no objection resolution titles were read.

Prior to the roll call vote of resolutions #45 through #52, Supervisor Leuer acknowledged Bill Daly, Don Roberts and Todd MacConnell in their efforts to provide broadband to the unserved and underserved areas of the county. The Supervisor Commented on the Governor's recent announcement which provides funding to a large area of Wyoming County for services. He continued by saying they will not stop until everyone has broadband services!!!

#45

RESOLUTION NO. 17-131
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
 GLOW REGIONAL SOLID WASTE MANAGEMENT COMMITTEE**
BE IT RESOLVED, That the following members are hereby

March 14, 2017

appointed/reappointed to the GLOW Regional Solid Waste Management Committee:

Supervisor Member

One (1) year term effective January 1, 2017 through December 31, 2017

- **Sandra King**, (T/Pike) 4643 Safford Road, Gainesville, NY 14066
- **Jerry Davis**, (T/Covington), 7414 Court Road, POB 445, Pavilion, NY 14525

Alternate

One (1) year term effective January 1, 2017 through December 31, 2017

- **Daniel Leuer**, (T/Middlebury) 712 Transit Road, Wyoming, NY 14591

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #46

RESOLUTION NO. 17-132
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

SANDRA KING REAPPOINTED TO THE GLOW SOLID WASTE ADVISORY COMMITTEE

BE IT RESOLVED, That Sandra King (T/Pike), 4643 Safford Road, Gainesville, NY 14066 be hereby reappointed as the Supervisor Member to the GLOW Solid Waste Advisory Committee for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #47

RESOLUTION NO. 17-133
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION CALLING ON GOVERNOR CUOMO AND STATE LAWMAKERS TO INVEST AND IMPLEMENT FUNDING FOR A STATEWIDE WORKFORCE STRATEGY THAT ASSISTS LOCALLY-DRIVEN WORKFORCE DEVELOPMENT PROGRAMS

WHEREAS, New York's workforce system engages nearly a dozen agencies that receive funding from the federal and state level; and

WHEREAS, It operates in ten economic development regions, 33

designated workforce investment areas, and 62 counties; and

WHEREAS, New York State has added over 500,000 private sector jobs since 2011; and

WHEREAS, While the growth in private sector jobs is positive many jobs remain unfilled because support and funding for workforce development programs has not followed suit; and

WHEREAS, With the development of these private sector jobs, the jobseekers who do not have strong education, training or professional networks are not able take advantage of these new opportunities; and

WHEREAS, The New York Association of Training and Employment Professionals performed a study that analyzed spending on a broad range of workforce services including adult education, job training, and employment programs and discovered that spending has fallen by five percent since 2011; and

WHEREAS, Developing a statewide workforce strategy that effectively serves employers and jobseekers must be able to:

- Connect workforce investments to the initiatives and priorities of statewide, regional, and local economic development needs,
- Focus policy and emphasis on a full pipeline of workers through community colleges, adult basic education and worker training,
- Aggressively pursue a wide array of funding sources including targeted state resources and funding that could be provided through the Regional Economic Development Councils (REDCs); now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on New York State Governor Andrew M. Cuomo and state lawmakers to make a strong commitment to helping New York's workers and business add the skills they need with a fully defined strategy and robust financial support; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-134
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING EFFORTS TO INCREASE ACCESS TO
BROADBAND ACROSS NEW YORK STATE THROUGH "THE NEW NY
BROADBAND PROGRAM" AND CALLING ON GOVERNOR CUOMO
AND STATE LAWMAKERS TO CONTINUE THEIR COMMITMENT TO
PRIORITIZING AND EXPANDING BROADBAND COVERAGE IN
UNSERVED AND UNDERSERVED AREAS STATEWIDE**

WHEREAS, Individuals, businesses and other entities in New York that lack high speed internet access have become largely disenfranchised as full and active participants in today's economy, educational systems and government processes; and

WHEREAS, While access to both cable and digital subscriber line (DSL) service is available in nearly every urban and suburban community, rural sections of the State have been cut out of this type of access due to the low return on providers' investments in less populated areas; and

WHEREAS, Web access to all kinds of services, including those provided by every level of government, employment listings and web-based business expansion continues to grow, making it imperative that all New Yorkers have access to quality high-speed Internet services; and

WHEREAS, With the enactment of legislation creating the "New NY Broadband Program" in the 2015 /16 state budget, funded at \$500 million, the NYS Broadband Program Office (BPO) officials have worked to develop a plan to incentivize the private sector to expand quality high-speed Internet services in unserved and underserved areas; and

WHEREAS, The BPO has released an (RFI), to solicit input from stakeholders on how to craft the program, and two rounds of request for proposals (RFP) to formally allow applications for this funding; and

WHEREAS, The BPO in January 2016 released information on Phase I Funding Applications and final applications were due April 15, 2016. Phase I awarded around \$54 million to telecommunication providers in August of 2016. This leaves roughly \$450 million still available; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors

Regular Session

supports the "New NY Broadband Program" and calls on Governor Andrew M. Cuomo and leadership within the BPO to continue their commitment to prioritizing broadband services to unserved and underserved areas statewide, and provide additional resources to help counties implement the program; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #49

RESOLUTION NO. 17-135
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION SUPPORTING THE CREATION OF AN INDUSTRY-SPONSORED PAINT STEWARDSHIP PROGRAM TO REDUCE THE COSTLY BURDEN FACED BY LOCAL GOVERNMENTS WHEN COLLECTING AND DISPOSING OF POST-CONSUMER PAINT

WHEREAS, New York State residents purchase over 39.2 million gallons of paint annually and 3.9 million gallons of it go unused and will need recycling; and

WHEREAS, Even though paint is highly recoverable, reusable, and recyclable, most leftover latex paint ends up in landfills; and

WHEREAS, Oil-based paint is considered hazardous waste, and is the most expensive product for household hazardous waste (HHW) programs to manage, costing local governments across the country up to 50 percent of their total HHW budgets; and

WHEREAS, Options to drop off unused paint at point-of-purchase locations are limited and as a result instead of being properly disposed of through periodic household hazardous waste collections, unused paint ends up being tossed in the trash or washed down the drain; and

WHEREAS, Other states across the country have successfully implemented paint stewardship programs; Oregon has collected and recycled over 1 million gallons of paint since its program was implemented in 2010, and in California over 350 new collection locations are now accepting paint for recycling; and

WHEREAS, The implementation of a state-wide industry-sponsored paint stewardship program in New York State would greatly reduce this burden on local governments to collect and manage the disposal of paint and could potentially save counties millions of dollars annually; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and the New York State Legislature to prioritize this issue and to create an industry-sponsored paint stewardship program to reduce burdens on local governments when collecting and disposing of post-consumer paint; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Department of Environmental Conservation, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #50

RESOLUTION NO. 17-136
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION URGING THE NEW YORK STATE PUBLIC SERVICE COMMISSIONER TO WORK WITH UTILITIES TO DETERMINE THE CAUSE OF DELAYED INTERCONNECTION AGREEMENTS AND TO PROMOTE A STREAMLINED INTERCONNECTION PROCESS FOR CONNECTING EXISTING AND NEW RENEWABLE ENERGY PROJECTS TO THE GRID AND PROVIDE IMMEDIATE RELIEF TO DELAYED PROJECTS

WHEREAS, In 2015 Governor Cuomo announced the state's goal of securing 50% of state electrical needs from renewable energy sources by the year 2030; and

WHEREAS, Counties and municipalities across New York have identified contracting with solar and small hydroelectric power facilities as a way to stabilize energy prices and improve municipal budget forecasting; and

WHEREAS, Encouraging solar development provides economic development support to a growing and major future industry upstate; and

WHEREAS, Small hydroelectric projects are an historic economic driver in upstate New York, representing over 830MW of existing capacity that supports hundreds of upstate jobs, contributing significantly to the local economy through property taxes and local spending; and

WHEREAS, The aging small hydroelectric fleet is in need of significant re-investment to protect them from ceasing operations and undermining the State's goals; and

WHEREAS, The region's small hydroelectric projects have been operating successfully for decades with current interconnection agreements already approved by the local utility; and

WHEREAS, Interconnection standards govern the process and technical requirements by which distributed clean energy projects such as solar and hydroelectric facilities physically connect to the utility grid; and

WHEREAS, Standards include technical requirements, timeframes, fees and the process in which a project is connected to the grid; and

WHEREAS, Meeting these requirements can be a lengthy process and renewable energy projects are often delayed for years before receiving an official interconnection agreement from the applicable utility; and

WHEREAS, Counties have submitted interconnection applications that have been, in some cases delayed for over two years and that these delays are causing counties significant economic and political hardship and undermining community confidence in and support of renewable energy projects; and

WHEREAS, Utilities have outlined procedures for newer interconnection applications, but there remains a host of older applications which fail to move through utility review; and

WHEREAS, The Public Service Commissioner should re-examine the allocation of capital costs by utility companies and remove barriers for renewable energy production; and

WHEREAS, In order to reach Governor Cuomo's statewide goal, counties need support from the Public Service Commission to advance projects that have been in the pipeline for years, to finally achieve interconnection from the utility; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors

March 14, 2017

calls on the New York State Public Service Commission to identity and prioritize solutions to resolve the ongoing delays and related expenses of renewable energy projects due to stalled interconnection agreements; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Public Service Commission, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #51

RESOLUTION NO. 17-137
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION URGING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS TO ACKNOWLEDGE THE SERIOUSNESS OF HARMFUL BLUE-GREEN ALGAE BLOOMS AND TO DEDICATE FUNDING TO ADDRESS THEIR PREVALENCE

WHEREAS, Most algae are harmless and are an important part of the food web, but certain types of algae can grow quickly and form harmful algae blooms, which can cover all or portions of a lake leading to both environmental and public health concerns; and

WHEREAS, Some species of algae can produce toxins that can be harmful to people and animals; and

WHEREAS, Blooms of algae species that produce, or have the potential to produce, toxins are referred to as harmful algae blooms (HABs); and

WHEREAS, Harmful algae blooms (HABs) occur when colonies of algae, simple plants that live in the sea and freshwater, grow out of control while producing toxic or harmful effects on people, fish, shellfish, marine mammals, and birds; and

WHEREAS, Cyanobacteria (also known as blue-green algae), are naturally present in lakes and streams in low numbers and are the most

common type of blooms in New York; and

WHEREAS, HABs in general may be linked to 'overfeeding.' This occurs when nutrients (mainly phosphorus, nitrogen, and carbon) from sources such as lawns and farmlands flow to water sources (the sea, lakes, rivers, streams) and build up at a rate that 'overfeeds' the algae that exist normally in the environment; and

WHEREAS, Depending on environmental conditions, cyanobacteria can grow very quickly and produce blooms with high numbers of cells; and

WHEREAS, Cyanobacteria can form blooms that discolor the water or produce floating scums on the surface of the water; and

WHEREAS, HABs reduce the recreational value of a waterbody, effect tourism, property values, and economic development; and

WHEREAS, Because it is hard to tell a HAB from other non-harmful algae blooms, it is best to avoid swimming, boating, otherwise recreating in, or drinking water with a bloom; and

WHEREAS; HABs cause a variety of ecological problems, such as reduced oxygen levels; and

WHEREAS, While the factors that cause cyanobacteria to produce toxins and other harmful compounds are not well understood; it is established that nutrient loads contribute to the problem; and

WHEREAS, People can get sick by eating shellfish containing toxins produced by these algae. Airborne HAB toxins may also cause breathing problems and, in some cases, trigger asthma attacks in susceptible individuals; and

WHEREAS, Due to limited research and data on HABs and because the full cause of HABs are not fully understood, adequate funding is needed, and the State must dedicate resources to address factors believed to contribute to the prevalence of HABs and nutrient loading; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the New York State Department of Environmental Conservation, the New York State Department of Health and the New York State Department of Agriculture and Markets to make preventing HABs a top priority in the 2017/2018 state budget by dedicating a new allocation of \$20 million in funding to address the prevalence of HABs by working to address the root causes of HABs; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Department of Environmental Conservation, the New York State Department of Health, the New York State Department of Agriculture and Markets, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #52

RESOLUTION NO. 17-138
(March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND THE NEW YORK STATE RESEARCH AND DEVELOPMENT AUTHORITY TO DEDICATE RESOURCES TO EXPAND ACCESS TO ELECTRIC VEHICLE CHARGING STATIONS IN EVERY COUNTY THROUGHOUT THE STATE

WHEREAS, The popularity of Electric Vehicles (EV) and alternative fuel vehicles continues to grow, but the majority of counties only have between 5 and 50 total electric or plug-in hybrid vehicles registered countywide; and

WHEREAS, Expenses associated with purchasing and installing charging stations for electric vehicles have been cost prohibitive in the past; and

WHEREAS, Federal and state programs to help residents buy EVs and to help business owners and municipalities install charging stations have increased, but more resources are needed; and

WHEREAS, The average cost of an electric car today ranges between \$25,000 and \$50,000 with luxury vehicles costing well over \$100,000; and

WHEREAS, Most EVs on the road today have a mileage range between 15 and 80 miles on a single charge, with newer EVs holding a longer charge with increased mileage; and

WHEREAS, As of 2013, New York State provides an income tax credit for 50% of the cost, up to \$5,000, for the purchase and installation of alternative fuel vehicle refueling and electric vehicle recharging stations; and

WHEREAS, The credit is available through December 31, 2017, and is

targeted at commercial and workplace charging stations; and

WHEREAS, Today, there are 712 electric vehicle charging stations with a combined total of 1,465 charging outlets statewide; and

WHEREAS, Charging stations are classified by their approximate charge rates and the form of power delivered (alternating current or direct current).

Charging times for each specific vehicle vary depending on power electronics, state of charge, battery capacity and level of charging station used; and

WHEREAS, The Wyoming County Board of Supervisors supports the expansion of electric vehicles, the installation of additional charging stations and advocates for additional state funding to help counties achieve these goals; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and the New York State Research and Development Authority to dedicate resources in the 2017/2018 state budget to promote the expansion of electric vehicles and access to electric vehicle charging stations; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Research and Development Authority, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #53 and #68. Hearing no objection resolution titles were read.

#53

**RESOLUTION NO. 17-139
(March 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE SHERIFF DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign contracts with the following agencies on behalf of the Sheriff's Department:

March 14, 2017

- **E. M. Systems, Inc.**, 4043 Maple Road, Suite 211, Amherst, NY 14226-1054 to provide annual maintenance for the LEMS Record Management System (RMS) and Sex Offender Program Software in an amount not to exceed twelve thousand six hundred dollars (\$12,600.00); effective January 1, 2017 through December 31, 2017.
- **County of Monroe**, Regional Crime Laboratory, 39 West Main Street, Rochester, NY 14614 to provide forensic laboratory services in an amount not to exceed thirty thousand nine hundred sixty-eight dollars (\$30,968.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #54

RESOLUTION NO. 17-140
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
 ACCEPTANCE AWARDS 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 the following grant acceptance awards on behalf of the Sheriff's Department:

- **New York State Division of Criminal Justice Services (DCJS)**, 80 Swan Street, Albany, NY 12210 for the funding of Police Protective Equipment Program (PPEP) in a minimum amount of twelve thousand four hundred one dollars and fifty-six cents (\$12,401.56) for two (2) rifles and thirty-one (31) ballistic helmets; effective January 1, 2017 through December 31, 2017.
- **Bulletproof Vest Program**, United States Department of Justice, Fourth Floor, 810 Seventh Street NW, Washington, DC 20531 for fifty percent (50%) funding for replacement bulletproof vests that are five plus (5+) years old and for the purchase of new vests for new employees in an minimum amount of thirteen thousand five hundred fifty-four dollars (\$13,542.00) with a County match of six thousand seven hundred seventy-one dollars (\$6,771.00); effective October 1, 2016 through September 30, 2018.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

Regular Session

RESOLUTION NO. 17-141
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH E. M.
SYSTEMS, INC. ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with E. M. Systems, Inc., 4043 Maple Road, Suite 211, Amherst, NY 14226-1054 on behalf of the County Jail. Said contract to provide software upgrades, updates and support services in an amount not to exceed eight thousand five hundred dollars (\$8,500.00); effective April 1, 2017 through March 31, 2018.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #56

RESOLUTION NO. 17-142
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE DORMITORY AUTHORITY OF
THE STATE OF NEW YORK (DASNY) ON BEHALF OF THE
COUNTY JAIL**

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 and acceptance award with the Dormitory Authority of the State of New York (DASNY), 515 Broadway Albany, NY 12207 for the funding of upgrades to the kitchen at the Wyoming County Jail in a minimum amount of one hundred thousand dollars (\$100,000.00); effective March 1, 2017 through February 28, 2018.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

RESOLUTION NO. 17-143
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF
UNDERSTANDING FOR THE CREATION OF THE FINGER LAKES
NEW YORK INTEROPERABLE COMMUNICATIONS CONSORTIUM
(FLNYICC) ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a Memorandum of Understanding for the creation of the Finger Lakes New York Interoperable Communication Consortium (FLNYICC) on behalf of Emergency Services. Said Memorandum of Understanding is for the cooperative planning, development and operation of a dedicated public safety high speed digital network to serve the Finger Lakes Region of the New York Interoperability Communications Consortium; effective June 1, 2012 through withdrawal by all Counties involved.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #58

RESOLUTION NO. 17-144
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH E. M.
SYSTEMS, INC. ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with E. M. Systems, Inc., 4042 Maple Road, Amherst, NY 14226-1054 on behalf of Emergency Services. Said contract is for the provision of software support and a maintenance agreement of software – CAD, AVL and mobile data system in an amount not to exceed twenty-one thousand dollars (\$21,000.00); effective January 1, 2017 through December 31, 2017. Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-145
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH CONROY MOTOR CORP ON BEHALF OF
WYOMING COUNTY FIRE AND BUILDING CODE ENFORCEMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with Conroy Motor Crop., 1457 Main Street, P.O. Box 176, Java Center, NY 14082 on behalf of Wyoming County Fire and Building Code Enforcement. Said contract is for the purchase of one (1) new red mid-size SUV, AWD, in an amount not to exceed twenty-two thousand two hundred fifty-seven dollars (\$22,257.00) effective February 23, 2017 through delivery of vehicle.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #60

RESOLUTION NO. 17-146
(March 14, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH NEW YORK STATE ENERGY RESEARCH AND
DEVELOPMENT AUTHORITY (NYSERDA) ON BEHALF OF
WYOMING COUNTY FIRE AND BUILDING CODES**

WHEREAS, The Wyoming County Board of Supervisors has adopted, by Resolution Number 17-067 on February 14, 2017, the New York State Unified Solar Permit for solar projects to streamline the approval process for installing solar in Wyoming County; and

WHEREAS, Wyoming County is working to earn the *Clean Energy Community* designation; and

WHEREAS, New York State is providing a five thousand dollars

March 14, 2017

(\$5,000.00) grant to Wyoming County (that does not require a match) through the Streamlined Permitting PV incentive that the County earned by adopting the Unified Solar Permit; now, therefore be it

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 acceptance award with New York State Energy Research and Development Authority (NYSERDA), 17 Columbia Circle, Albany, NY 12203-6399. Said grant acceptance is for adopting the New York State Unified Solar Permit on behalf of Wyoming County Fire and Building Codes. Said grant funding to be used for costs that may be associated with the County's efforts to gain the *Clean Energy Communities* designation in a minimum amount of five thousand dollars (\$5,000.00); effective February 28, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #61

RESOLUTION NO. 17-147
(March 14, 2017)

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

**RESOLUTION CALLING ON COUNTIES TO ADOPT THE
STEPPING UP INITIATIVE**

WHEREAS, Counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year; and

WHEREAS, Mental illnesses in jails is estimated to be three to six times higher than in the general population; and

WHEREAS, Almost three-quarters of adults with serious mental illnesses in jails also have substance use disorders; and

WHEREAS, Adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism; and

WHEREAS, County jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, Without the appropriate treatment and services, people with mental illnesses continue to cycle through the criminal justice system,

Regular Session

often resulting in tragic outcomes for these individuals and their families; and

WHEREAS, All counties take pride in responsibly using tax dollars to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and

WHEREAS, Through *Stepping Up*, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Foundation are encouraging public, private and nonprofit partners to reduce the number of people with mental illnesses in jails; now therefore,

BE RESOLVED, That the Wyoming County Board of Supervisors supports the call to action to reduce the number of people with mental illnesses in our county jails, commits to sharing lessons learned with other counties in to support a national initiative, and encourages all county officials, employees and residents to participate in *Stepping Up*, and we resolve to utilize the comprehensive resources available through *Stepping Up* to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails.
- Collect and review prevalence numbers and assess individuals' needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use
- That baseline information to guide decision making at the system, program, and case levels.
- Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community.
- Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers.
- Implement research-based approaches that advance the plan.
- Create a process to track progress using data and information systems, and to report on successes; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

March 14, 2017

RESOLUTION NO. 17-148
(March 14, 2017)

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

**RESOLUTION THANKING GOVERNOR ANDREW M. CUOMO AND
THE NEW YORK STATE LEGISLATURE FOR MAKING HEROIN
AND OPIOID ABUSE PREVENTION A TOP PUBLIC SAFETY, PUBLIC
HEALTH, AND MENTAL HEALTH PRIORITY IN NEW YORK STATE
IN 2017**

WHEREAS, Communities across the nation and New York State are seeing a dramatic increase in the use of heroin and opioid abuse; and

WHEREAS, Between 2005-2014 heroin treatment admissions among upstate New York residents increased by 115% and admissions on Long Island increased by 116%, according to the NYS Office of Alcoholism and Substance Abuse Services; and

WHEREAS, Heroin and opioid abuse and addiction does not discriminate: it can happen in any household, in any family, in any neighborhood, and in any community; and

WHEREAS, The illegal use, addiction, and abuse of heroin and opioids has an impact on many areas of county government ranging from public safety, public health, mental health, and corrections; and

WHEREAS, Opioid and heroin addiction often starts from the dependence of such painkillers as Oxycodone, OxyContin and Percocet; and

WHEREAS, When prescription opioids become too expensive and difficult to obtain, opioid addicted individuals often turn to heroin, which is more readily available and much cheaper to obtain; and

WHEREAS, The opioid and heroin addiction have reached crisis proportions and the Federal Government, New York State and counties across the State have begun programs designed to combat the illegal use of these drugs; and

WHEREAS, In order to help monitor the growing problem with heroin and opioids, in 2013 the State instituted the Internet System for Tracking Over-Prescribing (ISTOP) and the Prescription Drug Monitoring Program (PDMP) to prevent prescription opioid abuse by tracking the

prescribing and dispensing of controlled prescription drugs to patients; and

WHEREAS, In 2014, Attorney General Schneiderman established the Community Overdoes Prevention (COP) program that gives eligible law enforcement agencies funding for access to naloxone, which is also known as narcan; and

WHEREAS, By leveraging \$5 million of funds appropriated from crime seizure monies through the 2014/15 Enacted State Budget, the Attorney General provided funding to offset the cost of a "naloxone kit" for every sworn officer in the State; and

WHEREAS, In addition, during the 2014 Legislative Session the Senate, Assembly and Governor worked together to sign a comprehensive package of bills that ensure treatment for those affected by addiction, prevents the spread of drug use, and gives law enforcement the tools they may need to curb this growing epidemic; and

WHEREAS, In July of 2015, the U.S Centers for Disease Control (CDC) released a study showing the continued increase in heroin use and overdose deaths; and

WHEREAS, The CDC report showed from 2002-2004, 379,000 Americans reported using heroin within a 12-month period, a statistic that nearly doubled by 2011-12, when the number increased to 663,000 Americans reporting using the drug; and

WHEREAS, Counties across the nation under the leadership of the National Association of Counties (NACo) have joined together to create a joint National Taskforce, which Erie County Executive Mark Poloncarz serves on, to address the nation's opioid and heroin abuse crisis; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors thanks the National Association of Counties, Governor Andrew M. Cuomo and the New York State Legislature for making heroin and opioid abuse a top public safety, public health, and mental health priority and to continue to do so until the epidemic is defeated; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 17-149
(March 14, 2017)

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

RESOLUTION CALLING ON STATE LAWMAKERS AND GOVERNOR ANDREW M. CUOMO TO WORK TO REFORM INDIGENT LEGAL SERVICES AND FUND THE COUNTY SHARE OF PUBLIC DEFENSE, WHICH IS A STATE RESPONSIBILITY

WHEREAS, The United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the State's constitutional responsibility to supply lawyers for those unable to afford them; and

WHEREAS, In 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, The decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with most costs for this state responsibility; and

WHEREAS, The shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover more than 80% of the cost; and

WHEREAS, Implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

WHEREAS, In 2015 New York State entered into an agreement to settle the Hurrell-Harring vs. State of New York lawsuit and since has begun to expend substantial amounts of State funds to create a more equitable system of indigent representation in only the five settlement counties, therefore creating an unequal system of justice in the remaining counties of the State; and

WHEREAS, The Hurrell - Harring settlement requires the parties involved in the suit to provide additional indigent defense services and costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

WHEREAS, By entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is

constitutionally required to fund public defense services for mandated representation; and

WHEREAS, Requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant and unsustainable financial burden on counties dependent on real property taxes to fund needed services; and

WHEREAS, In the 2016 State Legislative Session the New York State Senate and Assembly passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706), which will require New York State to reimburse all counties for expenditures made fulfilling the State's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% by 2023 and thereafter; and

WHEREAS, The Wyoming County Board of Supervisors appreciates the State Senate and the State Assembly for recognizing and addressing this need by passing the Public Defense Mandate Relief Act; and

WHEREAS, On December 31, 2017, Governor Cuomo vetoed the Public Defense Mandate Relief Act (S.8114/A.10706); and

WHEREAS, In Governor Andrew M. Cuomo's veto message he states this legislation would unfairly shift this tax burden from the counties to the State; and

WHEREAS, The opposite is true; the State has been shifting these federally-mandated costs to the counties since 1965; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo to include language in his 2017-18 State Budget that reforms indigent legal defense services and provides mandate relief that lowers costs for county property taxpayers; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the Office of Indigent Legal Services, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #64

**RESOLUTION NO. 17-150
(March 14, 2017)**

March 14, 2017

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

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO TO CREATE A NEW YORK STATE 911 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES

WHEREAS, Counties provide 911 services in New York State by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance; and

WHEREAS, Counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS, A statewide 9-1-1 department would assist in the development and improvement of 9-1-1 service in New York State that represents ALL stakeholders involved in 9-1-1 services; and

WHEREAS, The department will:

- act as a clearinghouse of contact information for all telephone companies operating in the state and contact information and 9-1-1 fees charged in each jurisdiction;
- secure resources for the creation, operation, expansion, and cooperative undertaking of local public safety answering points;
- secure and direct the distribution of public safety surcharge funds and grants as needed;
- facilitate information sharing among state agencies and county public safety answering points;
- coordinate and develop training program standards for 9-1-1 directors, supervisors and 9-1-1 call takers;
- create and maintain best practices databases for public safety answering-point operations; and
- provide necessary networks to support 9-1-1 both in a legacy and NG 9-1-1 environment; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors call upon Governor Andrew M. Cuomo to enable the creation of a State 9-1-1 Department; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the

Regular Session

Department of Homeland Security and Emergency Services, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** **#65**

RESOLUTION NO. 17-151
(March 14, 2017)

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE STATE LEGISLATURE TO MORE EQUITABLY AND
EFFICIENTLY IMPOSE THE 9-1-1 SURCHARGE ON ALL WIRELESS
COMMUNICATIONS DEVICES AND USE REVENUES TO FINANCE
COUNTY 9-1-1**

WHEREAS, The State of New York imposes a \$1.20 public safety surcharge on wireless "contract telephones," which, when it was enabled in statute, was intended to fund 9-1-1 operations and help dispatchers, first responders and law enforcement officers to communicate and respond to emergencies; and

WHEREAS, The "pre-paid" cellular phone market is currently not contributing resources to support 9-1-1 service; and

WHEREAS, It's estimated that at least one-third of all cell phones are "pre-paid" and do not pay the \$1.20 state surcharge or the \$.30 local surcharge; and

WHEREAS, More than 30 states have expanded their 9-1-1 surcharge to "pre-paid" phones; and

WHEREAS, The growth of smart phones into the "prepaid" marketplace in recent years is accelerating and providers are moving away from annual contracts toward "prepaid" monthly programs; and

WHEREAS, The State's revenues from the \$1.20 surcharge totals nearly \$200 million annually but is declining, with the majority of collected revenue used by the State for purposes other than 9-1-1; and

WHEREAS, Current funding mechanisms do provide enough funding to address the essential needs of all counties nor the implementation of NextGen 9-1-1; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors

March 14, 2017

calls upon Governor Andrew M. Cuomo and the New York State Legislature to determine a way to ensure adequate funds are available for emergency needs and authorize all counties the authority to impose a local surcharge up to a \$1.20 on ALL wireless devices that are capable of accessing 911 services; and be it

FURTHER RESOLVED, That any expansion of the State surcharge to prepaid plans should commensurately authorize local surcharges for the same purpose; and be it

FURTHER RESOLVED, The State should provide optional authority for the local wireless \$.30 surcharge for the 8 counties that do not currently impose this surcharge; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the Commissioner of the Division of Homeland Security and Emergency Services, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #66

RESOLUTION NO. 17-152
(March 14, 2017)

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

RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO PASS LEGISLATION THAT WOULD PROMOTE THE USE OF VIDEO CONFERENCING FOR COURT APPEARANCES FOR INMATES HELD AT A COUNTY JAIL

WHEREAS, Under current law, video conferencing of inmates for arraignment or other court appearances is permitted in several counties, but is actually not in practice because the law requires the inmate to agree to such an appearance; and

WHEREAS, Many counties have state of the art video conferencing systems which are not used for inmate court appearances, simply because inmates routinely chose to be transported to court rather than make an appearance by video conference; and

WHEREAS, Expanding the use of video conferencing for court

appearances would save much time and county taxpayer expense by avoiding transporting inmates to court for minor or routine matters, make courtrooms safer, and avoid problems which might happen when inmates are transported by auto or van to a courtroom many miles away from the jail; now therefore,

BE IT RESOLVED, That upon the review and recommendation of the public safety committee that the Wyoming County Board of Supervisors supports 5554 Young to promote the full and expanded use of video conferencing for court appearances for inmates held at a county jail; and be it

FURTHER RESOLVED, That the applicable judge in the presiding court, and not the inmate, should make the determination as to whether video conferencing is appropriate for the particular court appearance to be made; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #67

RESOLUTION NO. 17-153
(March 14, 2017)

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

RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO PASS LEGISLATION THAT WOULD ALLOW ALL COUNTIES THE OPTION FOR THEIR LOCAL CORRECTIONAL FACILITY TO DETAIN PERSONS UNDER ARREST BEING HELD FOR ARRAIGNMENT

WHEREAS, This legislation would permit the use of local correctional facilities by various police agencies as a holding cell for pre-arralgnment prisoners, and

WHEREAS, Under the current law, 21 counties have state authority for the detention of persons under arrest being held for arraignment in any court located in the county; and

WHEREAS, These 21 counties had to go directly to the New York State Legislature for individual state authority, and

March 14, 2017

WHEREAS, The remaining 36 counties would like to have the option to provide detention for persons under arrest being held for arraignment in any court located in that county; and

WHEREAS, This legislation will assist counties in their continuous efforts to insure that counsel for all parties are present at all crucial proceedings, including arraignment and other initial appearances; and

WHEREAS, Allowing for the best utilization of county resources and staff allocations; now therefore,

BE IT RESOLVED, That upon the review and recommendation of the Public Safety Committee that the Wyoming County Board of Supervisors calls on Governor Cuomo and the New York State Legislature to pass legislation that would allow all counties the option for their local correctional facility to detain persons under arrest being held for arraignment; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #68

**RESOLUTION NO. 17-154
(March 14, 2017)**

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

RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO PASS LEGISLATION THAT PROHIBITS CIVILIAN DRONE USE WITHIN ONE THOUSAND FEET OF A CORRECTIONAL FACILITY

WHEREAS, A drone is often called an Unmanned Aerial Vehicle (UAV) or an Unmanned Aircraft System (UAS) which is an aircraft without a human pilot aboard; and

WHEREAS, The use of drones or unmanned aerial systems, including recreational civilian drone use, has increased exponentially in recent years; and

WHEREAS, With the increased use of drones, it has been reported that

drones have been dropping packages containing marijuana, heroin and other contraband items into recreational areas of correctional facilities across the country; and

WHEREAS, Contraband in prisons contributes to violence endangering the safety and wellbeing of both inmates and correctional staff; and

WHEREAS, 52125 Ritchie prohibits civilian drone use within one thousand (1,000) feet of a correctional facility; and

WHEREAS, Violating this provision shall result in a civil penalty of \$1,000.00 for the first offense and is punishable as a misdemeanor for each subsequent offence; and

WHEREAS, By restricting drone use in the immediate vicinity of a correctional institution this bill promotes a safer and more harmonious prison environment by keeping all members of the correctional community safe; now therefore

BE IT RESOLVED, That upon the review and recommendation of the Public Safety Committee that the Wyoming County Board of Supervisors supports 52125 Ritchie prohibiting civilian drone use within one thousand (1,000) feet of a correctional facility; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #69 and #75. Hearing no objection resolution titles were read.

#69

**RESOLUTION NO. 17-155
(March 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH KEY
POWER ON BEHALF OF BUILDING AND GROUNDS
(CO. BLDGS.)**

March 14, 2017

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Key Power, 953 Creek Road, Route 87, Attica, NY 14011 on behalf of Building and Grounds (Co. Bldgs.). Said contract is for repairs and annual inspections on generators at Pike Tower, Kelly Tower, Fire Training Center, Perry Tower, Arcade Tower and Courthouse Campus, Department of Social Services, Health Department and Highway in an amount not to exceed ten thousand three hundred eighty dollars (\$10,380.00); effective January 31, 2017 through completion.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #70

RESOLUTION NO. 17-156
(March 14, 2017)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH POPLI DESIGN GROUP ON BEHALF OF COUNTY HIGHWAY

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Popli Design Group, 555 Penbrooke Drive, Penfield, NY 14526 on behalf of County Highway. Said contract is for Engineering/Design/ROW for Schad Road Bridge over Red Brook – BE #14; BIN #3319660 in the Town of Bennington in an amount not to exceed one hundred seventy-four thousand dollars (\$174,000.00); effective March 14, 2017 through completion of project.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #71

RESOLUTION NO. 17-157
(March 14, 2017)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ELDERLEE, INC. ON BEHALF OF COUNTY HIGHWAY

Regular Session

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Elderlee, Inc., 729 Cross Road, Oaks Corners, NY 14518 on behalf of County Highway. Said contract is for supplying and installing guide rail on Royce Road Bridge (OR #18) in the Town of Orangeville in an amount not to exceed nine thousand six hundred eighty-six dollars (\$9,686.00); effective March 14, 2017 through project completion.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #72

**RESOLUTION NO. 17-158
(March 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE DORMITORY AUTHORITY
STATE OF NEW YORK (DASNY) ON BEHALF OF
COUNTY HIGHWAY**

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 and acceptance award with the Dormitory Authority State of New York (DASNY), 515 Broadway, Albany NY 12207-2964 on behalf of County Highway. Said grant funding for the safety improvements to the intersection of Couriers and Genesee Roads under the State and Municipal Facilities Program (SAM) in a minimum amount of seventy-five thousand dollars (\$75,000.00); effective March 14, 2017 through completion of the project.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #73

**RESOLUTION NO. 17-159
(March 14, 2017)**

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

**RESOLUTION COMMENDING GOVERNOR ANDREW CUOMO AND
STATE LEGISLATORS ON ADOPTING A TRANSPORTATION**

March 14, 2017

CAPITAL PLAN AND URGING A CONTINUED AND INCREASING COMMITMENT TO ASSISTING COUNTIES IN MAINTAINING THEIR LOCAL INFRASTRUCTURE

WHEREAS, Governor Andrew Cuomo and State Legislators are to be commended for adopting a Department of Transportation five-year capital plan that includes \$21.1 billion in funding to improve state and local highway, bridge, rail, port, airport and downstate suburban and upstate transit infrastructure; and

WHEREAS, This new State Transportation Plan also provides additional support for local governments to maintain and improve roads and bridges with a multi-year funding commitment for the Consolidated Local Streets and Highway Improvement Program (CHIPS) and enhanced State assistance to local governments through BRIDGE NY and PAVE NY initiatives; and

WHEREAS, While this additional funding is most welcomed and already being put to good use, counties still struggle to raise enough funding for the maintenance and replacement of this aging and ailing infrastructure; and

WHEREAS, Locally owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges; and

WHEREAS, Thirty-four percent of local bridges are deficient and forty-eight percent of road pavements are rated fair or poor; and

WHEREAS, A recently updated needs assessment report of local highway and bridge infrastructure, commissioned by the NYS Town Superintendents of Highways, found that the local system pavement and bridge needs over the next 15-year period is estimated at \$34.8 billion; and

WHEREAS, Given the State Comptroller's determination that local governments spend about \$1 billion a year on infrastructure, this leaves an unfunded \$1.3 billion annual needs gap; and

WHEREAS, A safe and efficient infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as, the general traveling public; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors commends Governor Cuomo and the New York State Legislature for their budget actions to enhance state investments in local roads, bridges and culverts;

and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges State leaders to continue to work in partnership with local governments to provide the necessary and proper funding to New York's counties by including in the 2017-2018 state budget:

- an additional \$150 million for CHIPS base level;
- \$50 million more annually for BRIDGE NY; and
- a larger allocation of the BRIDGE NY funds for culverts so that counties have the ability to better maintain their infrastructure now and well into the future; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #74

RESOLUTION NO. 17-160
(March 14, 2017)

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

**RESOLUTION COMMENDING GOVERNOR CUOMO AND STATE
LEGISLATORS ON RECORD AIRPORT FUNDING MEASURES AND
URGING CERTAIN PROGRAMS BE MADE PERMANENT**

WHEREAS, Airports play a critical role in New York State's economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and critical emergency response for all of New York's local and regional communities and for the nation; and

WHEREAS, A New York State Department of Transportation study quantifying New York airports' and the aviation industry's contribution to the State's economy found that \$50 billion in annual economic activity for New York State businesses is attributable to aviation and further reports that approximately 394,500 jobs in New York State are related directly or indirectly to aviation, representing 4.6 percent of the 8.5 million jobs in the State; and

WHEREAS, The 2016 enacted state budget includes Governor Andrew Cuomo's initiative for a \$200 million state investment to revitalize New

York State airports and an increase in funding for the Aviation Capital Grant Program over the next four years that will help the State realize the full potential of its airports and aviation industries; and

WHEREAS, This investment includes the Competition to Revitalize Upstate Airports designed to award at least five airports a maximum of \$40 million each to fund projects that enhance safety, improve operations and access, reduce environmental impact, create better passenger experiences and leverage private investments; and

WHEREAS, Because this competition is expected to assist only a few of the 74 eligible airports in upstate New York, there will still be a majority of airports that need funding assistance, even accounting for the \$10 million allocated from the Competition to Revitalize Upstate Airports to the SFY 2016-17 Aviation Capital Grant Program appropriation; and

WHEREAS, While this funding is welcomed and will be used for airport infrastructure, critical safety enhancements and business and economic development projects, creating and sustaining construction and aviation-related jobs, the level of state financial commitment falls short of what is needed by the 74 eligible airports in upstate New York; and

WHEREAS, New York has no dedicated funding source or permanent state capital program for airports and must rely on annual appropriations in the State budget for funding critical airport projects; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby commend Governor Cuomo and the New York State Legislature for the new state financial commitments to New York Airports that will help fund critical airport infrastructure rehabilitation, improvement, and expansion projects; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges Governor Andrew M. Cuomo and the New York State Legislature to provide recurring and reliable funding for the maintenance and development of all the State's airports through increases in the Aviation Capital Grant Program and by fully funding the Airport Improvement Program (AIP) in the SFY 2017-2018 State Budget; and

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

RESOLUTION NO. 17-161**(March 14, 2017)**

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

RESOLUTION CALLING ON THE PRESIDENT AND MEMBERS OF THE NEW YORK STATE CONGRESSIONAL DELEGATION TO DIRECT INFRASTRUCTURE STIMULUS INVESTMENTS TO COUNTIES AND LOCAL GOVERNMENTS

WHEREAS, President Donald J. Trump and members of Congress have proposed a federal infrastructure package that would improve the nation's economy and strengthen infrastructure systems in communities across the country; and

WHEREAS, The American Society of Civil Engineers (ASCE) reported startling facts about New York's infrastructure, including that within the state there are 403 high hazard dams, 2,169 structurally deficient bridges and approximately 60 percent of the major roads are of a poor or mediocre quality; and

WHEREAS, The ASCE also estimates that within the next 20 years, \$27 billion will be needed to upgrade drinking water systems in the state and \$29.7 billion for wastewater systems; and

WHEREAS, Locally owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges. These locally owned and aging roads and bridges are deteriorating at a rapid rate as counties struggle to find adequate funding for their maintenance, replacement and upgrading; and

WHEREAS, A safe and efficient infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as, the general traveling public; and

WHEREAS, The ASCE estimates that New York alone will require nearly \$200 billion in infrastructure investment over the next decade to repair, replace and update critical utility and health systems, transportation and water system; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon the President and members of the New York State delegation

March 14, 2017

to direct an appropriate share of any federal infrastructure investment to counties and local governments who oversee the majority of road, bridge, water, sewer and airport systems in New York State; and be it

FURTHER RESOLVED, County and local government representatives should have an active voice in any decision-making body that determines how these infrastructure funds are allocated; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to President Donald J. Trump, the members of the New York State Congressional Delegation, Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

There was a motion by Mr. Brick, T/Perry, to combine resolutions #76 through #85. Hearing no objection resolution titles were read.

Prior to the roll call vote of resolutions #76 through #85 Supervisor Brick commented on resolution #79, referencing an article in a recent issue of the Democrat and Chronicle rating Wyoming County's Web Site as good.

Supervisor Brick stated that the Livingston County website got a better review adding that they are using CivicPlus...

#76

RESOLUTION NO. 17-162
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-299 AMENDED

WHEREAS, Resolution Number 13-299 entitled, "CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH WILLIAM JENKINS ON BEHALF OF EMERGENCY SERVICES," passed by this Board of Supervisors on September 10, 2013 and provides for a lease agreement for the rental of a 75' x 75' section of premises (SBL #61.-1-8) for the construction of a 100' communications tower on behalf of Emergency Services; now therefore

BE IT RESOLVED, That Resolution Number 13-299 be hereby amended to change the contracting party name to read **Dorine Jenkins**; effective March 14, 2017. All else remains the same.

Regular Session

RESOLUTION NO. 17-163
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING STATE LEGISLATIVE LEADERS TO FOCUS
THEIR PROPERTY TAX RELIEF EFFORTS ON FISCAL REFORMS
THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY
TAX REDUCTION BY ASSUMING THE COST OF STATE PROGRAMS
THAT COUNTIES ARE CURRENTLY REQUIRED TO PAY FOR
UNDER STATE LAW**

WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

WHEREAS, Governor Andrew M. Cuomo and New York State Legislature have enacted several laws over the last couple of decades designed to address New York's highest in the nation property taxes, including the creation of STAR school tax relief, a property tax cap, a temporary two-year property tax freeze program and a new temporary tax rebate check program; and

WHEREAS, Governor Andrew M. Cuomo has proposed a new "property tax relief" program that requires county officials to design local government shared service programs and/or complete local government consolidations in order to reduce pressure on local property taxes; and

WHEREAS, Governor Andrew M. Cuomo's proposal requires county officials to submit such proposals in a referendum to the people for a vote on an annual basis until one is approved; and

WHEREAS, Counties and other local governments are implementing thousands of shared services projects and other government efficiencies; and

WHEREAS, Current state law has a process to allow local governments to consolidate subject to voter approval; and

WHEREAS, Holding additional voting annually will require local governments to incur tens of millions of dollars in unnecessary voting costs; and

WHEREAS, Governor Andrew M. Cuomo and New York State Legislature have enacted state tax rebate check programs and tax breaks for select special interest groups and industrial sectors, not including STAR, and state income tax cuts that will exceed \$7 billion on an annual basis -- none of which reduce any homeowner's or small businesses' property tax bills; and

WHEREAS, County elected leaders have strongly advocated in support of ways to lower the property tax burden for homeowners and businesses across the state going back nearly 50 years when the largest state mandate, Medicaid, was first imposed on counties, growing from \$100 million then to over \$7.5 billion today; and

WHEREAS, Since that time, the State has required county taxpayers to finance with local tax dollars dozens of other state programs that, for the most part, counties in other states are not required to finance; and

WHEREAS, These state imposed mandates on counties require more than \$12 billion annually in locally raised taxes to be sent to the State Capitol so they can be used by the state in lieu of state raised taxes to pay for state programs and initiatives; and

WHEREAS, State elected officials do recognize that mandating local governments to finance state designed and controlled programs does lead to higher property taxes and as a result they have enacted important mandate relief for county property taxpayers including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and

WHEREAS, Since the enactment of these mandate relief initiatives the growth rate in aggregate county property taxes has slowed dramatically, generally averaging under 2.2 percent per year over the last decade, less than the rate of inflation over that time frame; and

WHEREAS, County officials believe that one of the best ways to improve New York's economic climate and competitiveness is to not just slow the rate of growth in property taxes, but to actually lower them from today's levels; and

WHEREAS, Permanent and historic reductions in property taxes can primarily be achieved through fundamental reforms of the major state mandates that drive up local property taxes, in conjunction with realigning how and what level of government pays for these state mandated services; and

WHEREAS, Recognizing the need for property tax relief is in line with Governor Andrew M. Cuomo's and Legislative Leader's call for all

governments to be more fiscally accountable to taxpayers; and

WHEREAS, Counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in a historic and sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, The cost of paying for the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS, The benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York State and other states; and

WHEREAS, Cornell University researchers have documented in numerous reports how New York's practice of shifting fiscal responsibilities from the state to lower levels of government including counties creates severe imbalances between New York and other states in relation to property taxes; and

WHEREAS, The practice of using local revenues to subsidize the State Budget is the number one reason why New York's property taxes are the highest in the nation; and

WHEREAS, The state also extends this requirement on New York City taxpayers that also dedicate a large amount of locally raised taxes to support the State Medicaid program; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and New York State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent and measurable property tax reduction helping to narrow the negative tax gap with our competitor states; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports shared services and has been ever vigilant in the search for increased operational efficiencies at all levels of government. Our goal is the reduction of property taxes in New York State, but in order for a realistic discussion to take place, school taxes and how public education is funded must be a part of the solution. School taxes account for approximately 60% of local

property tax bills, and county taxes account for about 20% of that annual tax bill. Furthermore, of the 20% county share, NY State mandates are responsible for almost all of that tax bill. Shared services and consolidation efforts, while laudable, are simply not the answer to the much larger issue of high property taxes in this state. Any solution to that problem must include the addressing of school taxes and unfunded state mandates; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors therefore rejects the consolidation plan and referendum proposal as presented by Governor Andrew M. Cuomo as being incomplete in its scope; and be it

FURTHER RESOLVED, The state should also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #78

RESOLUTION NO. 17-164
(March 14, 2017)

By Mr. Brick, 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. 15-182, passed by this Board of Supervisors on April 14, 2015; now therefore

BE IT RESOLVED, That the County of Wyoming hereby requests that the New York State Legislature support and pass Senate bill S.03972 and Assembly bill, A.06186, 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, 2019; and be it

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

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #79

RESOLUTION NO. 17-165
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
CIVICPLUS ON BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with CivicPlus, 202 South 4th Street, Suite 500, Manhattan, KS 66502 on behalf of Information Technology. Said contract is for the website hosting a redesign in an amount not to exceed fifty-seven thousand one hundred ninety-nine dollars (\$57,199.00); effective March 14, 2017 through March 13, 2020. (*GSA Contract Number GS-35F-0124U Schedule 70*).

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #80

RESOLUTION NO. 17-166
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE WYOMING COUNTY COMMUNITY
HEALTH SYSTEM**

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

March 14, 2017

- **Schindler Elevator Corporation**, 80 Curtwright Drive, Suite 3, Williamsville, NY 14221-7055 required regular maintenance on eight (8) elevators in an amount not to exceed twenty-seven thousand three hundred eighty-four dollars (\$27,384.00) per year plus annual fixed price increase of four percent (4%) for an amount not to exceed one hundred forty-nine-thousand dollars (\$149,000.00) for a five (5) year term; effective May 1, 2017 through April 30, 2022.
- **J. Joseph Lanigan, M.D. PLLC**, Girdle Road, East Aurora, NY 14052 to provide cardiologist physician services in non-invasive cardiology medicine at WCCHS clinic, inpatient and on-call services in an amount not to exceed three hundred five thousand dollars (\$305,000.00) per year (\$225,000.00 per year for professional services and \$80,000.00 per year for office operations and staff); effective March 1, 2017 through February 28, 2019.
- **Erie County Medical Center Corporation (ECMCC)**, 462 Grider Street, Buffalo, NY 14215 to provide identified administrative services in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year; effective March 1, 2017 through February 29, 2020.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #81

RESOLUTION NO. 17-167
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-392 AMENDED

WHEREAS, Resolution Number 15-392 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on October 13, 2015 and provides, in part, for the following contracts:

- **American Data Network, LLC**, 10809 Executive Center Drive, Suite 300, Little Rock, Arkansas 72211 for chart abstracting services for quality measures, cost based on volume and varies quarterly in an amount not to exceed \$65,000.00 annually; effective October 1, 2015 through September 30, 2016; and

WHEREAS, Resolution Number 15-392 was subsequently amended by this Board of Supervisors on September 13, 2016 by Resolution Number 16-365 to extend the term through September 30, 2017 in an amount not to exceed sixty-five thousand dollars (\$65,000.00) per year based on volume and varies quarterly; now therefore

BE IT RESOLVED, that Resolution Number 15-392, as amended by Resolution Number 16-365, be hereby further amended to provide data abstraction for quality core measures by adding behavioral health measures. Cost is based on volume and varies quarterly in an amount not to exceed seventy-five thousand dollars (\$75,000.00) for the original term; effective February 16, 2017 through September 30, 2017.

All else remains the same.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #82

RESOLUTION NO. 17-168
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C” AND “S” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule “C”:

Wyoming County Community Health System

- Remove stipend for **Director of Behavioral Health** under Mental Health Unit in the amount of \$381.61 plus corresponding fringes payable each bi-weekly payroll period while providing social work services for the Skilled Nursing Facility; effective January 28, 2017.

Salary Schedule “S”:

Public Health Department

- Set the salary of **Fiscal Administrator** in the Public Health Department at \$47,000.00 annually; effective February 23, 2017.

Budget Office

- Set the salary of the **Finance Clerk I** in the Department of Budget at \$34,500.00 annually (which is an increase of \$1,000.00 in accordance with an offer of employment letter dated July 8, 2016 that indicates

eligibility for the increase contingent upon satisfactory performance and meeting pre-establish goals); effective February 1, 2017.

District Attorney

- Set the salary of **Assistant District Attorney (2nd)** at \$30,000.00 annually; effective February 27, 2017.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #83

RESOLUTION NO. 17-169
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-263 AMENDED

WHEREAS, Resolution Number 15-263 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on July 14, 2015 and provides, in part, for the following contracts:

- **Buffalo Orthopedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221
 - Professional Services Agreement ~ Extend the current agreement for an additional three (3) year term beginning November 1, 2015 under the same terms and conditions as the current contract EXCEPT for the addition of the provision of four (4) one (1) week periods per year of twenty-four (24) hours a day seven (7) days a week on-call coverage for emergency orthopedic cases in Hospital’s Emergency Department and in-patient floors in accordance with the requirements identified in Exhibit A. Compensation for the additional four (4) weeks of on-call coverage for emergency orthopedic cases to be paid at the rate of \$3,384.33 per week.
 - Orthopedic Service Line Management Agreement - Extend the current agreement or an additional three (3) year term beginning November 1, 2015 under the same terms and conditions as the current contract.

now therefore,

BE IT RESOLVED, That Resolution Number 15-263 be hereby amended to provide community education regarding orthopedic healthcare

Regular Session

issues as part of the **Professional Services Agreement**. Payment per month in an amount not to exceed twelve thousand dollars (\$12,000.00) per combined professional service and community education session for a six (6) month period; effective March 1, 2017 with the option of an additional eight (8) month period.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #84

RESOLUTION NO. 17-170
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

District Attorney:

- Create one (1) position of **Assistant District Attorney (Temporary), PT** on Salary Schedule S at a pay rate of \$75.00/hr., 17 hours per week not to exceed \$35,000.00 annually; position available date: February 8, 2017.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:** #85

RESOLUTION NO. 17-171
(March 14, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-320 RESCINDED

WHEREAS, Resolution Number 16-320 entitled, “**AGREEMENT TO ACCEPT PAYMENTS IN-LIEU OF TAXES (PILOT) FOR COMMERCIAL SOLAR INSTALLATIONS IN WYOMING COUNTY**,” passed by this Board of Supervisors on August 16, 2016 for a multi-jurisdictional cooperation agreement; now therefore

BE IT RESOLVED, That Resolution Number 16-320 be hereby rescinded in its entirety effective immediately.

Carried: XXX **Ayes:** 1541 **Noes:** **Absent:** 58 (Orangeville) **Abstain:**

March 14, 2017

After passage of the above resolutions, Chairman Berwanger introduced CEO Don Eichenauer and Tom Quatrocche, President and Chief Executive Officer of ECMC for the next presentation...

Joining Mr. Quatrocche are Andy Davis, Chief Operating Officer and Jack Ormond, the hospital's new Chief Financial Officer through the approval of today's ECMC Administration Agreement

Erie County Medical Center Corporation Affiliation with Wyoming County Community Health System

March 2017



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Erie County Medical Center Corporation (“ECMCC”)

ECMCC is the major public hospital and healthcare system in its service area; i.e., the eight-counties of Western New York (the Region)

Overview

- 602-bed acute care tertiary hospital
- 390-bed skilled nursing home
 - Skilled nursing, sub-acute, chronic ventilation, rehabilitation
- Major teaching affiliate of the University of Buffalo Medical School
- ECMCC is the Region's only:
 - Level 1 Trauma Center
 - Burn Treatment Center
 - Traumatic Brain and Spinal Cord Injury Program
 - Multi-Organ Transplant Program (kidney and pancreas)
 - Comprehensive Psychiatric Emergency Program
 - Designated Behavioral Health Center of Excellence
- Founding member of the Great Lakes Health System of Western New York (“Great Lakes Health”)
- ECMCC is the lead agency of Delivery System Reform Incentive Payment Program (“DSRIP”): Millennium Collaborative Care



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Erie County Medical Center Corporation (“ECMCC”)

	ECMC	WCCHS
<u>Hospital Bed Type</u>	<u>Beds</u>	<u>Beds</u>
Acute	340	50
Behavioral health	180	12
Chemical Dependency/ Substance Abuse	42	0
Physical Medicine & rehabilitation	40	0
TOTAL	602	62

Nursing Home Bed Type

Skilled Nursing	278	138
Short-Term Rehabilitation	66	0
Ventilation	20	0
Behavioral Intervention	16	0
Bariatric	10	0
TOTAL	390	138



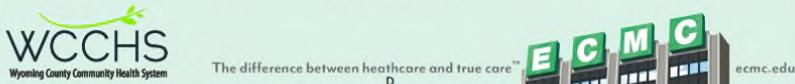
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ECMC's Strengths and Resources to WCCHS

- New York Public Benefit Corporation
- Public union contracts; stable working relationship with unions, county and State agencies
- Partner in Great Lakes Health combined the resources of four Kaleida Health hospitals, the University of Buffalo's world-renowned research capabilities, ECMC's superb trauma expertise, as well as VNA nurses, and The Center for Hospice & Palliative Care.
- Teaching hospital, relationship with UB School of Medicine and Biomedical Sciences
- Array of service lines, recruitment and retention of physicians/hospitalists
- Strong clinical and financial performance



ECMCC ACT AMENDMENT

- In 2016, New York State amended the law that created ECMCC
- As a result, ECMCC, Kaleida Health and The University at Buffalo enjoy a state-action exemption from potential federal or state anti-trust liability
- Exemption relates to the following initiatives:

1. Information technology	5. Clinical integration
2. Purchasing	6. Graduate medical education
3. Marketing	7. Discussions with rural hospitals
4. Clinical quality standards	



GOALS FOR ALIGNING WITH WCCHS

- Collaborate, strengthen and enhance WCCHS
- Create efficiencies and growth opportunities for WCCHS leading to sustained viability
- Improve quality and widen access for Wyoming County residents
- Continue growth of relationship with short-term future objective of future affiliation/partnership



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MANAGEMENT VISION

- Quality
 - Initiatives to continue to maintain WCCHS quality improvements
 - Support for quality initiatives in every area of the hospital
- Patient Experience/Culture
 - Improve patient experience through system wide training, surveys, patient advisory input



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MANAGEMENT VISION

Access to Providers

- WCCHS recent expansion of services has included many providers with Buffalo and ECMCC and/or Kaleida Health relationships including:



Dr. Lindsey Clark,
who provides
Orthopaedic
Services at
WCCHS through
UBMG



Dr. Paul Mason
with the Buffalo
Orthopaedic
Group



Dr. John Karpis
with the Buffalo
Orthopaedic
Group



Dr. Mark Deen,
with Western
New York Urology
Associates, which
is a Kaleida
Health entity



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MANAGEMENT VISION

Current agreements being finalized with ECMCC or Kaleida Health-related providers will result in enhanced services at WCCHS in the areas of:

- Ear, Nose, and Throat surgery,
- Allergy services
- Nephrology services
- Emergency Department



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MANAGEMENT VISION

Joint recruitment in key service lines:

- Obstetrics
- General surgery
- Primary care



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ADMINISTRATIVE AND OTHER SERVICES NOW AND IN THE FUTURE

- Financial – CFO – Financial oversight, cost report preparation, efficiency opportunities, revenue cycle management
- Pathology and Lab Services - Efficiency
- Chief Medical Officer - Opportunity to enhanced protocols and processes



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Public Hearing ~

- *Comment Period ~ There were no comments from the public to be heard.*

Close Public Hearing ~

Motion to close the Public Hearing was made by Supervisor Ryan, T/Warsaw. Seconded by Supervisor Hastings, T/Eagle. Carried.

**Local Law
#86**

RESOLUTION NO. 17-172 (March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

LOCAL LAW NO. 1 (INTRODUCTORY A, YEAR 2017) ~ YEAR 2017,
“A Local Law to Establish a Sustainable Energy Loan Program in Wyoming County” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 14th day of February, 2017, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2017, entitled, ***“A Local Law to Establish a Sustainable Energy Loan Program in Wyoming County”***; and

WHEREAS, In accordance with the provisions of Resolution No. 17-064, there was a public hearing held by this Board of Supervisors on this 14th day of March, 2017, at 2:30 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 ENACTED, That Local Law 1, Year 2017, County of Wyoming, New York, as presented to this Board on the 14th day of March 2017, is hereby adopted, as advertised, enacted and passed by this Board in its form as follows:

LOCAL LAW NO. 1 ~ YEAR 2017

A Local Law Establishing a Sustainable Energy Loan Program in the County of Wyoming

Regular Session

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. Title

This Local Law shall be known as the “Energize NY Benefit Financing Program Law of the County of Wyoming” and shall read as follows:

Section 2. Legislative Findings, Intent and Purpose, Authority

- a. It is the policy of both the County and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County Board of Supervisors finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewal energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County, to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this Local Law and fulfilling an important public purpose.
- b. The County is authorized to implement this Energize NY Benefit Financing Program pursuant to Article 5-L of the New York General Municipal Law.

Section 3. Definitions

For purposes of this Local Law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated.

Authority. The New York State Energy Research and Development Authority, as defined by subdivision two of Section Eighteen hundred Fifty-one (§1851(2)) of the Public Authorities Law or its successor.

County. Wyoming County, State of New York.

EIC. The Energy Improvement Corporation, a local development corporation, duly organized under Section Fourteen hundred Eleven (§1411) of the Not-for-Profit Corporation Law, authorized hereby on behalf of the County to implement the Energize NY Benefit Financing program by providing funds to qualified property owners (as defined in this Local Law) and providing for repayment of such funds from monies collected by the County tax collector as a charge to be levied on the real property and collected in the same manner and same form as the County taxes.

Energy Audit. A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

Energy Efficiency Improvement. Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weather stripping, air sealing, insulation and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority not including lighting measures or household appliances that are not permanently fixed to real property.

Qualified Property Owner. An owner of residential or commercial real property located within the boundaries of the County that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this Local Law.

Renewable Energy System. An energy generating system for the generation of electric or thermal energy, to be used primarily as such property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

Renewable Energy System Feasibility Study. A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

Section 4. Establishment of an Energize NY Benefit Financing Program

- a. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC acting on its behalf may provide funds to Qualified Property Owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.
- b. The funds provided shall not exceed the lesser of ten percent (10%) of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or the actual cost

of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

Section 5. Procedures for Eligibility

- a. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County offices.
- b. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for mailing a financing enumerated in subsection A of Section 6 of this Local Law. EIC may also request further information from the property owner where necessary to aid in its determination.
- c. If a positive determination on an application is made by EIC acting on behalf of the County, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under Section 7 of this Local Law; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

Section 6. Application Criteria

- a. Upon submission of an application, EIC acting on behalf of the County shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:
 - i. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective by the Authority;
 - ii. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems will generate an estimated annual cost savings greater than the annual charge payments;
 - iii. Sufficient funds are available to provide to the property owner;
 - iv. The property owner is current in payments on any existing mortgage;
 - v. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three (3) years; and
 - vi. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

Section 7. Opt-In, Energize Finance Agreement

- a. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an Energize Finance Agreement made by and between the Qualified Property Owner and EIC acting on behalf of the County.
- b. Upon execution of the Energize Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of the County, for the acquisition, construction and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of Section 8 of this Local Law have been met.
- c. The Energize Finance Agreement shall include the terms and conditions of repayment set forth under Section 9 of this Local Law.

Section 8. Energy Audit, Renewable Energy System Feasibility Study

- a. No funds shall be made available for Energy Efficiency Improvements unless determined to be appropriate through an Energy Audit as defined in Section 3.
- b. No funds shall be made available for a Renewable Energy System unless determined to be feasible through a Renewable Energy System Feasibility Study as defined in Section 3.
- c. The cost of such Energy Audit and/or Renewable Energy System Feasibility Study shall be borne solely by the property owner but may be included in the financed amount if the work is approved.

Section 9. Terms and Conditions of Repayment

The Energize Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the County shall set forth the terms and conditions of repayment in accordance with the following.

- a. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on their real property tax bill and shall be levied and collected at the same time and in the same manner as County taxes, provided that such charge shall be separately listed on the tax bill. The County shall make payment to EIC or its designee in the amount of all such separately listed charges within thirty (30) days of the County real property tax due date.
- b. The term of such repayment shall be determined at the time the Energize Finance Agreement is executed by the property owner and EIC, provided

that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by the EIC acting on behalf of the County.

- c. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County at the time the Energize Finance Agreement is executed by the property owner and EIC.
- d. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

Section 10. Verification and Report

- a. EIC shall be responsible for verifying and reporting to the County on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such program.
- b. The County shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

Section 11. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

DATED at Warsaw, New York

February 14, 2017 (Introduced)

March 14, 2017 (Adopted)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #87

RESOLUTION NO. 17-173 (March 14, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION IN SUPPORT OF WYOMING COUNTY APPLYING FOR MEMBERSHIP IN THE ENERGY IMPROVEMENT CORPORATION (EIC)

WHEREAS, The Wyoming County Board of Supervisors passed a

March 14, 2017

local law entitled, "Local Law 1, Year 2017, A Local Law To Establish a Sustainable Energy Loan Program" in Wyoming County; and

WHEREAS, Wyoming County wishes to apply for membership as a participating municipality in the Energy Improvement Corporation (EIC)a local development corporation duly formed under Section 1411 of the Not-for-Profit Corporation Law of the State of New York, for the purpose of promoting, facilitating and financing energy audits and renewable energy system feasibility studies, energy efficiency improvements and alternative or renewable energy generating systems on properties within its Participating Municipalities, thereby promoting the public good by reducing greenhouse gas emissions, mitigating the effect of global climate change and lessening the burdens of government; and

WHEREAS, Wyoming County has established by Local Law, pursuant to Article 5-L of the General Municipal Law of the State of New York, a sustainable energy loan program for the issuance of financing to the owners of real property located within Wyoming County to finance Energy Improvements and have authorized EIC to act on behalf of Wyoming County to carry out the Program through, among other things, the issuance of financing to property owners within Wyoming County, and have met the minimum criteria established by EIC to be admitted as a new Participating Municipality; and

WHEREAS, Wyoming County is working to receive the Clean Energy Communities designation and Energize NY Finance is one of the Ten High Impact Actions the County will achieve toward that designation by being admitted as a Participating Municipality in EIC; now therefore, be it

RESOLVED, The Wyoming County Board of Supervisors supports becoming a member of EIC and authorizes the application for membership by signing the EIC Municipal Agreement; and be it

FURTHER RESOLVED, That a letter from the Chairman of the Board of Supervisors requesting membership to the EIC be sent with the EIC Municipal Agreement and a copy of the newly enacted Local Law To Establish a Sustainable Energy Loan Program to EIC prior to the EIC annual meeting to be held on March 31, 2017; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby authorized and directed to forward certified copies of this Resolution to EIC, the Genesee Finger Lakes Regional Planning Council and all others deemed necessary and proper.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:33 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

TODAY IN HISTORY:

March 13, 2017 / Albany, NY

Governor Cuomo Declares State of Emergency Beginning at Midnight Across New York

Weather

[TOP Governor Cuomo Declares State of Emergency...](#)

Share

Governor Directs Non-Essential State Employees Impacted by Storm to Stay Home on Tuesday

Significant Service Changes Ahead of Storm: Above-ground Only MTA Subway Service in New York City on Tuesday Beginning at 4 A.M.; New York City Bus, LIRR and Metro North Service May be Suspended – Commuters Encouraged to Stay Home

Blizzard and Winter Storm Warnings to Go into Effect Monday Evening with 20 to 24 Inches of Snow Expected in the Capital District, Mohawk Valley, Lower Mid-Hudson Valley, New York City and Long Island

Blizzard Conditions Possible with 10-20 Inches of Snow Expected to Cover Western New York, Finger Lakes, Central New York – Highest Accumulations Expected South and East of Capital Region with Up to 24 Inches

Governor Warns Motorists – Especially Tractor Trailers – to Be Prepared for Road Closures

At Governor's Direction, State Stockpile Resources – Including Sandbags, Generators and Pumps – Deployed Across New York

WYSIWYG

Governor Andrew M. Cuomo today declared a state of emergency across all 62 counties in New York ahead of the extreme winter storm expected to bring heavy snowfall and high winds. The Governor also directed non-essential state employees impacted by the winter storm to stay home from work on Tuesday without having to charge accruals.

At the Governor's direction, MTA express subway service will be suspended after the rush hour Monday night in order to store trains underground on those tracks. Beginning at 4 a.m. Tuesday, above-ground service on the subway will also be suspended. Commuters traveling on New York City Transit, Long Island Rail Road and Metro North are encouraged to stay home tomorrow, if possible, as additional service changes are expected. As the state continues to prepare for the storm, New Yorkers should exercise caution, avoid unnecessary travel and

pay close attention to winter storm advisories as the day progresses.

“To ensure our local governments have the resources and support they need to prepare and respond quickly to the impending winter storm, I am declaring a statewide state of emergency,” **Governor Cuomo said**. “With heavy snow and blizzard-like conditions expected from upstate to downstate, we are taking every precaution to keep New Yorkers safe. I urge residents to stay informed, avoid unnecessary travel, and where possible, leave work early as heavy snowfall is expected to begin tonight.”

Snow is expected to cover Upstate New York, where 12 to 24 inches of snow is anticipated in the Western New York, Finger Lakes, and Central New York regions over a 48-hour period beginning Monday night. Areas south of Lake Ontario from Buffalo to Rochester will see periods of snowfall of 2 to 3 inches per hour during parts of the day Tuesday.

The heaviest snow accumulations are expected in the south and east of the Capital Region, the Mohawk Valley, and the Mid-Hudson Valley region where 20 to 24 inches of snow is expected from late Monday night through late Tuesday night and will taper off on Wednesday. Peak snowfall will fall on Tuesday during the daylight hours and in these areas, the bulk of the snowfall will from between 7 a.m. to 7 p.m. Tuesday. Travel will be extremely dangerous from high rates of blowing and drifting snow.

The storm has shifted to the west and will have substantial impacts on the New York City areas. Snow will move into the lower Mid-Hudson Valley, New York City and Long Island regions after midnight on Monday. Heavy snow will begin early Monday evening and will fall at a rate of 2 to 3 inches per hour for the Tuesday morning rush hour. By the evening commute, there is strong potential for 16 to 20 inches of snow with whiteout conditions throughout the day. Snowfall rates may reach 2 to 4 inches per hour at intermittent periods throughout the day, which will be exacerbated by gusty winds of 40-50 miles per hour in New York City and Long Island. Highest snow totals will be in the northern parts of New York City, Orange and Putnam counties which will see 20 to 24 inches of snow during the duration of the storm. Long Island especially areas near Montauk, will see wind gusts up to 60 mph which could take down tree limbs and power lines. Driving will be especially hazardous on Tuesday for both the morning and evening commutes. Minor coastal flooding is also expected during high tide.

Weather Warnings

- Winter Storm Warnings will go in effect for the Western New York region, Finger Lakes region, Central New York region, Mohawk Valley region,

Southern Tier, and northern Capital Region from Monday night through Wednesday night

- Winter Storm Warnings will go into effect for the upper Mid-Hudson Valley region and the Eastern Long Island region from late Monday night through Tuesday night.
- Winter Storm Warnings will go into effect for the North Country region from Tuesday morning through Wednesday morning.
- Blizzard Warning will go into effect for the lower Capital District region, Mid-Hudson Valley, New York City, and Western Long Island regions from late Monday night through Tuesday night.
- A Coastal Flood Warning will go into effect from 8 a.m. until 2 p.m. on Tuesday along the South Bays of western Long Island and the Atlantic Ocean beachfront.

Governor Directs All Non-Essential State Employees to Stay Home on Tuesday - Due to anticipated weather conditions associated with the extreme winter storm, all non-essential New York State employees in all counties except Jefferson, St. Lawrence, Lewis, Franklin, Clinton and Essex do not have to report to work on Tuesday, March 14 and do not need to charge accruals for such absence. If an agency has any questions, the agency's designated representative should contact the Governor's Office of Employee Relations at 518-474-6988.

State Agency Preparations for Nor'easter

Representatives from the following state agencies and emergency response partners have been directed to report to the State Emergency Operation Center for storm preparation and response starting Monday evening:

- Division of Homeland Security and Emergency Services
- Office of Emergency Management
- Office of Fire Prevention and Control
- Department of Transportation
- New York State Thruway
- State Police
- Department of Public Service
- Division of Military and Naval Affairs
- Department of Corrections and Community Supervision
- Department of Environmental Conservation
- American Red Cross
- Office of Information Technology Services

Division of Homeland Security and Emergency Services - In addition to activating the Emergency Operations Center, the Division of Homeland

Security's Office of Emergency Management is communicating with the National Weather Service and is coordinating with local emergency managers across the state. DHSES will pre-position two six-person tracked UTVs and one eight-person tracked vehicle with staff to Brentwood Stockpile on Long Island, with two high-axle vehicles. Also, one high-axle vehicle with two six-person tracked UTVs will be pre-positioned in Mid-Hudson Valley region with personnel and one High Axle with personnel is being deployed to Buffalo. Additional six-person tracked UTVs are on standby for movement to other portions of the state as necessary.

Department of Transportation - The New York State Department of Transportation has 3,847 operators and supervisors statewide and is ready to respond with 1,600 large plow/dump trucks, 200 medium plow/dump trucks, 324 loaders, 42 truck/loader mounted snow blowers, 61 tow plows, 20 graders and 15 pickup trucks with plows. The DOT also has more than 443,000 tons of road salt on hand. Upstate regions will be providing an additional 176 operators and supervisors, 12 Storm Managers, 30 trucks, and 12 loader/snowblowers to serve Long Island and the Mid-Hudson region for the duration of this storm. The Long Island Expressway will have 100 plows servicing the road – double the normal deployment for a snowstorm. DOT continues to monitor the forecast to ensure that out-of-region resources are being deployed to the areas that are expected to be hardest-hit by the storm.

Motorists are reminded to check 511NY by calling 511, or visiting www.511ny.org before traveling. The free service allows users to check road conditions and transit information. Mobile users can download the free 511NY mobile app from the iTunes or Google Play stores. The app features Drive mode, which provides audible alerts along a chosen route while a user is driving, warning them about incidents and construction. Users can set a destination prior to departing and receive information on up to three routes.

Thruway Authority - The New York State Thruway Authority's winter weather preparations include a 24-hour staff rotation for maintenance personnel, snow removal equipment ready for deployment, and ample salt and fuel supplies to keep the roadways clear and safe.

The Thruway Authority has more than 592 supervisors and operators ready to deploy 201 large snow plows, 110 medium snow plows and 54 loaders across the state with more than 114,800 tons of road salt on hand. Variable Message Signs, Highway Advisory Radio and social media are utilized to alert motorists of winter weather conditions on the Thruway.

The Thruway Authority encourages motorists to sign up for TRANSalert e-mails which provide the latest traffic conditions along the Thruway. Motorists can sign up for TRANSalerts by following this link:

www.thruway.ny.gov/tas/index.shtml. Thruway travelers can also get real-time updates by following @ThruwayTraffic on Twitter or by visiting www.thruway.ny.gov to see an interactive map showing traffic conditions for the Thruway and other New York State roadways.

State Police - The New York State Police will deploy additional patrols for the duration of the storm, and all resources will be available as needed, including 4X4 vehicles, all-terrain vehicles and snowmobiles. High-axle vehicles will also be ready for deployment to affected areas as needed.

New York National Guard - The New York National Guard Joint Operations Center is active and monitoring the situation with approximately 2,000 members deployed to specific regions of the state or on standby and available as needed. The New York National Guard has 350 members with 45 vehicles deployed in New York City; 255 members with 38 vehicles deployed in the Hudson Valley; 135 members with 57 vehicles deployed on Long Island; 100 members with 35 vehicles deployed in Capital District; 50 members with 22 vehicles deployed in Central New York; and 255 members with 69 vehicles deployed in Western New York. Additional personnel will staff Joint Task Force Headquarters in New York City, Mid-Hudson and Buffalo Regions. The National Guard is also prepared to respond if needed with personnel and high-axle vehicles on Long Island, in New York City, the Mid-Hudson Valley and other regions of the state.

Metropolitan Transportation Authority - Check out www.mta.info and <https://twitter.com/MTA> for updates, including modified emergency schedules. Customers are also strongly encouraged to sign up for the MTA's various electronic notification systems – including direct email and text message alerts that can be customized for a customer's specific travel – via www.mymtaalerts.com and through the MTA's social media accounts.

SUBWAYS

Express service will stop running after rush hour on Tuesday night. Starting at 4 a.m. on Tuesday, above-ground subway service will be suspended. Please check the Underground Service Map for more details.

Snow-fighting equipment for subways will include more than 2,000 snow melting devices staged along the tracks at crucial track switches and along other infrastructure, including: 1,500 third rail heaters; 80 trains with scraper shoes, which are used on in-service trains to scrape ice off the third rail as a train moves along the tracks; 10 snow throwers, which have precise directional snow throwing equipment with rotating brushes that throw snow up to 300 feet from the track and can remove up to 3,000 tons of snow an hour; 7 de-icer train cars, which are trains equipped with ice scraping shoes that scrape off ice that has accumulated on the third rail. They also use pumping equipment to dispense a

stream of nontoxic, biodegradable de-icing fluid to prevent ice buildup on the third rail. If ice is permitted to build up, subway car power pickup equipment will not be able to draw electric current from the third rail and the train will stop; 4 track jet blowers, which use a jet engine to remove accumulated snow from the roadbed. This piece of equipment is used primarily to keep the yards clear.

All previously planned subway maintenance, rehabilitation and construction projects have been cancelled through Tuesday afternoon.

BUSES

Normal bus service will run on Monday. Bus service is likely to be suspended on Tuesday morning based on local road and blizzard conditions. Until service suspension, all articulated buses are being replaced by standard 40-foot buses.

Bus operations has more than 90 pieces of snow-fighting equipment to supplement the work of municipal agencies. All local buses in service will have tires chained.

RAILROADS

LIRR and Metro-North railroads anticipate a normal evening rush hour on Monday night. Both railroads anticipate the likelihood of suspended service on Tuesday as conditions worsen and deep and blowing snow interfere with operations of third rail power, creating the potential to strand trains and customers. Service announcements on Tuesday service will be made before 4:30 a.m.

Metro-North Railroad: <https://twitter.com/MetroNorth>

Long Island Railroad: <https://twitter.com/LIRR>

Anti-freeze trains have been deployed throughout the systems to spray de-icer on the third rail along LIRR, where the rail is exposed, in an effort to prevent ice-build-up; non-passenger patrol trains will operate along the right-of-way to prevent snowdrifts from forming on the tracks. At stations, extra personnel have salted and cleared platforms of snow. Waiting rooms are being kept open around the clock on Long Island to provide shelter for customers and selected rooms are kept open at Metro-North stations. Scheduled maintenance work has been canceled during the storm.

Metro-North has approximately 1,500 personnel working specifically on storm preparation and response. Metro-North has more than 270 pieces of storm-fighting equipment on hand, including: 212 snow blowers, 35 pickup truck plows, 3 rail-bound jets, 767,000 pounds of salt.

LIRR has approximately 1,500 personnel working specifically on storm preparation and response and more than 400 pieces of equipment on hand,

including: 362 snow blowers, 18 pickup truck plows, 22 front end loaders, 7 rail-bound jets, 800,000 pounds of salt.

BRIDGES AND TUNNELS

Bridges and Tunnels will remain open Monday night. Pedestrian walkways will close once sustained winds reach 40mph; All bridges will close to trucks when sustained winds reach 50mph and all traffic will be barred at 60mph.

Approximately 350 maintenance and operations personnel will be deployed during the storm, including about 270 specifically for snow-fighting. Electronic weather sensors are functional at all facilities to monitor weather and roadway conditions in real time. There are more than 9,000 tons of roadway de-icer on hand and more than 100 pieces of storm fighting equipment including trucks and plows are ready.

PARATRANSIT

Paratransit service will be suspended – other than extreme emergencies – starting Tuesday morning at 5 a.m.

New York City Transit has also coordinated a procedure with New York City first responders and the Office of Emergency Management for rescuing customers on immobilized vehicles or those who develop medical needs during storms.

The Port Authority of New York and New Jersey - The Port Authority of New York and New Jersey is making extensive preparations involving personnel and equipment at all of its facilities in expectation of the strong winter storm currently forecast to begin Monday night through Tuesday. The agency's Office of Emergency Management is in contact with other local, state and federal officials and agencies and will develop regional preparations for the upcoming storm in consultation with them.

The Port Authority's Office of Emergency Management will open its Emergency Operation Center beginning at 9 p.m. tonight. It is staffed by key agency decision makers from all of the major facilities and will remain open throughout the duration of the storm.

The following equipment and supplies are available at the Port Authority's major transportation facilities in the event of a major storm:

- Hundreds of pieces of snow equipment at the airports, including melters able to liquefy up to 500 tons of snow an hour and plows that can clear snow at 40 mph, and dozens of pieces of snow equipment at PA bridges and tunnels;

- Thousands of tons of salt and sand for airport roads, parking lots, bridges and tunnels;
- Hundreds of thousands of gallons of liquid chemicals at the airports to prevent snow and ice from bonding to runways and taxiways; thousands of tons of solid de-icers that break up snow and ice already on the ground; and
- Plow-equipped trains and snow-melting materials to clear the agency's PATH station tracks and facilities.

There will be extensive flight cancellations on Tuesday at LGA and JFK; travelers are encouraged to check with their carriers; departing passengers should not go to LGA unless they have a reservation.

For up-to-the-minute updates on Port Authority crossings, airports and the PATH system, travelers are encouraged to sign up for Port Authority alerts at www.paaerts.com. Travelers may also call 511 or visit 511NY.org or 511NJ.org for further information on highway conditions.

Department of Public Service - The Department of Public Service is in contact with utility senior executives to ensure that the utilities are prepared for inclement weather, and it will be closely monitoring utility storm-preparation efforts to ensure that utilities stand ready to minimize outages and speed outage restorations. Electric and gas utilities, as well as telecommunication service providers, such as Verizon, are prepared to bring on additional manpower to minimize service disruptions, if they occur. Utilities are prepared to respond 24 hours a day to power disruptions and are mandated to implement their emergency response plans, when needed, which includes contacting customers on life-support equipment and other critical customers.

In light of the potential inclement weather expected, the Department will expand its Call Center Helpline hours, beginning Tuesday, March 14 from 7:30 a.m. to 7:30 p.m., to assist consumers in storm response and restoration efforts, and Wednesday, March 15, if needed. The Department's Call Center Helpline can be reached by calling [\(800\) 342-3377](tel:(800)342-3377). Department staff will monitor and report on storm impacts and utility restoration activities throughout the event and will be present in the field, as needed.

How to Contact Your Utility:

- Central Hudson: [\(845\) 452-2700](tel:(845)452-2700) or [\(800\) 527-2714](tel:(800)527-2714), or go to www.centralhudson.com
- Con Edison: [\(800\) 75-CONE](tel:(800)75-CONE) [\(800\) 752-6633](tel:(800)752-6633), or go to www.coned.com
- PSEG-Long Island: [\(800\) 490-0075](tel:(800)490-0075), or go to www.psegliny.com
- National Grid (upstate electric): [\(800\) 867-5222](tel:(800)867-5222), or go to www.nationalgridus.com
- National Grid (upstate gas): [\(800\) 642-4272](tel:(800)642-4272), or go to www.nationalgridus.com

- National Grid (metro area gas): (718) 643-4050, or go to www.nationalgridus.com
- National Grid (Long Island gas): [\(800\) 490-0045](tel:(800)490-0045), or go to www.nationalgridus.com
- NYSEG (electric): [\(800\) 572-1131](tel:(800)572-1131), or go to www.nyseg.com
- NYSEG (gas): [\(800\) 572-1121](tel:(800)572-1121), or go to www.nyseg.com
- Orange & Rockland: [\(877\) 434-4100](tel:(877)434-4100), or go to www.oru.com
- Rochester Gas & Electric (electric): [\(800\) 743-1701](tel:(800)743-1701), or go to www.rge.com
- Rochester Gas & Electric (gas): [\(800\) 743-1701](tel:(800)743-1701), or go to www.rge.com

Department of Environmental Conservation - The State Department of Environmental Conservation is mobilizing Environmental Conservation Officers, Forest Rangers and other staff assets in the Mid-Hudson Valley, New York City and Long Island regions, including ATV's, UTV's, snowmobiles, and 4x4 trucks available to assist in any necessary response efforts. DEC coastal engineering experts are also ready to assist in monitoring for potential flooding and coastal erosion from the storm. Other public protection and spill response staff are coordinating with other state and local partners to provide additional assistance as needed.

Parks, Recreation and Historic Preservation - Governor Cuomo also announced the closure of all state parks, historic sites, and DEC-managed facilities located within the impacted areas, including Suffolk, Nassau, New York City, Westchester, Rockland, Orange, Putnam, Dutchess, Ulster, Greene, Columbia, Albany, Rensselaer, Schenectady, Montgomery, Saratoga and Washington counties. Park visitors should monitor www.nysparks.com or call their local park office for the latest updates.

Safety Precautions - All residents should have the following items available:

- Flashlight and extra batteries.
- Battery-powered portable radio or NOAA Weather Radio to receive emergency information.
- Seven to ten days' supply of food. High-energy food, such as dried fruit or candy, and food requiring no cooking or refrigeration is best. Also stock an emergency supply of bottled water. The recommended amount is one gallon per person per day for 7 to 10 days.
- A one-week supply of essential medicines and baby items.
- First aid kit and supplies.
- Extra blankets and sleeping bags.
- Fire extinguisher and smoke detector – test regularly to ensure they are working properly.

Safety on the Road - When winter storms strike, do not drive unless necessary.

Regular Session

- If you must travel, make sure your car is stocked with survival gear like blankets, a shovel, flashlight and extra batteries, extra warm clothing, set of tire chains, battery booster cables, quick energy foods and brightly-colored cloth to use as a distress flag.
- Keep your gas tank full to prevent gasoline freeze-up.
- If you have a cell phone or two-way radio available for your use, keep the battery charged and keep it with you whenever traveling. If you should become stranded, you will be able to call for help, advising rescuers of your location.
- Make sure someone knows your travel plans.

Drive Safely - The leading cause of death and injuries during winter storms is transportation accidents.

- Before getting behind the wheel or your car, clear it of ice and snow. Good vision is a key to good driving.
- Plan your stops and keep more distance between cars. Be extra alert. Remember, snowdrifts can hide smaller children. Moreover, always match your speed to the road and weather conditions.

Trapped in a Car - With blizzard conditions expected, here are some tips to follow:

- Stay in your car and wait for help to find you.
- Run your engine for short periods of time to stay warm. Keep your down-wind window open and make sure your exhaust pipe is clear of snow.
- Turn on the dome light at night when you are running the engine to signal rescuers.
- Hang a brightly colored piece of cloth or piece of clothing from your car.
- Exercise from time to time by vigorously moving arms, legs, fingers and toes to keep blood circulating and to keep warm.

REGULAR SESSION
(April 14, 2017)
Tuesday
2:30 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 located at 143 North Main Street, Warsaw, New York with all Supervisors present except B. Hastings, T/Eagle. Also present were County Attorney Jim Wujcik; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this month's board meeting is:

David Caryl

Mr. Caryl was born in France where his father was stationed while serving in the United States Air Force. He grew up in Wyoming County where he attended school in Varysburg and Attica, graduating from Orchard Park Central School. Having grown-up in a military family, Mr. Caryl enlisted into the United States Army to serve his country continuing that family honor.

Mr. Caryl completed basic training at Fort Leonard Wood, Missouri and then went to Fort Benjamin Harrison in Indiana for *Advanced Individual Training* to become a journalist. This Fort was closed in 1991 as part of the base realignment closure commission but still holds a significant military presence today. The state headquarters of the Veterans of Foreign Wars is located on the historic grounds of Fort Benjamin Harrison.

After successfully completing the four-month journalist program, Mr. Caryl was stationed at Fort Hood, Texas writing articles for the Post's newspaper. For the next eighteen-months, Mr. Caryl covered many topics, some of which included the Army boxing team, 5-Star General Omar Bradley and the 1981 Cuban Refugee Resettlement Program conducted at Fort McCoy, Wisconsin. As part of that program, Fort McCoy quickly prepared to receive 15,000 Cuban refugees as political prisoners; they quickly realized 90% of the refugees were Fidel Castro's prisoners and mental health patients. In all, 9,729 Cuban refugees were processed at Fort McCoy with 3,234 transferred to Fort Chaffee, Arkansas and more than 1,000 refugees sent to prisons. Mr. Caryl earned the Humanitarian Service Medal for his participation in and reporting of this historic program.

Mr. Caryl then went back to training to become a photojournalist and was deployed to Vicenza, Italy. He continued to work for an Army newspaper and covered stories from Italy, Turkey and Greece. The most notable story was the kidnapping of United States Army Brigadier General James Dozier by the Italian Red Brigade. Mr. Caryl received the Army Achievement Medal for assisting with the set-up of international press locations to cover this story.

After four-years of military service to his country, Mr. Caryl was honorably discharged from the Army as a Sergeant. In addition to the Humanitarian Service Medal and Army Achievement Medal, Mr. Caryl also earned the:

Army Service Ribbon
Good Conduct Medal
Overseas Service Ribbon
M-16 Marksmanship Badge; and
Expert Grenade Badge.

Returning to civilian life, Mr. Caryl used his education benefits at the University of Buffalo and obtained a Bachelor's Degree in communications. He went on to work for Focus Magazine and The Batavia Daily. He has also received an Associated Press award.

In 1990, Mr. Caryl became employed by New York State Department of Corrections and worked as a Grievance Supervisor. He is presently works at the Livingston County Correctional facility.

He loves residing in Wyoming County and spends his free time fixing up his house, painting, going to art shows and volunteering. He lives in the town of Perry and a member of the Wyoming County Arts Council and Friends of Letchworth State Park.

The pledge was said by all.

Chairman Berwanger invited Town of Perry Supervisor, J. Brick to join him at the podium for the presentation of the customary certificate of appreciation to Mr. Caryl. Chairman Berwanger offered Mr. Caryl an opportunity to address the Board...

Mr. Caryl thanked the Board for the opportunity and honor to lead the pledge. He also acknowledged how times have changed and the difference between how veterans are treated today compared to when he came home from Vietnam. Now, it is common for people to thank Veterans for their service. He also spoke to the contentious nature of politics these days and how a simple "hello" can break down barriers.

There was a brief interruption of the meeting as attending press took pictures.
Communications:

- 03-21-17 letter from Assemblyman DiPietro
 - Acknowledging receipt of the various resolution passed last month
- 03-24-17 letter from NYSAC Executive Director Stephen Acquario
 - Acknowledging receipt of the various resolution passed last month
- Undated letter from NYS DEC Deputy Commissioner Martin Brand
 - Responding to the two resolutions passed last month:
 - Creation of an Industry-Sponsored Paint Stewardship Program
 - Harmful Algal Blooms
- Thank you letter for Charles and Velma Seewaldt
 - Recipients of the 2017 Good Neighbor Award

Clerk Ketchum requested permission, which she was granted, to read the thank you letter to the Board....

*Thank you for giving us the
honor of receiving the "Good Neighbor
Award 2017" it was a surprise
and honor to receive it.*

Charles & Velma Seewaldt

#1

**RESOLUTION NO. 17-174
(April 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2017 accounts as follows:

Medicaid			
From: 01.35.1990.4.42110 Contingent – WCCH	\$256,199.00		
To: 01.40.6102.4.42250 MMIS IGT/DSH Pymts.		\$256,199.00	
Reason: To cover the 50% County share of the NH IGT payment.			
Medicaid Total			\$256,199.00

Office for the Aging			
From: 01.44.6772.1.10201 Part Time To: 01.44.6772.4.40304 Temp Emp. Services Reason: To transfer funds to reflect anticipated costs.	\$5,000.00	\$5,000.00	
Office for the Aging Total			\$5,000.00
Sheriff			
From: 01.37.3150.1.10605 Retirement Health Ins. To: 01.37.3110.1.10605 Retirement Health Ins. Reason: To cover the cost of retirement health insurance for a retired dispatcher.	\$8,599.16	\$8,599.16	
Sheriff Total			\$8,599.16

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #2

RESOLUTION NO. 17-175
(April 11, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2017 accounts as follows:

Human Resource			
To: 01.34.1431.1.10601 Vacation buy-back <i>w/any funds available</i> Reason: Vacation buy-back paid to Deja Goulet.	\$727.35	\$727.35	
Human Resource Total			\$727.35
Youth Bureau			
To: 01.32.1165.4.42447 DA Youth Court Grant <i>w/01.11.1165.308904 Other State Aide-DA</i> Reason: To be used for various Youth Court Program Activities/Administration expenditures to be reimbursed through a State DOJ Grant.	\$1,116.80	\$1,116.80	
Youth Bureau Total			\$1,116.80
Mental Health			
To: 01.38.4323.4.42497 Suicide Prevention Grant <i>w/01.03.4323.1289 Other Dept. Income</i> Reason: To accommodate the receipt of funding for the 2017 Suicide Prevention Academy Grant.	\$4,500.00	\$4,500.00	
To: 01.38.4320.4.42486 Case Management <i>w/01.11.4320.3490 State Aid</i> Reason: To accommodate the increase in funding for health homes for children.	\$939.00	\$939.00	
Mental Health Total			\$5,439.00

Emergency Services			
To: 01.37.3640.1.10601 Unused Benefit Time <i>w/any funds available</i>	\$719.95	\$719.95	
Reason: Pay out unused benefit time.			
Emergency Services Total			\$719.95

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$2,902,949.39** for the month of **March 2017**.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #3

RESOLUTION NO. 17-176
(April 11, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION NUMBER 15-276 AMENDED

WHEREAS, Resolution Number 15-276 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MICHAEL DEFREITAS, ESQ. ON BEHALF OF THE COUNTY ATTORNEY**,” passed by this Board of Supervisors on August 18, 2015 and provides for legal services relative to the creation of a 501(c)(3) associated with the new Ag and Business Center; and

WHEREAS, That Resolution Number 15-276 was previously amended by this Board of Supervisors on February 14, 2017 by **Resolution Number 17-043** to extend the expiration date of the contract from July 31, 2016 to “*through completion of the project*”; now therefore

BE IT RESOLVED, That Resolution Number 15-276, as previously amended by Resolution Number 17-043, be hereby further amended to change the name of the contracting party to the law firm of William C. Moran & Associates, P.C., 6500 Main Street, Suite 5, Williamsville, NY 14221, the firm Michael dEFreits, Esq. is associated with and payment should be made to.

All else remains the same.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #7. Hearing no objection resolution titles were read.

Regular Session

RESOLUTION NO. 17-177
(April 11, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LAURA'S COUNTRY KITCHEN ON BEHALF OF THE
OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Laura's Country Kitchen, 70 North Water Street, Pike, NY 14130 on behalf of the Office for the Aging. Said contract is for providing congregate meals to individuals 60+ in a restaurant setting in an amount based upon usage; effective April 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #5

RESOLUTION NO. 17-178
(April 11, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

RESOLUTION NUMBER 17-098 AMENDED

WHEREAS, Resolution Number 17-098 entitled, "CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ADECCO ON BEHALF OF THE OFFICE FOR THE AGING," passed by this Board of Supervisors on March 14, 2017 and provides for a temporary clerical worker for the Office for the Aging until the results of the Civil Service list are available in an amount not to six thousand dollars (\$6,000.00); effective March 18, 2017 through June 30, 2017; now therefore

BE IT RESOLVED, That Resolution Number 17-098 be hereby amended to correct the contract dates to March 1, 2017 through December 31, 2017. All else remains the same.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

April 11, 2017

RESOLUTION NO. 17-179
(April 11, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BUFFALO
GUIDANCE GROUP ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Buffalo Guidance Group, 255 Delaware Avenue, Suite 100, Buffalo, NY 14202 on behalf of the Youth Bureau. A preschool related services contract for counseling in an amount not to exceed the 2017~2018 budget; effective March 20, 2017 through June 30, 2018.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #7

RESOLUTION NO. 17-180
(April 11, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHILD ABUSE AND NEGLECT PREVENTION MONTH
PROCLAIMED**

WHEREAS, Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

WHEREAS, Every child is entitled to be loved, cared for, nurtured and secure, and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, Wyoming County faces a continuing need to support community-based programs to prevent child abuse and neglect; and

WHEREAS, It is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe nurturing childhood; and

Regular Session

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain assistance they need; and

WHEREAS, Our County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

WHEREAS, Wyoming County residents celebrate children, this county's greatest resource and the community leaders of tomorrow; now therefore,

BE IT RESOLVED; That the Board of Supervisors do hereby proclaim the Month of April 2017 as **CHILD ABUSE AND NEGLECT PREVENTION MONTH** in Wyoming County and commend this observance to the citizens of this county.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain:

Supervisor Grant, T/Bennington was invited to the podium to present the Child Abuse and Neglect Prevention Month Proclamation. Supervisor Grant, T/Bennington invited Commissioner Rumsey to join her.

Commissioner Rumsey thanked the Board for the proclamation and the continued support. He spoke of the team effort that it takes do this job and acknowledged the State Troopers, Sheriff's Department, District Attorney's Office and the Crime Advocate team.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #13. Hearing no objection resolution titles were read.

#8

**RESOLUTION NO. 17-181
(April 11, 2017)**

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 17-121 RESCINDED

WHEREAS, Resolution Number 17-121 entitled, "CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK COUNCIL ON PROBLEM GAMBLING ON BEHALF OF MENTAL HEALTH," passed by this Board of Supervisors on March 14, 2017 for correcting common youth misconceptions and belief's surrounding

April 11, 2017

gambling and increase awareness in a minimum amount of fifteen thousand dollars (\$15,000.00); effective January 27, 2017 through November 17, 2017; now therefore

BE IT RESOLVED, That Resolution Number 17-121 be hereby rescinded, in its entirety, effective March 14, 2017. (*duplicate resolution*)

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #9

RESOLUTION NO. 17-182
(April 11, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

ALCOHOL AWARENESS MONTH PROCLAIMED

WHEREAS, The Wyoming County Board of Supervisors and Partners For Prevention join to support National Awareness Month, which calls attention to the disease of alcoholism, and promotes understanding that alcoholism is a chronic, treatable disease from which people can recover; and

WHEREAS, Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21. Kids who drink are more likely to be victims of violent crime, to be involved in alcohol-related traffic crashes and to have serious school-related problems; and

WHEREAS, A supportive family environment is associated with lowered rates of alcohol use for adolescents; and

WHEREAS, It is imperative that Wyoming County joins with other counties in advancing efforts to strengthen the enforcement of our New York State underage drinking laws, and build partnerships among local agencies, elected officials, law enforcement, businesses, schools and communities to prevent underage drinking and alcoholism; and

WHEREAS, Wyoming County supports national efforts to prevent alcoholism among youth by responding to the Surgeon General's Call to Action to Stop and reduce underage drinking, so as to spread new information related to the public health risks associated with alcohol; and

WHEREAS, All Wyoming County residents join to recognize credentialed alcoholism and substance abuse prevention professionals and

counselors who-along with other specialists in schools, communities and workplace-serve an important role in fighting alcoholism and related problems, therefore enabling many people to recover and lead productive and healthy lives; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim April 2017 as Alcohol Awareness Month in Wyoming County.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #10

RESOLUTION NO. 17-183
(April 11, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 16-461 AMENDED

WHEREAS, Resolution Number 16-461 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HILLSIDE CHILDREN’S CENTER ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on November 10, 2016 and provides for children services in an amount not to exceed one hundred twenty-two thousand eleven dollars (\$122,011.00) annually; effective January 1, 2017 through December 31, 2017; and

WHEREAS, That Resolution Number 16-461 was previously amended by this Board of Supervisors on February 14, 2017 by **Resolution Number 17-049** to increase the contract amount by seven dollars (\$7.00) for a new contract total of one hundred twenty-two thousand eighteen dollars (\$122,018.00) annually; now therefore

BE IT RESOLVED, That Resolution Number 16-461, as previously amended by Resolution Number 17-049, be hereby further amended to reflect the following changes:

- Two (2) additional *Parenting Classes* to be taught in the Wyoming County Jail in an additional funding amount of \$2,016.62
- Additional funding in an amount of \$939.00 for *Children’s Health Homes Services*
- Reduction of funding in an amount of \$76.00 for *Family Support Services*

for a total new contract total of one hundred twenty-four thousand eight hundred ninety dollars \$124,897.62). All else remains the same.

April 11, 2017

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #11

RESOLUTION NO. 17-184
(April 11, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE DEPARTMENT OF HEALTH ON BEHALF OF
THE COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health are hereby authorized and directed to sign a grant application and acceptance award with the New York State Department of Health, Bureau of Communicable Disease Control, ESP, Corning Tower, Albany, NY on behalf of the County Health Department. Said funding is for rabies prevention and control in a minimum amount of eleven thousand four hundred eighty-five dollars (\$11,485.00) per year for a total contract amount of twenty-two thousand nine hundred seventy dollars (\$22,970.00); effective April 1, 2017 through March 31, 2019.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #12

RESOLUTION NO. 17-185
(April 11, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 13-265 AMENDED

WHEREAS, Resolution Number 13-265 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF
COMMUNITY ENVIRONMENTAL HEALTH AND FOOD
PROTECTION ON BEHALF OF THE COUNTY HEALTH
DEPARTMENT**,” passed by this Board of Supervisors on August 13, 2013 to authorize a grant application and acceptance award with New York State Department of Health, Bureau of Community Environmental Health & Food Protection, Empire State Plaza, Corning Tower Building, Room 1395, Albany, New York 12237 on behalf of the County Health Department to fund the

Tobacco Enforcement Program in a minimum amount of twenty-seven thousand five hundred thirty-nine dollars (\$27,539.00); effective April 1, 2013 through March 31, 2014; and

WHEREAS, That ***Resolution Number 14-115*** passed by this Board of Supervisors on March 11, 2014 amended Resolution Number 13-265 to extend the contract as follows:

- 04/01/2014 - 03/31/2015 \$29,539.00
- 04/01/2015 - 03/31/2016 \$31,539.00
- 04/01/2016 - 03/31/2017 \$33,539.00
- 04/01/2017 - 03/31/2018 \$35,539.00

making the grant term from April 1, 2013 through March 31, 2018 in the maximum amount of one hundred fifty-seven thousand six hundred ninety-five dollars (\$157,695.00) with all other terms and conditions remaining the same; and

WHEREAS, That Resolution Number 13-265 as previously amended by Resolution Number 14-115 was further amended by this Board of Supervisors on April 14, 2015 by ***Resolution Number 15-164*** to reflect the following reductions in annual funding:

- 04/01/2014 - 03/31/2015 \$29,539.00 reduced by \$3,986.00 to \$25,553.00
- 04/01/2015 - 03/31/2016 \$31,539.00 reduced by \$4,303.00 to \$27,236.00

now therefore,

BE IT RESOLVED, That Resolution Number 13-265 as previously amended by Resolution Number 14-115 and Resolution Number 15-164 be hereby further amended to reflect the following reductions in annual funding:

- 04/01/2016 - 03/31/2017 \$33,539.00 reduced by \$5,721.00 to \$27,818.00
- 04/01/2017 - 03/31/2018 \$35,539.00 reduced by \$7,174.00 to \$28,365.00

All else remains the same.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #13

**RESOLUTION NO. 17-186
(April 11, 2017)**

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 13-23 AMENDED

April 11, 2017

WHEREAS, Resolution Number 13-23 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2013,”** passed by this Board of Supervisors on January 14, 2013 and provides for various contracts and agreements for the year 2013 on behalf of the Health Department and the Certified Home Health Agency; and

WHEREAS, Resolution Number 13-23 was amended by this Board of Supervisors on January 14, 2013 by **Resolution Number 13-45** to reflect the actual contract terms of the Wyoming Properties, LLC Building Use Agreement for the WIC Program to be effective January 1, 2013 through December 31, 2014; and

WHEREAS, That Resolution Number 13-23 as amended by Resolution Number 13-45 was further amended by **Resolution Number 15-052** on February 10, 2015 by this Board of Supervisors to extend the term of the Wyoming Properties, LLC Building Use Agreement through December 31, 2019; now therefore

BE IT RESOLVED, That Resolution Number 13-23, as amended by Resolution Number 13-45 and Resolution Number 15-052, be hereby further amended to terminate the Building Use Agreement for the WIC Program with Wyoming Properties, LLC in its entirety; effective February 28, 2017. All else remains the same.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain:

Supervisor Ryan, T/Warsaw was invited to the podium to present the Alcohol Awareness Month Proclamation. Supervisor Ryan, T/Warsaw invited Asst. Director, Child and Family Services for CCSI, Kelly Dryja and Community Outreach Coordinator Lydia Dziedzic to join her.

Ms. Dziedzic thanked the Board of Supervisors for the proclamation. She stated that alcohol is the most commonly abused legal substances in the United States. Rates of alcohol abuse are dropping but it remains commonly abused. Updated surveys will be completed this fall to see where the numbers are at...

#14

RESOLUTION NO. 17-187
(April 11, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

Regular Session

**DECLARING SURPLUS PROPERTY AND AUTHORIZING THE
CHAIRMAN TO SIGN A CONTRACT WITH TIMBER RIDGE
LOGGING, LLC ON BEHALF OF WYOMING COUNTY
REFORESTATION**

BE IT RESOLVED, That the Wyoming County Board of Supervisors, having determined that the below timber is surplus property owned by the County of Wyoming, hereby authorizes the Chairman of this Board with the approval of the County Attorney to a sign a (*revenue*) contract with Timber Ridge Logging, LLC, 3016 Bakerstrand Road, Franklinville, NY 14737 on behalf of Wyoming County Reforestation. Said contract is for the following services in accordance with the August 2011 Ten-Year Plan in a minimum amount of thirty thousand two hundred fifty-six dollars (\$30,256.00) for the following:

HOBDAY ROAD	
STAND 2 ~	
Small Portion of Stand 3 – Marked with Blue Paint	
211 Ash Trees	40,033 board feet
1 Sugar Maple Tree	86 board feet
161 Pulpwood Trees (100 beech, spray stumps)	
32 Cull Trees	
STAND 4 ~	
Row Thin 35' Wide – Leave 50' – Marked with Blue Paint	
<i>Volume Estimates</i>	
• Red Pine	28,000 board feet
• White Pine	5,000 board feet
• White Spruce (small amount of Norway spruce)	27,000 board feet
• Larch	39,500 board feet
STAND 5 ~	
Row Thin 35' Wide – Leave 50'	
<i>Volume Estimates</i>	
• Red Pine	35,000 board feet
• White Pine	600 board feet
STAND 7 ~	
Group Selection (-10 Acres)	
<i>Volume Estimates</i>	
• Red Pine	26,000 board feet
• White Pine	3,500 board feet
STAND 10 ~	
Row Thin 35' Wide – Leave 50 feet	
<i>Volume Estimates</i>	
• Norway Spruce	22,000 board feet

April 11, 2017

STAND 11 ~	
Marked with Blue Paint	
<i>Volume Estimates</i>	
• 239 Larch Trees	25,000 board feet

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain:

Chairman Berwanger announced that it was now time for one of the more enjoyable moments ~ the 4-H public speaking presentations. He invited Cornell Cooperative Extension Educator Roxanne Dueppengiesser to speak about the program and introduce the speakers.

Ms. Dueppengiesser stated that the 4-H Public Speaking Presentation Program helps youth enhance their public speaking skills by researching a subject and organizing their ideas in logical order. The program helps youth gain confidence and self-esteem while developing the ability to think and speak in front of a group of people about something that interests them. She feels it is one of the most important programs to participate in. 167 youths gave presentations at the Public Presentation Days held on February 8 and 18, 2017 at the Warsaw Central School. There were fourteen 4-H'ers that were selected to make their presentations in front of judges at the Western District 4-H Public Presentation Program in Buffalo on April 4th. All participants received gold seals!!

Ms. Dueppengiesser then introduced the following presenters...

4-H Public Speaking Presentations ~

- Danielle Herrick ~ 14-year old daughter of Will & Louise Herrick Town of Eagle
 - Barnstormers 4-H Club (7 year member)
 - Presentation Title: **“Dairy Advocacy”**
- Madelynn Olin ~ 11 year-old daughter of Justin & Jessica Olin, Town of Castile
 - Castile Country Kids 4-H Club (6 year member)
 - Presentation Title: **“Mary Jemison, White Woman of the Genesee”**

Supervisor Kehl, T/Attica was invited to the podium to present Certificates of Recognition to both participants for an outstanding job. Supervisor Kehl invited Ms. Herrick and Ms. Olin to the podium.

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #15 through #18. Hearing no objection resolution titles were read.

Prior to the roll call vote of resolutions #15 through #18, Supervisor Leuer brought attention to Resolution Number 17 and referenced the insurance requirement portion therein. He noted that Section 4 should include the following language at the end of the last sentence... “the Wyoming County Board of Supervisors or its designee”.

Chairman Berwanger acknowledged this request.

#15

RESOLUTION NO. 17-188
(April 11, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**AUTHORIZATION TO SIGN THE GLOW WORKFORCE
INNOVATION AND OPPORTUNITY AREA MEMORANDUM OF
UNDERSTANDING**

WHEREAS, The Chief Elected Officials (CEO's) of Genesee, Livingston, Orleans, and Wyoming Counties (GLOW) petitioned the Governor of the State of New York to designate the four County area as a Workforce Innovation and Opportunity Area under the Workforce Innovation and Opportunity Act (WIOA) of 2014; and

WHEREAS, The Federal Workforce Innovation and Opportunity Act of 2014 mandates that each local Workforce Innovation and Opportunity Area create a Memorandum of Understanding (MOU) regarding the operation of the local one-stop delivery system, including the roles and responsibilities of all GLOW WIOA system partners; and

WHEREAS, Each required WIOA system partner must enter into the GLOW WIOA MOU with the GLOW Workforce Development Board (WDB) and the four County CEO's; and

WHEREAS, The Wyoming County Board of Supervisors has designated Wyoming County Community Action as the required system partner providing WIOA Title I Adult, Dislocated Worker, and Youth program services in Wyoming County; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize and direct Connie Kramer, the Executive Director of WCCA, to sign the GLOW WIOA MOU as the required partner in Wyoming County for the WIOA Title I Adult, Dislocated Worker and Youth program services; and be it

April 11, 2017

FURTHER RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize and direct A. Douglas Berwanger, Chair of the Wyoming County Board, to sign the GLOW WIOA MOU as the CEO of Wyoming County; and be it

FURTHER RESOLVED, That the GLOW WIOA MOU will be effective July 1, 2017 and will be renewed not less than once every three (3) years, or until such time that the Workforce Innovation and Opportunity Act is repealed.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #16

RESOLUTION NO. 17-189
(April 11, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

TRAVEL AND TOURISM WEEK PROCLAIMED

WHEREAS, National Travel and Tourism Week is May 7-13, 2017. It is an annual tradition that was established by a Congressional Resolution in 1983 and first celebrated the following year. This nationwide week of events serves to champion the power of the travel and tourism industry; and

WHEREAS, Travel and tourism is one of America's largest industries, generating \$2.1 trillion in economic output, with \$947.1 billion spent directly by domestic and international travelers that spur an additional \$1.2 trillion in other industries; and

WHEREAS, According to the US Travel Association, tourism directly generated \$148 billion in tax revenue for local, state and federal governments in 2016. Travel and tourism is America's largest services export industry and is one of America's largest employers. Travel is among the top 10 industries and supported 15.1 million jobs, including 8.1 million directly in the travel industry and 7 million in other industries. One out of every 9 jobs in the U.S. depends on travel and tourism. Each U.S. household would pay \$1,192 more in taxes without the tax revenue generated by the travel and tourism industry; and

WHEREAS, Tourism is critical to the economic health of Wyoming County. There are almost two-hundred tourism related businesses in Wyoming County. Travelers spend more than \$41 million annually in Wyoming County, which generates \$19 million in labor income. Wyoming County sees a return of

\$4.9 million in state and local sales tax, and the average savings per Wyoming County household from tourism generated taxes is \$316; and

WHEREAS, From the natural beauty of Letchworth State Park to the historic landmarks, rural character and agriculture, family friendly attractions, restaurants and lodging, Wyoming County is a true four season destination for outdoor adventure and family fun; and

WHEREAS, To recognize "Travel and Tourism Week" from May 7-13th, 2017 a week to celebrate and support the almost two-hundred tourism related attractions and businesses that create jobs, boost the economy, and bring visitors to Wyoming County; and

WHEREAS, The Wyoming County Board of Supervisors wishes to recognize the importance of tourism as a critical industry in Wyoming County and urges all our citizens to join with us in this observance; now therefore

BE IT RESOLVED, That May 7-13th, 2017 is hereby designated as **TRAVEL AND TOURISM WEEK** in Wyoming County in conjunction with the Wyoming County Chamber & Tourism, the State of New York, and the United States who have declared this as an important week in celebration and recognition of Travel and Tourism.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #17

RESOLUTION NO. 17-190
(April 11, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION NUMBER 17-038 AMENDED

WHEREAS, Resolution Number 17-038 entitled, " **WYOMING COUNTY AG AND BUSINESS CENTER USE OF FACILITIES POLICY AND FEE SCHEDULE APPROVED**," passed by this Board of Supervisors on January 17, 2017 and approved the Ag and Business Center *Use of Facilities Policy and Fee Schedule*; now therefore

BE IT RESOLVED, That Resolution Number 17-038 be hereby amended to rescind and replace the *Use of Facilities Policy and Fee Schedule* as annexed hereto to include insurance requirement criteria; effective immediately.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain:

April 11, 2017

USE OF FACILITIES AGREEMENT

Wyoming County Agriculture and Business Center
36 Center Street, Warsaw, NY 14569

Office: (585) 786-2251 or WyomingAgCenter@cornell.edu
Monday — Friday, 8:30 a.m. — 4:30 p.m.

Facility Use Policy and Applications are available at the Wyoming County Agriculture & Business Center (A&B Center) Reception Area and at:

www.wvominq.cce.cornell.edu

Submit reservations to the A & B Center Receptionist. Include: application, hold harmless waiver, certificate of liability insurance, workers comp certificate or certify it is not needed and fees including \$50.00 security deposit. All forms require same applicant name. Applications will be accepted up to one year in advance of requested rental date.

GENERAL INFORMATION

Any accident resulting in injury to any person please call 911. Damage to any A&B Center property must be reported immediately or if after business hours, the next business day to Wyoming County Building and Codes 585-786-8820. Smoking is prohibited in all A & B Center facilities.

Admission fees may be charged only when the proceeds are to be expended for a charitable purpose. Exceptions are provided by law for Veteran Organizations and Volunteer Firemen

·
Noise from any sound reproduction system, operating or playing radio, stereo, television, or similar device that reproduces or amplifies sound in such a manner as to be heard over any property line shall be prohibited. There may be meetings occurring in other conference/classrooms at the same time as yours, so please be respectful.

Applicants must supply their own plates, cups, table covers, napkins, silverware, garbage bags, dish clothes/towels and soap. No live animals should be part of a presentation in LC4 as it is adjacent to the kitchen (food preparation area). Any use of alcohol, applicant must have prior approval by contacting 585-786-8820.

No decoration or other material of any kind may be nailed, tacked, screwed, or pinned to any surface within facility.

INSURANCE REQUIREMENTS

1. To the fullest extent permitted by law the USER shall indemnify, hold harmless and defend the County of Wyoming, its officers, directors, employees, and agents from and against any and all claims, demands or causes of action brought against any or all of them for any actual or alleged injury to any person or persons, including death, or damage to or destruction of property arising out of any act or omission on the part of USER, its employees, agents, subcontractors or guests and arising out of their use of the Wyoming County Agriculture and Business Center.
2. USER shall provide a Certificate of Insurance, naming the County of Wyoming as the certificate holder, at least 10 (ten) business days prior to the start of the event, showing evidence of the following minimum limits of insurance, or as required by law, whichever is greater:
 - a. General Liability, including contractual, independent contractors, and products/completed operations: \$1,000,000 per occurrence/\$2,000,000 aggregate.
 - b. The County of Wyoming and Center Street Business Center, LLC (building owner) must be added as ADDITIONAL INSURED.
 - c. Workers Compensation, if required by law. Initial if not required.
 - d. Liquor Legal Liability, if alcohol is provided by user- \$1,000,000. User shall be solely responsible for controlling the sale and dispensing of any alcoholic beverages as set forth in the laws of New York State.
 - e. Certificate must include description of what USER is doing. Excess liability may be required depending on service provided by USER.
3. All insurance shall be placed with insurance companies licensed to do business in the State of New York, with a "Best's" rating of "A-" or better. USER's Insurance shall be primary and noncontributory in all respects to any insurance carried by Wyoming County.
4. Certificates of Insurance shall contain a provision for at least ten (10) days' notice to Wyoming County of cancellation or non-renewal of the insurance indicated in the certificate. No work or services shall be commenced until these conditions are met and approved by the Board of Supervisors or its designee.

Conference/Classroom Fees

Conference Room	Maximum Capacity	Rate
LC 1	80	\$50 for one hour + deposit \$200 for 4 hrs. + deposit \$300 for day + deposit
LC 2	12	\$25 for 0 - 4 hrs. + deposit \$50 for day + deposit
LC 3	12	\$25 for 0 - 4 hrs. + deposit \$50 for day + deposit
LC 4 (next to kitchen)	25	\$20 for one hour + deposit \$60 for 4 hrs. + deposit \$90 for day + deposit
LC 5	50	\$40 for one hour + deposit \$125 for 4 hrs. + deposit \$200 for day + deposit

IT Assistance/Support may require additional fee of \$50/hour based on amount of assistance needed and time and day of event.

*Weekly and monthly rates available upon request.

*Fee and Security Deposit payable to Wyoming County

***SECURITY DEPOSIT of fifty dollar (\$50.00) will be returned approximately 30 days after inspection of premises determines that all is clean and no damage was done.**

1. **Non-Refundable if applicant cancels within 2wks of scheduled dated**
2. **Fully Refundable if conditions of rental are complied with.**

Wyoming County Ag & Business Center

Application For Use Of Learning Center

Clear Form

**To fill out form and submit, you must use Internet Explorer - OR - save the form and open with Adobe Acrobat Reader*

Name of Event: _____

Event is: Public Private

Contact Name: _____

Address: _____

Business/Organization: _____

E-mail: _____

Telephone: _____

Select One: Ag Center Agency/Dept Wyoming Co Dept Municipality Not-For-Profit Business Individual

Type of Event: _____

Room	Date(s)	Number of Attendees	Arrival Time	Meeting Start Time	Departure Time
LC1 (Max Capacity: 92)					
LC2 (Max Capacity: 12)					
LC3 (Max Capacity: 13)					
LC4 (Max Capacity: 32)					
LC5 (Max Capacity: 10)					

View meeting room availability online at <http://wyoming.cce.cornell.edu/LearningCenter>Will function be catered? YES NO**Equipment Requests:**

- LC1 Projector (with built-in speakers)
- HDMI Cable
- VGA with sound cable
- Wired Internet Access (Ethernet Cord)
- Guest Wireless Internet Access
- Sink/Counter
- Kitchenette access
- 65" Monitor on Cart (2 available)

Needed: 1 monitor 2 monitorsWyoming County Health Inspection Certificate provided: YES NO*

*If answer is no, please have caterer contact Wyoming County Health Dept. 585-786-8890

Additional Information:

For more information/questions or to submit this form:

Contact: Wyoming Contact Ag & Business Center Receptionist

36 Center St. Suite B, Warsaw, NY 14569

Call (585) 786-2251

E-mail: wyomingagcenter@cornell.eduIT Assistance Requested: YES NO

(\$50/HOUR fee may be required for IT assistance)



In event of emergency, cancellation notice must be provided to Wyoming Ag & Business Center.

I am familiar with and agree to abide by the rules for use of this facility.

Signature: _____

E-mail Form Now

CLEANING CHECKLIST

Please remove all personal effects, rental equipment, and decorations from A & B Center facilities. Please return tables, chairs and other equipment to same configuration as it was originally presented. Return facility to condition upon leaving as it was upon arrival. Additional fees may be charged if applicant fails to comply.

All cleaning must be performed before scheduled departure time.

- All supplies, equipment, decorations have been removed
- Floors swept and/or dust-mopped (broom, dust-pan & dust-mop located in room next to elevator; please replace when finished)
- All papers and trash bagged securely and in dumpster in rear of building.
- Refrigerator, freezer, microwave cleaned (if applicable)
- Sinks and countertops cleaned
- Toilets flushed
- Tables and chairs wiped down
- Furniture returned to the arrangement it was in at arrival
- All cleaning equipment returned to proper storage area
- Lights off

**Please note that LC1 and hallway lights are automatically controlled*

#18

RESOLUTION NO. 17-191 (April 11, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

ROBERTA CURRY APPOINTED TO THE GLOW SOLID WASTE PLANNING COMMITTEE AND GLOW REGIONAL SOLID WASTE MANAGEMENT COMMITTEE

BE IT RESOLVED, That **Roberta Curry** (Wyoming County Planning and Development), 37 Watrous Street, Perry, NY 14530 is hereby appointed to the GLOW Solid Waste Planning Committee and the GLOW

Regular Session

Regional Solid Waste Management Committee as the Planning and Development Representative for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain:

Supervisor Leuer, T/Middlebury was invited to the podium to present the Travel and Tourism Week proclamation. Recognizing that no one was present from the Chamber of Commerce, Chairman Berwanger suggested Supervisor Ryan, T/Warsaw as a member of the Board of Directors.

Supervisor Ryan, T/Warsaw recognized how fortunate we are to live in Wyoming County with places such as Letchworth State Park, Hidden Valley Animal Adventure and the Charcoal Corral. Now that the weather is better, she hopes that everyone can get out and enjoy these places that bring the tourist to this area. Chairman Berwanger also mentioned the Arcade and Attica Railroad as a tourist destination!

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #19 and #21. Hearing no objection resolution titles were read.

#19

**RESOLUTION NO. 17-192
(April 11, 2017)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JAM IN THE VALLEY ON BEHALF OF THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Jam In The Valley, 1629 Route 20A, Varysburg, NY 14167 on behalf of the Sheriff's Department. Said contract is for supplement services for crowd control and security in an amount not to exceed twenty-six dollars and eighty-four cents (\$26.84) to eighty-eight dollars and seventeen cents (\$88.17) per hour, plus an additional five thousand dollars (\$5,000.00) to defray the County's Worker's Compensation expenses; effective July 5, 2017 through July 9, 2017. (*Revenue Contract*)

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain:

**RESOLUTION NO. 17-193
(April 11, 2017)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BIDS
AND SIGN VARIOUS CONTRACTS 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 accept the following New York State Office of General Services Vehicle Marketplace bids and sign contracts on behalf of the Sheriff's Department:

- **Van Bortel Ford, 71 Marsh Road, East Rochester, NY 14445**
 - Mini-bid No. 17030154.00 for one (1) (unmarked) 2017 Ford Taurus in an amount not to exceed twenty-five thousand two hundred eight dollars and seventy cents (\$25,208.70); effective April 11, 2017 through delivery of vehicle.
 - Mini-bid No. 17030152.00 for two (2) 2017 Ford Taurus in an amount not to exceed fifty-one thousand four hundred sixty-eight thousand and fifty-seven cents (\$51,468.57); effective April 11, 2017 through delivery of vehicles.
- **Basil Ford of Niagara Falls, Inc., 6980 Niagara Falls Boulevard, Niagara Falls, NY 14304**
 - Mini-bid No. 17030152.00 for two (2) 2017 Ford Interceptors in an amount not to exceed fifty-five thousand nine hundred forty-five dollars (\$55,945.00); effective April 11, 2017 through delivery of vehicles.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #21

**RESOLUTION NO. 17-194
(April 11, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LIVINGSTON COUNTY SHERIFF ON BEHALF OF THE COUNTY JAIL**

Regular Session

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Livingston County Sheriff, 4 Court Street, Geneseo, NY 14454 on behalf of the County Jail. Said contract is for prisoner housing of Wyoming County Inmates at the Livingston County Jail in an amount not to exceed eighty-five dollars (\$85.00) per day; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

There was a motion by Mr. Davis, T/Covington, to combine resolutions #22 and #24. Hearing no objection resolution titles were read.

#22

RESOLUTION NO. 17-195
(April 11, 2017)

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of Building and Grounds (Co. Bldgs.):

- **NOMAD Enterprises, Inc.**, 6270 Abbott Road, Silver Springs NY 14550 for lawn maintenance services at various County buildings in an amount not to exceed eight thousand one hundred sixty dollars (\$8,160.00); effective April 1, 2017 through November 30, 2017.
- **ThyssenKrupp Elevator**, 2495 Walden Avenue, Buffalo, NY 14225 for elevator maintenance services at the Courthouse-Government Center and Public Safety Building in an amount not to exceed twenty-four thousand eight hundred forty dollars (\$24,840.00); effective April 1, 2017 through March 31, 2020 (*OGS Contract PS902AA*)

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

April 11, 2017

RESOLUTION NO. 17-196
(April 11, 2017)

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

ANNUAL HIGHWAY MATERIAL BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective April 2, 2017 through April 1, 2018, all ties were awarded by lot at the March 30, 2017 Public Works Committee, and be it

FURTHER RESOLVED, That the County of Wyoming reserves the right to allow all municipalities within the County to purchase any goods or services at the prices stated herein pursuant to section 103 of the General Municipal Law.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #24

RESOLUTION NO. 17-197
(April 11, 2017)

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

CHAIRMAN TO ACCEPT THE “*Onondaga County Bid Award* AND EXERCISE THE RIGHT TO “PIGGYBACK” AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER GML §103 (16)

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to accept the “*Onondaga County Bid Award* and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16); 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 an agreement with Kenworth Northeast Group, Inc., 100 Commerce Drive, Buffalo, NY 14218 for a 2018 Kenworth T800 Cab/Chassis with steel dump body in an amount not to exceed one hundred forty-five thousand five hundred dollars (\$145,500.00); effective through delivery of vehicle. Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

Regular Session

There was a motion by Mr. Brick, T/Perry, to combine resolutions #25 through #33. Hearing no objection resolution titles were read.

Prior to the roll call vote of resolutions #25 through #33, Supervisor Brick commented on the significance that most of these resolutions pertain to the upgrade of the health care at the Wyoming County Community Hospital.

#25

RESOLUTION NO. 17-198
(April 11, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ESRI, INC.
ON BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ESRI, Inc., 380 New York Street, Redland, CA 92373 on behalf of Information Technology. Said contract is for ESRI GIS software in an amount not to exceed nine thousand ninety-two dollars and fifty-nine cents (\$9,092.59); effective June 15, 2017 through June 14, 2018. (NYS Contract PM67345)

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

#26

RESOLUTION NO. 17-199
(April 11, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH
SYSTEM**

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby

April 11, 2017

authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Cross Country Staffing**, 6551 Park of Commerce Boulevard, Boca Raton, FL 33487
 - To provide agency staffing in an amount not to exceed five hundred thousand dollars (\$500,000.00) per year; effective April 1, 2017 through March 31, 2020.
- **Genesee Valley OB/GYN**, 990 South Avenue, Suite 200, Rochester, NY 14620
 - For the professional medical services of one (1) or more qualified, board certified/eligible physicians specializing in OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services. Agreed upon periods of time will be scheduled and confirmed in writing or by email between the parties and will be paid in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.
- **University Emergency Medical Services, Inc. (UEMS)**, 100 High Street, Buffalo, NY 14202
 - To provide emergency medical services (including malpractice insurance) to the WCCHS Emergency Department. Services to include 24/7 Physician coverage, 12/7 Physician Assistant or Nurse Practitioner coverage for Fast Track program, plus ER medical director services. Compensation to UB/MD includes providing UB/MD the right to bill and maintain professional portion of ER services billing plus an amount not to exceed one million one hundred thousand dollars (\$1,100,000.00) annually. In addition to normal service requirements, contract will include requirements for ER providers achievement of Hospital Consumer Assessment of Healthcare Providers and Systems (HCAHPS) scores above an agreed upon level; effective July 1, 2017 through June 30, 2020.
- **University of Rochester (UR Medicine)**, 601 Elmwood Avenue, Rochester, NY 14642
 - To provide anesthesiology services in an amount not to exceed two thousand two hundred dollars (\$2,200.00) per day and one hundred thousand dollars (\$100,000.00) per year; effective April 1, 2017 through March 31, 2018. WCCHS will have the right to bill and maintain patient billings.

- **Farkad Balaya, MD, PLLC**, 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216

- For the professional medical services of one (1) or more qualified, board certified/eligible physicians specializing in OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services. Agreed upon periods of time will be scheduled and confirmed in writing or by email between the parties and will be paid in an amount not to exceed one hundred dollars (\$100.00) per hour (on average); effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.

- **Theodore Hirokawa, MD, (or name of corporation yet to be formed) (address)**

- To provide a physician who is board certified or board eligible in the specialty of general surgery (Theodore Hirokawa, MD) to provide general surgery services at the hospital clinics, New York State Department of Corrections and on-call coverage. Corporation will provide professional liability insurance covering all professional services and WCCHS to provide office and support services and maintain all physician revenue. Compensation to be in an amount based on percentage of full time equivalent of the contracted surgeon, not to exceed four hundred thousand dollars (\$400,000.00) per year per full time equivalent, payable monthly for performance of services in accordance with this agreement; effective April 1, 2017 through March 31, 2019 and upon completion of credentialing and obtaining malpractice insurance.

- **Eichenauer Group, LLC**, 35 Sylvan Knoll, Rush, NY 14543

- To assist in operating, managing and supervising the Hospital in the name, for the account, and on behalf of the Hospital and Donald T. Eichenauer be hereby appointed to staff the position of CEO in an amount not to exceed twenty-five thousand two hundred forty-five dollars (\$25,245.00) per month for a total of three hundred two thousand nine hundred forty dollars (\$302,940.00) per year. Plus one thousand dollars (\$1,000.00) per month for the cost of computer, computer software and support, cell phone, professional organization memberships, dues and licensing and local business travel expenses; effective May 1, 2017 through April 30, 2018.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #27

**RESOLUTION NO. 17-200
(April 11, 2017)**

April 11, 2017

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-263 AMENDED

WHEREAS, Resolution Number 15-263 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on July 14, 2015 and provides for various contracts, in part, as follows:

- **Buffalo Orthopedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221

- **Professional Services Agreement**: Extend the current agreement for an additional three (3) year term beginning November 1, 2015 under the same terms and conditions as the current contract EXCEPT for the addition of the provision of four (4) one (1) week periods per year of twenty-four (24) hours a day seven (7) days a week on-call coverage for emergency orthopedic cases in Hospital’s Emergency Department and in-patient floors in accordance with the requirements identified in Exhibit A. Compensation for the additional four (4) weeks of on-call coverage for emergency orthopedic cases to be paid at the rate of \$3,384.33 per week; and

WHEREAS, That Resolution Number 15-263 was previously amended by this Board of Supervisors on March 14, 2017 by Resolution Number 17-169 to provide community education regarding orthopedic healthcare issues as part of the **Professional Services Agreement**. Payment per month in an amount not to exceed twelve thousand dollars (\$12,000.00) per combined professional service and community education session for a six (6) month period; effective March 1, 2017 with the option of an additional eight (8) month period; now therefore,

BE IT RESOLVED, That this contract shall be hereby rescinded, in its entirety, effective March 1, 2017 and be replaced with the following:

- **Buffalo Orthopedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221

- **Professional Services Agreement** to provide an additional one (1) eight-hour clinical day and an additional one (1) ten-hour surgery day per month of professional orthopedic services at WCCHS, as well as, at least two (2) two, 2-hour shifts of patient rounding in the hospital. Payment will be in an amount not to exceed twelve thousand dollars (\$12,000.00) per month, prorated if less than agreed upon services are provided. Amendment would be for a six

(6) month period; effective March 1, 2017 through August 31, 2017 with the option of an additional six (6) month period from September 1, 2017 through February 28, 2018.

All else remains the same.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #28

RESOLUTION NO. 17-201
(April 11, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-076 AMENDED

WHEREAS, Resolution Number 17-076 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this Board of Supervisors on February 14, 2017 and provides for various contracts, in part, as follows:

- **General Physician, P.C.**, 726 Exchange Street, Suite 516, Buffalo, NY 14210 to provide physician services in otolaryngology (ear, nose and throat) medicine at WCCHS clinic, inpatient and call as per the contract two (2) days per week in an amount not to exceed two hundred eighty thousand dollars (\$280,000.00) per year; effective April 1, 2017 through March 31, 2019 or upon completion of credentialing.
 - WCCHS to retain all generated fees.

Now therefore,

BE IT RESOLVED, That this contract shall be hereby rescinded in its entirety effective April 1, 2017 and be replaced with the following:

- **General Physician, P.C.**, 726 Exchange Street, Suite 516, Buffalo, NY 14210 for a two-year Ear, Nose, and Throat Medicine Services Agreement to provide board certified physician services in otolaryngology (ear, nose and throat) and allergy medicine at WCCHS clinic, inpatient and call as per the contract three (3) days per week in an amount not to exceed:
 - twenty-nine thousand five hundred eighty-three dollars (\$29,583.00) per month (\$355,000.00 annualized); during the first six (6) months; and
 - thirty thousand eight hundred thirty-three dollars and thirty-three

cents (\$30,833.33) per month thereafter (\$370,000.00 annualized); effective April 1, 2017 through March 31, 2019 or upon completion of credentialing.

- WCCHS to retain all generated fees.

All else remains the same.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #29

**RESOLUTION NO. 17-202
(April 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-465 AMENDED

WHEREAS, Resolution Number 15-465 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this Board of Supervisors on December 8, 2015 and provides for various contracts, in part, as follows:

- **University of Rochester Medical Faculty Group**, a division of the University of Rochester, with offices at 601 Elmwood Avenue, Rochester, NY 14642
 - *for professional medical services of one (1) or more qualified, board certified/eligible physicians specializing in OB-GYN to provide laborist services at WCCHS two (2) weeknights per month and one (1) weekend per month in an amount not to exceed eight thousand four hundred dollars (\$8,400.00) per month. For any partial months during the term, cost based on actual hours worked at the rate not to exceed one hundred dollars (\$100.00) per hour plus mileage in accordance with IRS reimbursement rates for each trip made by physician(s) to WCCHS; effective on or about November 15, 2015 through November 30, 2017.*

Now therefore,

BE IT RESOLVED, That Resolution Number 15-465 be hereby amended as follows:

- Remove contract language *“for the professional medical services of one or more qualified, board certified/eligible physicians specializing in OB/GYN to provide laborist services at WCCHS”*; and

- Add contract language "*for the professional medical services of one or more qualified, board certified/eligible physicians specializing in OB/GYN to provide OB/GYN services including clinic, surgery, emergency on-call or laborist services at WCCHS*".

All else remains the same.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #30

**RESOLUTION NO. 17-203
(April 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-319 AMENDED

WHEREAS, Resolution Number 16-319 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**", passed by this Board of Supervisors on August 6, 2016 and provides for various contracts, in part, as follows:

- **University of Rochester**, 601 Elmwood Avenue, Rochester, NY 14642 to provide telestroke consultation services for WCCHS patients as ordered by WCCHS to provided 24/7 coverage in an amount not to exceed eighteen thousand dollars (\$18,000.00) per year with five (5) consults per month included and three hundred dollars (\$300.00) per consult thereafter; effective October 1, 2016 through September 30, 2017; now therefore,

BE IT RESOLVED, That this contract shall be hereby terminated, in its entirety, effective June 8, 2017. All else remains the same.

Carried: XXX Ayes: 1548 Noes: Absent: 51 (Eagle) Abstain: #31

**RESOLUTION NO. 17-204
(April 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 14-303 AMENDED

WHEREAS, Resolution Number 14-303 entitled, "**CHAIRMAN**

April 11, 2017

AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM", passed by this Board of Supervisors on September 9, 2014 and provides for various contracts, in part, as follows:

- **Bonadio & Co., LLP**, 171 Sully's Trail, Suite 201, Pittsford, NY 14534, to provide hospital management services to assist in operating, managing and supervising the Hospital and staff the position of CEO in an amount not to exceed twenty-four thousand seven hundred fifty dollars (\$24,750.00) per month or two hundred ninety seven thousand dollars (\$297,000.00) annually; effective September 1, 2014.

now therefore,

BE IT RESOLVED, That this contract shall be hereby terminated, in its entirety, effective April 30, 2017. All else remains the same.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #32

RESOLUTION NO. 17-205
(April 11, 2017)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

Highway

- Abolish one (1) position of ***Bridge Construction Mechanic*** (position code # 034.038) on CSEA Schedule B Grade 9 (\$17.24 - \$19.05/hr.); position effective date April 3, 2017.
- Create one (1) position of ***Heavy Equipment Operator*** on CSEA Schedule B Grade 9 (\$17.24 - \$19.05/hr.); position available date April 12, 2017.
- Create one (1) position of ***Sign Maintenance Working Supervisor*** on CSEA Schedule B Grade 10 (\$17.73 - \$20.20/hr.); position available date April 12, 2017.

Sheriff

- Create one (1) position of ***Administrative Assistant (Sheriff)*** to be placed on Salary Schedule S at an annual salary of \$35,000.00; position available date April 12, 2017.

- Create two (2) positions of **Correction Officer, PT** on WCSEA Appendix A-1 (\$19.64 - \$24.10/hr.); positions available date April 12, 2017.

Health Department

- Abolish one (1) position of **Public Health Nurse** (1.00 FTE) (position code #083.195), Schedule A, Grade 18; position abolish date April 11, 2017.
- Create one (1) position of **Community Health Nurse II**, Schedule A, Grade 18 assigned to the Jail Medical Program. Salary and fringe expense associated with this position are fully reimbursed by the MOU between the Wyoming County Health Department and Wyoming County Sheriff's Department for Jail Medical Program Services; position available date April 12, 2017.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:** #33

RESOLUTION NO. 17-206 **(April 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULE "G" AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule "G":

Public Health

- Set the salary for the position of **Student Aide (Seasonal) – Temporary** on Salary Schedule "G" at \$10.25 per hour with an additional \$0.25 per hour for each previous season worked; effective date April 11, 2017. Salary and fringe expenses associated with this position are reimbursed by Article 6 State Aid and New York State Department of Health Drinking Water Enhancement Grant.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

Prior to the reading of unanimous consent resolution #34, Chairman Berwanger, T/Arcade asked if there was any objection to the read of this resolution. Hearing none, the resolution was read.

RESOLUTION NO. 17-207
(April 11, 2017)

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

SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. B
YEAR 2017

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11th day of April, 2017, a proposed local law entitled, “Local Law Introductory No. B Year 2017, “**A LOCAL LAW ADOPTING A WYOMING COUNTY GUEST ROOM OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LAWS AND AMENDMENTS IN WYOMING COUNTY**”; and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on *the 9th day of May, 2017 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

Carried: XXX **Ayes:** 1548 **Noes:** **Absent:** 51 (Eagle) **Abstain:**

Before adjourning the meeting, Chairman Berwanger, T/Arcade recognized Jerry Zremski, the Washington Bureau Chief of the Buffalo News who is here today to speak with the Supervisors following the meeting about some of the things that happen in Wyoming County.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:34 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

Regular Session

REGULAR SESSION**(May 9 2017)****Tuesday****2:30 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 located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:30 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this month's board meeting is:

Kevin Amedick

Mr. Amedick was born in Batavia, New York and graduated from Alexander Central School in 1975. He comes from a family with a long line of military service and decided he would get a great start on life by enlisting into the United States Navy right out of high school.

Mr. Amedick reported to Orlando, Florida for basic training and from there shipped out to California for school training as a hull maintenance technician. After 12 weeks of training in San Diego and San Francisco, Mr. Amedick was assigned to a pre-commissioning unit at the Newport News Shipyard.

This brand new unit was waiting on the USS Eisenhower to be completed, which took five years to build and was commissioned on October 18, 1977. The nuclear-powered aircraft carrier cost \$679 million dollars, an equivalent of \$4.5 billion today, to construct. Its purpose was to replace the aging WWII era carrier, the USS Franklin D. Roosevelt. Staying with tradition, Mr. Amedick is a "plankowner" which gives him bragging rights to the "ownership" of one of the planks from the main deck. This is a common practice in the Navy and Mr. Amedick still proudly displays this piece of history.

In January 1979, the ship sailed for its first deployment to the Mediterranean Sea. Mr. Amedick was part of a damage control and nuclear fire party unit while the ship participated in war games with other countries and was awarded the "Battle Effectiveness Ribbon". This ribbon is presented annually to a small number of United States Navy ships, submarines, aviation and other units that win their battle effectiveness competition. The criteria for this ribbon is the

overall readiness of the command to carry out its assigned wartime tasks and is based on a yearlong evaluation.

After four-years of service to the United States Navy, Mr. Amedick was honorably discharged as a Hull Technician 3rd Class. In addition to the Battle Effectiveness Ribbon, he also received the

Navy Good Conduct Medal

After his military duty, Mr. Amedick went to work as a welder and truck driver before finding employment with the Town of Sheldon as a motor equipment operator. Over the next 25 years, he worked for the Town plowing snow, maintaining roads and repairing vehicles. In 2015, he retired as the Deputy Highway Superintendent. Not ready to quit working, he is now the crew leader for the Wyoming County Community Action Weatherization Department.

Mr. Amedick has two children and lives with his wife Nancy in the Town of Arcade. Besides working, he enjoys his motorcycle, gardening, hunting, fishing and his family. Once officially retired, he plans to travel around the country.

The pledge was said by all.

Chairman Berwanger joined Mr. Amedick at the podium for the presentation of the customary certificate of appreciation. Chairman Berwanger stated that Mr. Amedick is his neighbor and said he is always willing to lend a hand. The Chairman offered Mr. Amedick an opportunity to address the Board...

Mr. Amedick thanked the Board for the opportunity and honor to lead the pledge. He also said that the military was a great experience and thinks everyone should serve.

There was a brief interruption of the meeting as attending press took pictures.

Chairman Berwanger inquired if there were any communications...

Clerk Ketchum acknowledged receipt of the Wyoming County SCOPE Chapter correspondence and asked for permission to read the letter in its entirety, which she did...

COMMUNICATIONS ~

- 04-17-2017 Wyoming County SCOPE Chapter Letter



WYOMING COUNTY SCOPE CHAPTER

P. O. Box 133
Warsaw, NY 14569



Date: April 17th, 2017

To: The Wyoming County Board of Supervisors
Re: The 'Committee of the Whole' meeting on 4/11/2017

On behalf of Wyoming County SCOPE (Shooter's Committee on Political Education) Chairman, Mark Yount II and myself, I would like to extend our sincerest gratitude for the courtesies granted to us last week and throughout this entire legislative process. The SCOPE initiative to revisit the Wyoming County Local Law 11 of 1994 has certainly been a learning experience. However it is very satisfying to know that our local government is approachable and fully engaged in the concerns of the residents of our county.

Certainly SCOPE's primary focus is directed toward the rights guaranteed under the 2nd Amendment. Yet, we also, "...hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness...."

We also hold in highest esteem the U.S. Constitution as the most enduring document for self-government ever devised by man. Let's not forget that the founding fathers went on to state, "...That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...."

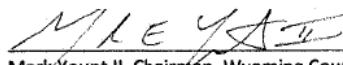
One of our greatest fears is the realization that every freedom, liberty or unalienable right that we allow to slip away sets a new normal for the next generation. Many brave men and women throughout our history have sacrificed, suffered and died in defense of this uniquely free nation and the principles under which it is constructed. Therefore, the true cost of freedom is eternal vigilance and it is our duty to "...secure the Blessings of Liberty to ourselves and our Posterity...."

Once again, thank you for the opportunity to discuss and debate this foundational issue. As a small token of our appreciation for your time and consideration, please accept a pocket **Constitution of the United States**. We look forward to meeting with you again as we progress through this effort.

Highest Regards,



Brian Krawczyk, Wyo. Co. ITHO Instructor



Mark Yount II, Chairman, Wyoming County SCOPE

OPEN PUBLIC HEARING ~

- “Local Law No. 2, Year 2017 (Introductory B, Year 2017) Entitled, **“A Local Law Adopting the Wyoming County Guest Room Occupancy Tax Law and Rescinding all Previous Hotel and Motel Occupancy Tax Local Laws and Amendments in Wyoming County”**

#1

RESOLUTION NO. 17-208
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2017 accounts as follows:

E911 Maintenance & Repair			
From: 12.61.3020.4.40301 Prof. Svc. Contracts	\$20,201.15		
To: 12.61.3020.2.20101 Tele. Equipment		\$20,201.15	
Reason: To finalize radio project.			
E911 Maintenance & Repair Total			\$20,201.15

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #2

RESOLUTION NO. 17-209
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2017 accounts as follows:

Information Technology			
To: 01.34.1681.4.40301 Prof. Services <i>w/any funds available</i>	\$16,000.00		
Reason: Cyber Security Monitoring		\$16,000.00	
Information Technology Total			\$16,000.00

Highway (CIP)			
To: 17.66.5112.2.24010 Telegraph Rd. 17.66.5112.2.24009 Liberty St. (Town) 17.66.5112.2.24015 Simmons Rd. 17.66.5112.2.24016 Liberty St. (Village) w/17.14.5112.5730 Bond Proceeds Reason: To cover expenses related to various road projects.	\$1,799,444.05 59,545.37 1,141,178.34 499,832.24	\$3,500,000.00	
Highway (CIP) Total			\$3,500,000.00
Mental Health			
To: 01.38.4321.4.42422 Suburban Adult Serv. w/01.11.4321.3490 Mental Health State Aid Reason: Appropriate OPWDD COLA .	\$50.00	\$50.00	
To: 01.38.4310.4.41703 Health Assessments <i>w/any funds available</i> Reason: 730 evaluations.	\$5,000.00	\$5,000.00	
Mental Health Total			\$5,050.00
Sheriff			
To: 01.37.3112.4.40009J Cellphone 2015 01.37.3112.4.40009K Cellphone 2016 01.37.3112.4.40016J Internet Svc 2015 01.37.3112.4.40016K Internet Svc 2016 w/01.12.3112.43890J Homeland Security 2015 01.12.3112.43890K Homeland Security 2016 Reason: To cover expenses relating to Homeland Security Grants.	\$1,080.00 3,240.00 8,821.29 14,260.00	\$9,901.29 17,500.00	
Sheriff Total			\$27,401.29
911 Telecommunications			
To: 01.37.3020.2.20101 Tele. Equipment w/01.02.3020.114001 Wireless Surcharge Reason: To finalize radio project.	\$17,867.20	\$17,867.20	
911 Telecommunications Total			\$17,867.20
Highway			
To: 04.53.5110.4.41904 Liquid Bituminous w/04.11.5110.3501 Consolidated Hwy Aid Reason: To appropriate 2017 funding for extra CHIPS for extreme wind and weather.	\$255,150.03	\$255,150.03	
Highway Total			\$255,150.03

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$2,823,570.17** for the month of **April 2017**.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #3 through #8. Hearing no objection resolution titles were read.

RESOLUTION NO. 17-210
(May 9, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHRIST REYNOLDS APPOINTED DIRECTOR
OF VETERANS SERVICES ON AN INTERIM BASIS**

BE IT RESOLVED, That Christ Reynolds, 7831 Camp Road, Portageville, NY 14536 be hereby appointed *Director of Veterans Services* on an interim basis until a permanent appointment can be made; effective May 8, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #4

RESOLUTION NO. 17-211
(May 9, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

ARMED FORCES WEEK PROCLAIMED

WHEREAS, Since our nation's founding, the U.S. Military has been dispatched all over the world to defend our freedom and that of our allies; and

WHEREAS, In battles big and small, our men and women of the U.S. Armed Forces have distinguished themselves through their strength, commitment, loyalty and valor; and

WHEREAS, Many members of our Armed Forces have come from all areas within our county, to fill the ranks of the Army, Navy, Air Force, Marines, and Coast Guard. Many being injured or even paying the ultimate sacrifice in the defense of our freedom in our great country; and

WHEREAS, Armed Forces Day having its origin when President Truman declared May 20, 1950 as the first official day to celebrate and honor all branches of the Armed Forces under one department, The Department of Defense; and

WHEREAS, Citizens of our county are presently serving in all branches of the Armed Forces, in places all around the world, many in "harm's way"; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County, in keeping with the tradition of our State and Nation, strongly support all our Veterans who sacrifice so much to ensure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 7th through the 13th, 2017 as **ARMED FORCES WEEK** in Wyoming County.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #5

RESOLUTION NO. 17-212
(May 9, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

OLDER AMERICANS MONTH PROCLAIMED

WHEREAS, Wyoming County includes a community of older Americans who deserve recognition for their contributions to our nation; and

WHEREAS, Wyoming County recognizes that older adults are trailblazers ~ advocating for themselves, their peers, and their communities ~ paving the way for future generations; and

WHEREAS, Wyoming County is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

WHEREAS, We appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

WHEREAS, Our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social involvement.
- Emphasizing home and community based services that support independent living.
- Ensuring community members can benefit from the contributions and experience of older adults; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors

May 9, 2017

do hereby proclaim **May 2017** to be **OLDER AMERICANS MONTH** and urges every resident to take time this month to acknowledge older adults and the people who serve them as powerful and vital individuals who greatly contribute to our community.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #6

RESOLUTION NO. 17-213
(May 9, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

BRIEANNA OMANS APPOINTED TO THE WYOMING COUNTY YOUTH BOARD

BE IT RESOLVED, That Brieanna Omans, 3870 Centerline Road, Warsaw, NY 14569 be hereby appointed to the Wyoming County Youth Board as a Youth Member for a one (1) year term; effective January 1, 2017 through December 31, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #7

RESOLUTION NO. 17-214
(May 9, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

FOSTER CARE AWARENESS MONTH PROCLAIMED

WHEREAS, The family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our community and our State; and

WHEREAS, In Wyoming County there are 55 children and youth in foster care being provided with safe, secure and stable environments, along with the compassion and nurturing of 17 foster families from voluntary agencies and 5 residential treatment facilities; and

WHEREAS, Foster families, who open their homes and hearts and offer help to children whose families are in crisis, play a vital role helping children and families heal and reconnect and launching children into successful adulthood; and

WHEREAS, Dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and

WHEREAS, There are numerous individuals, public and private organizations whom work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care “system” is only as good as those who choose to be part of it; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim **May 2017** as **FOSTER CARE AWARENESS MONTH** in Wyoming County; and be it

FURTHER RESOLVED, That the Board of Supervisors urge all citizens to come forward and do something positive that will help change a lifetime for children and youth in foster care.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #8

RESOLUTION NO. 17-215
(May 9, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
AMY YENCER ON BEHALF OF THE DEPARTMENT OF SOCIAL
SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with Amy Yencer, 52 Stanley Street, Mount Morris, NY 14510 on behalf of the Department of Social Services. Said contract is through the State WMS System to provide day care services. Contract has a variable amount depending on services provided; effective March 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Supervisor Grant, T/Bennington was invited to the podium to present the Armed

May 9, 2017

Forces Week, Older Americans Month and Foster Care Awareness Month Proclamations.

Before presenting the proclamations, Supervisor Grant noted that the eight Counties of Western New York proclaimed Sunday May 7th through Saturday May 13, 2017 the 57th Anniversary of Western New York Armed Forces Week and acknowledged the proclamation signed by the county executives and/or chairmen's of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming Counties.

Supervisor Grant then invited newly appointed Interim Director of Veterans Services Christ Reynolds to the podium to accept the Armed Forces Week Proclamation.

Director Reynolds thanked the board for its support. He also briefly spoke about the Armed Forces Week event in Buffalo and what a nice event it is to attend.

Supervisor Grant asked Senior Clerk Mindy Anderson from the Office for the Aging to come to the podium to accept the Older Americans Month proclamation. She stated that Director Aldinger was in Albany with Ron Pastor, a man from the Town of Bennington who is being recognized as our "Volunteer of the Year". Mr. Pastor coordinates the Bereavement Support Group that has been operating out of the Office for the Aging for the past several years.

Supervisor Grant then invited Commissioner Rumsey to the podium to read the Foster Care Awareness Month proclamation.

Commissioner Rumsey thanked the Board for the proclamation and the continued support of the Board.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #9 through #12. Hearing no objection resolution titles were read.

#9

**RESOLUTION NO. 17-216
(May 9, 2017)**

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 16-455 AMENDED

WHEREAS, Resolution Number 16-455 entitled, "CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SUBURBAN ADULT

Regular Session

SERVICES, INC. ON BEHALF OF MENTAL HEALTH," passed by this Board of Supervisors on November 8, 2016 and provides for sheltered workshop activities for the developmentally disabled population of southwest Wyoming County in an amount not to exceed thirty-nine thousand forty-three dollars (\$39,043.00) annually; effective January 1, 2017 through December 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-455 be hereby amended to increase the contract amount by fifty dollars (\$50.00) to accommodate the increase in COLA for 2017 for a new total amount of thirty-nine thousand ninety-three dollars (\$39,093.00).

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #10

RESOLUTION NO. 17-217
(May 9, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH CIPA WESTERN NEW YORK IPA,
INC. D/B/A/ CATHOLIC MEDICAL PARTNERS ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this is hereby authorized and directed to sign a grant application and acceptance award with CIPA Western New York IPA, Inc., d/b/a Catholic Medical Partners, 144 Genesee Street, 6th Floor, Buffalo, NY 14203 on behalf of Mental Health. Said funding is for educational prevention services in a minimum amount of twenty thousand dollars (\$20,000.00); effective April 1, 2017 through March 31, 2018.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #11

RESOLUTION NO. 17-218
(May 9, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 16-456 AMENDED

May 9, 2017

WHEREAS, Resolution Number 16-456 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE MENTAL HEALTH ASSOCIATION OF ROCHESTER AND MONROE COUNTY ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on November 8, 2016 and provides the operation of peer-run programs in Wyoming County in an amount not to exceed two hundred sixty-nine thousand ninety-five dollars (\$269,095.00) annually; effective January 1, 2017 through December 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-456 be hereby amended to add an additional Advocacy Program (*Peers Helping Peers to provide transportation for medical appointments*) in an amount not to exceed nine thousand five hundred dollars (\$9,500.00) for a new total contract amount of two hundred seventy-eight thousand five hundred ninety-five dollars (\$278,595.00).

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #12

RESOLUTION NO. 17-219
(May 9, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

MENTAL HEALTH AWARENESS MONTH PROCLAIMED

WHEREAS, Mental health is a key component of everyone’s overall physical health and emotional well-being; and

WHEREAS, Stigma leads to fear, mistrust, and violence against people with mental illness, who are significantly more likely to be victims than perpetrators of violent crimes; and

WHEREAS, We strive to create communities that support mental wellness in the commonwealth by increasing access to treatment, educating ourselves and our communities about mental wellness, and supporting our fellow citizens as they seek to improve their mental health; and

WHEREAS, Greater public awareness about mental wellness can positively transform attitudes towards people with mental illness, so making it easier for our fellow citizens to seek help; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors
Regular Session

do hereby proclaim **May 2017** as **MENTAL HEALTH AWARENESS MONTH.**

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Supervisor Ryan, T/Warsaw was invited to the podium to present the Mental Health Awareness Month Proclamation and a Certificate of Recognition.

Supervisor Ryan invited Interim Director of Community Services Kelly Dryja to join her.

Supervisor Ryan presented a Certificate of Recognition to Kelly Dryja for completing the Health Foundation Leadership Fellows Program. Graduates of this program continue their collaborative work as members of the Fellows Action Network using the new information, relationships and ideas to improve the health care for the most vulnerable people in our region.

Ms. Dryja acknowledged the support of Nancy Balbick, former Director of Community Services, in completing this program.

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #13 through #17. Hearing no objection resolution titles were read.

#13

RESOLUTION NO. 17-220
(May 9, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE
LAWMAKERS TO PROVIDE FUNDING FOR LOCAL UPDATE OF
CENSUS ADDRESSES (LUCA)**

WHEREAS, The U.S. Census Bureau's Local Update of Census Addresses Program (LUCA) is the only opportunity offered to tribal, state, and local governments to review and comment on the U.S. Census Bureau's residential address list that will be used to solicit 2020 Census input within their respective jurisdictions; and

WHEREAS, The U.S. Census Bureau relies on a complete and accurate address list to ensure complete distribution of 2020 Census survey material to obtain a full count of the resident population of each jurisdiction; and

WHEREAS, The Decennial Census counts are used by the Federal government to distribute more than \$400 billion in annual aid for infrastructure, programs, and services; and

May 9, 2017

WHEREAS, The Decennial Census information is used to determine eligibility for targeted funding programs and grants by the state and federal governments; and

WHEREAS, The data derived from the decennial census helps local communities plan for future needs in infrastructure and programs; and

WHEREAS, The Decennial Census population counts affect state and federal congressional representation and redistricting, and impacts County weighted voting systems; and

WHEREAS, By participating in the LUCA Program, local jurisdictions can provide valuable input and help ensure that the 2020 Census reaches the maximum number of residents and provides a full and accurate accounting of the resident population in each jurisdiction, thus ensuring that the Census is accurate statewide; and

WHEREAS, The New York State Association of Counties supports the allocation of funds from the State of New York to regions and counties that wish to participate in the LUCA Program; and

WHEREAS, The members of the Genesee Finger Lakes Regional Planning Council have banded together and collectively identified \$150,000.00 to be allocated to the estimated \$200,000.00 cost of using real property tax, master street address guides, and other address related local governmental data to update the U. S. Census Bureau residential address lists in a consistent and comprehensive manner for our entire region; and

WHEREAS, This resolution has been reviewed and approved by the Planning, Committee at a meeting on April 26, 2017; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors calls on Governor Cuomo, the New York State Senate and New York State Assembly and their leadership to provide funding statewide to support local, regional, county and municipal participation in the LUCA Program as being in the best interest of the State of New York; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to provide \$50,000.00 in funding to the Genesee/Finger Lakes Regional Planning Council to complete the funding necessary to complete a comprehensive LUCA review on behalf of the Counties of Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates, and the City of Rochester; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the chief elected official of each member of the Genesee/Finger Lakes Regional Planning Council, the Executive Director of the Genesee/Finger Lakes Regional Planning Council, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #14

RESOLUTION NO. 17-221
(May 9, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH
ENVIRONMENTAL ENTERPRISES FOR GLOW REGION 2017
HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the New York State Department of Environmental Conservation (NYSDEC) for the 2017 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended that a contract with Environmental Enterprises Inc., 4650 Spring Grove Avenue, Cincinnati, OH 45232 be extended to provide collection services for the September 16, 2017 Household Hazardous Waste Collection Program; now therefore

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is authorized and directed to sign a contract with the GLOW Counties and Environmental Enterprises Inc. for the 2017 GLOW Household Hazardous Waste Collection Program in an amount not to exceed twenty-nine thousand five hundred seventy-five dollars (\$29,575.00).

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #15

RESOLUTION NO. 17-222
(May 9, 2017)

May 9, 2017

By Mr. Leuer, Chairman of the Planning Committee:

DANIEL LEUER REAPPOINTED TO THE LOCAL DEVELOPMENT CORPORATION BOARD OF DIRECTORS

BE IT RESOLVED, That Daniel Leuer (T/Middlebury), 712 Transit Road, Wyoming, NY 14591 be hereby reappointed to the Local Development Corporation Board as a Voting Director for a term of three (3) years; effective May 9, 2017 through May 8, 2020.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #16

RESOLUTION NO. 17-223
(May 9, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY COMMUNITY ACTION ON BEHALF OF WYOMING COUNTY

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Community Action, Inc., 6470 Route 20, Perry, NY 14530 to administer and otherwise act on behalf of the County of Wyoming in the operation and administration of the Workforce Innovation and Opportunity Act which took effect on July 1, 2015 at no cost to the county; effective July 1, 2017 through June 30, 2022.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #17

RESOLUTION NO. 17-224
(May 9, 2017)

By Mr. Leuer, Chairman of the Planning Committee:

COMMUNITY ACTION MONTH PROCLAIMED

WHEREAS, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law and for more than 50 years, they have provided much needed services and opportunities to millions of individuals and families with low incomes; and

WHEREAS, Community Action for Wyoming County is committed to abate poverty, advance self-sufficiency, and affirm the dignity of individuals and families; and

WHEREAS, Community Action for Wyoming County seeks to improve the quality of life of all the people served by focusing on their needs and encouraging them to realize their goals and to become self-sufficient; and

WHEREAS, In collaboration with its partners, Community Action strengthens local community capacity in employment, education, housing, income management, health, nutrition, energy, and general emergency assistance; and

WHEREAS, Community Action, through Angel Action in Wyoming County and in collaboration with many partners, over 800 volunteers, monetary contributions and greater than one-million dollars of donated goods, assists the working poor and those “falling through the cracks”; and

WHEREAS, In 2002, Community Action for Wyoming County launched New York State Community Action Angels, also known as “Angel Action” and has since, with support from the Department of State embedded the circle of giving philosophy in volunteerism, volunteer coordination and capacity building throughout Community Action Agencies and Office for New Americans across New York State; and

WHEREAS, Three thousand nine-hundred and ninety-five unduplicated county families received help; and

WHEREAS, Eight thousand nine-hundred and fifty-five unduplicated county individuals received services; and

WHEREAS, Through the provision of innovative and cost-effective programs designed to meet the changing and specific needs of individuals, Community Action for Wyoming County dollars funnel into all 16 county townships and benefit the local economy causing a ripple effect for economic sustainability and personal growth; now, therefore

BE IT RESOLVED, That it is with great pleasure that the Wyoming County Board of Supervisors do hereby proclaim **May 2017** as **COMMUNITY ACTION MONTH**.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Supervisor Leuer, T/Middlebury was invited to the podium to present the Community Action Month Proclamation. Supervisor Leuer invited Mr. Kosmerl to join him at the podium.

May 9, 2017

On behalf of Community Action, Mr. Kosmerl thanked the board for the proclamation.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #18 through #21. Hearing no objection resolution titles were read.

#18

RESOLUTION NO. 17-225
(May 9, 2017)

By Mr. Copeland, 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, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Town of Covington, 584 Route 246, Pavilion, NY 14525 on behalf of the Sheriff's Department. Said contract is for additional enforcement of the Vehicle and Traffic Laws for Route 63 in an amount not to exceed twenty-nine dollars and eighty-four cents (\$29.84) to forty-four dollars and ninety cents (\$44.90) per hour; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #19

RESOLUTION NO. 17-226
(May 9, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATIONS AND
ACCEPTANCE AWARDS WITH NEW YORK STATE OFFICE OF
VICTIM SERVICES ON BEHALF OF 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 grant applications and acceptance awards with New York State Office of Victim

Services, 80 South Swan Street, 2nd Floor, Albany, NY 12210 on behalf of the District Attorney as follows:

- Funding for providing victim services in a minimum amount of eighty-two thousand four hundred thirty-one dollars and ten cents (\$82,431.10); effective October 1, 2017 through September 30, 2019.
 - Extension of contract Number C100336
- Funding for providing crime victim services in a minimum amount of one hundred seventy-eight thousand three hundred ninety-two dollars and ninety cents (\$178,392.90); effective October 1, 2017 through September 30, 2019.
 - Extension of contract Number C100006

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #20

RESOLUTION NO. 17-227
(May 9, 2017)

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

RESOLUTION NUMBER 13-200 AMENDED

WHEREAS, Resolution Number 13-200 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE DEPARTMENT OF HOMELAND SECURITY EMERGENCY SERVICES OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**,” passed by this Board of Supervisors on June 11, 2013 and provides grant funding for the Statewide Interoperable Communications Program for Fiscal Year 2013-2014; in a minimum amount of one million seven hundred seventy-one thousand two hundred thirty-six dollars (\$1,771,236.00); effective February 4, 2013 through February 3, 2014. There are no matching funds for this grant; and

WHEREAS, That Resolution Number 13-200 was previously amended by this Board of Supervisors on January 14, 2014 by **Resolution Number 14-034** to extend the contract date through February 3, 2015; now therefore

BE IT RESOLVED, That Resolution Number 13-200 as previously amended by Resolution Number 14-034 be hereby further amended to extend the contract date through June 30, 2017. All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

May 9, 2017

RESOLUTION NO. 17-228
(May 9, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE DIVISION OF
HOMELAND SECURITY AND EMERGENCY SERVICES ON BEHALF
OF WYOMING COUNTY EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this is hereby authorized and directed to sign a grant application and acceptance award with New York State Division of homeland Security and Emergency Services, 1220 Washington Avenue, Building 7A, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said funding is for the 2016 SICG-Formula Program which will concentrate on improving interoperability and operability of commutation systems in New York State in a minimum amount of four hundred seventy-four thousand one hundred ninety-seven dollars (\$474,197.00); effective January 1, 2017 through December 31, 2018.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Mr. Davis, T/Covington, to combine resolutions #22 and #23. Hearing no objection resolution titles were read.

#22

RESOLUTION NO. 17-229
(May 9, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH KEY
POWER SYSTEMS, INC. ON BEHALF OF BUILDINGS AND
GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Key Power Systems Inc., 953 Creek Road, Route 98, Attica NY 14001 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for emergency generator maintenance and repair in an amount not to exceed ten thousand eight hundred nine dollars (\$10,809.00); effective June 1, 2017 through May 31, 2018.

Regular Session

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #23

RESOLUTION NO. 17-230
(May 9, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN ANY OR ALL OF THE
VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign *any or all* of the contracts with the following vendors for compaction testing, as needed, in an amount not to exceed twenty thousand dollars (\$20,000.00) per contract per year, on behalf of County Highway; effective May 9, 2017 through December 31, 2017:

- **CME Associates, Inc.**, 491 Elmgrove Road, Suite 600, Rochester, NY 14606
- **P~W Laboratories, Inc.**, 6544 Fremont Road, East Syracuse, NY 13057
- **W. A. Wilson, Inc.**, 5700 Maelou Drive, Building E, Hamburg, NY 14075

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

There was a motion by Mr. Brick T/Perry, to combine resolutions #24 through #31, #33 and #34 and a request to vote on resolution #32 separately due to an amendment to that resolution. Hearing no objection resolution titles were read.

#24

RESOLUTION NO. 17-231
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**APPROVING SOLE SOURCE PROCUREMENT FOR THE WYOMING
COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY**

May 9, 2017

WHEREAS, The Wyoming County Department of Information Technology has identified the need to procure certain supplies essential to monitoring Wyoming County internet activity; and

WHEREAS, Vigilant, LLC, 9378 S. Mason Montgomery RD, Mason OH 45040 has been designated as the sole distributor of certain specific cyber security products in the United States; and

WHEREAS, The Wyoming County Department of Information Technology has requested permission from the Finance Committee to evaluate and/or purchase certain specific cyber security monitoring products from Vigilant, LLC as a sole source procurement. Said approval is granted for this instance only; and therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby authorize the Wyoming County Department of Information Technology to purchase through sole source procurement with Vigilant, LLC in an amount not to exceed seventy-two thousand four hundred dollars (\$72,400.00) in total for a period of three years; and be it

FURTHER RESOLVED, That any contract arising from sole source purchase described above shall be subject to the approval of the County Attorney pursuant to this Resolution and further subject to the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #25

RESOLUTION NO. 17-232
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
VIGILANT, LLC ON BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Vigilant, LLC, 9378 South Mason Montgomery Road, Mason, OH 45040 on behalf of Information Technology. Said contract is for cyber DNA and cyber/network Monitoring in an amount not to exceed seventy-two thousand four hundred dollars (\$72,400.00); effective May 9, 2017 through May 8, 2020. (*Sole Source Contract*)

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #26

RESOLUTION NO. 17-233
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
APPLIED BUSINESS SYSTEMS, INC. (ABS) ON BEHALF OF
REAL PROPERTY TAX SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Applied Business Systems, Inc. (ABS), 26 Harvester Avenue, Batavia, NY 14020 on behalf of Real Property Tax Services. Said contract is for tax bill insert and printing agreement in an amount not to exceed eleven thousand five hundred dollars (\$11,500.00); effective March 30, 2017 through March 30, 2018. *(Option for three (3) one-year renewal extensions)*

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #27

RESOLUTION NO. 17-234
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-244 AMENDED

WHEREAS, Resolution Number 13-244 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on July 9, 2013 on behalf of the Wyoming County Community Health System and provided, in part, for the following contract:

- **University of Rochester (URMC)**, 601 Elmwood Avenue, Rochester, NY 14642:

May 9, 2017

- **Emergency Medical Services Agreement and Amendment No. 1** for a physician to provide emergency medicine services and emergency medicine assistant medical director services in an amount not to exceed six hundred two thousand three hundred sixty dollars (\$602,360.00) with 3% increase for each term thereafter; effective June 24, 2013 through June 30, 2014.
- **Anesthesiology Services Agreement** for anesthesiology services, in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year based on volume; effective July 01, 2013 through June 30, 2014; and

WHEREAS, Resolution Number 13-244 was amended by this Board of Supervisors on May 10, 2016 by **Resolution Number 16-224** as follows:

Amendment No. 1a:

- Allow for automatic renewal for up to two (2) additional terms of one (1) year each in accordance with the original agreement.
- Extend the term from July 1, 2014 through **June 30, 2015** in an amount not to exceed \$620,431.00.
- Extend the term from July 1, 2015 through **June 30, 2016** in an amount not to exceed \$639,044.00.

Amendment No. 2:

- Amend the agreement to allow for an additional one (1) year term from July 1, 2016 through **June 30, 2017** in an amount not to exceed \$750,000.00; and

WHEREAS, That Resolution Number 13-244, as previously amended by Resolution Number 16-244 was further amended by this Board of Supervisors on August 16, 2017 by **Resolution Number 16-318** as follows:

Amendment No. 1a:

- Extend the term from July 1, 2015 through **July 31, 2016** in an amount not to exceed \$639,044.00.

Amendment No. 2:

- Amend the agreement to allow for an additional one (1) year term from **August 1, 2016 through July 31, 2017** in an amount not to exceed \$750,000.00; now therefore

BE IT RESOLVED, That Resolution Number 13-244, as previously amended by Resolution Number 16-244 and Resolution Number 16-318 be

further amended to terminate the *Emergency Medical Services Agreement* effective June 30, 2017.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #28

RESOLUTION NO. 17-235
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-088 AMENDED

WHEREAS, Resolution Number 13-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on February 12, 2013 and provided, in part, for the following contract:

- **Western New York Physicians PLLC, 2261 Route 19 North, Warsaw, NY 14569** for a two-year contract to *provide Hospitalist Medical Services, SNF Medical Needs Director* and *Clinical Services* needed to cover patient needs who are unassigned to any primary care physician regardless of insurance, not to exceed \$435,000.00 annually; effective February 1, 2013 through January 1, 2015; and

WHEREAS, Resolution Number 15-030, passed by the Wyoming County Board of Supervisors on January 20, 2015 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” provides for various contracts which added the following services to the Western New York Physicians, PLLC contract:

- ***Hospitalist Medical Services, SNF Medical Director Services, Adult Day Health Care Medical Director Services*** and *Clinical Services* needed to cover patient needs who are unassigned to any primary care physician regardless of insurance in an amount not to exceed \$438,660.00 annually; effective February 1, 2015 through January 31, 2018; and

WHEREAS, That Resolution Number 13-088, as increased by Resolution Number 15-030, was further amended by the Wyoming County

May 9, 2017

Board of Supervisors on September 8, 2015 by **Resolution Number 15-328** to reflect the following changes to the **Western New York Physicians, PLLC** contract as they relate to **Hospitalist Medical Services, SNF Medical Director Services, Adult Day Care Medical Director Services** and **Clinical Services** to:

- Add 12 hours per week of additional **Nurse Practitioner** or **Physician Care** in the WCCHS Skilled Nursing Facility and provides in-house emergency department care with one mid-level (**Physician Assistants** or **Nurse Practitioner**) between the hours of 11:00 am and 11:00 pm, 365-days per year for the purpose of establishing an Emergency Department Express program.
- Includes compensation of an additional sum of \$36,060.00 monthly/\$432,720.00 annually through the end of the original contract for the additional services to be provided; effective September 1, 2015 through January 31, 2018; and

WHEREAS, That Resolution Number 13-088, as increased by Resolution Number 15-030, and amended by Resolution Number 15-328 was further amended by this Board of Supervisors on July 12, 2016 by **Resolution Number 16-294** to:

- Delete Section 3 ~ **Medical Director** and **Hospitalist Services** for Skilled Nursing Facility with minimum of 16 hours of **Physician Services** and 12 hours of **Physician** or **Nurse Practitioner Services** and insert **Medical Director** and **Hospitalist Services** for Skilled Nursing Facility with minimum of 16 hours per week of physician services and 40 hours per week of physician or **Nurse Practitioner Services** for annual compensation of \$192,000.00 per year plus fees through the end of the original contract for the additional services to be provided; effective August 1, 2016 through January 31, 2018;

now therefore,

BE IT RESOLVED, That Resolution Number 13-088, as increased by Resolution Number 15-030 and amended by Resolution Number 15-328 and Resolution Number 16-294 be hereby further amended as follows:

- Delete Section 6 ~ **Group's Emergency Department Services** of the **Hospitalist Services** contract effective June 30, 2017.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Regular Session

RESOLUTION NO. 17-236
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-265 AMENDED

WHEREAS, Resolution Number 16-265 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on July 14, 2016 on behalf of the Wyoming County Community Health System and provided, in part, for the following contract:

- **Wyoming County Medical PC (Mushtaq Khan, MD)**, 61 Laurel Lane, Williamsville, NY 14221 to provide *Emergency Medical Services* (including malpractice insurance) to the WCCHS Emergency Department in an amount not to exceed two hundred thirty-six dollars (\$236.00) per hour with an increase to two hundred forty dollars (\$240.00) per hour each quarter that communication with ER physicians Hospital Consumer Assessment of Healthcare Providers and Systems (HCAHPS) scores exceed 50 and Medical Director stipend in an amount not to exceed sixty-two thousand six hundred seventy-five dollars (\$62,675.00) per year, plus a three percent (3%) annual increase to hourly rate and stipend; effective July 1, 2016 through June 30, 2019.

Now therefore,

BE IT RESOLVED, That Resolution Number 16-265 be hereby amended to terminate this contract in its entirety; effective June 30, 2017.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #30

RESOLUTION NO. 17-237
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-319 AMENDED

May 9, 2017

WHEREAS, Resolution Number 16-319 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on August 16, 2016 on behalf of the Wyoming County Community Health System and provides, in part, for the following contract:

- **Niagara Frontier Anesthesia Services, LLP (NFA)**, 4185 Seneca Street, Suite 11, West Seneca, NY 14224 to provide services of Certified Registered Nurse Anesthetists (CNRA); effective January 1, 2016 through December 31, 2018; and

WHEREAS, That Resolution Number 16-319 was previously amended by this Board of Supervisor On October 11, 2016 by **Resolution Number 16-436** to rescind and replace that portion of the Resolution that provides for:

- Services of Certified Registered Nurse Anesthetists (CNRA); effective January 1, 2016 through December 31, 2018

and replace with a contract that provides for a 3-year agreement to provide services of Certified Registered Nurse Anesthetists (CNRA); effective September 1, 2016 through August 31, 2019 cancellable upon 90-day written notice, as follows:

- Two (2) full time equivalent CRNA to provide anesthesia services each workday at WCCHS.
- One (1) CRNA to provide anesthesia call coverage and anesthesia services on nights and weekends 365 days per year.
- An additional CRNA for a 7:00 am to 4:00 pm workday when requested by WCCHS.
- All CRNA’s provided to WCCHS under this agreement must have the appropriate clinical privileges at WCCHS to perform the services.
- NFA will bill and collect for all services provided and WCCHS will compensate NFA the difference between amounts collected and \$73,000.00 per month, plus \$1,200.00 for each day an additional CRNA is requested, plus \$1,000.00 per month lodging expenses for the first eight (8) months of the agreement.

Now therefore,

BE IT RESOLVED, That Resolution Number 16-319 as previously amended by Resolution Number 16-436 be hereby further amended to change the contract effective dates from September 1, 2016 through August 31, 2019 to **January 1, 2017 through December 31, 2020**. All else remains the same.

RESOLUTION NO. 17-238
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH
SYSTEM**

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Gustave Ruckert, DO**, 21 Willow Pond Way, Penfield, NY 14526 for the professional medical services of a board certified/eligible OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.
- **J. Steven Burkhart, MD**, 21 Willow Pond Way, Penfield, NY 14526 for the professional medical services of a board certified/eligible OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.
- **Mary Wilsch, MD**, 21 Willow Pond Way, Penfield, NY 14526 for the professional medical services of a board certified/eligible OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.

May 9, 2017

- **Nuance Communications, Inc.**, 1 Wayside Road, Burlington, MA 01803 for the use of Nuance “Dragon” hosted voice recognition software in the WCCHS Emergency Department in an amount not to exceed twenty-five thousand dollars (\$25,000.00) per year plus a one-time installation, training, technical service and staff travel fee of approximately \$16,750; effective July 1, 2017 through June 30, 2022.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#33

RESOLUTION NO. 17-239
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

SEMI-ANNUAL MORTGAGE TAX REPORT PRESENTED

Mr. Brick, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 1, 2016 through March 31, 2017 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, 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 **\$168,104.12** 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 DISTRIBUTED	VILLAGE	TOWN
Arcade	\$19,098.90	\$4,270.91	\$14,827.99
Attica	\$12,197.49	\$2,384.72	\$9,812.77
Bennington	\$23,421.47		\$23,421.47
Castile	\$10,377.25	\$677.85	\$9,119.36
Perry Village		\$580.04	
Covington	\$4,776.66		\$4,776.66
Eagle	\$3,292.70		\$3,292.70
Galvesville	\$6,565.92	\$204.49	\$5,557.90
Silver Springs Village		\$803.53	
Genesee Falls	\$678.13		\$678.13
Java	\$12,598.36		\$12,598.36
Middlebury	\$5,824.45	\$430.95	\$5,393.50
Orangeville	\$3,846.79		\$3,846.79
Perry	\$15,665.61	\$3,642.98	\$12,022.63
Pike	\$4,932.12		\$4,932.12
Sheldon	\$19,053.37		\$19,053.37
Warsaw	\$19,679.92	\$5,862.23	\$13,817.69
Wethersfield	\$6,094.98		\$6,094.98
Total:		\$18,857.70	\$149,246.42
Grand Totals:	\$168,104.12		

Let This Be Your Warrant for Such Payment: \$168,104.12 **IN WITNESS**
WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors
 this 9th day of May 2016.

s/*Cheryl J. Ketchum*, Clerk

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #34

RESOLUTION NO. 17-240
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

May 9, 2017

County Attorney

- Create one (1) position of **Asst Co. Atty, FT (1st)** to be placed on Salary Schedule “S” at an annual salary of \$70,392.00. Position available date: May 10, 2017.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

Supervisor Brick, T/Perry offered the amendment to resolution #32 to increase the interim salary of the Director of Veterans Services to \$37,500.00 annually.

Chairman Berwanger acknowledged Supervisor Brick’s request to amend resolution #32 to increase the interim salary of the Director of Veterans Services to \$37,500.00 annually and called for a roll call vote of the amendment prior to the vote on the resolution.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**

With the passage of the amendment, Chairman Berwanger then asked for a vote on resolution #32, as amended.

#32

RESOLUTION NO. 17-241
(May 9, 2017)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C”, “S” AND “D” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule “C”:

Wyoming County Community Health System

- Place one (1) position of **Assistant Director of Nursing (SNF) FT** on Salary Schedule “C” under Nursing Facility Administration and set the salary at \$75,000.00 per year. Position available date: April 14, 2017.

Salary Schedule “S”:

Board of Elections

- Set the salary of the **Deputy Commissioner** on Salary Schedule “S” as follows and contingent upon satisfactory performance and meeting pre-established goals:
 - \$32,000.00 annually; effective April 10, 2017 through August 9, 2017

- \$35,000.00 annually; effective August 10, 2017 through December 9, 2017
- \$38,100.00 annually; effective December 10, 2017

Animal Control

- Place one (1) position of ***Public Health Technician*** (position code #024.199) on Salary Schedule "S" at a stipend of \$4,300.00 annually.

Salary Schedule "D":

Human Resource

- Set the salary of the ***Human Resource Director*** at \$85,000.00 annually (which is an increase of \$2,500.00 annually in accordance with an offer of employment letter dated 04/27/16 that indicates eligibility for the increase contingent upon satisfactory performance and meeting pre-established goals after one year of employment); effective May 11, 2017.

Veterans Services

- Set an interim salary of the ***Director of Veterans Services*** at \$37,500.00 annually on Salary Schedule "D"; effective May 8, 2017 until a permanent appointment can be made.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

PUBLIC HEARING ~

- *Comment Period:*

- *Clerk Ketchum confirmed there were no written requests to speak submitted.*
- *Scott Gardner, Executive Director of the Chamber of Commerce thanked the board for taking the necessary steps to modernize the language in the law that was originally passed in 2005. He stated that tourism represents \$41.3 million dollars in economic impact with more than one million visitors annually to Wyoming County. He knows tourism efforts are working, as there was a 7% increase in tourism growth, the highest in the five-county, Niagara region. This version of the law clearly defines the terms and clarifies what constitutes a "stay" in Wyoming County. There are currently 18 taxable entities on the record in Wyoming County that collect the tax and this does not place any additional tax burden on the taxpayers of Wyoming County. Mr. Gardner encourages the adoption of this law.*

- *Supervisor Leuer, T/Middlebury stated that we have been working on this law for a number of months and thanked the County Attorney for his efforts. He acknowledged the importance of the matching funds from New York State language and urged its passage in the current form.*

CLOSE PUBLIC HEARING ~

Motion to close the Public Hearing was made by Supervisor Hastings, T/Eagle. Carried.

**Local Law
#35**

RESOLUTION NO. 17-242 (May 9, 2017)

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

LOCAL LAW NO. 2 (INTRODUCTORY B, YEAR 2017) ~ YEAR 2017, “A Local Law Adopting the Wyoming County Guest Room Occupancy Tax Law and Rescinding All Previous Hotel and Motel Occupancy Tax Local Laws and Amendments in Wyoming County”

ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 11th day of April, 2017, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2017, entitled, “*A Local Law Adopting the Wyoming County Guest Room Occupancy Tax Law and Rescinding All Previous Hotel and Motel Occupancy Tax Local Laws and Amendments in Wyoming County*”; and

WHEREAS, In accordance with the provisions of Resolution No. 17-207, there was a public hearing held by this Board of Supervisors on this 9th day of May, 2017, at 2:30 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 ENACTED, That Local Law 2, Year 2017, County of Wyoming, New York, as presented to this Board on the 11th day of April 2017,

is hereby adopted, as advertised, enacted and passed by this Board in its form as follows:

LOCAL LAW NO. 2 OF THE YEAR 2017

A LOCAL LAW ADOPTING THE WYOMING COUNTY GUEST ROOM OCCUPANCY TAX LAW AND RESCINDING ALL PREVIOUS HOTEL AND MOTEL OCCUPANCY TAX LOCAL LAWS AND AMENDMENTS IN WYOMING COUNTY

Be it Enacted by the Board of Supervisors of the County of Wyoming as Follows:

TITLE 100 GENERAL PROVISIONS:

101. **Short Title:** This Local Law shall be known as the Wyoming County Guest Room Occupancy Tax Law.
102. **Intent:** This Local Law is adopted to implement the provisions of Chapter 44 of the Laws of 2005, effective May 24, 2005, enacting Section 1202-w of the Tax Law of the State of New York. The adoption of this Local Law is intended to replace any and all laws and amendments previously adopted by the Board of Supervisors relating to the Hotel and Motel Room Occupancy Tax in Wyoming County.
103. **Definitions:** Unless the context requires a different meaning, when used in this Local Law, the following terms shall mean:
 - a. “County” shall mean the County of Wyoming.
 - b. “Person” shall mean an individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.
 - c. “Operator” shall mean any person operating a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental in the County of Wyoming, including but not limited to the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel, motel, tourist home, cottage, condominium, bed & breakfast, and short term or vacation rental.
 - d. “Hotel, motel, tourist home, cottage, cabin, condominium, bed &

breakfast, and short term or vacation rental" or such terms singly shall mean any facility or portion thereof providing lodging on an overnight basis. Such terms include an apartment, hotel, motor court or inn, boarding house, cabin, cottage or club, or similar hotel or motel type of accommodations by whatever name designated, whether or not meals are served and shall include those facilities commonly known as "bed and breakfast" and "tourist" facilities. "Short term or vacation rental" includes those units rented or leased to occupants, including furnished apartments or rooms in or consisting of a dwelling place ordinarily occupied for residential purposes, directly by the owner or through the owner's agent or hosting platform.

- e. "Occupancy" shall mean the use or possession, or the right to use or possession of any room in a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental.
- f. "Occupant" shall mean a person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental under any lease, concession, permit, right of access, license to use or other agreement, or otherwise.
- g. "Permanent Resident" shall mean any occupant of any room or rooms in a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental for a period in excess of thirty (30) consecutive days.
- h. "Rent" shall mean the total consideration received by an operator for occupancy, including all charges by whatever term designated, valued in money, whether received in money or otherwise.
- i. "Room" shall mean any room of any kind in any part or portion of a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental, which is available for or let out for any purpose other than a place of assembly.
- j. "Return" shall mean any return filed or required to be filed as herein provided.
- k. "Tax" shall mean the tax imposed pursuant to this Local Law and any increase, reduction or modification hereafter authorized.
- l. "Treasurer" shall mean the Treasurer of Wyoming County or the

Treasurer's designee.

104. **Territorial Limitations:** A tax imposed by this Local Law shall apply only within the territorial limits of the County of Wyoming.
105. **Reference to Tax:** Wherever reference is made in placards, advertisements or other publications to the tax imposed by this Local Law, such reference shall be substantially in the following form: "Tax on occupancy of guest rooms", except that in any bill, receipt, statement or other agreement or memorandum of occupancy or rent charge issued or employed by an operator, the words "occupancy tax" shall suffice.

TITLE 200 ADMINISTRATION OF TAX LAW

201. **Administration:** The tax imposed by this Local Law shall be administered and collected by the Treasurer or other fiscal officers of the County as he may designate by such means and in such manner as are other taxes which are now collected and administered by such officers or as otherwise provided by this Local Law.
202. **General Powers of the Treasurer:** In addition to the powers granted to the Treasurer in this Local Law, the Treasurer is hereby authorized and empowered to:
 - a. make, adopt and amend rules and regulations appropriate to the carrying out of this Local Law and the purposes thereof, provided, however, that no rule or regulation shall become effective until thirty (30) days after such rule or regulation shall have been filed with the Clerk of the Board of Supervisors;
 - b. extend for cause shown, the time of filing any return for a period not exceeding three (3) months, provided not less than ninety percent (90%) of the estimated tax for the period for which the return is required to be filed shall be paid together with the request for such extension on or before the due date; and for cause shown to remit penalties but not interest computed at the rate and in the manner provided in Section 924-a of the Real Property Tax Law on taxes not paid; and to compromise disputed claims in connection with the tax imposed by this Local Law;
 - c. request information from the Department of Taxation and Finance of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such taxation department or treasury department relative to any person,

any other provision of this Local Law to the contrary notwithstanding;

- d. delegate his functions hereunder to a deputy treasurer or any employee or employees of the Treasurer;
- e. prescribe methods for determining the rents for occupancy and to determine the taxable and non-taxable rents;
- f. require any operator within the County to keep detailed records of the nature and type of hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental maintained, nature and type of service rendered, rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax and to furnish such information upon request to the Treasurer;
- g. assess, determine, revise and readjust the taxes imposed under this Local Law, and require the filing of estimated tax returns and payment of estimated tax where necessary;
- h. direct the County Attorney to take such action as may be required to enforce this Local Law, including but not limited to providing representation in any administrative proceeding conducted by the Treasurer for enforcement of this Local Law brought in the name of the County in any court of appropriate jurisdiction without any further authorization of the Board of Supervisors.

203. Administration of Oaths and Compelling Testimony:

- a. The Treasurer or his employees or agents duly designated and authorized by him shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Local Law. The Treasurer shall have 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 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 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 the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this Local Law.
- c. Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this Local Law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for not more than one (1) year, or both such fine and imprisonment.
- d. The officers who serve the summons or subpoena of the Treasurer 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 Sheriff and his duly appointed deputies or any officers or employees of the Treasurer, designated to serve such process.

TITLE 300 TAX RATE, PERSONS LIABLE, TAXABLE RENT, EXEMPTIONS

- 301. Imposition of Tax: On and after the 1st day of June, 2017, there is hereby imposed and there shall be paid a tax of three percent (3%) upon the rent for every occupancy of a room or rooms in a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental in this County except that the tax shall not be imposed upon
 - a. permanent residents for the period of occupancy in excess of thirty (30) days, or
 - b. exempt organizations as hereinafter set forth.
- 302. Statement of Tax to be Collected; Person Liable for Payment of Tax:
 - a. The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement or charge made for said occupancy issued or delivered by the operator, and the tax shall be paid by the occupant to the operator as trustee for and on account of the County, and the operator shall be liable for the

collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Local Law, and the operator shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant as if the tax were a part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he may have in the event of non-payment of rent by the occupant; provided, however, that the Treasurer or other fiscal officer or officers, employees or agents duly designated by him shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of the tax.

- b. Where the occupant has failed to pay and the operator has failed to collect a tax as imposed by this Local Law, then in addition to all other rights, obligations and remedies provided, such tax shall be payable by the occupant directly to the Treasurer, and it shall be the duty of the occupant to file a return thereof with the Treasurer and to pay the tax imposed thereon to the County Treasurer within fifteen (15) days after such tax was due.
- c. The Treasurer may, whenever he deems it necessary for the proper enforcement of this Local Law, provide by regulation that the occupant shall file returns and pay directly to the Treasurer the tax herein imposed, at such times as returns are required to be filed and payment made over by the operator.
- d. The tax imposed by this Local Law shall be paid upon any occupancy on and after June 1, 2017, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid or charged or billed, or falls due on either a weekly, monthly or other term basis, the rent so paid charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after June 1, 2017. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Treasurer may by regulation provide for credit and/or refund of the amount of such tax upon application therefor as provided in Section 406 of this Local Law.
- e. For the purpose of the proper administration of this Local Law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of providing that a rent for occupancy is not taxable

hereunder shall be upon the operator, except that, where by regulation pursuant to Section 302(d) an occupant is required to file returns and pay directly to the Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant. Where an occupant claims exemption from the tax under the provisions of Section 304, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary by the operator, he may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under Section 304.

303. Determination of Taxable Rent:

- a. The tax shall be imposed upon the total consideration received for occupancy of a room or rooms in a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental, including all charges by whatever term designated, valued in money, whether received in money or otherwise.
- b. When the occupant becomes a permanent resident, the operator shall discontinue collection of the tax.

304. Exempt Organizations:

- a. Except as otherwise provided in this Section, any use or occupancy by any of the following shall not be subject to the tax imposed by this Local Law:
 - i. The State of New York or any public corporation (including a public corporation created pursuant to agreement or compact with another state or Canada), improvement district or political subdivision of the state;
 - ii. The United States of America, insofar as it is immune for taxation;
 - iii. Any corporation or association, or trust, or community chest,

fund or foundation organized and operated exclusively for religious, charitable or education purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this Section shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this Section.

- b. Where any organization described in Section 304(a)(iii) carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

TITLE 400 REGISTRATION, RECORDS, RETURNS, PAYMENT, REFUNDS

401. Registration: Within ten (10) days after the effective date of this Local Law, or in the case of operators commencing business after such effective date of this Local Law, within three (3) days after such commencement or opening, every operator shall file with the Treasurer an application for a Certificate of Authority empowering such operator to collect the tax from the occupant. Upon receipt of such application, the Treasurer shall issue a Certificate of Authority to such operator which when authenticated shall constitute the authority for the purposes of this Local Law. Each application for a Certificate of Authority shall state the hotel or motel to which it is applicable, the name of the operator of such hotel, motel, tourist home, cottage, cabin, condominium, bed & breakfast, and short term or vacation rental, the address of such operator, the taxpayer identification number assigned to such operator, the state of incorporation and the date upon which such corporation obtained authority to do business in this state, if not organized in this state, the names of each partner, if a partnership, and such other information as the Treasurer may by rule require. Such Certificates of Authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy. Such Certificates shall be non-assignable and non-transferable and shall be surrendered immediately to the Treasurer upon the cessation of business

at the hotel or motel named or upon its sale or transfer.

402. **Records to be Maintained:** Every operator shall keep records of every occupancy and of all rent paid, charged, or due thereon and of the tax payable thereon, in such form as the Treasurer by regulation requires. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or his duly authorized agent or employee and shall be preserved for a period of three (3) years, except that the Treasurer may consent to their destruction within that period or may require that they be kept longer.

403. **Returns:**

- a. Every operator shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon for the quarterly periods ending February 28 or 29, if applicable, May 31, August 31 and November 30 of each year. Such returns shall be filed within twenty (20) days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as he/she may specify. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this Local Law, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this Section and upon such dates as he/she may specify.
- b. The forms of returns shall be prescribed by the Treasurer and shall contain such information as he/she may deem for the proper administration of this Local Law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.
- c. If a return required by this Local Law is not filed, or a return filed is incorrect or insufficient on its fact, the Treasurer shall take the necessary steps to enforce the filing of such a return or of a corrected return.

404. **Payment of Tax:** At the time of filing a return of occupancy and of rents each operator shall pay to the Treasurer the taxes imposed by this Local Law upon the rents required to be included in such return, as well as all other moneys collected by the operator acting or purporting to act under the provisions of this Local Law. Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this Local Law, the Treasurer may require an operator to file with him a bond, 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 the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event that the Treasurer determines that an operator is to file such bond he shall give notice to such operator to that effect specifying the amount of the bond required. The operator shall file such bond within five (5) days after the giving of such notice unless within such five (5) days the operator shall request in writing a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Such determination shall be final and shall be complied with within fifteen (15) days after the giving of such notice thereof. In lieu of such bond, securities approved by the Treasurer or cash in such amount as he may prescribe, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice to the depositor apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him at public or private sale without notice to the depositor thereof.

405. Determination of Tax: If a return required by this Local Law is not filed, or if a return when filed is incorrect or insufficient the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after giving of notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of his own motion shall re-determine the same. After such hearing, the treasurer shall give notice of his determination to the person against whom the tax is assessed. The determination of the Treasurer shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by proceeding under Article 78 of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty (30) days 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:

- a. The amount of any tax sought to be reviewed, with penalties and interest thereof, if any, shall be first deposited with the Treasurer and there shall be filed with the Treasurer 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

- b. At the option of the applicant such undertaking filed with the Treasurer 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 applicant shall not be required to deposit such taxes, penalties and interest as a condition precedent to the application.

406. Refunds:

- a. In the manner provided in this Section the Treasurer shall refund or credit, without interest, any tax, penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Treasurer for such refund shall be made within one (1) year from the payment thereof. Whenever a refund is made by the Treasurer, he shall state his reason therefor in writing. Such application may be made by the occupant, operator or other person who has actually paid the tax. Such application may also be made by an operator who has collected and paid over such tax to the Treasurer provided the application is made within one (1) year of the payment by the occupant to the operator, but no actual refund of money, shall be to such operator until he shall first establish to the satisfaction of the Treasurer, under such regulations as the Treasurer may prescribe, that he has repaid to the occupant the amount for which the application for refund is made. The Treasurer may in lieu of any refund required to be made, 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 Treasurer may receive evidence with respect thereto. After making his determination the Treasurer shall give notice thereof to the applicant, who shall be entitled to review said determination by a proceeding pursuant to Article 78 of the Civil Practice Law and Rules, provided the proceeding is instituted within thirty (30) days after the giving of the notice of determination and provided a final determination of tax due was not previously made. Such a proceeding shall not be instituted unless an undertaking is filed with the County Treasurer in such amount and with such

sureties as a justice of the Supreme Court shall approve to the effect that if such proceedings 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 had been determined to be due pursuant to the provisions of Section 405 of this Local Law where he has had a hearing or an opportunity for a hearing, as provided in said Section or has failed to avail himself of the remedies therein provided. No refund or credit shall be made of the tax, interest or penalty paid after a determination by the Treasurer made pursuant to Section 405 of this Local Law unless it is found that such determination was erroneous, illegal or unconstitutional or otherwise improper by the Treasurer after a hearing on the petition of a person liable for payment of the tax brought within thirty (30) days after the filing of a determination of the Treasurer after a hearing pursuant to Section 405 of this Local Law, or upon his own motion, or in a proceeding under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of said Section. In that event a refund or credit without interest shall be made of the tax, credit or penalty found to have been overpaid.

407. Reserves: In cases where the occupant or operator 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 him on his application for refund, the Treasurer shall set up appropriate reserves to meet any decision adverse to the County.

408. Remedies Exclusive: The remedies provided by Sections 405 and 406 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 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 an action or proceeding in a 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 institutes suit within thirty (30) days after a deficiency assessment is made and pays the amount of the deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs as provided in Section 405 of this Local Law.

**TITLE 500 ENFORCEMENT OF COLLECTION OF TAX,
PENALTIES AND INTEREST**

501. Proceedings to Recover Tax:

- a. Whenever any operator or any officer of a corporate operator or any occupant or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this Local Law as therein provided, the County Attorney shall, upon the request of the Treasurer bring or cause to be brought an action 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. If, however, the Treasurer in his discretion believes that any such operator, officer, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, he 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 Treasurer may issue a warrant, directed to the Sheriff commanding him to levy upon and sell the real and personal property of the operator or officer of a corporate operator or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to him 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, penalties 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 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 judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also

have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.

- c. Whenever an operator shall make a sale, transfer, or assignment in bulk of any part or the whole of his hotel or motel or his lease, license or other agreement or right to possess or operate such hotel or motel or of the equipment, furnishings, fixtures, supplies or stock of merchandise, or the said premises or lease, license or other agreement or right to possess or operate such hotel or motel and the equipment, furnishings, fixtures, supplies and stock of merchandise pertaining to the conduct or operation of said hotel or motel, otherwise than in the ordinary and regular prosecution of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the sale, transfer or assignment, or paying therefor, notify the Treasurer by registered or certified mail, return receipt requested, of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that it owes any tax pursuant to this Local Law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.
- d. Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by the preceding paragraph or whenever the Treasurer informs the purchaser, transferee or assignee that a possible claim for such tax or taxes exists, any sums of money, property or chooses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or chooses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of Article 6 of the Uniform Commercial Code, shall be personally liable for the payment to the County of any such taxes theretofore or thereafter determined to be due to the County from the seller, transferor, or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this Local Law.

502. Penalties and Interest:

- a. Any person failing to file a return or to pay over any tax to the Treasurer within the time required by this Local Law shall be subject to a penalty of five percent (5%) of the amount of tax due for each month or portion thereof during which such tax due shall remain unpaid but in no event shall such penalty exceed twenty-five percent (25%) of the tax due; plus interest computed at the rate and in the manner provided in Section 924-a of the Real Property Tax Law, but in no event shall such interest be less than one percent (1%) of such tax for each month of delay; but the Treasurer, if satisfied that the delay was excusable, may remit all or part of the penalty, but not interest computed at the rate of six percent (6%) per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues of such tax. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Local Law.
- b. Any operator or occupant and any officer of a corporate operator or occupant failing to file a return required by this Local Law, or filing or causing to be filed, or making or causing to be made or giving a causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Local Law, which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required to be filed pursuant to Section 405 of this Local Law, or failing to file a registration certificate and such date in connection therewith as the Treasurer may by regulation or otherwise require or to display or surrender the Certificate of Authority as required by this Local Law or assigning or transferring such Certificate of Authority and any operator and any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed, or willfully failing to state such tax separately on any evidence or occupancy and on any bill or statement or receipt or rent issued or employed by the operator, or willfully failing or refusing to collect such tax from the occupant, and any operator and any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this Local Law, and any operator failing to keep the records required by Section 402 of this Local Law, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000.00), or imprisonment for not more than one (1) year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected

or required to be collected by such corporation under this Local Law, and subject to the penalties herein above imposed.

503. Returns to be Secret:

- a. Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required to be filed pursuant to this Local Law. 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 under the provisions of this Local Law, or on behalf of any party to the action or proceeding under the provisions of this Local Law when the 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 fact shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three (3) years and thereafter until the Treasurer permits them to be destroyed.
- b. Any violation of Section 503(a) shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00), or by imprisonment not exceeding one (1) year or both, in the discretion of the court, and if the offender be an officer or employee of the County he shall be dismissed from office and be incapable of holding any public office for a period of five (5) years thereafter.

504. 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 pursuant to the provisions of this Local Law, or in any application made by him, 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 giving the 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 County to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this Local Law. 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 (3) years from the date of 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 due 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.

TITLE 600 DISPOSITION OF REVENUES

601. Disposition of Revenues: All revenues resulting from the imposition of the tax under the Local Laws shall be paid into the treasury of Wyoming County and shall be credited to and deposited in the general fund of such county and shall be available thereafter for the promotion of tourism and tourist attractions in Wyoming County, as well as the promotion of tourist attractions in Wyoming County, as well as the promotion of tourism and tourist attractions of the larger region of which Wyoming County is a part provided that funding for regional promotion shall not exceed fifty percent (50%) of the revenue received hereunder in any year and that not more than five percent (5%) of such revenue shall be used for the cost of administering such tax. Such promotion may be carried out by an appropriate organization or organizations as designated by the Wyoming County Board of Supervisors.

TITLE 700 SEPARABILITY AND EFFECTIVE DATE

701. Separability: If any clause, sentence, paragraph, section or part of this

Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect.

702. **Effective Date:** This Local Law shall take effect on June 1, 2017, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately.

DATED at Warsaw, New York

April 11, 2017 (Introduced)

May 9, 2017 (Adopted)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

Chairman Berwanger, T/Arcade spoke about the Governor's Shared Services Plan. The first official meeting was held early today with various mayors and supervisors in attendance. The next meeting will be June 6th which will be published at a later date.

Chairman Berwanger then offered unanimous consent resolution #36. Hearing no objection, the resolution title was read.

#36

**RESOLUTION NO. 17-243
(May 9, 2017)**

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

**ARCADE & ATTICA RAILROAD DAY IN WYOMING COUNTY
PROCLAIMED**

WHEREAS, In 1881, a narrow-gauge railroad was built in southwestern New York from Attica to Arcade which was later rebuilt to standard gauge to connect with what became the Pennsylvania Railroad; and

WHEREAS, Local farmers, merchants and others, concerned that the line would be abandoned, raised money to purchase the railroad and formed the Arcade & Attica Railroad; a 15-mile short line in Wyoming County, rich in history and offering both steam-powered passenger excursions and diesel freights; and

WHEREAS, Arcade & Attica's passenger excursions became very popular throughout the 1960's and 1970's and many thousands of people rode the line during each season. The one millionth passenger was recognized during the 1992 season with that year also celebrating the 30th anniversary of the excursions and the 75th anniversary of the incorporation of the Arcade & Attica; and

WHEREAS, The Arcade & Attica Railroad is home to the last operating steam train in New York State and the old engine house and Arcade depot, as well as the trackage itself, are listed in the National Historical Register; and

WHEREAS, With a dedicated management team, the pride of loyal employees and a supportive community, the Arcade & Attica has endured and continues passenger and freight service in Wyoming County today; contributing to local commerce and economic development; and

WHEREAS, The nostalgia of the Arcade & Attica Railroad has never vanished. People continue to enjoy listening to the click of the rails and the steam whistle echoing off the rural hillsides of this journey into the past; now therefore

BE IT RESOLVED, That it is with great pleasure and admiration that the Wyoming County Board of Supervisors does hereby proclaim **May 9, 2017** as ***Arcade & Attica Railroad Day in*** Wyoming County in recognition of its 100th Anniversary; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors congratulates the Arcade & Attica Railroad on its 100th anniversary and thanks the Railroad for its dedicated service to the community and Wyoming County.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:

Chairman Berwanger then asked Chris Lester and John Copeland to join him at the podium for the presentation of the Arcade and Attica Railroad proclamation. Chairman Berwanger said that back in the golden era...around 1963 until about 1973... he worked on the railroad as the accordion player. During much of that time, Supervisor Copeland worked there as well selling peanuts, popcorn and

assorted trinkets. The person responsible for hiring both of them was Zeke Lester, Chris Lester's dad, who was a conductor on the train.

Chairman Berwanger stated that the Arcade & Attica Railroad is celebrating its 100th year anniversary and is still "Comin' on Strong". Chairman Berwanger then read the proclamation and offered the same to Mr. Lester. Mr. Lester thanked the board for the recognition.

Supervisor Copeland said that most of his family has worked for the Arcade & Attica Railroad at one time or another.

A slideshow of the Arcade and Attica Railroad's history was shown with Chris Lester narrating...

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:44 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

REGULAR SESSION

(June 13, 2017)

Tuesday

2:30 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 located at 143 North Main Street, Warsaw, New York with all Supervisors present except Supervisor Leuer, T/Middlebury and Supervisor Brick, T/Perry. Supervisor Vasile, T/Genesee Falls entered the meeting at 3:00 p.m. Also present were County Attorney Jim Wujeck, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:34 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this month's board meeting is:

Julia Foote

Ms. Foote was born in Warsaw, New York and graduated from Letchworth Central School. Coming from a long family history of military service, she knew she wanted to serve her country as well. Her wish came true on her 18th birthday, which was her first day of basic training at the Great Lakes Naval Station in Illinois.

This station is the Navy's largest training location and is comprised of 1,153 buildings situated on 1,628 acres of land. Basic training is not the only training conducted at this base; it also hosts "A" school or technical school training as well. Ms. Foote spent weeks there training as an Apprentice and becoming a Safety Officer.

After training, Ms. Foote was assigned to Little Creek, Virginia and stationed on board the USS Gunston Hall LSD-44; a ship when at full capacity holds 22 Navy officers, 391 enlisted personnel and can transport a Marine detachment of 402 troops. While assigned to this ship, Ms. Foote served as a Forward Observer, Aft Lookout and Helmsman - a role that is extremely important while navigating the ship, particularly during arrivals, departures and maneuvering in restricted waters or other conditions requiring precise steering.

During this assignment, Ms. Foote spent nine months out at sea. The ship stopped in Africa, Spain, Italy, Djibouti and Greece earning her the Sea Service

Deployment Ribbon and the Global War on Terrorism Expeditionary Medal.

After her deployment, Ms. Foote was assigned to the Norfolk Air Terminal where she assisted thousands of service members en route to deployment areas around the world.

With her active duty requirement complete, Ms. Foote transferred to the Navy Reserves. While serving in the Reserves, Ms. Foote's command quickly recognized her leadership abilities and she earned the rank of E-5 (Petty Officer 2nd Class) as an Operations Specialist.

After five years in the Reserves, Ms. Foote made the difficult decision to return to civilian life and raise her children in a more traditional manner here in Wyoming County. In 2012, at the rank of E-5, Ms. Foote was honorably discharged from the Navy. For her valor and courageous service to her country and in addition to receiving the Sea Service Deployment Ribbon and the Global War on Terrorism Expeditionary Medal, Ms. Foote also earned the:

National Defense Service Medal; and
Global War on Terrorism Service Medal

Currently Ms. Foote is employed by Morton Buildings in Warsaw and lives in the Town of Castile raising her four children. Her children are her world and they enjoy spending time together "geo-caching"; an activity that uses GPS coordinates all around the world to find hidden treasures.

Recently appointed Post Commander of the Hunt-Stout Post No. 1670 in Pike, New York makes her the first female American Legion Commander in Wyoming County! Ms. Foote has been a member of the American Legion for thirteen years, a member of the Ladies Auxiliary for twenty-five years and aspires to be the Commander of the Wyoming County American Legion.

The pledge was said by all.

Chairman Berwanger invited Town of Castile Supervisor, K. Granger to join him in the presentation of the customary Certificate of Appreciation to Ms. Foote and an opportunity to address the Board.

Ms. Foote thanked the Board for the opportunity to lead the pledge and for what they do for Wyoming County. She also acknowledged how important it is to support our veterans.

There was a brief interruption of the meeting as attending press took pictures.

Voice of Democracy Presentation ~

Regular Session

- Introduced by M. Relyea of the VFW Hendershott Manness Post 374 of Arcade
 - *Josh Taylor ~ Son of Julie Wood from the Town of Arcade*
“My Responsibility to America”

Josh Taylor
Voice of Democracy 2016
“My Responsibility To America”

Mannes-Hendershott Post 374
Arcade, New York 14009

Past. Present. Future. As I started considering “My Responsibility To America” these words came to mind.

We need to understand the past before we can look to the future. We must acknowledge the positives and the negatives of our history since “history repeats itself.” Respecting previous generations becomes imperative. We must understand their history- the personal sacrifices they made for their families and their country, the injustices they lived through and worked so diligently to correct, and the odds that they overcame to contribute to America.

We must never forget the atrocities of war and unrest, domestic or foreign. Young people today do not face the same responsibilities previous generations had, such as government imposed conscription or rationing during wars, but we still have the responsibility to respect and honor people who served and those who willingly serve today. Both of my great grandparents served in World War II. My great grandmother was the first female veteran to join the VFW in New York State. It will be easy for me to pass on my family’s service history, but my generation needs to help future generations remember all of America’s past. In 2016, the VFW Commander in Chief on the occasion of the 150 year anniversary of Memorial Day wrote with “Each passing year, the significance of Memorial Day fades in the public mind.” This effort to keep honoring,

remembering and respecting those who served America also becomes one of my present-day and future responsibilities.

And what of my current personal responsibilities to America? I see my status as a high school student as a commitment to attain information that will allow me to be productive and use my knowledge as a pathway to the future. By educating myself, I can better serve my family, church, school, and community and promote American ideals. Those same values will lead to tolerance, trustworthiness, and perseverance. I am obligated to assume responsibility for my own actions and exhibit ethics and standards to root me, and my peers, as we become the future promise of America. I will develop character which will show kindness to those who feel they do not fit into society and defend them when they face adversity. To paraphrase a military slogan, my primary responsibility currently is to "be the best person I can be" in order to help create a future America that can "be the best it can be."

And what of my future responsibility to America? I must help prepare future generations for the changes we will meet by serving as a role model. We need to regain our pride in personal achievement and accomplishment- by not relying on others for our emotional or financial support, and especially, not relying on a government to provide for us. We must provide for ourselves. While hand-outs are not always productive to society, a hand up may be necessary for those who face tragedies, or illnesses- physical or mental. A hand up will be a promise of my responsibility to future generations. I can continue supporting causes and organizations with memberships, time and donations. I can also contribute to the promise of America with my responsibility to treat all people, whatever their station in life, with respect and reverence. I need to work to develop the

resiliency that past generations used to get them through hard times. They became survivors rather than victims.

My responsibility to America lies in sharing that past, working in the present and looking to the future.

Chairman Berwanger presented Mr. Taylor with a Certificate of Recognition in honor of winning this year's Voice of Democracy and representing Wyoming County so well!! The Chairman acknowledged Josh's mom, Julie Wood, who works for Wyoming County at the Department of Motor Vehicles. He also introduced Mr. Wood, Josh's grandfather, who was a Latin teacher at Pioneer Central School. Chairman Berwanger also said that Josh is the third brother to speak at a Board of Supervisors meeting.

#1

RESOLUTION NO. 17-244
(June 13, 2017)

By Mr. Kehl, Chairman of the Agriculture Committee:

JUNE 2017 PROCLAIMED DAIRY MONTH IN WYOMING COUNTY

WHEREAS, June as Dairy Month was originally celebrated to help stabilize the demand for milk and dairy products during the spring months of peak production. Today we simply honor our dairy farmers and the safe, wholesome products they produce; and

WHEREAS, From calcium to potassium, dairy products like milk contain nine essential nutrients which may help to better manage your weight and reduce your risk for high blood pressure, osteoporosis and certain cancers; and

WHEREAS, Whether it is protein to help build and repair muscle tissue of active bodies or Vitamin A to help maintain health skin, dairy products are a natural nutrient powerhouse; and

WHEREAS, Wyoming County is the leading milk producing county in New York State in terms of total milk production and cow numbers; and

WHEREAS, The average dairy farm in New York State is family owned and consists of 113 cows. Wyoming County farms produce an average of 23,700 pounds (or 2,756 gallons) of milk per cow per year, with a total Wyoming County milk production of 1.1 billion pounds (or 129.5 million gallons) with 47,000 milk cows; and

June 13, 2017

WHEREAS, The top three leading dairy counties in New York State are Wyoming, Cayuga, and St. Lawrence; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim June 2017 to be **DAIRY MONTH IN WYOMING COUNTY** and encourages 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: XXX Ayes: 1537 Noes: Absent: 19 (Genesee Falls) Abstain: 62 (Middlebury)
187 (Perry)
268 Total**

After the adoption of resolution #1, Chairman Berwanger invited Supervisor Kehl to the podium to present the Dairy Month proclamation and introduce this year's Dairy Princess, Kim Evans, daughter of Lilly Utnehrmer from the Town of Gainesville.

Supervisor Kehl invited Dairy Princess Evans along with her court, Danielle Harrick and Emily McCormick to join him.

It was acknowledged that Ms. Harrick is the granddaughter of Laura Dutton who is also here today and Emily McCormick who is the daughter of Supervisor McCormick, T/Java.

Dairy Princess Evans graciously accepted the proclamation and a Certificate of Recognition in congratulations to winning this year's title as Dairy Princess. Ms. Evans thanked the board and said what an honor it is to be here today.

Attendees were invited to partake in the cheese & cracker and milk punch reception provided by the Dairy Princess and her court located near the committee room door in chambers...

Chairman Berwanger inquired if there were any communications...

Clerk Ketchum acknowledged receipt of the following:

- 05/18/2018 letter from Assemblyman David DiPietro
- 06/02/17 letter from NYSAC Executive Director Stephen Acquario
 - Both acknowledging receipt of Resolution No. 17-220 urging funding for local update of Census addresses (a.k.a. LUCA).

Chairman Berwanger offered that there is a working house fire in the Village of Perry and Supervisor Brick is on site. Sheriff Rudolph said that one person was injured and taken to the hospital although expected to be ok. He also stated that the fire is under investigation.

#2

RESOLUTION NO. 17-245
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2017 accounts as follows:

District Attorney			
From: 01.32.1167.4.41010 Office Supplies	\$364.77	\$364.77	
To: 01.32.1167.1.10101 Full Time CSEA			
Reason: To bring VAWA county budget in line with state grant budget.			
District Attorney Total			\$364.77
Emergency Services			
From: 01.37.3645.2.20101H Telecommunication	\$41,625.00	\$41,625.00	
To: 01.37.3645.4.41410H Software			
Reason: A budget modification.			
Emergency Services Total			\$41,625.00

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
62 (Middlebury)
187 (Perry)
268 Total

#3

RESOLUTION NO. 17-246
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2017 accounts as follows:

Historian			
To: 01.46.7510.1.10601 Unused Benefit Time <i>w/any funds available</i>	\$529.60	\$529.60	
Reason: Did not include a week of "unused benefit time" in 2017 budget.			
Historian Total			\$529.60

June 13, 2017

Human Resources			
To: 01.34.1431.4.40301 Professional Services <i>w/any funds available</i>	\$25,000.00	\$25,000.00	
Reason: For additional legal costs resulting from contract negotiations, arbitrations and regulatory complaints and to cover any cost for the remainder of 2017.			
Human Resources Total			\$25,000.00
District Attorney			
To: 01.32.1167.1.10101 Full Time CSEA <i>w/any funds available</i>	\$243.11	\$243.11	
Reason: To get county grant to match state budget.			
District Attorney Total			\$243.11

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
62 (Middlebury)
187 (Perry)
268 Total

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$1,821,867.74** for the month of **May 2017**.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
62 (Middlebury)
187 (Perry)
268 Total

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #6. Hearing no objection resolution titles were read.

#4

RESOLUTION NO. 17-247
(June 13, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CSEA
EMPLOYEE BENEFIT FUND ON BEHALF OF WYOMING COUNTY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a one-year contract renewal with the CSEA Employee Benefit Fund, One Lear Jet Lane, Suite 1, Latham, NY 12110-2395 on behalf of Wyoming County. Said contract is for the administration of the CSEA Vision Plan benefit to all Wyoming County employees at no cost to the County; effective July 2, 2017 through June 30, 2018 in amounts as follows:

Regular Session

- ***Solstice Vision Plan ~ Single Coverage***
 - July 1, 2017 through June 20, 2018 - \$10.20
- ***Solstice Vision Plan ~ Two Person Coverage***
 - July 1, 2017 through June 20, 2018 - \$20.40
- ***Solstice Vision Plan ~ Family Coverage***
 - July 1, 2017 through June 20, 2018 - \$31.62

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
 62 (Middlebury)
187 (Perry)
 268 Total

#5

RESOLUTION NO. 17-248
(June 13, 2017)

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION RATIFYING LABOR AGREEMENT WITH CSEA

WHEREAS, The collective bargaining teams for the County of Wyoming and the Civil Service Employees Association, Inc. have concluded negotiations for a successor collective bargaining agreement for the **CSEA General Unit** covering the period of January 1, 2016 - December 31, 2020; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby ratifies said agreement and authorizes the expenditure of the necessary funds therefor; and be it

FURTHER RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to execute said agreement on behalf of the County.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
 62 (Middlebury)
187 (Perry)
 268 Total

#6

RESOLUTION NO. 17-249
(June 13, 2017)

June 13, 2017

By Mr. Tallman, Chairman of the Human Resources Committee:

RESOLUTION NUMBER 16-450 AMENDED

WHEREAS, Resolution Number 16-450 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY ATTORNEY**," passed by this Board of Supervisors on November 8, 2016 and provides for various contracts on behalf of the County Attorney, in part, as follows:

- **Wendy Sisson**, P.O. Box 242, Geneseo, New York 14454 for the provision of legal services to the Wyoming County Department of Social Services in an amount not to exceed thirty thousand dollars (\$30,000.00); effective January 1, 2017 through December 31, 2017.

now therefore

BE IT RESOLVED, That Resolution Number 16-450 be hereby amended to terminate the above contract in its entirety; effective May 31, 2017.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: 19 (Genesee Falls) Abstain: 62 (Middlebury) 187 (Perry) 268 Total

At 3:00 p.m. Supervisor Vasile, T/Genesee Falls entered the board meeting after the vote on the previous Human Resource resolutions.

#7

RESOLUTION NO. 17-250
(June 13, 2017)

By Ms. Grant, Chairman of the Human Service Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
ST. CATHERINE'S CENTER FOR CHILDREN ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and

Regular Session

directed to sign a contract with St. Catherine's Center for Children, 401 New Scotland Avenue, Albany, NY 12208 on behalf of the Department of Social Services. Said contract is through the State WMS System to provide foster care services for Wyoming County children/youth in an amount not to exceed one hundred forty thousand dollars (\$140,000.00); effective May 22, 2017 through June 30, 2018. Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 and #9. Hearing no objection resolution titles were read.

#8

RESOLUTION NO. 17-251
(June 13, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

RESOLUTION NUMBER 16-460 AMENDED

WHEREAS, Resolution Number 16-460 entitled, "CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH COORDINATED CARE SERVICES, INC. ON BEHALF OF MENTAL HEALTH," passed by this Board of Supervisors on January 17, 2017 for employment services in an amount not to exceed three hundred ninety thousand seven hundred ninety dollars (\$390,790.00) annually; effective January 1, 2017 through December 31, 2017; and

WHEREAS, That Resolution Number 16-460 was previously amended by this Board of Supervisors on March 14, 2017 by Resolution Number 17-122 to allow for a student intern to provide prevention services for the 2016 You(th) Decide Project in an amount not to exceed six thousand, three hundred dollars (\$6,300.00) for a new total contract amount of three hundred ninety-seven thousand ninety dollars (\$397,090.00); effective March 1, 2017 through October 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-460, as previously amended by Resolution Number 17-122, be hereby further amended to add a personnel provision for an Interim Director of Community Services with no change in the contract dollar amount; effective May 8, 2017 through August 8, 2017.

June 13, 2017

All else remains the same.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#9

RESOLUTION NO. 17-252
(June 13, 2017)

By Ms. Ryan, Chairman of the Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON
BEHALF OF THE COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign the following grant applications and acceptance awards on behalf of the County Health Department:

- **Health Research, Inc.**, 150 Broadway, Suite 516, Riverview Center, Menands, NY 12204 for Public Health Emergency Preparedness Program Services funding in a minimum amount of fifty-two thousand ninety-six dollars (\$52,096.00); effective July 1, 2017 through June 30, 2018.
- **New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention**, ESP Corning Tower, Room 1025, Albany, NY 12237 on behalf of the Livingston Wyoming Cancer Services Program:
 - Contract Number C028846 for clinical services payments in the following **maximum** amounts:
 - April 1, 2017 through March 31, 2018 \$9,799.00
 - April 1, 2018 through September 30, 2018 \$4,500.00

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

There was a motion by Mr. Davis, T/Covington, to combine resolutions #10 through #13. Supervisor Davis also outlined an amendment to resolution #12 to

RESOLUTION NO. 17-253
(June 13, 2017)

By Mr. Davis, Vice-Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION WITH
THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL
ON BEHALF OF PLANNING AND DEVELOPMENT**

WHEREAS, The County of Wyoming was awarded a CFA Grant by the Genesee Finger Lakes Regional Economic Development Council for two hundred thousand dollars (\$200,000.00) in 2015 through the New York State Office of Community Renewal to fund the Wyoming County Rural Arts Initiative Microenterprise Program; and

WHEREAS, The Microenterprise Program has been successful in identifying and funding artists with the original grant; and

WHEREAS, The County of Wyoming wishes to apply for a second CFA grant from the New York State Office of Community Renewal, through the Genesee Finger Lake Regional Economic Development Council, in an amount of two hundred thousand dollar (\$200,000.00) that will be used to provide additional financial assistance to the Wyoming County Rural Arts Initiative Microenterprise Program effective January 1, 2018 through December 31, 2019; 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, as the official representative of Wyoming County, New York, to execute and submit a CFA grant application to the New York State Office of Community Renewal, and is hereby authorized and directed, upon approval of the County Attorney, to take all actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That a public hearing on behalf of this Board of Supervisors will be held as required by the New York State Office of Community Renewal on ***Friday, June 30, 2017 at 2:00 PM*** at the Wyoming County Agriculture and Business Center, 36 Center Street, Suite C, Warsaw, New York, and at least five (5) days' notice of such hearing shall be given by the

Clerk of this Board by publishing such notice at least once in the official newspaper of the county designated for such publications.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#11

RESOLUTION NO. 17-254
(June 13, 2017)

By Mr. Davis, Vice-Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION ON BEHALF OF 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 a grant acceptance award with the New York State Department of Environmental Conservation, Office of Climate Change, 625 Broadway, Albany, NY 12210 on behalf of Planning and Development. Said funding is for the construction of an Electric Vehicle Charging Station (EVCS) in the Village of Warsaw in a minimum amount of fourteen thousand sixteen dollar (\$14,016.00); effective November 1, 2016 through October 31, 2018.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#12

RESOLUTION NO. 17-255
(June 13, 2017)

By Mr. Davis, Vice-Chairman of the Planning Committee:

**AUTHORIZING PLANNING AND DEVELOPMENT TO ISSUE A
REQUEST FOR PROPOSAL (RFP) FOR A SOLAR ARRAY TO BE
BUILT ON COUNTY OWNED PROPERTY ON BEHALF OF
WYOMING COUNTY**

WHEREAS, Wyoming County is participating in the New York State Energy Research and Development Authority (NYSERDA) Clean Energy

Regular Session

Communities (CEC) Program to drive the clean energy initiative throughout New York State; and

WHEREAS, Wyoming County has had two *high impact action items*; The New York State Unified Solar Permit and the Energy NY Finance Program, both certified by NYSERDA; and

WHEREAS, Wyoming County is working on two more *high impact action items*; Energy Code Enforcement and Clean Fleets to fulfill the goal of four (4) *high impact action items* for final certification into the CEC Program; and

WHEREAS, Upon the designation by NYSERDA as a Clean Energy Community, the County can apply for a non-matching grant of two hundred fifty thousand dollar (\$250,000.00) or one hundred fifty thousand dollar (\$150,000.00) for a renewable energy project; and

WHEREAS, If awarded a grant, the County is considering constructing a solar array on County owned property to reduce its annual electric costs; and

WHEREAS, The Request For Proposal (RFP) should be completed and a proposal accepted, contingent upon grant award, prior to applying for a CEC non-matching grant; now therefore

BE IT RESOLVED, That the County of Wyoming, through its Department of Planning and Development and with the approval of the County Attorney, may release an RFP to construct a solar array on County owned property, costing either two hundred fifty thousand dollar (\$250,000.00) or one hundred fifty thousand dollar (\$150,000.00) and be it

FURTHER RESOLVED, That an RFP for the construction of a solar array may be selected contingent upon the County being awarded either a two hundred fifty thousand dollar (\$250,000.00) or one hundred fifty thousand dollar (\$150,000.00) non-matching grant for the construction of the solar array.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

#13

**RESOLUTION NO. 17-256
(June 13, 2017)**

By Mr. Davis, Vice-Chairman of the Planning Committee:

June 13, 2017

REBECCA RYAN REAPPOINTED TO THE WYOMING COUNTY CHAMBER OF COMMERCE BOARD OF DIRECTORS

BE IT RESOLVED, That **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Chamber of Commerce Board of Directors as the Board of Supervisors Member for a term of one (1) year; effective January 1, 2017 through December 31, 2017.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #14 through #18. Hearing no objection resolution titles were read.

Before a vote was taken, Chairman Berwanger commented on resolution #18. He pointed out that for the last year; the Public Safety Committee has been engaged in a conversation with SCOPE (Shooter's Committee on Political Education) concerning the local law that bans the possession of weapons in Wyoming County buildings and the potential of amending that law.

Chairman Berwanger acknowledged the SCOPE attendees Mark Yount and Brian Krawczyk and offered Brian Krawczyk an opportunity to address the board.

Mr. Krawczyk thanked the Board of Supervisors for the respect and patience that was shown to the members of SCOPE over the last several months and stated that the process was very educational. He said SCOPE is very interested in the Bill of Rights and to sum it up we should all be driven to take on issues likes these. He stated that brave men and women have stood in defense of our freedoms and we owe it to these people to protect these freedoms.

#14

**RESOLUTION NO. 17-257
(June 13, 2017)**

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

RESOLUTION NUMBER 16-414 AMENDED

WHEREAS, Resolution Number 16-414 entitled, "CHAIRMAN AUTHORIZED TO ACCEPT BID AND SIGN A CONTRACT WITH BLACK CREEK INTEGRATED SYSTEMS CORPORATION ON BEHALF OF THE COUNTY JAIL," passed by this Board of Supervisors on

October 11, 2016 to provide jail management software for the upgrade to a Black Creek Super Display Touchscreen Control System in an amount not to exceed four hundred thirty-one thousand five hundred fifty-seven dollars and twenty-six cents (\$431,557.26); effective October 1, 2016 through September 30, 2017. *(NYS Contract Number PT65193)*; now therefore

BE IT RESOLVED, That Resolution Number 16-414 be hereby amended to correct the vendor name to SHI International Corp, 5 West Bank Street, Cold Springs, NY 10516 for the purchase of the a Black Creek Super Display Touch Screen Control System in an amount not to exceed five hundred twenty-three thousand one dollar and twenty-five cents (\$523,001.25); effective October 1, 2016 through September 30, 2017. (NYS Contract # PD67647)

All else remains the same.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

Local Law #15

RESOLUTION NO. 17-258
(June 13, 2017)

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

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. C
YEAR 2017**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of June, 2017, a proposed local law entitled, "Local Law Introductory No. C Year 2017, "A LOCAL LAW TO REPEAL THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK AND IMPOSE THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW §186-G"; and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the *11th day of July, 2017 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the*

June 13, 2017

Wyoming County Government Center, 143 North Main Street, Warsaw, New York.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

INTRODUCTORY LOCAL LAW NO. C OF THE YEAR 2017

A Local Law to Repeal the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York and Impose the Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G

Be it enacted by the Board of Supervisors of the County of Wyoming as follows:

SECTION 1. Local Law No. 9, of the year 2008, *A Local Law Imposing a Surcharge on Wireless Communications Service in the County of Wyoming*, is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Wyoming on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed

Regular Session

by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Board of Supervisors of the County of Wyoming and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law shall take effect December 1, 2017.

DATED at Warsaw, New York
June 13, 2017 (Introduced)
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

#16

RESOLUTION NO. 17-259
(June 13, 2017)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION
OF CRIMINAL JUSTICE SERVICES – OFFICE OF PROBATION AND**

June 13, 2017

CORRECTIONAL ALTERNATIVES ON BEHALF OF WYOMING COUNTY PROBATION

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 and acceptance award with the New York State Division of Criminal Justice Services ~ Office of Probation and Correctional Alternatives, Alfred E .Smith Building, 80 South Swan Street, Albany, NY 12210 on behalf of the Wyoming County Probation. Said funding is for the Alternatives to Incarceration Programs; effective July 1, 2017 through June 30, 2018 in minimum amounts as follows:

- Data Day Program \$6,592.95
- Community Service \$5,380.90
- Pre-Trial Release \$5,381.28

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#17

RESOLUTION NO. 17-260 (June 13, 2017)

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

CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF UNDERSTANDING WYOMING COUNTY ATTICA LEGAL AID BUREAU ON BEHALF OF THE PUBLIC DEFENDER'S OFFICE

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and pursuant to General Municipal Law §104(b), is hereby authorized and directed to sign a Memorandum of Understanding with Wyoming County Attica Legal Aid Bureau on behalf of the Public Defender's office to reimburse Wyoming County Attica Legal Aid Bureau for advanced payments of county travel expenses.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

RESOLUTION NO. 17-261
(June 13, 2017)

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

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. D
YEAR 2017**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of June, 2017, a proposed local law entitled, "Local Law Introductory No. D Year 2017, "A LOCAL LAW TO AMEND LOCAL LAW 11, YEAR 1994 BANNING POSSESSION OF WEAPONS IN WYOMING COUNTY BUILDINGS"; and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the *11th day of July, 2017 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

INTRODUCTORY LOCAL LAW NO. D OF THE YEAR 2017

**A Local Law Amending Local Law No. 11 of the Year 1994, entitled
“A Local Law Banning Possession of Weapons in Wyoming County
Buildings” as Amended by Local Law No. 3 of Year 2013**

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. County of Wyoming Local Law No. 11 of 1994 adopted a local law entitled "A Local Law Banning Possession of Weapons in Wyoming County Buildings" which was amended by Local Law No. 3 of the year 2013.

June 13, 2017

Section 2. Said Section 3 of Local Law No. 11 of the Year 1994 shall be amended as follows.

Section 3: Exclusions

This Local Law shall not apply to a “police officer” or “peace officer” as defined in the New York State Criminal Procedure Law.

A person licensed by New York State Penal Law §400(2)(f) to have and carry a concealed weapon may carry a concealed weapon in a building where such carry is not prohibited by Federal or New York State law, rule or regulation.

Section 3. Effective Date. This Local Law shall become effective upon the filing with the New York State Department of State.

DATED at Warsaw, New York

June 13, 2017 (Introduced)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 and #23. Hearing no objection resolution titles were read.

#19

**RESOLUTION NO. 17-262
(June 13, 2017)**

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

RESOLUTION NUMBER 16-356 AMENDED

WHEREAS, Resolution Number 16-356 entitled, “**2016 ~ 2017 SALT AND SAND BIDS APPROVED**,” passed by this Board of Supervisors on September 13, 2016 awarded a bid for the purchase of salt for the 2016~2017 Snow Season to American Rock Salt Co., LLC, P.O. Box 190, Mt. Morris, NY 14510 in an amount not to exceed forty-eight dollars and fifty cents (\$48.50) per ton; effective September 1, 2016 through May 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-356 be hereby amended to extend the bid pricing of forty-eight dollars and fifty cents (\$48.50) per ton for the 2017~2018 season; effective May 31, 2017 through May 31,

Regular Session

2018. (*First extension of the original contract that provides for two (2) one-year extensions*)

All else remains the same.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#20

RESOLUTION NO. 17-263
(June 13, 2017)

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

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE
FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE AID
ELIGIBLE COSTS, OF A FEDERAL AID AND/OR STATE-AID
TRANSPORTATION PROJECT, AND APPROPRIATING FUNDS
THEREFORE**

WHEREAS, Sponsor will Design, let and Construct the “Project”.

WHEREAS, A Project for the *Replacement of Schad Road Bridge over Red Brook Creek, Town of Bennington, Wyoming County, P.I.N. 4BNY.14; BIN 3319660* (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 95% Federal funds and 5% 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 costs of PE/design and ROW.

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 the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of PE/design and ROW work for the Project or portions thereof; and it is further

RESOLVED, That the Board of Supervisors hereby agrees that the

June 13, 2017

Chairman shall be responsible for all cost of the project which exceed the amount of the NY Bridge Funding awarded to the County of Wyoming; and it is further

RESOLVED, That the sum of **\$166,750.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of 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 New York State Department of Transportation thereof; and it is further

RESOLVED, That the County of Wyoming hereby agrees that the construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; 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 State 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 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: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

#21

**RESOLUTION NO. 17-264
(June 13, 2017)**

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

Regular Session

**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 THEREFORE**

WHEREAS, A Project for the *CR-59 Bixby Hill Road Highway Preventative Maintenance, Town of Arcade, PIN 4WY0.00* (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 costs of Scoping; PE and ROW.

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 the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, That the sum of **\$35,285.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of 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 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 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 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: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

#22

**RESOLUTION NO. 17-265
(June 13, 2017)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH RMS GRAVEL, INC. ON BEHALF OF
COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with RMS, Inc., 290 Mott Road, P.O. Box 455, Dryden, NY 13053 on behalf of County Highway. Said contract is for material crushing services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective June 13, 2017 through completion of project.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

#23

**RESOLUTION NO. 17-266
(June 13, 2017)**

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

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO
EXTEND THE SNOW AND ICE REMOVAL AGREEMENTS WITH
TOWNS AND VILLAGES FOR 2018/2019**

WHEREAS, The public interest demands the snow removal and the control of ice on all County roads within the County to bear the entire cost in accordance with §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 Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on County roads for the winter season of **2018/2019**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2018/2019** ~ The base rate will be frozen at the 2017/2018 base rate.
 - If the *State Snow Index* goes above 1.4, as determined by New York State Department of Transportation calculations, the base rate will be increased by \$100.00 per mile.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #24 through #32. Hearing no objection resolution titles were read.

#24

RESOLUTION NO. 17-267
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

**ENDORsing THE APPOINTMENT OF PAMELA CAGGIANELLI TO
THE NEW YORK STATE WORKERS' COMPENSATION BOARD**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby endorses the appointment of Pamela Caggianelli, 5145 Silver nail

June 13, 2017

Canandaigua, NY 14424 to the New York State Workers' Compensation Board.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#25

RESOLUTION NO. 17-268
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

**DISABILITY INSURANCE RATE WITH THE GUARDIAN LIFE
INSURANCE COMPANY OF AMERICA APPROVED**

BE IT RESOLVED, That rates for statutory New York State Disability Insurance coverage with The Guardian Life Insurance Company of America, 400 Willowbrook, Suite 450, Fairport, NY 14450 for the following employees are hereby approved with rates effective July 1, 2017 to June 30, 2018:

- ***CSEA ~ General Group:***
 - \$17.33 per employee/per month
- ***County and Hospital Management:***
 - \$8.42 per employee/per month
- ***CSEA ~ WCCH Supervisory:***
 - \$5.75 per female/per month
 - \$2.60 per male/per month

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#26

RESOLUTION NO. 17-269
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A VOLUNTARY COLLECTION
AGREEMENT FOR WYOMING COUNTY GUEST ROOM
OCCUPANCY TAX WITH AIRBNB, INC. ON BEHALF OF
WYOMING COUNTY**

Regular Session

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a voluntary Collection Agreement with Airbnb, Inc., 888 Brannan Street, 4th Floor, San Francisco, CA 94103 on behalf of Wyoming County. Said agreement to facilitate the reporting, collection and remittance of applicable *Transient Occupancy Taxes* (TOT) imposed under the Wyoming County Guest Room Occupancy Tax Law; effective June 13, 2017.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

#27

RESOLUTION NO. 17-270
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of October 1, 2016 through March 31, 2017 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, New York

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling **\$37,913.69** (thirty-seven thousand nine hundred thirteen dollars and sixty-nine cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

June 13, 2017

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$4,307.51
Attica	\$2,750.98
Bennington	\$5,282.41
Castile	\$2,340.46
Covington	\$1,077.32
Eagle	\$742.63
Gainesville	\$1,480.85
Genesee Falls	\$152.94
Java	\$2,841.40
Middlebury	\$1,313.63
Orangeville	\$867.60
Perry	\$3,533.17
Pike	\$1,112.38
Sheldon	\$4,297.24
Warsaw	\$4,438.55
Wethersfield	\$1,374.62
Grand Totals:	\$37,913.69

Let this be your Warrant for Such Payment: **37,913.69** (thirty-seven thousand nine hundred thirteen dollars and sixty-nine cents). IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 13th day of June, 2017.

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

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:
187 (Perry)
249 Total**

#28

**RESOLUTION NO. 17-271
(June 13, 2017)**

By Ms. Grant, Vice- Chairman of the Finance Committee:

SALARY SCHEDULES “C”, “S” AND “D” AMENDED

Regular Session

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule "C":

Wyoming County Community Health System

- Delete one (1) position of **Financial Analyst, FT** under Fiscal Services; effective May 14, 2017.
- Create one (1) position of **Manager of Budget and Financial Analysis, FT** under Fiscal Services at a salary of \$71,200.00 annually; available date May 14, 2017.
- Delete one (1) position of **Director of Medical/Surgical, Intensive Care & Infection Prevention, FT** under Medical Surgical Unit/3rd Floor; effective May 14, 2017.
- Create one (1) position of **Director of Medical/Surgical/Intensive Care, FT** under Medical Surgical Unit/3rd Floor at a salary of \$75,000.00 annually; available date May 14, 2017.
- Create one (1) position of **Quality Insurance Specialist/Infection Prevention, FT** under Acute Quality at a salary of \$71,600.00 annually; available date May 14, 2017.

Salary Schedule “S”:

County Attorney

- Set the salary of the **Asst. Co. Atty. (2nd)** at \$55,000.00 annually; effective June 01, 2017.

Public Health

- Create one (1) position of **Nurse Practitioner** (per diem) at a rate of \$44.00 per hour.

Salary Schedule “D”:

Public Health

- Reduce the salary of **Medical Director, PT** from \$39,000.00 to \$33,000.00 annually; effective July 3, 2017.

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)
249 Total**

#29

RESOLUTION NO. 17-272
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON

June 13, 2017

BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **AMN Healthcare Company (including Nursefinders, LLC)**, 1900 South Clinton Avenue, Rochester, NY 14618 for the purpose of using healthcare clinicians to provide temporary professional services in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective April 19, 2017 through April 30, 2019.
- **S.C.I. Anesthesia, PLLC**, P.O. Box 718, Victor, NY 14564 to provide professional anesthesia and administrative services of anesthesiologist in amounts not to exceed two hundred twenty-five dollars (\$225.00) per hour for on-site anesthesia services, one hundred seventy-five dollars (\$175.00) per hour for off-site consultation and sixty dollars (\$60.00) per hour for on-site on-call work; effective December 1, 2016 through November 30, 2017.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#30

RESOLUTION NO. 17-273
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

CREATED:

Health Department ~ Jail Medical

Regular Session

- Two (2) positions of **Registered Profession Nurse** (per diem) to be placed on CSEA Schedule A Grade 10B (\$26.54 - \$28.90/hr. includes 10% no benefits); position available date is June 14, 2017.

Health Department ~ MWRHS

- One (1) position of **Nurse Practitioner** (per diem) placed on Salary Schedule "S" to provide coverage for scheduled absences of FTE Nurse Practitioner at \$44/hour, to phase out current contracted NP services (due to declining availability).

EXTENDED:

Highway Department

- One (1) position of **Construction Projects Coordinator** (seasonal) FT (position code # 096.428) on Schedule "S" with an annual salary/benefit package yet to be negotiated due to sunset on June 15, 2017 which is now extended through June 15, 2018.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:** 187 (Perry)
249 Total

#31

RESOLUTION NO. 17-274
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN INTER-MUNICIPAL
AGREEMENT WITH THE TOWN OF EAGLE FOR COUNTYWIDE
ASSESSING SERVICES ON AN INTERIM BASIS**

WHEREAS, The Wyoming County Board of Supervisors offers Countywide Assessing Services to the municipalities within the borders of Wyoming County in accordance with New York State Real Property Tax Law, Section 1537; now therefore

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign an Inter-Municipal Agreement with the Town of Eagle to participate in the Countywide Assessing Services program on an interim basis in accordance with the negotiated per parcel fee schedule; effective May 24, 2017 through August 24, 2017 or upon the return of the Town's appointed assessor, whichever occurs first.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

#32

RESOLUTION NO. 17-275
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

**WYOMING COUNTY DEPUTY SHERIFF'S ASSOCIATION
CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between the *Wyoming County Deputy Sheriff's Association (D.S.A.)* and the County of Wyoming/Wyoming County Sheriff dated January 1, 2016 to December 31, 2019; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors, with the approval of John Corcoran, Legal Counsel are hereby authorized and directed 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 agreement by all parties.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
187 (Perry)
249 Total

Chairman Berwanger explained that resolution #33 is a non-consent item, which means it did not come out of committee with all members in favor of it.

Non Consent
#33

RESOLUTION NO. 17-276
(June 13, 2017)

By Ms. Grant, Vice-Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

Regular Session

CREATED:
Planning Department

- One (1) position of **Zoning Enforcement Officer** on Schedule "S" with an annual salary of \$36,000.00. Upon completion of second year and satisfactory performance and meeting pre-establish goals, a salary adjustment increase of \$2,000.00. Position available date is June 13, 2017.

Carried: XXX **Ayes:** 1214 **Noes:** 88 (Java) **Absent:** 62 (Middlebury) **Abstain**
48 (Pike) 187 (Perry)
136 249 Total

Chairman Berwanger offered the background on the need for resolution #34. Wyoming County receives job training funding through GLOW (Genesee, Livingston, Orleans and Wyoming). This year, the federal regulations changed and in order to keep the funding here in Wyoming County and not have it disbursed to only the other three counties, a sub recipient needed to be named for the receipt of these funds. Wyoming County Community Action is the only job-training provider in Wyoming County and has the best record per capita over the other three participating counties.

UC#34

RESOLUTION NO. 17-277
(June 13, 2017)

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

**APPROVING WYOMING COUNTY COMMUNITY ACTION, INC.
AS SUBRECIPIENT FOR WIOA**

WHEREAS, The Wyoming County Board of Supervisors has identified the need to provide certain services essential to the operation and administration of the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2015 (hereinafter collectively "WIOA"); and

WHEREAS, WIOA Section 107.(d) (12) (A) Budget indicates the local board shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official; and

WHEREAS, WIOA Section 107.(d) (12) (B) Administration indicates the chief elected official in a local area shall serve as the local grant recipient

June 13, 2017

for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133; and

WHEREAS, Said section further indicates in order to assist in administration of the grant funds, the chief elected official may designate an entity to serve as a local grant subrecipient for such funds; and

WHEREAS, The Wyoming County Board of Supervisors has considered possible entities to operate and administer services under the WOIA and has determined there is an insufficient number of eligible service providers within Wyoming County; and

WHEREAS, The County has determined that Wyoming County Community Action, Inc. qualifies to provide WIOA Title 1 services as a subrecipient; and

WHEREAS, OMB 2 CFR 200.330, (a) Subrecipients. A Subaward is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipients. Characteristics which support the classification of the non-federal entity as a subrecipient include when the non-federal entity:

1. Determines who is eligible to receive what Federal assistance;
2. Has its performance measured in relation to whether objectives of a Federal program were met;
3. Has responsibility for programmatic decision making;
4. Is responsible for the adherence to applicable Federal program requirements specific in the Federal award; and
5. In accordance with the agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity; now therefore

BE IT RESOLVED, That the Board of Supervisors for the County of Wyoming hereby authorizes, pursuant to Workforce Innovation and Opportunity Act Sections 123(b) and 134(b), Wyoming County Community Action, Inc. to operate and administer the services of the WIOA as the subrecipient; and be it

FURTHER RESOLVED, That any agreement arising from subrecipient provider described above shall be subject to the approval of the County Attorney pursuant to this Resolution and further subject to the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: 187 (Perry)

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:20 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

**RURAL ARTS INITIATIVE
PUBLIC HEARING
(June 30, 2017)**

Friday

2:00 PM

A public hearing was held at the Wyoming County Agriculture and Business Center, 36 Center Street, Suite C, Warsaw, New York regarding the submission of a Community Development Block Grant Application to the New York State Office of Community Renewal for additional funding for the Wyoming County Rural Arts Initiative Microenterprise Program (WCRAI-MP) with the following ten members of the Wyoming County Board of Supervisors present:

Sandy King, T/Pike; David Tallman, T/Gainesville; Susan May, T/Orangeville; James Brick, T/Perry; Brian Becker, T/Sheldon; Becky Ryan, T/Warsaw; Vanessa McCormick, T/Java; Jerry Davis, T/Covington; Ellen Grant, T/Bennington and A. D. Berwanger, T/Arcade.

Also present was William, Director of Wyoming County Planning and Development and members of the Wyoming County Industrial Development Agency (WCIDA); Executive Director James Pierce and Director of Operations Robin Marschilok.

Also in attendance were Harry Sicherman and Greg Merriam from H. Sicherman & Company, Inc. and Jackie Hoyt, Executive Director for the Arts Council for Wyoming County (ACWC).

At 2:00 PM Director William Daly called the meeting to order and opened the public hearing.

“Good afternoon. I am Bill Daly, Director of Planning and Development for Wyoming County. Welcome to this public hearing being held today, Friday, June 30, 2017 at 2 p.m. at the Wyoming County Agriculture and Business Center, 36 Center Street, Suite C, Warsaw, New York to consider citizen comments regarding the County’s potential submission of a Community Development Block Grant application to the New York State Office of Community Renewal for additional funding of the Rural Arts Initiative Microenterprise Program. Written comments were also invited and were accepted upon delivery to the Clerk of the Wyoming County Board of Supervisors, 143 North Main Street, Suite 220, Warsaw, NY 14569 prior to this hearing. This hearing location complies with the accessibility standards under the Americans with Disabilities Act.

Legal notice for the Public Hearing appeared in both the Batavia Daily News and the Perry Herald.

The County of Wyoming was awarded a CFA Grant by the Genesee Finger Lakes Regional Economic Development Council for two hundred thousand dollars (\$200,000.00) in 2015 through the New York State Office of Community Renewal to fund the Wyoming County Rural Arts Initiative Microenterprise Program.

The Microenterprise Program has been successful in identifying and funding artists with the original grant and the County of Wyoming wishes to apply for a second CFA grant from the New York State Office of Community Renewal, through the Genesee Finger Lakes Regional Economic Development Council in an amount of two hundred thousand dollar (\$200,000.00) that will be used to provide additional financial assistance to the Wyoming County Rural Arts Initiative Microenterprise Program effective January 1, 2018 through December 31, 2019.

The Chairman of the Board of Supervisors, with the approval of the County Attorney was authorized and directed through Resolution No. 17-253 dated June 13, 2017 as the official representative of Wyoming County, New York to execute and submit a CFA grant application to the New York State Office of Community Renewal, and is hereby authorized and directed, upon approval of the County Attorney, to take all actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary.

Comments are welcomed at this time.”

Harry Sicherman, who administers the WCRAI-MP, stated that the WCRAI-MP concept was formed from a conversation between Mr. Sicherman and Bill Daly. There are ten applicants in the program. They are now concentrated in Perry and Arcade. One of the main goals is to build Tourism. There will be a reception in this building on July 20th at 5:30 p.m. for the artists and public. Staff from the New York State Office of Community Renewal will be attending.

Becky Ryan, a member of the WCRAI Committee, said the Program was going well. Two developers – Greg O’Connell in Perry and Jim Rutowski are working on projects relating to the WCRAI.

Jim Pierce, a WCRAI Committee member said there are 10 awardees and 8 new businesses from the first OCR grant.

Jackie Hoyt, a WCRAI Committee member, said that the Committee is working well together.

With no further comments, the meeting was adjourned at 2:12 pm.

2

**211 Advisory Board
Appointments**

D. Rumsey, L. Paolucci, Res. #17-012..... 31

A

**Agriculture Committee
Proclamations**

Dairy Month, Res. #16-244 349
Girl Scouts 105th Anniversary and
100 Years of Cookie Sales
Proclaimed, Res. #17-128.. 184

Appointments**211 Advisory Board**

D. Rumsey, L. Paolucci Res. #17-012..... 31

County Auditor

J. Cook, Res. #17-035 54

**Genesee/Finger Lakes Regional
Planning Council**

A. D. Berwanger, D. Leuer, J.
Davis, Res. #17-061 76

GLOW**Regional Solid Waste**

Management Committee
R. Curry, Res. #17-191 276
S. King, J. Davis, D. Leuer, Res.
#17-131 187

Solid Waste Advisory Committee
S. King, Res. #17-132 188

Solid Waste Planning Committee
R. Curry, Res. #17-191 276

HIPPA Officers

D. Tallman, J. Kibler, T.
MacConnell, Res. #17-030... 50

Inter-County Association of WNY

J. Davis, E. Grant, J. Copeland, C.
Ketchum, R. Ryan, Res. #17-031..... 51

Mental Health**Community Services Board**

R. Ryan, Res. #17-050 71

Mental Health Subcommittee

R. Ryan, Res. #17-050 71

New York State Department of**Environmental Conservation****Advisory Committee**

J. Copeland, B. Kehl, Res. #17-055 73

Office for the Aging**Advisory Council**

E. Grant, Res. #17-044 67

Planning Department**County Planning Board**

E. Smart, D. Johnson, Res. #17-019 38

Public Health**Board of Health**

T. Wakefield, Res. #17-015 .. 32

Medical Director

G. Collins, Res. #17-014 32

Region 9**Fish and Wildlife Management
Board**

J. Brick, Res. #17-056 74
J. Meyer, Res. #17-126 183

Forest Practice Board

J. Meyer, Res. #17-126 183

**Seneca Trail Resource Conservation
and Development Council**

J. Knab, E. Joseph Gozelski, Res.
#17-057 74

Sheriff**Stop DWI Coordinator**

D. Linder, Res. #17-022..... 40

Veterans Services**Director (Interim)**

C. Reynolds, Res. #17-210 . 296

Wyo. Co. Arts Council**Board of Directors**

R. Ryan, Res. #17-062 77

Wyo. Co. Business Education**Council**

V. McCormick, B. Hastings, Res. #17-063	77
Wyo. Co. Chamber of Commerce	
Board of Directors	
R. Ryan, Res. #17-256	359
Wyo. Co. Comm. Hospital	
Board of Health	
R. Ryan, Res. #17-052	72
Wyo. Co. Cornell Cooperative	
Extension	
Board of Directors	
J. Brick, Res. #17-054	73
Wyo. Co. Industrial Development	
Agency	
Development Board	
R. Ryan, A. Douglas Berwanger, Res. #17-060	76
Wyo. Co. Local Development Corp.	
Board of Directors	
D. Leuer, Res. #17-222.....	305
Wyo. Co. Soil and Water	
Conservation District Board	
D. Heiby, E. J. Gozelski, Res. #17-127	183
J. Brick, V. McCormick, Res. #17-058	75
Wyo. Co. Water Resource Agency	
Board of Directors	
J. Brick, D. Leuer, C. Ketchum, Res. #17-018	38
Youth Bureau	
Youth Board	
B. Omans, Res. #17-213.....	298
Audit of Monthly Bills	
01/2017.....	65
02/2017.....	134
03/2017.....	258
04/2017.....	295
05/2017.....	352
12/2016.....	15

B

Bid Awards
Highway

Relation Thereto, Res. #17-001	126	386	
.....		05/09/17, Res. #17-208	294
.....		06/13/17, Res. #17-245	351
Home Rule Request		Buildings and Grounds (Co. Bldgs.)	
Extend Sales Tax Increase, Res.		Contracts / Agreements	
#17-032	51	Key Power Systems, Inc. Res. #17-229	310
Meetings		Key Power, Res. #17-155	213
Organizational Session		NOMAD Enterprises, Inc., Res. #17-195	279
01/03/17..... 1		Simplex Grinnell, Res. #17-024	41
Regular Session		ThyssenKrupp Elevator, Res. #17-195	279
01/17/17..... 12		U & S Services, Inc., Res. #17-024	41
02/14/17..... 62			
03/14/17..... 131			
04/11/17..... 254			
05/09/17..... 291			
06/13/17..... 345			
Special Session			
03/08/17..... 125			
Official Newspapers Designated,		C	
Res. #17-002	4		
Rules of Procedure Amended and		County Attorney	
Adopted, Res. #17-001	4	Contracts / Agreements Amended	
Sales Tax Extension		Michael deFreitas, Esq., (Res. #15-276), Res. #17-043	67
Additional 1% to Expire on		Michael DeFreitas, Esq., (Res. #15-276), Res. #17-176	258
11/30/2019, Res. #17-164.	224	Wendy Sission (Res. #16-450), Res. #17-450	353
Semi-Annual Mortgage Tax Report,			
Res. #17-239	320	Positions	
Semi-Annual Mortgage Tax Report,		Created	
Res. #17-270	373	One (1) Position of Asst. Co. Atty., FT (1 st), Res. #17-240	321
Budget Office			
Appropriations			
2016		County Auditor	
01/17/17, Res. #17-005..... 14		Appointments	
02/14/17, Res. #17-040..... 65		J. Cook, Res. #17-035	54
03/14/17, Res. #17-089..... 134			
2017		County Clerk	
01/17/17, Res. #17-006..... 14		Annual Mortgage Tax Retention, Res. #17-009	29
02/14/17, Res. #17-039..... 63			
03/14/17, Res. #17-088..... 133		County Insurance	
04/14/17, Res. #17-175..... 257		2017 Dental Insurance Rates	
05/09/17, Res. #17-209..... 294		Approved, Res. #17-074	112
06/13/17, Res. #17-246..... 351		Disability Insurance Rate with the	
Transfers		Guardian Life Insurance Company of America Approved, Res. #17-268	372
2016			
01/17/17, Res. #17-004..... 13		NYS Workers' Compensation Board	
2017		Appointments	
03/14/17, Res. #17-087..... 133		P. Caggianelli, Res. #17-267371	
04/11/17, Res. #17-174..... 256			

D**District Attorney****Grants**

New York State Division of Criminal Justice, Res. #17-020	39
New York State Office of Victim Services, Res. #17-110	308

E**Emergency Services****Contracts / Agreements**

E. M. Systems, Inc., Res. #17-144	200
-----------------------------------	-----

Contracts / Agreements Amended

Department of Homeland Security Emergency Services	
Office of Interoperable and Emergency Communications (Res. #13-200), Res. #17-227	
.....	309

William Jenkins. (Res. #13-299), Res. #17-162	220
--	-----

Grants

New York State Division of Homeland Security and Emergency Services, Res. #17- 228	310
---	-----

Memorandum of Understanding

Finger Lakes New York Interoperable Communications Consortium, Res. #17-143	200
---	-----

F**Fire and Building Codes****Agreements**

Countywide Zoning Enforcement Services, Res. #17-068	87
---	----

Bid Awards

Conroy Motor Corp, Res. #17-145	201
---------------------------------	-----

Grants

New York State Energy Research
and Development Authority
(NYSERDA), Res. #17-146... 201

Positions**Created**

One (1) Position of Zoning Enforcement Officer, Res. #17-276	378
--	-----

G**Genesee/Finger Lakes Regional****Planning Council****Appointments**

A. D. Berwanger, D. Leuer, J. Davis, Res. #17-061	76
--	----

GLOW**Appointments**

Regional Solid Waste Management Committee	
R. Curry, Res. #17-191	276
S. King, J. Davis, D. Leuer, Res. #17-131	187

Solid Waste Advisory Committee	
S. King, Res. #17-132	188

Solid Waste Planning Committee	
R. Curry, Res. #17-191	276

Contracts / Agreements

Environmental Enterprises, Res. #17-221	305
--	-----

Workforce Innovation and Opportunity Area Memorandum of Understanding, Res. #17-160	269
--	-----

WIOA

Approving Wyoming County Community Action, Inc.as Subrecipient for WIOA, Res. #17-277	379
--	-----

H**Highway****Bid Awards**

George & Swede Sales and Service, Inc., Res. #17-027 ... 43	Annual Highway Material Bids (Res. #16-184), Res. #17-02642
George and Swede Sales and Service, Inc., Res. #17-071. 108	LaBella Associates, D.P.C., (Res. #13-332) Res. #17-070..... 108
Highway Material Bids Approved, Res. #17-196 280	
Onondaga County Bid Award, Res. #17-197 280	
RMS Gravel, Inc., Res. #17-265 370	
Van Bortel Ford, Inc., Res. #17-025..... 41	
Contracts / Agreements	
CME Associates, Inc., Res. #17-230..... 311	
County Highway Superintendent Authorized to Extend the Snow Agreement with Towns and Villages for 2018/2019, Res. #17-266 370	
Elderlee, Inc., Res. #17-157.... 214	
Federal Aid and State "Marchiselli" Program Aid (Bixby Hill Rd., T/Arcade), Res. #17-264 368	
Federal Aid and State "Marchiselli" Program Aid (CR-2 Broughton Rd, T/Gainesville), Res. #17-073 110	
Federal Aid and State "Marchiselli" Program Aid (CR-59 Bixby Hill Road, T/Arcade), Res. #17-072 109	
Federal Aid and/or State Aid (Schad Rd. Bridge over Red Brook Creek), Res. #17-263367	
Popli Design Group, Res. #17-156 214	
P-W Laboratories, Inc., Res. #17-230..... 311	
Town of Covington, Res. #17-225 308	
W. A. Wilson, Inc., Res. #17-230 311	
Contracts / Agreements Amended	
American Rock Salt Co., LLP (Res. #16-356), Res. #17-262..... 366	
Grants	
Elderlee, Inc., Res. #17-158.... 215	
Positions	
Extended	
One (1) Position of Construction Projects Coordinator (seasonal) FT, Res. #17-273..... 376	
HIPPA Officers	
Appointments	
D. Tallman, J. Kibler, T. MacConnell, Res. #17-030 ... 50	
Historian	
Grants	
Arts Council of Wyo. Co., Res. #17-008 29	
Human Resource	
Educational Resource Associates, Res. #17-042 66	
I	
Information Technology	
Contracts / Agreements	
CivicPlus, Res. #17-165 225	
ESRI, Inc., Res. #17-198..... 281	
Simplex Grinnell, Res. #17-075 112	
Vigilant, LLC, Res. #17-232 312	
Sole Source Procurement	
Vigilant, LLC, Res. #17-231 311	
Inter-County Association of WNY	
Appointments	
J. Davis, E. Grant, J. Copeland, C. Ketchum, R. Ryan, Res. #17-075..... 51	
L	
Local Laws	
Adopted	

Local Law 1, (A) (Sustainable Energy Loan Program), Res. #17-172	236
Local Law 2, (B) (Guest Room Occupancy Tax), Res. #17-242	324
Introduced – Public Hearing Set	
Local Law A (Establish a Sustainable Energy Loan Program in Wyoming County), Res. #17-064	78
Local Law B (Guest Room Occupancy Tax Law), Res. #17-207.....	290
Local Law C (Repeal/Replace the Wireless Communications Surcharge), Res. #17-258...	361
Local Law D (Amend Local Law 11 of 1994 Banning Possession of Weapons in County Buildings), Res. #17-261	365

M

Mental Health Appointments

Community Services Board	
R. Ryan, Res. #17-050	71

Mental Health Subcommittee

R. Ryan, Res. #17-050	71
-----------------------------	----

Contracts / Agreements Amended

Coordinated Care Services, Inc. (Res. #16-460), Res. #17-122	180
--	-----

Coordinated Care Services, Inc., (Res. #16-460), Res. #17-251	355
---	-----

Hillside Children's Center (Res. #16-461), Res. #17-049.....	70
--	----

Hillside Children's Center (Res. #16-461), Res. #17-183.....	263
--	-----

Mental Health Association of Rochester and Monroe County (Res. #16-456), Res. #17-218	301
---	-----

Suburban Adult Services, Inc. (Res. #16-455), Res. #17-216	300
--	-----

Contracts / Agreements Rescinded

CIPA Western New York IPA, d/b/a Catholic Medical Partners (CMP) (RESCINDED), Res. #17-048.....	70
---	----

Grants

CIPA Western New York IPA, d/b/a Catholic Medical Partners (CMP), Res. #17-048	70
--	----

CIPA Western New York IPA, Inc. d/b/a Catholic Medical Partners, Res. #17-217	301
---	-----

New York Council on Problem Gambling, Res. #17-121.....	179
---	-----

New York State Council on Problem Gambling, Res. #17-051.....	71
---	----

Suicide Prevention Center of New York (SPCNY), Res. #17-123180	
--	--

Grants Rescinded

New York Council on Problem Gambling, (Res. #17-121), (RESCINDED), Res. #17-181261	
--	--

Proclamations

Alcohol Awareness Month Proclaimed, Res. #17-182 ..	262
---	-----

Developmental Disabilities Month Proclaimed, Res. #17-120.....	178
--	-----

Mental Health Awareness Month, Res. #17-219	302
---	-----

N

New York State Association of

Counties (NYSAC)

Winter Conference

Resolutions

Calling for an Increase in the Share of Revenue Counties Retain for Providing State	
---	--

DMV Services, Res. #17-092	137	390	
Calling for the Revamping of Outdated NYSED Preschool Special Education Service Program Reimbursements and Waiver Review Process for Contracted Service Agencies, Res. #17-108 .	155	the United States, Res. #17-117	172
Calling on Counties to Adopt the Stepping Up Initiative, Res. #17-147	202	Calling on Governor Andrew M. Cuomo and the Office fo Mental Health and the Department of Health of the State of New York to Preserve and Maintain the Role of Children's Single Point of Access to Ensure that High-Need/High-Risk Children and Youth with Serious Emotional Disturbance and Their Families have Timely Access to the Comprehensive Services and Supports They Need as the State Implements Medicaid Redesign for Children, Youth and Family Services, Res. #17-115.....	169
Calling on Governor Andrew M. Cuomo and the New York State Legislature to Pass Legislation that Prohibits Civilian Drone Use within One Thousand Feet of a Correctional Facility, Res. #17-154	212	Calling on Governor Andrew M. Cuomo and the State Legislature to More Equitably and Efficiently Impose the 9-1-1 Surcharge on all Wireless Communications Devices and Use Revenues to Finance County 9-1-1, Res. #17-151	209
Calling on Governor Andrew M. Cuomo and the New York State Legislature to Pass Legislation that would Promote the Use of Video Conferencing for Court Appearances for Inmates Held at a County Jail, Res. #17-152	210	Calling on Governor Andrew M. Cuomo to Create a New York State 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services, Res. #17-150	207
Calling on Governor Andrew M. Cuomo and the New York State Legislature to Urge the President and Congress to Increase Federal Funding to Localities to Combat the Spread of the Zika Virus in		Calling on Governor Andrew M.Cuomo and State Legislatures on Adopting a Transportation Capital Plan and Urging a Continued and Increasing Commitment to Assisting Counties in	

Maintaining their Local Infrastructure, Res. #17-159	215
Calling on Governor Cuomo and State Lawmakers to Invest and Implement Funding for a Statewide Workforce Strategy that Assists Locally-Driven Workforce Development Programs, Res. #17-133	188
Calling on New York's Congressional Delegation to Preserve the Federal Tax Exemption for Municipal Bonds, Res. #17-082	119
Calling on New York's Congressional Delegation to Support the Enactment of Federal Legislation to Simplify and Ease Sales Tax Collections on Internet-Based Purchases and to Support a Level Playing Field for "Main Street" Retailers, Res. #17-083..	120
Calling on State Lawmakers and Governor Andrew M. Cuomo to Work to Reform Indigent Legal Services and Fund the County Share of Public Defense, which is a State Responsibility, Res. #17-149	206
Calling on State Legislative Leaders to Reform the Home Rule Revenue Process by Enacting a 4-Year Authorization Period for all Local Sales Tax Extenders in 2017 with a Goal of Making this Local Renewal Authority Permanent, Res. #17-081	117
Calling on the Office of Alcoholism and Substance Abuses Services and	
Governor Andrew M. Cuomo of the State of New York to Provide State Funding to Support the Treatment of Individuals with Substance Use Disorders Who are Incarcerated in County Jails, in Order to Help Combat the Heroin and Opioid Abuse Epidemic and Other Addictions, Save Lives and Reduce the Rate of Recidivism, Res. #17-116	171
Calling on the President and Members of the New York State Congressional Delegation to Direct Infrastructure Stimulus Investments to Counties and Local Government, Res. #17-161	219
Calling on the Public Employment Relations Board (PERB) to Work in Conjunction with Counties to Improve the Arbitration System, Res. #17-094	140
Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases that are Set and Controlled by the State, Res. #17-091	136
Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking County Employment, Res. #17-096	143
Calling on the State to Pay for Any Required Increases in Cost to the Child Protective Service Program, Res. #17-095	141

	392
Commending Governor Cuomo and State Legislatures on Record Airport Funding Measures and Urging Certain Programs be made Permanent, Res. #17-160	217
Supporting an End to Executive Administrative Cuts, An Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitue Article 6 State Aid Reimbursement for Mandated General Public Health Work Undertaken by Local Health Departments as Population Health Partners of New York State, Res. #17-119	175
Supporting Efforts to Allocate New York State Resources and Funding to Regions, Counties and Municipalities that Want to Take Part in the US Census Bureau Local Update of Census Addresses (LUCA) Program, Res. #17-093	139
Supporting Efforts to Increase Access to Broadband Across New York State through "The New NY Broadband Program" and Calling on Governor Cuomo and State Lawmakers to Continue their Commitment to Prioritizing and Expanding Broadband Coverage in Unserved and Underserved Areas Statewide, Res. #17-134	190
Supporting Rabies Prevention Across the State and Providing Appropriate Funding Necessary to	
Achieve this Goal, Res. #17-118	174
Supporting the Creation of an Industry-Sponsored Paint Stewardship Program to Reduce the Costly Burden Faced by Local Governments when Collecting and Disposing of Post-Consumer Paint, Res. #17-135	191
Thanking Governor Andrew M. Cuomo and the New York State Legislture for Making Heroin and Opioid Abuse Prevention a Top Public Safety, Public Health and Mental Health Priority in New York State in 2017, Res. #17-148.....	204
To Reduce the Administrative Burden on Local Health Departments Caused by Article Six State Aid for General Public Health Work mIntenance of Effort Requirements, Res. #17-113	165
Urging Governor Andrew M. Cuomo and New York State Legislature to Adhere to the Law as it Applies to the State Fiscal Responsibility for Preschool Special Education and Eliminate County Responsibility for Summer School Special Education Programs, Res. #17-105	150
Urging Governor Andrew M. Cuomo and New York State Legislature to Maintain Our Mutual Goals of not Shifting New Costs to Counties while Maintaining Reasonable Local Flexibility Over Administrative	

Functions, as the State Realigns Medicaid Administrative Functions and Human Services Programs, Res. #17-111	161	Dedicate Resources to Expand Access to Electric Vehicle Charging Stations in Every County throughout the State, Res. #17-138	196
Urging Governor Andrew M. Cuomo and State Lawmakers to Sustain Funding for Farmland Preservation, Res. #17-125	182	Urging New York State to Cover the Added Costs of Early Voting, Res. #17-090	135
Urging Governor Andrew M. Cuomo and the New York State Legislature to Continue to Reform and Improve the Early Intervention Program to Better Serve Children and Families, Res. #17-104	149	Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that any Statutory or Administrative Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims' Rights and Ensure Accountability in the Justice System, Res. #17-109	156
Urging Governor Andrew M. Cuomo and the New York State Legislature to Gradually Restore the 50/50 State/County Cost-Sharing for the Safety Net Program, to Increase Shelter Grant Reimbursements to Counties and to Provide Sufficient Resources to Provide Safe and Secure Housing, Res. #17-110	159	Urging New York State to Maintain the Carve out from Medicaid Managed Care for School-Based Health Centers, Res. #17-114	167
Urging Governor Andrew M. Cuomo and the New York State Legislature to Hold Counties Harmless from any Lost Federal Medicaid Reimbursement if Provisions of the Affordable Care Act are Repealed, or Federal Medicaid Reimbursement to States are Capped, Res. #17-103	147	Urging State Legislative Leaders to Focus their Property Tax Relief Efforts on Fiscal Reforms that will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties are Currently Required to Pay for Under State Law, Res. #17-163	221
Urging Governor Andrew M. Cuomo and the New York State Research and Development Authority to		Urging the Department of Health and the Division of Budget to Identify all Outstanding Claims and Prioritize Reimbursing County Costs for Early Intervention Services that	

were Provided and Paid for by Counties Prior to the State Fiscal Agent Administrative Takeover and Remain Unreimbursed, Res. #17-107	153	Connecting Existing and New Renewable Energy Projects to the Grid and Provide Immediate Relief to Delayed Projects, Res. #17-136	192
Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement from all Third-Party Payers, Res. #17-106	152	Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for all Retailers by Addressing Loopholes in Internet Sales Tax Collection Practices, Res. #17-085.....	123
Urging the New York State Congressional Delegation to Preserve the Medicaid Expansion and Basic health Plan Program Options Allowed Under the Affordable Care Act and Oppose Efforts to Cap Federal Medicaid Payments to the States, Res. #17-112	162	New York State Department of Environmental Conservation Appointments	
Urging the New York State Department of Environmental Conservation, the New York State Department of Health and the New York State Department of Agriculture and Markets to Acknowledge the Seriousness of Harmful Blue-Green Algae Blooms and to Dedicate Funding to Address their Prevalence, Res. #17-137	194	Advisory Committee	
Urging the New York State Public Service Commissioner to Work with Utilities to Determine the Cause of Delayed Interconnection Agreements and to Promote a Streamlined Interconnection Process for		J. Copeland, B. Kehl, Res. #17-055	73
		O	
		Office for the Aging Appointments	
		Advisory Council	
		E. Grant, Res. #17-044	67
		Contracts / Agreements	
		Adecco, Res. #17-098.....	145
		Laura's Country Kitchen, Res. #17-177	259
		Contracts / Agreements Amended	
		Adecco (Res. #17-098), Res. #17-178.....	259
		New York State Office for the Aging (Res. #16-013), Res. #17-045.....	68
		Grants	
		Catholic Charities of Buffalo, Res. #17-010	30
		New York State Office for the Aging, Res. #17-099	145
		Grants Amended	
		New York State Office for the Aging, (Res. #15-161), Res. #17-100	146
		Proclamations	

Older Americans Month, Res.
#17-212 297

P

Planning Department

Appointments

Planning Board

E. Smart, D. Johnson, Res. #17-019 38

Contracts / Agreements

Genesee/Finger Lakes Regional

Planning Council

Public Employees Fidelity
(Blanket) Bond, Res. #17-065 83

Grants

New York State Department of
Environmental Conservation,
Res. #17-254 358

New York State Office of
Community Renewal, Res. #17-253 357

Request for Proposal

Solar Array, Res. #17-255 358

Resolutions

In Support of Adopting the New
York State Unified Solar Permit
for Solar Projects in Wyoming
County, Res. #17-067 86

In Support of Applying for
Membership in the Energy
Improvement Corporation
(EIC), Res. #17-173 241

Urging the Governor and State
Lawmakers to Provide Funding
for Local Update of Census
Addresses (LUCA), Res. #17-220 303

Resolutions Rescinded

Agreement to Accept Payments
in Lieu of Taxes (PILOT) for
Commercial Solar Installations
in Wyoming County
(RESCINDED), Res. #17-171 229

Policies

County General

Ag and Business Center Use of
Facilities and Fee Schedule,
Res. #17-038 56

Custodial Agreement, Res. #17-028 43

Employee Handbooks

"S"
Res. #17-007 15

Policies Amended

County General

Ag and Business Center Use of
Facilities Policy and Fee
Schedule (Res. #17-038), Res.
#17-190 271

Positions

Abolished

Highway

One (1) Position of Bridge
Construction Mechanic 288

Public Health

One (1) Position of Public
Health Nurse (FTE) 288

Approved

Sheriff

One (1) Position of Deputy
Sheriff, FT, Res. #17-084 122

Social Services

One (1) Position of Registered
Nurse (per diem), Res. #17-084 122

Created

County Attorney

One (1) Position of Asst. Co.
Atty., FT (1st), Res. #17-240
..... 321

District Attorney

One (1) Position of Assistant
District Attorney (Temp.),
PT, Res. #17-170 229

Fire and Building Codes

One (1) Position of Zoning
Enforcement Officer, Res.
#17-276 378

Highway

One (1) Position of Heavy
Equipment Operator 288

One (1) Position of Sign Maintenance Working Supervisor	288
Public Health	
Jail Medical	
Two (2) Position of Registered Professional Nurse (per diem), Res. #17-273.....	376
MWRHS	
One (1) Position of Nurse Practitioner (per diem), Res. #17-273	376
One (1) Position of Community Health Nurse II	288
Sheriff	
Jail	
One (1) Position of Correctional Officer (PT)	288
One (1) Position of Administrative Assistant	288
Extended	
Highway	
One (1) Position of Construction Projects Coordinator (seasonal) FT, Res. #17-273	376
Probation	
Contracts / Agreements	
Automon, LLC, Res. #17-023	40
Grants	
New York State Division of Criminal Justice Services – Office of Probation and Correctional Alternatives, Res. #17-110	363
Proclamations	
Agriculture Committee	
Dairy Month, Res. #16-244	349
Girl Scouts 105 th Anniversary and 100 Years of Cookie Sales Proclaimed, Res. #17-128 ..	184
Mental Health	
Alcohol Awareness Month Proclaimed, Res. #17-182 ..	262
Developmental Disabilities Month , Res. #17-120	178
Mental Health Awareness Month , Res. #17-219	302
Office for the Aging	
Older Americans Month, Res. #17-212	297
Social Services	
Child Abuse and Neglect Prevention Month Proclaimed, Res. #17-180	260
Foster Care Awareness Month, Res. #17-214	298
United Way	
2017 United Way Campaign Supported, Res. #17-097 ...	144
Veterans Services	
Armed Forces Week, Res. #17-211	296
Wyo. Co. Chamber of Commerce	
Arcade & Attica Railroad Day, Res. #17-243	342
Travel and Tourism Week, Res. #17-189	270
Wyo. Co. Comm. Action	
Community Action Month, Res. #17-224	306
Wyo. Co. Cornell Cooperative Extension	
4-H Program	
Celebration of the 4-H Program and Cookie Sales Proclaimed, Res. #17-129	185
Agricultural Month in Wyoming County Proclaimed, Res. #17-130.....	186
Public Defender	
Contracts / Agreements	
Attica Legal Aid Bureau, Res. #17-260	364
Grants	
New York State Office of Indigent Legal Services, Res. #17-069	88
Public Health	
Appointments	
Board of Health	

T. Wakefield, Res. #17-015 ..	32
Medical Director	
G. Collins, Res. #17-014	32
Contracts / Agreements	
Emergency Services Marketing Corp., Inc., Res. #17-066.....	86
New York State Department of Health, Office of Health Insurance Programs/Bureau of Child Health Plus Policy and Exchange Consumer Assistance, Res. #17-053	72
Saia Communications, Inc., Res. #17-066	86
Contracts / Agreements Amended	
New York State Department of Health, Bureau of Community Environmental Health and Food Protection (Res. #13-265), Res. #17-185.....	264
Wyoming Properties, LLC (Res. #13-23), Res. #17-186.....	265
Grants	
Health Research, Inc., Res. #17-252.....	356
New York State Department of Health, Center for Community Health, Div. of Chronic Disease Prevention, Res. #17-252 ..	356
New York State Department of Health, Res. #17-124	181
New York State Department of Health, Res. #17-184	264
Positions	
Created	
Jail Medical	
Two (2) Position of Registered Professional Nurse (per diem), Res. #17-273.....	376
MWRHS	
One (1) Position of Nurse Practitioner (per diem), Res. #17-273	376

R

Real Property Tax Services

Contracts / Agreements

Applied Business Systems, Inc., Res. #17-233	313
Town of Eagle, Res. #17-274..	377

Reforestation

Contracts / Agreements

Timber Ridge Logging, LLC, Res. #17-187	266
---	-----

Region 9

Appointments

Fish and Wildlife Management Board

J. Brick, Res. #17-056	74
J. Meyer, Res. #17-126	183

Forest Practice Board

J. Meyer, Res. #17-126	183
------------------------------	-----

Resolutions

17-001, Rules of Procedure Amended and Adopted.....	4
17-002, Official Newspapers Designated	4
17-003, 3 Copies of Annual Reports Requested	6
17-004, Funds Transferred to Various 2016 Accounts	13
17-005, Funds Appropriated to Various 2016 Accounts	14
17-006, Funds Appropriated to Various 2017 Accounts	14
17-007, Salary Schedule "S" Handbook Amendments Approved	15

17-008, Chairman Authorized to Sign a Grant Acceptance Award with the Arts Council of Wyoming County on behalf of the County Historian	29
17-009, County Clerk Annual Mortgage Tax Retention Fee ...	29
17-010, Chairman Authorized to Sign a Grant Application and Acceptance Award with Catholic	

Charities of Buffalo on Behalf of the Office for the Aging	30
17-011, Resolution Number 16-504 Amended	30
17-012, Members	
Appointed/Reappointed to the 2-1-1 Advisory Board.....	31
17-013, Chairman/Commission of Social Services Authorized to Sign a Welfare Management Contract with Companion Care of Rochester on Behalf of the Department of Social Services .	31
17-014, Gregory J. Collins, DO, MPH Reappointed Medical Director, PT	32
17-015, Thomas Wakefield, Reappointed to the Wyoming County Board of Health	32
17-016, Resolution Supporting Cornell Cooperative Extension Associates in the State of New York.....	35
17-017, Resolution Number 16-062 Amended	37
17-018, Members Reappointed to the Wyoming County Water Resource Agency Board of Directors	38
17-019, Members	
Appointed/Reappointed to the Wyoming County Planning Board	38
17-020, Chairman Authorized to Sign a Grant Application and Acceptance Award with New York State Division of Criminal Justice Services on Behalf of the District Attorney's Office.....	39
17-021, Chairman Authorized to Sign a Contract with Orleans County Jail on Behalf of the County Jail.....	39
17-022, David Linder Reappointed as the Stop DWI Coordinator, PT	40
17-023, Chairman/Director of Probation Authorized to Sign a Contract with Automon, LLC on Behalf of Wyoming County Probation	40
17-024, Chairman Authorized to Sign Various Contract on Behalf of Buildings and Grounds (Co. Bldgs.)	41
17-025, Chairman Authorized to Accept the New York State Office of General Services Vehicle Marketplace Bids and Sign Contract with Van Bortel Ford, Inc. on Behalf of County Highway	41
17-026, Resolution Number 16-184 Amended	42
17-027, Chairman Health to Award Bid and Sign a Contract with George & Swede Sales and Service, Inc. on Behalf of County Highway)	43
17-028, Investment Policy for Wyoming County Adopted ~ Chairman Authorized to Sign Custodial Agreements to Maintain Pledged Securities	43
17-029, Resolution Number 16-432 Amended	50
17-030, HIPPA Officers	
Appointed/Reappointed	50
17-031 Members	
Appointed/Reappointed to the InterCounty Association of Western New York	51
17-032, Home Rule Request to Extend Sales Tax Increase Approved	51
17-033, Salary Schedule "C", "P", "D", "G" and "S" Amended	52
17-034, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System	53
17-035, Janis Cook Appointed County Auditor.....	54

17-036, Resolution Number 16-326 Amended	54
17-037, Wyoming County Sheriff's Employees Association (S.E.A.) Memorandum of Agreement Approved	56
17-038, Wyoming County Ag and Business Center Use of Facilities Policy and Fee Schedule Approved	56
17-039, Funds Appropriated to Various 2017 Accounts	63
17-040, Funds Appropriated to Various 2016 Accounts	65
17-041, Memorandum of Understanding By and Between CSEA and the County of Wyoming Approved	66
17-042, Chairman Authorized to Sign a Contract with Educational Resource Associates on Behalf of Human Resource Department .	66
17-043, Resolution Number 15-276 Amended	67
17-044, Ellen Grant Appointed to the Office for the Aging Advisory Council	67
17-045, Resolution Number 16-013 Amended	68
17-046, Resolution Number 16-505 Amended	68
17-047, Chairman/Commissioner of Social Services Authorized to Sign Various Welfare Management System Contracts on Behalf of the Department of Social Services	69
17-048, Resolution Number 17-048 Rescind and Replace Resolution Number 16-055.....	70
17-049, Resolution Number 16-461 Amended	70
17-050, Rebecca Ryan Reappointed to the Mental Health Community Services Board and Mental Health Subcommittee	71
17-051, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Council of Problem Gambling on Behalf of Mental Health	71
17-052, Rebecca Ryan Reappointed to the Wyoming County Board of Health	72
17-053, Chairman/Commissioner of Health Authorized to Sign Grant Acceptance Awards with the New York State Department of Health, Office of Health Insurance Programs/Bureau of Child Health Plus Policy and Exchange Consumer Assistance on Behalf of County Health Department.....	72
17-054, Paul Bijhower Appointed to the County Planning Board	73
17-055, John Copeland and Bryan Kehl Reappointed to the New York State Department of Environmental Conservation Advisory Committee	73
17-056, James Brick Reappointed to the Region 9 Fish and Wildlife Management Board	74
17-057, John Knab and E. Joseph Gozelski Reappointed to the County Seneca Trail Resource Conservation and Development Council	74
17-058, James Brick and Vanessa McCormick Reappointed to the Wyoming County Soil and Water Conservation District Board	75
17-059, Chairman Authorized to Sign a Contract with Wyoming County Industrial Development Agency on Behalf of the Wyoming County Ag and Business Center	75
17-060, Rebecca Ryan and A. Douglas Berwanger Reappointed to the Wyoming County Industrial Development Board.....	76

17-061, Members Reappointed to the Genesee/Finger Lakes Regional Planning Council.....	76	the First Instance 100% of the Federal Aid and State
17-062, Rebecca Ryan Reappointed to the Arts Council Board of Directors	77	“Marchiselli” Program Aid Eligible Costs, of a Transportation Federal Aid Project and Appropriating Funds Therefore.....
17-063, Vanessa McCormick and Brett Hastings Appointed/Reappointed to the Business Education Council.....	77	17-073, Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State
17-064, Set Public Hearing – Introductory Local Law No. A Year 2017	78	“Marchiselli” Program Aid Eligible Costs, of a Transportation Federal Aid Project and Appropriating Funds Therefore.....
17-065, Approving Public Employees Fidelity (Blanket) Bond for Genesee/Finger Lakes Regional Planning Council	83	17-074, Chairman Authorized to Sign 2017 Dental Insurance Rates on Behalf of the County Insurance Office
17-066, Chairman Authorized to Sign Various Contracts on Behalf of Emergency Services	86	17-075, Chairman Authorized to Sign a Contract with Simplex Grinnell on Behalf of Information Technology.....
17-067, Resolution in Support of Adopting the New York State Unified Solar Permit for Solar Projects in Wyoming County....	86	17-076, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System
17-068, Chairman Authorized to Sign Inter-Municipal Agreements with Participating Municipalities of Wyoming County for Countywide Zoning Enforcement Services on Behalf of Wyoming County Fire and Building Code Enforcement	87	17-077, Resolution Number 15-044 Amended
17-069, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Office of Indigent Legal Services on Behalf of the Public Defender’s Office	88	17-078, Salary Schedules “C” and “G” Amended.....
17-070, Resolution Number 13-332 Amended	108	17-079, Resolution Number 16-437 Amended
17-071, Chairman Authorized to Accept State Bid and Sign a Contract with George and Swede Sales and Service, Inc. on Behalf of County Highway.....	108	17-080, Resolution Number 16-530 Amended
17-072, Authorizing the Implementation and Funding in		17-081, Resolution Calling on State Legislative Leaders to Reform the Home Rule Revenue Process by Enacting a 4-Year Authorization Period for all Local Sales Tax Extenders in 2017 with a Goal of Making this Local Renewal Authority Permanent
		17-082, Resolution Calling on New York’s Congressional Delegation to Preserve the Federal Tax Exemption for Municipal Bonds

17-083, Resolution Calling on New York's Congressional Delegation to Support the Enactment of Federal Legislation to Simplify and Ease Sales Tax Collections on Internet-Based Purchases and to Support a Level Playing Field for "Main Street" Retailers.....	120
17-084, Position(s) Approved.....	122
17-085, Resolution Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for all Retailers by Addressing Loopholes in Internet Sales Tax Collection Practices.....	123
17-086, Resolution of the Board of Supervisors of the County of Wyoming Authorizing the Application of Grant Moneys to be Received by the Wyoming County Community Health System (The "Hospital") from the New York State Department of Health to the Defeasance of Certain indebtedness Incurred with Respect to the Hospital's Facilities, Appropriating Said Moneys Therefore and Providing for Other Matters in Relation Thereto	126
17-087, Funds Transferred to Various 2017 Accounts	133
17-088, Funds Appropriated to Various 2017 Accounts	133
17-089, Funds Appropriated to Various 2016 Accounts	134
17-090, Resolution Urging New York State to Cover the Added Costs of Early Voting.....	135
17-091, Resolution Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases that are Set and Controlled by the State	136
17-092, Resolution Calling for an Increase in the Share of Revenue	
Counties Retain for Providing State DMV Services.....	137
17-093, Resolution Supporting Efforts to Allocate New York State Resources and Funding to Regions, Counties and Municipalities that Want to Take Part in the US Census Bureau Local Update of Census Addresses (LUCA) Program	139
17-094, Resolution Calling on the Public Employment Relations Board (PERB) to Work in Conjunction with Counties to Improve the Arbitration System	140
17-095, Resolution Calling on the State to Pay for Any Required Increases in Cost to the Child Protective Service Program....	141
17-096, Resolution Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking County Employment .	143
17-097, 2017 United Way Campaign Supported	144
17-098, ChairmanAuthorized to Sign a Contract with Adecco on Behalf of the Office for the Aging	145
17-099, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Office for the Aging on Behalf of Wyoming County Office for the Aging	145
17-100, Resolution Number 15-161 Amended	146
17-101, Chairman Authorized to Sign a Contract with Pitney Bowes on Behalf of the Youth Bureau	146
17-102, Chairman Authorized to Accept Bid and Sign a Contract with Conroy Motor Corp. on Behalf of the Youth Bureau....	147
17-103, Resolution Urging Governor Andrew M. Cuomo and the New	

York State Legislature to Hold Counties Harmless from any Lost Federal Medicaid Reimbursement if Provisions of the Affordable Care Act are Repealed, or Federal Medicaid Reimbursement to States are Capped..... 147

17-104, Resolution Urging Governor Andrew M. Cuomo and the New York State Legislature to Continue to Reform and Improve the Early Intervention Program to Better Serve Children and Families 149

17-105, Resolution Urging Governor Andrew M. Cuomo and New York State Legislature to Adhere to the Law as it Applies to the State Fiscal Responsibility for Preschool Special Education and Eliminate County Responsibility for Summer School Special Education Programs..... 150

17-106, Resolution Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement from all Third-Party Payers 152

17-107, Resolution Urging the Department of Health and the Division of Budget to Identify all Outstanding Claims and Prioritize Reimbursing County Costs for Early Intervention Services that were Provided and Paid for by Counties Prior to the State Fiscal Agent Administrative Takeover and Remain Unreimbursed.... 153

17-108, Resolution Calling for the Revamping of Outdated NYSED Preschool Special Education Service Program Reimbursements and Waiver Review Process for Contracted Service Agencies.. 155

17-109, Resolution Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that any Statutory or Administrative Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims' Rights and Ensure Accountability in the Justice System..... 156

17-110, Resolution Urging Governor Andrew M. Cuomo and the New York State Legislature to Gradually Restore the 50/50 State/County Cost-Sharing for the Safety Net Program, to Increase Shelter Grant Reimbursements to Counties and to Provide Sufficient Resources to Provide Safe and Secure Housing..... 159

17-111, Resolution Urging Governor Andrew M. Cuomo and New York State Legislature to Maintain Our Mutual Goals of not Shifting New Costs to Counties while Maintaining Reasonable Local Flexibility Over Administrative Functions, as the State Realigns Medicaid Administrative Functions and Human Services Programs..... 161

17-112, Resolution Urging the New York State Congressional Delegation to Preserve the Medicaid Expansion and Basic health Plan Program Options Allowed Under the Affordable Care Act and Oppose Efforts to Cap Federal Medicaid Payments to the States..... 162

17-113, Resolution to Reduce the Administrative Burden on Local Health Departments Caused by Article Six State Aid For General Public Health Work mIntenance of Effort Requirements 165

17-114, Resolution Urging New York State to Maintain the Carve out from Medicaid Managed Care for School-Based Health Centers. 167	
17-115, Resolution Calling on Governor Andrew M. Cuomo and the Office fo Mental Health and the Department of Health of the State of New York to Preserve and Maintain the Role of Children's Single Point of Access to Ensure that High-Need/High-Risk Children and Youth with Serious Emotional Disturbance and Their Families have Timely Access to the Comprehensive Services and Supports They Need as the State Implements Medicaid Redesign for Children, Youth and Family Services 169	
17-116, Resolution Calling on the Office of Alcoholism and Substance Abuses Services and Governor Andrew M. Cuomo of the State of New York to Provide State Funding to Support the Treatment of Individuals with Substance Use Disorders Who are Incarcerated in County Jails, In Order to Help Combat the Heroin and Opioid Abuse Epidemic and Other Addictions, Save Lives, and Reduce the Rate of Recidivism 171	
17-117, Resolution Calling on Governor Andrew M. Cuomo and the New York State Legislature to Urge the President and Congress to Increase Federal Funding to Localities to Combat the Spread of the Zika Virus in the United States 172	
17-118, Resolution Supporting Rabies Prevention Across the State and Providing Appropriate Funding Necessary to Achieve this Goal..... 174	
17-119, Resolution Supporting an End to Executive Administrative Cuts, An Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitue Article 6 State Aid Reimbursement for Mandated General Public Health Work Undertaken by Local Health Departments as Population Health Partners of New York State..... 175	
17-120, Developmental Disabilities Month Proclaimed 178	
17-121, Chairman Authorized to Sign a Grant Acceptance Award with the New York Council on Problem Gambling on Behalf of Mental Health 179	
17-122, Resolution Number 16-460 Amended 180	
17-123, Chairman Authorized to Sign a Grant Application and Acceptance Award with Suicide Prevention Center of New York (SPCNY) on Behalf of Mental Health 180	
17-124, Chairman Authorized to Sign a Grant Applicaton and Acceptance Award with New York State Department of Health on Behalf of the Public Health Department 181	
17-125, Resolution Urging Governor Andrew M. Cuomo and State Lawmakers to Sustain Funding for Farmland Preservation..... 182	
17-126, Joseph Meyer Reappointed to the Region 9 ~ Fish & Wildlife Management Board and Forest Practice Board..... 183	
17-127, Daryl Heiby and E. Joseph Gozelski Reappointed to the Wyoming County Soil and Water Conservation District Board... 183	

17-128, Girl Scouts 105 th Anniversary and 100 Years of Cookie Sales Proclaimed	184	Agreements and to Promote a Streamlined Interconnection Process for Connecting Existing and New Renewable Energy Projects to the Grid and Provide Immediate Relief to Delayed Projects	192
17-129, Celebration of the 4-H Program and Cookie Sales Proclaimed	185	17-137, Resolution Urging the New York State Department of Environmental Conservation, the New York State Department of Health and the New York State Department of Agriculture and Markets to Acknowledge the Seriousness of Harmful Blue- Green Algae Blooms and to Dedicate Funding to Address their Prevalence	194
17-130, Agricultural Month in Wyoming County Proclaimed 186		17-138, Resolution Urging Governor Andrew M. Cuomo and the New York State Research and Development Authority to Dedicate Resources to Expand Access to Electric Vehicle Charging Stations in Every County throughout the State	196
17-131, Members Appointed/Reappointed to the GLOW Regional Solid Waste Management Committee.....	187	17-139, Chairman Authorized to Sign Various Contracts on Behalf of the Sheriff's Department ...	197
17-132, Sandra King Reappointed to the GLOW Solid Waste Advisory Committee	188	17-140, Chairman Authorized to Sign Various Grant Acceptance Awards on Behalf of the Sheriff's Department	198
17-133, Resolution Calling on Governor Cuomo and State Lawmakers to Invest and Implement Funding for a Statewide Workforce Strategy that Assists Locally-Driven Workforce Development Programs.....	188	17-141, Chairman Authorized to Sign a Contract with E. M. Systems, Inc. on Behalf of the County Jail	199
17-134, Resolution Supporting Efforts to Increase Access to Broadband Across New York State through "The New NY Broadband Program" and Calling on Governor Cuomo and State Lawmakers to Continue their Commitment to Prioritizing and Expanding Broadband Coverage in Unserved and Underserved Areas Statewide	190	17-142, Chairman Authorized to Sign a Grant Application and Acceptance Award with the Dormitory Authority of the State of New York (DASNY) on Behalf of the County Jail	199
17-135, Resolution Supporting the Creation of an Industry- Sponsored Paint Stewardship Program to Reduce the Costly Burden Faced by Local Governments when Collecting and Disposing of Post-Consumer Paint.....	191	17-143, Chairman Authorized to Sign a Memorandum of Understanding for the Creation of the Finger Lakes New York	
17-136, Resolution Urging the New York State Public Service Commissioner to Work with Utilities to Determine the Cause of Delayed Interconnection			

Interoperable Communications Consortium (FLNYICC) on Behalf of Emergency Services 200

17-144, Chairman Authorized to Sign a Contract with E. M. Systems, Inc. on Behalf of Emergency Services 200

17-145, Chairman Authorized to Award Bid and Sign a Contract with Conroy Motor Corp on Behalf of Wyoming County Fire and Building Code Enforcement 201

17-146, Chairman Authorized to Sign a Grant Acceptance Award with New York State Energy Research and Development Authority (NYSERDA) on Behalf of Wyoming County Fire and Building Codes 201

17-147, Calling on Counties to Adopt the Stepping Up Initiative 202

17-148, Resolution Thanking Governor Andrew M. Cuomo and the New York State Legislature for Making Heroin and Opioid Abuse Prevention a Top Public Safety, Public Health and Mental Health Priority in New York State in 2017 204

17-149, Resolution Calling on State Lawmakers and Governor Andrew M. Cuomo to Work to Reform Indigent Legal Services and Fund the County Share of Public Defense, which is a State Responsibility 206

17-150, Resolution Calling on Governor Andrew M. Cuomo to Create a New York State 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services 207

17-151, Resolution Calling on Governor Andrew M. Cuomo and the State Legislature to More Equitably and Efficiently Impose the 9-1-1 Surcharge on all Wireless Communications Devices and Use Revenues to Finance County 9-1-1 209

17-152, Resolution Calling on Governor Andrew M. Cuomo and the New York State Legislature to Pass Legislation that would Promote the Use of Video Conferencing for Court Appearances for Inmates Held at a County Jail 210

17-153, Resolution Calling on Governor Andrew M. Cuomo and the New York State Legislature to Pass Legislation that would allow all Counties the Option for their Local Correctional Facility to Detain Persons under Arrest being Held for Arraignment 211

17-154, Resolution Calling on Governor Cuomo and the New York State Legislature to Pass Legislation that Prohibits Civilian Drone Use within One Thousand Feet of a Correctional Facility 212

17-155, Chairman Authorized to Sign a Contract with Key Power on Behalf of Building and Grounds (Co. Bldgs.) 213

17-156, Chairman Authorized to Sign a Contract with Popli Design Group on Behalf of County Highway 214

17-157, Chairman Authorized to Sign a Contract with Elderlee, Inc. on Behalf of County Highway. 214

17-158, Chairman Authorized to Sign a Grant Application and Acceptance Award with the Dormitory Authority State of New York (DASNY) on Behalf of County Highway 215

17-159, Resolution Calling on Governor Andrew M. Cuomo and State Legislatures on Adopting a

		406
Transportation Capital Plan and Urging a Continued and Increasing Commitment to Assisting Counties in Maintaining their Local Infrastructure	215	
17-160, Resolution Commending Governor Cuomo and State Legislatures on Record Airport Funding Measures and Urging Certain Programs be made Permanent	217	
17-161, Resolution Calling on the President and Members of the New York State Congressional Delegation to Direct Infrastructure Stimulus Investments to Counties and Local Governments	219	
17-162, Resolution Number 13-299 Amended	220	
17-163, Resolution Urging State Legislative Leaders to Focus their Property Tax Relief Efforts on Fiscal Reforms that will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties are Currently Required to Pay for Under State Law	221	
17-164, Home Rule Request to Extend Sales Tax Increase Approved	224	
17-165, Chairman Authorized to Sign a Contract with CivicPlus on Behalf of Information Technology	225	
17-166, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System	225	
17-167, Resolution Number 15-392 Amended	226	
17-168, Salary Schedule "C" and "S" Amended	227	
17-169, Resolution Number 15-263 Amended	228	
17-170, Position(s) Approved....	229	
17-171, Resolution Number 16-320 Rescinded.....	229	
17-172 Local Law Introductory No. A (1) Year 2017, Adopted.....	236	
17-173, Resolution in Support of Wyoming County Applying for Membership in the Energy Improvement Corporation (EIC)	241	
17-174, Funds Transferred to Various 2017 Accounts	256	
17-175, Funds Appropriated to Various 2017 Accounts	257	
17-176, Resolution Number 15-276 Amended	258	
17-177, Chairman Authorized to Sign a Contract with Laura's Country Kitchen on Behalf of the Office for the Aging.....	259	
17-178, Resolution Number 17-098 Amended	259	
17-179, Chairman Authorized to Sign a Contract with Buffalo Guidance Group on Behalf of the Youth Bureau	260	
17-180, Child Abuse and Neglect Prevention Month Proclaimed	260	
17-181, Resolution Number 17-121 Rescinded.....	261	
17-182, Alcohol Awareness Month Proclaimed	262	
17-183, Resolution Number 16-461 Amended	263	
17-184, Chairman/Commissioner of Health Authorized to Sign Grant Application and Acceptance Award with the New York State Department of Health.....	264	
17-185, Resolution Number 13-265 Amended	264	
17-186, Resolution Number 13-23 Amended	265	
17-187, Declaring Surplus Property and Authorizing the Chairman to Sign a Contract with Timber Ridge Logging, LLC on Behalf of		

Wyoming County Reforestation	266
17-188, Authorization to Sign the GLOW Workforce Innovation and Opportunity Area Memorandum of Understanding	269
17-189, Travel and Tourism Week Proclaimed	270
17-190, Resolution Number 17-038 Amended	271
17-191, Roberta Curry Appointed to the GLOW Solid Waste Planning Committee and GLOW Regional Solid Waste Management Board	276
17-192, Chairman Authorized to Sign a Contract with Jam In The Valley on Behalf of the Sheriff's Department	277
17-193, Chairman Authorized to Accept the New York State Office of General Services Vehicle Marketplace Bids and Sign Various Contracts on Behalf of the Sheriff's Department	278
17-194, Chairman Authorized to Sign a Contract with Livingston County Sheriff on Behalf of the County Jail	278
17-195, Chairman Authorized to Sign Various Contracts on Behalf of Buildings and Grounds (Co. Bldgs.)	279
17-196, Annual Highway Material Bids Approved, Res. #17-196 ..	280
17-197, Chairman to Accept the "Onondaga County Bid Award" and Exercise the Right to "PIGGYBACK" as an Eligible Political Subdivision under GML §103 (16)	280
17-198, Chairman Authorized to Sign a Contract with ESRI, Inc. on Behalf of Information and Technology	281
17-199, Chairman Authorized to Sign Various Contracts on Behalf	
of the Wyoming County Community Health System	281
17-200, Resolution Number 15-263 Amended	283
17-201, Resolution Number 17-076 Amended	285
17-202, Resolution Number 15-465 Amended	286
17-203, Resolution Number 16-319 Amended	287
17-204, Resolution Number 14-303 Amended	287
17-205, Position(s) Approved	288
17-206, Salary Schedule "G" Amended	289
17-207, Set Public Hearing – Introductory Local Law No. B Year 2017	290
17-208, Funds Transferred to Various 2017 Accounts	294
17-209, Funds Appropriated to Various 2017 Accounts	294
17-210, Christ Reynolds Appointed Director of Veterans Services on an Interim Basis	296
17-211, Armed Forces Week Proclaimed	296
17-212, Older Americans Month Proclaimed	297
17-213, Brianna Omans Appointed to the Wyoming County Youth Board	298
17-214, Foster Care Awareness Month Proclaimed	298
17-215, Chairman/Commissioner of Social Services Authorized to Sign a Welfare Management System Contract with Amy Yencer on Behalf of the Department of Social Services	299
17-216, Resolution Number 16-455 Amended	300
17-217, Chairman Authorized to Sign a Grant Application and Acceptance Award with CIPA Western New York IPA, Inc. d/b/a	

Catholic Medical Partners on Behalf of Mental Health.....	301
17-218, Resolution Number 16-456 Amended	301
17-219, Mental Health Awareness Month Proclaimed	302
17-220, Resolution Urging the Governor and State Lawmakers to Provide Funding for Local Update of Census Addresses (LUCA)	303
17-221, Chairman Authorized to Sign Agreement with Environmental Enterprises for GLOW Region 2017 Household Hazardous Waste Collection Program	305
17-222, Daniel Leuer Appointed to the Local Development Corporation Board of Directors	305
17-223, Chairman Authorized to Sign a Contract with Wyoming County Community Action on Behalf of Wyoming County	306
17-224, Community Action Month Proclaimed.....	306
17-225, Chairman Authorized to Sign a Contract with the Town of Covington on Behalf of the Sheriff's Department	308
17-226, Chairman Authorized to Sign Grant Applications and Acceptance Awards with New York State Office of Victim Services on Behalf of the District Attorney's Office.....	308
17-227, Resolution Number 13-200 Amended	309
17-228, Chairman Authorized to Sign a Grant Application and Acceptance Award with New York State Division of Homeland Security and Emergency Services on Behalf of Wyoming County Emergency Services	310
17-229, Chairman Authorized to Sign a Contract with Key Power Systems, Inc. on Behalf of Buildings and Grounds (Co. Bldgs.)	310
17-230, Chairman Authorized to Sign Various Contracts on Behalf of County Highway.....	311
17-231, Approving Sole Source Procurement for the Wyoming County Department of Information Technology.....	311
17-232, Chairman Authorized to Sign a Contract with Vigilant, LLC on Behalf of Information Technology.....	312
17-233, Chairman Authorized to Sign a Contract with Applied Business Systems, Inc. (ABS) on Behalf of Real Property Tax Services	313
17-234, Resolution Number 13-244 Amended	313
17-235, Resolution Number 13-088 Amended	315
17-236, Resolution Number 16-265 Amended	317
17-237, Resolution Number 16-319 Amended	317
17-238, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System	319
17-239, Semi-Annual Mortgage Tax Report Presented.....	320
17-240, Position(s) Approved.....	321
17-241, Salary Schedule "C", "S" and "D" Amended	322
17-242, Local Law Introductory No. B (2) Year 2017, Adopted.....	324
17-243, Arcade & Attica Railroad Day in Wyoming County Proclaimed.....	342
17-244, June 2017 Proclaimed Dairy Month in Wyoming County....	349
17-245, Funds Transferred to Various 2017 Accounts	351

17-246, Funds Appropriated to Various 2017 Accounts	351
17-247, Chairman Authorized to Sign a Contract with CSEA Employee Benefit Fund on Behalf of Wyoming County	352
17-248, Resolution Ratifying Labor Agreement with CSEA	353
17-249, Resolution Number 16-450 Amended	353
17-250, Chairman/Commissioner of Social Services Authorized to Sign a Welfare Management System Contract with St. Catherine's Center for Children on Behalf of the Department of Social Services	354
17-251, Resolution Number 16-460 Amended	355
17-252, Chairman/Commissioner of Health Authorized to Sign Various Grant Applications and Acceptance Awards on Behalf of the County Health Department	356
17-253, Chairman Authorized to Sign a Grant Application with the New York State Office of Community Renewal on Behalf of Planning and Development....	357
17-254, Chairman Authorized to Sign a Grant Application and Acceptation Award with the New York State Department of Environmental Conservation on Behalf of Planning and Development	358
17-255, Authorizing Planning and Development to Issue a Request for Proposal (RFP) for a Solar Array to be Built on County Owned Property on Behalf of Wyoming County	358
17-256, Rebecca Ryan Reappointed to the Wyoming County Chamber of Commerce Board of Directors	359
17-257, Resolution Number 16-414 Amended	360
17-258, Set Public Hearing – Introductory Local Law No. C Year 2017	361
17-259, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Division of Criminal Justice Services – Office of Probation and Correctional Alternatives on Behalf of Wyoming County Probation...	363
17-260, Memorandum of Understanding By and Between Wyoming County Attica Legal Aid Bureau and the County of Wyoming Approved	364
17-261, Set Public Hearing – Introductory Local Law No. D Year 2017	365
17-262, Resolution Number 16-414 Amended	366
17-263, Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State Aid Eligible Costs, of a Federal Aid and/or State Aid Transportation Project and Appropriating Funds Therefore	367
17-264, 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 Therefore	368
17-265, Chairman Authorized to Award Bid and Sign a Contract with RMS Gravel, Inc., on Behalf of County Highway.....	370
17-266, County Highway Superintendent Authorized to Extend the Snow Agreement with	

Towns and Villages for 2018/2019	370	410
17-267, Endorsing the Appointment of Pamela Caggianelli to the New York State Workers' Compensation Board	371	
17-268, Disability Insurance Rate with the Guardian Life Insurance Company of America Approved	372	
17-269, Chairman Authorized to Sign a Voluntary Collection Agreement for Wyoming County Guest Room Occupancy Tax with Airbnb, Inc. on Behalf of Wyoming County	372	
17-270, Semi-Annual Mortgage Tax Report	373	
17-271, Salary Schedule "C", "S" and "D" Amended	374	
17-272, Chairman Authorized to Sign Various Contracts on Behalf of Wyoming County Community Health System	375	
17-273, Position(s) Approved	376	
17-274, Chairman Authorized to Sign an Inter-Municipal Agreement with the Town of Eagle for Countywide Assessing Services on an Interim Basis ..	377	
17-275, Wyoming County Deputy Sheriff's Association Contract Approved	378	
17-276, Position(s) Approved	378	
17-277, Approving Wyoming County Community Action, Inc. as Subrecipient for WIOA	379	
S		
Salary Schedules Amended		
"G", (Res. #16-437), Res. #17-079	116	
"C"		
Res. #17-033	52	
Res. #17-078	115	
Res. #17-033	52	
Res. #17-078	115	
Res. #17-168	227	
Res. #17-241	322	
Res. #17-271	374	
"D"		
Res. #17-033	52	
Res. #17-241	322	
Res. #17-271	374	
"G"		
(Res. #16-326), Res. #17-036 ..	54	
Res. #17-033	52	
Res. #17-078	115	
Res. #17-206	289	
"P"		
Res. #17-033	52	
"S"		
Res. #17-033	52	
Res. #17-168	227	
Res. #17-241	322	
Res. #17-271	374	
Seneca Trail Resource Conservation and Development Council Appointments		
J. Knab, E. Joseph Gozelski, Res. #17-057	74	
Sheriff		
Appointments		
Stop DWI Coordinator		
D. Linder, Res. #17-022	40	
Bid Awards		
Van Bortel Ford, Res. #17-193	278	
Contracts / Agreements		
County of Monroe, Res. #17-139	197	
E.M. Systems, Inc., Res. #17-139	197	
Jam In The Valley, Res. #17-192	277	
Grants		
Bulletproof Vest Program, Res. #17-140	198	
New York State Division of Criminal Justice Services (DCJS), Res. #17-140	198	
Jail		
Contracts / Agreements		
E. M. Systems, Inc., Res. #17-141	199	

Livingston County Sheriff, Res. #17-194	278
Orleans County Jail, Res. #17-021	39
Contracts / Agreements	
Amended	
Black Creek Integrated Systems Corporation to SHI International Corp. (Res. #16-414), Res. #17-257 .	360
Grants	
Dormitory Authority of the State of New York (DASNY), Res. #17-142	199
Positions	
Created	
One (1) Position of Deputy Sheriff, FT, Res. #17-084	122
Social Services	
Contracts / Agreements	
Amy Yencer, Res. #17-215	299
Color Your World Childcare Center North, Inc., Res. #17-292.....	69
Companion Care of Rochester, Res. #17-013	31
Cynthia and Nicholas Baltz, Res. #17-292	69
St. Catherine's Center for Children, Res. #17-250.....	354
Positions	
Created	
One (1) Position of Registered Nurse (per diem), Res. #17-084	122
Proclamations	
Child Abuse and Neglect Prevention Month Proclaimed, Res. #17-180	260
Foster Care Awareness Month, Res. #17-214	298
Contracts / Agreements Amended	
Mail Finance (Res. #16-432), Res. #17-029	50
Union Agreements	
CSEA	
Employee Benefit Fund, Res. #17-247.....	352
Labor Agreement, Res. #17-248	353
Step 1 Wage Rate Increase, Res. #17-041	66
DSA	
2016/2019, Res. #17-275	378
SEA	
Memorandum of Agreement, Res. #17-037	56
United Way	
Proclamations	
2017 United Way Campaign Supported, Res. #17-097 ...	144

T**Treasurer****Contracts / Agreements**

Airbnb, Inc., Res. #17-269

Contracts / Agreements Amended

Mail Finance (Res. #16-432), Res. #17-029

U**Union Agreements****CSEA**

Employee Benefit Fund, Res. #17-247.....

Labor Agreement, Res. #17-248

Step 1 Wage Rate Increase, Res. #17-041

DSA

2016/2019, Res. #17-275

SEA

Memorandum of Agreement, Res. #17-037

United Way**Proclamations**

2017 United Way Campaign

Supported, Res. #17-097 ...

V**Veterans Services****Appointments****Director (Interim)**

C. Reynolds, Res. #17-210 .

Monthly Veteran

01/03/17 (Organizational Meeting) – Adam Maneti

1 01/17/17 – William Koch

12 02/14/17 – Dennis Crowley

62 03/14/17 – David Johnson

131 04/11/17 – David Caryl

254 05/09/17 – Kevin Amedick.....

291 06/13/17 – Julia Foote

345

Proclamations

Armed Forces Week, Res. #17-211.....

296

Special Session Veteran

03/08/17 – Deanna Nikiel.....

125

Voice of Democracy

06/13/17 – Josh Taylor 346

W**Wyo. Co. Arts Council****Appointments****Board of Directors**

R. Ryan, Res. #17-062 77

Wyo. Co. Business Education Council**Appointments**

V. McCormick, B. Hastings, Res. #17-063 77

Wyo. Co. Chamber of Commerce**Appointments****Board of Directors**

R. Ryan, Res. #17-256 359

Proclamations

Arcade & Attica Railroad Day, Res. #17-243 342

Travel and Tourism Week, Res. #17-189 270

Wyo. Co. Comm. Action**Proclamations**

Community Action Month, Res. #17-224 306

Wyo. Co. Comm. Hospital**Appointments****Board of Health**

R. Ryan, Res. #17-052 72

Contracts / Agreements

AMN Healthcare Company, Res. #17-223 375

Cross Country Staffing, Res. #17-199 281

Eichenauer Group, LLC, Res. #17-199 281

Erie County Medical Center Corporation (ECMCC), Res. #17-166 225

Farkad Balaya, MD, PLLC, Res. #17-199 281

GE Healthcare, Res. #17-292.... 53

General Physicians, P.C., Res. #17-076 113

Genesee Valley OB/GYN, Res.

#17-199 281

Gustave Ruckert, DO, Res. #17-238 319

J. Joseph Lanigan, M.D., PLLC, Res. #17-166 225

J. Steven Burkhardt, MD, Res. #17-238 319

Jean Jurek Associates, Inc., Res. #17-292 53

Mary Wilsch, MD, Res. #17-238 319

Med Care Administrators, Res. #17-076 113

Nuance Communications, Inc., Res. #17-238 319

S.C.I Anesthesia, PLLC, Res. #17-272 375

Schindler Elevator Corporation, Res. #17-166 225

Theodore Hirokawa, MD, Res. #17-199 281

University Emergency Medical Services, Inc. (UEMS), Res. #17-199 281

University of Rochester (UR Medicine), Res. #17-199.... 281

Contracts / Agreements Amended

American Data Network, LLC. (Res. #15-392), Res. #17-167 226

Bonadio & Co., LLP (Res. #14-303), Res. #17-204 287

Buffalo Orthopedic Group, LLP (Res. #15-263), Res. #17-169 228

Buffalo Orthopedic Group, LLP (Res. #15-263), Res. #17-200 283

General Physicians, P.C. (Res. #17-076), Res. #17-201..... 285

Niagara Frontier Anesthesia Services, LLP (NFA) (Res. #16-319), Res. #17-237 317

University of Rochester (Res. #16-319), Res. #17-203 287

University of Rochester (URMC) (Res. #13-244), Res. #17-234	313
University of Rochester Medical Center (Res. #15-044), Res. #17-077	114
University of Rochester Medical Faculty Group (Res. #15-465), Res. #17-202	286
Western New York Physicians PLLC (Res. #13-088), Res. #17- 235.....	315
Wyoming County Medical PC (Mushtaq Kahn, MD) (Res. #16-265), Res. #17-236.....	317
Wyo. Co. Cornell Cooperative Extension	
Appointments	
 Board of Directors	
J. Brick, Res. #17-054	73
Proclamations	
 4-H Program	
Celebration of the 4-H Program and Cookie Sales Proclaimed, Res. #17-129	185
Agricultural Month in Wyoming County Proclaimed, Res. #17- 130.....	186
Wyo. Co. Industrial Development	
 Agency	
 Appointments	
 Development Board	
R. Ryan A. Douglas Berwanger, Res. #17-060	76
Wyo. Co. Local Development Corp.	

Appointments**Board of Directors**

D. Leuer, Res. #17-222..... 305

Wyo. Co. Soil and Water**Appointments****Conservation District Board**

D. Heiby, E. J. Gozelski, Res.

#17-127
 183 |

J. Brick, V. McCormick, Res.

#17-058
 75 |**Wyo. Co. Water Resource Agency****Appointments****Board of Directors**J. Brick, D. Leuer, C. Ketchum,
Res. #17-018..... 38**Y****Youth Bureau****Appointments****Youth Board**B. Omans, Res. #17-213..... 298
J. Kramell, (Res. #16-504), Res.
#17-011
 30 |**Bid Awards**Conroy Motor Corp, Res. #17-102
.....
 147 |**Contracts / Agreements**Buffalo Guidance Group, Res.
#17-179
 260 |

Pitney Bowes, Res. #17-101... 146

Contracts / Agreements AmendedBeth Wolcott (Res. #16-505), Res.
#17-046
 68 |