

# PROCEEDINGS

OF THE

# BOARD OF SUPERVISORS

Volume II

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

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**REGULAR SESSION**  
**(July 11, 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 2:31 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Supervisor John Copeland**

This month's veteran is a member of the Board of Supervisors, John Copeland, from the Town of Wethersfield. He served during the Vietnam war.

*The pledge was said by all.*

In keeping with the pledge to the flag, Chairman Berwanger presented a short video by Baxter Black, entitled ***The Flag*** (link provided).

**<https://www.youtube.com/watch?v=IGDV26GQctU>**

**Communications ~**

None

**Open Public Hearings ~**

- "Local Law No. 3, Year 2017 (Introductory C, Year 2017) Entitled, "***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***"
- "Local Law No. 4, Year 2017 (Introductory D, Year 2017) Entitled, "***Local Law to Amend Local Law 11, Year 1994 Banning Possession of Weapons in Wyoming County Buildings***"

**RESOLUTION NO. 17-278  
(July 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:

<b>Highway</b>			
<b>To:</b> 04.53.5010.1.10001 Salaries–Fixed Sch S/D/I w/04.03.5010.1289 Other Dept. Rev – Hwy Project <b>Reason:</b> Better Pavement Project/CIP Stipends.	\$60,000.00	\$60,000.00	
<b>Highway Total</b>			<b>\$60,000.00</b>
<b>Central Storeroom</b>			
<b>To:</b> 01.34.1660.2.20401 Misc. Office Equipment 01.34.1660.4.41414 Misc. Repair w/ <i>any funds available</i> <b>Reason:</b> To purchase document folder inserter for use by Cty. Depts.	\$12,513.44 1,854.72	\$14,368.16	
<b>Central Storeroom Total</b>			<b>\$14,368.16</b>
<b>Treasurer</b>			
<b>To:</b> 02.56.9731.6.60002 15-271 BAN Principle 02.56.9732.6.60002 15-185 BAN Principle 02.56.9735.6.60002 09-179 BAN Principle w/02.11.4510.348920 Essentials Grant <b>Reason:</b> Recording of essentials grant proceeds to defease BAN's at WCCH.	\$225,000 300,000 375,000	\$900,000.00	
<b>To:</b> 17.66.5112.4.40301 Professional Serv. 17.66.5112.4.40305 Bond Expense 17.66.5112.4.41204 Advertising 17.66.5112.4.45001 Unallocated Debt w/17.14.5112.5710 Bond Proceeds <b>Reason:</b> Record add'l bond proceeds for "Better Pavement Project".	\$40,450.00 1,367.42 1,181.35 702,001.23	\$745,000.00	
<b>Treasurer Total</b>			<b>\$1,645,000.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.42404 Grant Expense w/01.03.7510.128901 Other Income - Grant <b>Reason:</b> To appropriate funds associated with the "Eat Your Way through History" Grant	\$1,164.00	\$1,164.00	
<b>Historian Total</b>			<b>\$1,164.00</b>
<b>Planning</b>			
<b>To:</b> 01.42.6421.2.20401 Misc. Equipment 01.42.6421.4.40002 Electric 01.42.6421.4.41410 Software 01.42.6421.4.42493 Special Economic Projects w/01.03.6421.1289 Other Income 01.11.6421.3089 State Aid	\$10,165.00 2,200.00 2,210.00 4,950.00	\$5,509.00 14,016.00	

Regular Session

<b>Reason:</b> To appropriate funds associated with the NYS DEC Zero Emissions Grant to install a charging station in the Village of Warsaw.			
<b>Planning Total</b>			\$19,525.00
<b>District Attorney</b>			
<b>To:</b> 01.32.1165.1.10001 Salaries 01.32.1165.1.10202 Temporary 01.32.1165.4.40301 Prof. Svc Contract w/01.11.1165.308905 State Aid Sec 606 <b>Reason:</b> To cover cost of changing personnel and appointment of special prosecutor to complete conflict out cases.	\$1,961.83 7,950.00 20,000.00	\$29,911.83	
<b>District Attorney Total</b>			<b>\$29,911.83</b>
<b>Emergency Management</b>			
<b>To:</b> 01.37.3640.4.41217 Training Facilities w/01.09.3640.2705 Gifts & Donations <b>Reason:</b> To apply donated funds from Judy Laird for the purpose of constructing fire training property.	\$430.36	\$430.36	
<b>Emergency Management Total</b>			<b>\$430.36</b>

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

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$2,735,473.91** for the month of **June 2017**.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #2 through #6. Hearing no objection resolution titles were read.*

**#2**

**RESOLUTION NO. 17-279  
(July 11, 2017)**

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

**CHRIST REYNOLDS APPOINTED DIRECTOR OF  
VETERANS SERVICES**

**BE IT RESOLVED**, That Christ Reynolds, 7831 Camp Road, Portageville, NY 14536 be hereby appointed to the position of Director of Veterans Services, pursuant to County Law §800, for a term of two (2) years; effective July 11, 2017 through July 10, 2019.

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

**#3**

July 11, 2017

**RESOLUTION NO. 17-280**  
**(July 11, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 WYOMING COUNTY COMMUNITY ACTION 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 Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry, NY 14530 on behalf of the Office for the Aging. Said contract to provide senior employment services to residents fifty-five years and older in Wyoming County in an amount not to exceed twenty-seven thousand six hundred seventeen dollars (\$27,617.00); effective July 1, 2017 through June 30, 2018.

Contingent upon the availability of funds.

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

#4

**RESOLUTION NO. 17-281**  
**(July 11, 2017)**

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

**RESOLUTION NUMBER 14-318 AMENDED**

**WHEREAS**, Resolution Number 14-318 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS WITH NEW YORK STATE OFFICE FOR THE AGING ON BEHALF OF WYOMING COUNTY OFFICE OF THE AGING**,” passed by this Board of Supervisors on October 14, 2014 and provides, in part, for the following grant:

- To provide choice for Long Term Care Services to residents of all ages in Wyoming County in a minimum amount of thirty-four thousand seven hundred seventy-two dollars (\$34,772.00); effective October 1, 2014 through September 30, 2015.

**BE IT RESOLVED**, That Resolution Number 14-318 be hereby amended to correct the effective dates from October 1, 2014 through September

30, 2015 to *April 1, 2014 through December 31, 2016*. All else remains the same.

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

#5

**RESOLUTION NO. 17-282  
(July 11, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE OF  
CHILDREN AND FAMILY SERVICES ON BEHALF OF THE  
YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, NY 12144 on behalf of the Youth Bureau. Said funding for Youth Bureau administration costs, Stars of Tomorrow, Omega, Youth Court and Parenting Programs in a minimum amount of thirty-eight thousand three hundred thirty-one dollars (\$38,331.00); effective January 1, 2017 through December 31, 2017.

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

#6

**RESOLUTION NO. 17-283  
(July 11, 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 Welfare Management System contracts with the following agencies:

July 11, 2017



- **Gustavus Adolphus ~ Lutheran Social Services**, 200 Gustavus Avenue, Jamestown, NY 14701 in an amount not to exceed one hundred sixty-seven thousand two hundred ninety dollars and forty-five cents (\$167,290.45) to provide foster care services for three (3) children; effective July 1, 2017 through June 30, 2018.
- **New Directions**, 6395 Old Niagara Road, Lockport, NY 14094-1499 in an amount not to exceed four hundred seventy-six thousand two hundred eleven dollars and eighty-five cents (\$476,211.85) to provide foster care services for five (5) children; effective July 1, 2017 through June 30, 2018.
- **Hillside Family of Agencies**, including:
  - **Hillside Children's Center**, 1183 Monroe Avenue, Rochester, NY 14620-1699
  - **Snell Farm Children's Center**, 7320 Snell Hill Road, Bath, NY 14810
 in an amount not to exceed two million sixty-three thousand two hundred thirty-nine dollars and ten cents (\$2,063,239.10) for thirty-three (33) children in residential and therapeutic plus ten (10) in regular foster care for a total of forty-three (43) children; effective July 1, 2017 through June 30, 2018.
- **The William George Agency for Children's Services, Inc.**, 380 Freeville Road, Freeville, NY 13068 in an amount not to exceed one hundred eighty-one thousand eight hundred twenty-two dollars and ten cents (\$181,822.10) to provide foster care services for two (2) children; effective July 1, 2017 through June 30, 2018.

Contingent upon the availability of funds.

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

**#7**

**RESOLUTION NO. 17-284  
(July 11, 2017)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
SUB AGREEMENT WITH LIVINGSTON COUNTY HEALTH  
DEPARTMENT ON BEHALF OF THE  
COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and the

Regular Session

Commissioner of Health, with the approval of the County Attorney, are hereby authorized and directed to sign a Sub-Agreement with the Livingston County Health Department, 2 Murray Hill Drive, Mount Morris, NY 14510 on behalf of the County Health Department. Said Sub Agreement is for reimbursement of Livingston Wyoming Cancer Services Program activities in a *maximum* amount of thirty-three thousand three hundred ninety-three dollars (\$33,393.00); effective April 1, 2017 through March 31, 2018. Expense fully reimbursed by the Cancer Services Program Infrastructure Grant from New York State Department of Health as required by the approved New York State Department of Health work plan.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #8 through #10. Hearing no objection resolution titles were read.*

**#8**

**RESOLUTION NO. 17-285  
(July 11, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE NEW YORK STATE DIVISION OF HOMELAND  
SECURITY ON BEHALF OF THE SHERIFF'S DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with New York State Division of Homeland Security, 1220 Washington Avenue, Albany, NY 12242 on behalf of the Sheriff's Department. Said funding is for the 2017 Homeland Security Program for law enforcement terrorism prevention activities in a minimum amount of seventeen thousand four hundred ninety-five dollars (\$17,495.00); effective September 1, 2017 through August 31, 2020.

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

**#9**

**RESOLUTION NO. 17-286  
(July 11, 2017)**

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

July 11, 2017

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH NEW YORK STATE GOVERNOR'S  
TRAFFIC SAFETY COMMITTEE ON BEHALF OF STOP DWI**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with New York State Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228 on behalf of Stop DWI. Said funding is for services and expenses related to special County traffic option programs for driving while intoxicated in a minimum amount of twenty-two thousand five hundred dollars (\$22,500.00); effective January 1, 2018 through December 31, 2018.

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

**#10**

**RESOLUTION NO. 17-287  
(July 11, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
MICHAEL J. FLAHERTY, JR. ON BEHALF OF THE  
DISTRICT ATTORNEY'S OFFICE**

**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 Michael J. Flaherty, Jr., 602 Ashland Avenue, Buffalo, NY 14222 on behalf of the District Attorney's Office. Said contract to provide special prosecution services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective July 5, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**#11**

**RESOLUTION NO. 17-288  
(July 11, 2017)**

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

**RESOLUTION NUMBER 16-313 AMENDED**

Regular Session

**WHEREAS**, Resolution Number 16-313 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**,” passed by this Board of Supervisors on August 16, 2016 and provides, in part, for the following:

- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569 for the provision of cleaning services at the *Office for the Aging, Public Defender Building, Health Department, Highway Administration Office, Courthouse* and *Mental Health* for one (1) year in an amount not to exceed seventy-eight thousand five hundred two dollars and fifty-six cents (\$78,502.56); effective October 14, 2016 through October 13, 2017.

**BE IT RESOLVED**, That Resolution Number 16-313 be hereby amended to add the following sites for cleaning services:

- **Public Safety Building** in an amount not to exceed two thousand forty-six dollars (\$2,406.00) monthly or seven thousand two hundred eighteen dollars (\$7,218.00) annually; effective July 12, 2017 through October 13, 2017.
- **Government Center** in an amount not to exceed four thousand five hundred dollars and seventeen cents (\$4,500.17) monthly or thirteen thousand five hundred dollars and fifty-one cents (\$13,500.51) annually; effective July 12, 2017 through October 13, 2017.

All else remains the same.

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

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #12 through #27. Hearing no objection resolution titles were read.*

**#12**

**RESOLUTION NO. 17-289  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**LOCATION AND TIME OF AUGUST 2017 REGULAR SESSION  
CHANGED**

**WHEREAS**, The Rules of Procedure of the Board of Supervisors have been suspended by unanimous consent for the purpose recited in this resolution; now therefore

July 11, 2017

**BE IT RESOLVED**, That the Regular Session of the Wyoming County Board of Supervisors will be held on ***Tuesday, August 15, 2017 at 2:00 PM*** in the ***Youth Building*** of the ***Wyoming County Fairgrounds in Pike, New York.***

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

**#13**

**RESOLUTION NO. 17-290  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “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 “S”:**

***County Highway***

- Set the stipend for the position of ***Deputy County Highway Superintendent*** for the “Better Pavement Program” (CIP work) as follows:
  - 2013 - \$5,000.00
  - 2014 - \$5,000.00
  - 2015 - \$5,000.00
  - 2016 - \$5,000.00 – 2013, 2014, 2015 and 2016 payable over 4 pay periods in 2017 as arrangements can be made with the Treasurer’s Office.
  - 2017 - \$5,000.00 – to be paid in the first payroll of January 2018
  - 2018 - \$5,000.00 – to be paid in the first payroll of December 2018
- Set the stipend for the position of ***Secretary to the County Highway Superintendent*** for the “Better Pavement Program” (CIP work) as follows:
  - 2013 - \$5,000.00
  - 2014 - \$5,000.00
  - 2015 - \$5,000.00
  - 2016 - \$5,000.00 – 2013, 2014, 2015 and 2016 payable over 4 pay periods in 2017 as arrangements can be made with the Treasurer’s Office.
  - 2017 - \$5,000.00 – to be paid in the first payroll of January 2018
  - 2018 - \$5,000.00 – to be paid in the first payroll of December 2018

**Salary Schedule “D”:**

***County Highway***

- Set the stipend for the position of ***County Highway Superintendent*** for the

“Better Pavement Program” (CIP work) as follows:

- 2013 - \$5,000.00
- 2014 - \$5,000.00
- 2015 - \$5,000.00
- 2016 - \$5,000.00 – 2013, 2014, 2015 and 2016 payable over 4 pay periods in 2017 as arrangements can be made with the Treasurer’s Office.
- 2017 - \$5,000.00 – to be paid in the first payroll of January 2018
- 2018 - \$5,000.00 – to be paid in the first payroll of December 2018

### ***Veterans Services***

- Set the salary for the ***Director of Veteran Services*** at \$42,500.00 annually for a period of six (6) months at which time, after meeting pre-established goals with satisfactory performance, the salary will be set at \$45,000.00 annually (increase of \$2,500.00); effective July 11, 2017.

### ***Mental Health***

- Set the salary of ***Director of Community Services*** at \$55,000.00 for a period of six (6) months at which time, after meeting pre-established goals with satisfactory performance, the salary will be set at \$57,500.00 annually (increase of \$2,500.00); effective July 12, 2017.
  - No COLA

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

**#14**

## **RESOLUTION NO. 17-291 (July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

### **INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

**BE IT ENACTED** by the Wyoming County Board of Supervisors as follows:

**SECTION 1.** The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

**SECTION 2.** Imposition of sales tax.

July 11, 2017

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 through November 30, 2020, there is hereby imposed and there shall be paid an additional tax of one percent upon:

**SECTION 2.** Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 through November 30, 2020, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

**SECTION 3.** Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

**SECTION 4.** Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not

acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such



tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

**SECTION 4.** Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992 through November 30, 2020.

**SECTION 5.** Paragraph (B) of subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 through November 30, 2020, in

respect to the use of property used by the purchaser in this County prior to December 1, 1992.

**SECTION 6.** This enactment shall take effect on December 1, 2017.

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

**#15**

**RESOLUTION NO. 17-292  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CANCELLATION OF TAXES APPROVED**

**WHEREAS,** Pursuant to the Real Property Tax Law §1138 (6) (a), the County of Wyoming may direct the cancellation of certain delinquent taxes that has been determined there is no practical method to enforce collection of the delinquent tax and a supplementary proceeding to enforce collection of the tax would not be effective; and

**WHEREAS,** Such a parcel of real property exists within the County of Wyoming, and has been identified and so designated by the Finance Committee; now therefore,

**BE IT RESOLVED,** That the County of Wyoming, in accordance with the Section 1138 (6)(c) of the Real Property Tax Law, hereby directs the cancellation of any and all such delinquent taxes levied against the following tax parcels and the Wyoming County Treasurer shall, pursuant to Section 1138 (6)(c) of the Real Property Tax law, charge back to the appropriate municipal corporation the amount of such cancelled delinquent tax as shall have been credited or otherwise guaranteed to such municipal corporation.

**AUTHORITY:** RPTL §1138 (6)(a) Cancellation of Tax

**PARCEL:** Town of Gainesville

**TAX MAP #:** 122.15-1-3.1/2

**ASSESSED TO:** Evelyn Reynolds  
111-113 Warsaw Blvd  
Silver Springs, NY 14550

**ACTION:** Approve Cancellation of Taxes

**AUTHORITY:** RPTL §1138 (6)(a) Cancellation of Tax

**PARCEL:** Town of Gainesville

**TAX MAP #:** 122.15-1-23./1

**ASSESSED TO:** Dorothy Prial

July 11, 2017

5827 Broughton Road  
Silver Springs, NY 14550

**ACTION:** Approve Cancellation of Taxes

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

**#16**

**RESOLUTION NO. 17-293  
(July 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 authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Christina Parkot, NP**, 227 Bennington Road, Amherst, NY 14226 to provide nurse practitioner assistance for Workplace Health Services in an amount not to exceed \$60.00 per hour/\$6,000.00 per year; July 1, 2017 through June 30, 2022.
- **Oak Openings Medical, PLLC**, (Gregory Collins, DO), 4820 Darby Road, Avon, NY 14414:
  - To provide Medical Review Officer (MRO) Services to Workplace Health Services (WPHS) in an amount not to exceed \$4,500.00 per year; effective July 3, 2017 through July 2, 2018.
  - To provide Medical Director Services for WPHS on a temporary basis in an amount not to exceed \$6,000.00 per year (prorated for partial year service).
- **Clinical Computer Systems, Inc.**, 715 Tollage Road, Elgin, IL 60123 for a 5-year OBIX software license support agreement to provide OB monitoring systems in the following not to exceed amounts effective September 1, 2017 through August 31, 2022:

- Year 1           \$24,298.00
- Year 2           \$23,997.00
- Year 3           \$24,717.00
- Year 4           \$25,458.00
- Year 5           \$26,222.00

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

**#17**

**RESOLUTION NO. 17-294  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-199 AMENDED**

**WHEREAS**, Resolution Number 17-199 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on April 11, 2017 and provides, in part, for the following contract:

- **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.

**NOW THEREFORE, BE IT RESOLVED**, That Resolution Number 17-199 be hereby amended to change the effective dates from April 1, 2017 through March 31, 2018 to ***May 1, 2017 through May 1, 2018.***

All else remains the same.

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

**#18**

July 11, 2017

**RESOLUTION NO. 17-295**  
**(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-238 AMENDED**

**WHEREAS**, Resolution Number 17-238 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on April 11, 2017 and provides, in part, for the following contracts:

- **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

**NOW THEREFORE, BE IT RESOLVED**, That Resolution Number 17-238 be hereby amended as follows:

- **Gustave Ruckert, DO**
  - Correct the address to 57 Old Stonefield Way, Pittsford, NY 14534
  - Correct the effective dates from April 1, 2017 through March 31, 2018 to ***May 1, 2017 through May 1, 2018.***

- **J. Steven Burkhart, MD**
  - Correct the address to 202 Heatherstone Lane, Rochester, NY 14618
  - Correct the effective dates from April 1, 2017 through March 31, 2018 to ***May 1, 2017 through May 1, 2018.***
- **Mary Wilsch, MD**
  - Correct the address to 77 Gramercy Park, Rochester, NY 14610
  - Correct the effective dates from April 1, 2017 through March 31, 2018 to ***May 1, 2017 through May 1, 2018.***

All else remains the same.

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

**#19**

**RESOLUTION NO. 17-296  
(July 11, 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 2 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 four hundred thirty-five thousand dollars \$435,000 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**” provided for various contracts which added the following services to the *Western New York Physicians, PLLC* contract as follows:

July 11, 2017

- 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 four hundred thirty-eight thousand six hundred sixty dollars (\$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 Resolution Number 15-328 by this Board of Supervisors on September 8, 2015 to reflect the following changes to the *Western New York Physicians PLLC*, contract as follows:

- Hospitalist medical services, SNF medical director services, adult day care medical director services and clinical services amended to add 12 hours per week of additional nurse practitioner or physician care in the WCHS 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. Amendment includes compensation of an additional sum of thirty-six thousand sixty dollars (\$36,060.00) monthly four hundred thirty-two thousand seven hundred twenty dollars (\$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; now therefore,

**BE IT RESOLVED,** That Resolution Number 13-088 as increased by Resolution Number 15-030 and amended by Resolution Number 15-328 be hereby further amended as follows:

- Medical director and hospitalist services for Skilled Nursing Facility with minimum of 16 hours per week of physician services and increase hours per week of physician or nurse practitioner services from 40 to 60 hours per week.
- Increase the annual compensation from \$192,000.00 to \$252,320.00 per year plus fees through the end of the original contract for the additional services to be provided.
- Effective immediately upon completion of credentialing through January 31, 2018.

All else remains the same.

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

**RESOLUTION NO. 17-297  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 15-181 AMENDED**

**WHEREAS**, Resolution Number 15-181 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on April 14, 2015 and provides, in part, for the following contract:

- **Insight Imaging**, 5775 Wayzata Blvd. Suite 400, Minneapolis MN 55416 to provide a Mobile MRI Equipment *Lease Agreement* and Mobile MRI *Services Agreement*, both dated April 30, 2015; now, therefore,

**BE IT RESOLVED**, That Resolution Number 15-181 be hereby amended to make the following changes to both the *Lease* and *Services Agreements*:

- Replace the mobile MRI unit with a MRI unit housed in a modular building (the Fixed-Site MRI Unit).
- Effective date first patient is scanned on Fixed-Site MRI unit (on or about April 1, 2018 through March 31, 2026).
- Change the term from three (3) years to eight (8) years.
- Fees as negotiated.

All else remains the same.

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

**#21**

**RESOLUTION NO. 17-298  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SCHEDULE P EMPLOYMENT CONTRACT APPROVED**

**BE IT RESOLVED**, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011

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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 a one-year Employment Agreement (Schedule P) with Phuc T. Nguyen, M.D., 112 Endres Drive, Apt. 4, Syracuse, NY 13211 on behalf of the Wyoming County Community Health System. Said contract for a physician to provide OB/GYN services in an amount not to exceed two hundred forty thousand dollars (\$240,000.00) per year plus approved moving expenses; effective on or about July 15, 2017 through July 14, 2018 upon the completion of credentialing and obtaining malpractice insurance.

Contingent upon the availability of funds.

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

**#22**

**RESOLUTION NO. 17-299  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF WETHERSFIELD  
APPROVED**

**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

<b>TAX MAP PARCEL:</b>	Tax Map # 106.-2-57./2 ~ Town of Wethersfield
<b>LOCATION:</b>	Wethersfield Road
<b>ASSESSED TO:</b>	Landwest, Inc. 300 Erie Boulevard West Syracuse, NY 13202
<b>ERROR TYPE:</b>	Unlawful Entry
<b>AUTHORITY:</b>	RPTL §550.7(c) <i>"an entry of assessed valuation on an assessment roll or tax roll, or both, which has</i>

*been made by a person or body without the authority to make such entry."*

**ACTION:**

Correct 2017 Town/County Tax Bill  
 Original Bill \$46,471.72  
 Corrected Bill \$24,216.59  
 Credit/Refund \$22,255.13

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

#23

**RESOLUTION NO. 17-300**  
**(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF WETHERSFIELD**  
**APPROVED**

**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

**TAX MAP PARCEL:** Tax Map # 107.-2-2.1 ~ Town of Wethersfield

**LOCATION:** Wethersfield Road

**ASSESSED TO:** Landwest, Inc.  
 300 Erie Boulevard West  
 Syracuse, NY 13202

**ERROR TYPE:** Unlawful Entry

**AUTHORITY:** RPTL §550.7(c) *"an entry of assessed valuation on an assessment roll or tax roll, or both, which has been made by a person or body without the authority to make such entry."*

**ACTION:** Correct 2017 Town/County Tax Bill  
 Original Bill \$57,005.30  
 Corrected Bill \$29,705.68  
 Credit/Refund \$27,299.62

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

July 11, 2017

**RESOLUTION NO. 17-301**  
**(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF WETHERSFIELD**  
**APPROVED**

**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

<b>TAX MAP PARCEL:</b>	Tax Map # 107.-2-24./1 ~ Town of Wethersfield
<b>LOCATION:</b>	Wethersfield Road
<b>ASSESSED TO:</b>	Landwest, Inc. 300 Erie Boulevard West Syracuse, NY 13202
<b>ERROR TYPE:</b>	Unlawful Entry
<b>AUTHORITY:</b>	RPTL §550.7(c) <i>“an entry of assessed valuation on an assessment roll or tax roll, or both, which has been made by a person or body without the authority to make such entry.”</i>
<b>ACTION:</b>	Correct 2017 Town/County Tax Bill
	Original Bill                      \$61,962.28
	Corrected Bill                    \$32,288.78
	Credit/Refund                    \$29,673.50

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

**#25**

**RESOLUTION NO. 17-302**  
**(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

Regular Session

## **CORRECTION OF ERRORS IN TOWN OF EAGLE DENIED**

**WHEREAS**, Pursuant to the Real Property Tax Law, application has been made for a credit of the 2017 Town and County property taxes on the parcel of real property hereafter described, said application having been reviewed and denied by the Finance Committee; now therefore

**BE IT RESOLVED**, That the indicated refund application is hereby denied in accordance with the applicable section of the Real Property Tax Law.

<b>TAX MAP PARCEL:</b>	Town of Eagle ~ 166.3-2-40
<b>LOCATION:</b>	6664 Pearl Street, Bliss
<b>OWNER:</b>	US Postal Service 6664 Pearl Street Bliss, NY 14024
<b>ACTION:</b>	Deny Refund and Credit Application

Although the property is exempt from general municipal taxes, it is not exempt from special assessments, or those levied for capital costs of an improvement, in this case the Bliss Water District.

Also, the Post Office made a payment in the same amount of the tax bill and intended to pay the tax bill, but it was made out to and addressed to the Water District, therefore was applied to the outstanding balance on their water usage account.

The tax collector never received payment for the tax bill. The tax bill was never paid, and remains due.

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

**#26**

### **RESOLUTION NO. 17-303 (July 11, 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:

July 11, 2017

**CREATED:*****County Clerk***

- One (1) position of ***Deputy County Clerk, FT*** on Salary Schedule S at an annual salary of \$40,000.00; position available date of July 11, 2017

***County Clerk/DMV***

- One (1) position of ***Sr. Motor Vehicle Clerk*** on CSEA Schedule A Grade 14 (\$19.87 - \$22.92); position available date of July 11, 2017.

***Public Defender***

- One (1) position of ***Assistant Public Defender, PT (4<sup>th</sup>)*** on Schedule S with an annual salary of \$17,772.00 for 25 hours per week to maintain Counsel at 1<sup>st</sup> Appearance; position available date of July 12, 2017.

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

#27

**RESOLUTION NO. 17-304  
(July 11, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-241 AMENDED**

**WHEREAS**, Resolution Number 17-241 entitled, **“SALARY SCHEDULES “C”, “S” AND “D” AMENDED,”** passed by this Board of Supervisors on May 9, 2017 and provides, in part, for the following salary:

**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

**BE IT RESOLVED**, That Resolution Number 17-241 be hereby amended to correct the annual salary effective December 10, 2017 to \$38,108.00. All else remains the same.

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

Regular Session

**Public Hearing ~**

- *Comment Period*
- *None*

Chairman Berwanger called on Director of Fire and Emergency Management Services, Tony Santoro to explain what this proposed local law will do...

It is anticipated that the amendment to the current local law will include prepaid devices and increase collections by 30- 35% to support 911 services in Wyoming County.

**Close the Hearing ~**

*Motion to close the Public Hearing was made by Supervisor Ryan, T/Warsaw. All Aye. Carried.*

**Local Law  
#28**

**RESOLUTION NO. 17-305  
(July 11, 2017)**

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

**LOCAL LAW NO. 3 (INTRODUCTORY C, YEAR 2017) ~ 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”**

ADOPTED

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 13<sup>th</sup> day of June, 2017, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2017, entitled, **“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**, In accordance with the provisions of Resolution No. 17-258, there was a public hearing held by this Board of Supervisors on this 11<sup>th</sup> day of July, 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

July 11, 2017

recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

### **LOCAL LAW NO. 3 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 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)

July 11, 2017 (Adopted)

Cheryl J. Ketchum, <sup>CMC</sup>

Clerk to the Board

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

### **Public Hearing ~**

*Chairman Berwanger announced that there are several people signed up wishing to speak and read the following guidelines used when there is a group this size requesting to provide comment:*

### **PUBLIC HEARING RULES FOR SPEAKERS**

- Comments will be limited to 3 minutes.
- Pre-registration is required.

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- *If you have not registered and would like to speak please see Deputy Clerk, Mrs. Perez to do so...*
- Anyone choosing to speak shall address the Board only.
  - *(This avoids any “for” or “against” arguments)*
- The Board is here to listen not to debate or necessarily express its views or opinions.
  - *The Board is here is listen to your opinion on the proposal before us to help the Board in coming to the proper conclusion regarding the matter concerning which the hearing has been called. Simply state your opinion distinctly.*
- Only comments relating to the following topics will be heard:
  - *Introductory Local Law D, year 2014 proposal*  
***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***
- Please do not duplicate the comments of other speakers.
- Be respectful of others.
- You will not be permitted to concede your time to another speaker.
- *Comment Period*
  - Karl W. Drasgow, 4100 Poplar Tree Rd., Gainesville NY 14066 (representing himself)
    - In favor of proposal to amend
  - David Ricketson, 2011 French Road, Varysburg NY 14167 (representing S.C.O.P.E.)
    - In favor of proposal to amend
  - Robert A. Kelley, 608 Starr Rd., Wyoming NY 14591 (representing himself)
    - Opposed to proposal to amend
  - Mark E. Yount, II, 3429 Route 39, Bliss NY 14024 (representing S.C.O.P.E.)
    - In favor of proposal to amend
  - Suzanne Coogan, 4879 Old Buffalo Rd., Warsaw NY 14569 (representing herself)
    - Opposed to proposal to amend
  - Winston Platt, 10 Fargo Street, Warsaw NY 14569 (representing himself)

- In favor of proposal to amend
- Paul McQuillen, P. O. Box 2, Buffalo NY 14085 (representing New Yorkers Against Gun Violence) – speaker was 2 min. over...
  - Opposed to proposal to amend
- Cynthia Appleton, 26 Jefferson St., Warsaw NY 14569 (representing the Village of Warsaw) – speaker was 3 min. over.
  - Opposed to proposal to amend

*Chairman Berwanger pointed out that the speaker went over the allotted time and explained that he did not want to interrupt because the Board values the input. However, he urged speakers to keep their comments within the allotted time.*

- Gary Pudup, 391 Melwood Dr., Rochester, NY 14626 (representing the members of New Yorkers Against Gun Violence)
  - Opposed to proposal to amend

*Mr. Pudup provided his comments in writing as follows:*

Address to the Board of Supervisors

Wyoming County

July 11, 2017

Lieutenant Gary Pudup MCSO, Ret.

Good afternoon and thank you

My standing today is based on a request to speak as a representative for the Wyoming County residents who are members of New Yorkers Against Gun Violence who have requested that I speak on their behalf. As a retired police command officer with 30 years of service I have a special interest in such matters as the one before you today. The reason I volunteer to do this is that I spent years dealing with gun violence, not in a theoretical sense, of some fantasy or Hollywood script, but in the reality of blood and death and maimed and scarred bodies and forever grieving families. I was also a trainer of first responders in active shooting scenarios. I traveled statewide training police, fire and EMS personnel how to deal with the worst. I did that training for 11 years. I was also a watch commander which meant as the leading on duty law enforcement officer in the county I had the responsibility of deploying police officers in active shooter and hostage situations. I have also been a professional constitutional rights advocate working on legislation and cases involving constitutional law.

What I ask is that you to listen and if you doubt anything I say to please do some research and verify what you are about to hear, I am confident in what I am about to say, I won't tell you anything I haven't experienced, or learned the hard way.

I have put together some documents for your consideration, I say and do this because what you are voting on will have very real consequences: for your employees, for your taxpayers, for the public and for yourselves.

As you know the Local Law of 1994 in question was passed by the board not on a whim or the result of pressure from some monied special interest, but because as the board stated in the preamble of the law for the necessity to protect the safety and well-being of its employees and the public. It was a prudent decision based on reason. It is replicated by government at every level, indeed, can you imagine the reaction by men and women of all political stripes if one were to even suggest our congress or White House or Supreme Court were to allow concealed weapons within. The uproar would a din, why? Because we know in both our heads and hearts that such laws are common sense, based upon sound reasoning and a firm legal foundation. This law was enacted as many are as a statement, a public pronouncement of your civility.

So, let's look at this proposal to allow guns onto properties owned, leased and operated by the county. The question we have is what changed that would cause members of this board to go against the reasoning, not once but twice, of the board to maintain the safety and well-being of its employees and the public. Has Wyoming County suddenly become a hotbed of crime, banditry and anarchy? Is it run amok by villains, outlaws and hooligans? An outbreak of terror and lawlessness?

No, indeed the answer is nothing. Hospitals, mental health clinics and the offices of Child Protective Workers and the DMV have remained the same. People in distress still visit these places and they have remained havens of safety for the entire time the law has been in effect. What reason would there be to suddenly and without the consultation of the very employees and public this law was intended to protect to amend it?

Of course, we know what happened here. A small group of highly vocal extremists have told you that they need to carry their guns everywhere they go to feel safe. That very sentiment gives grounded people pause. They live in a dark world drowning in paranoia and fear. But there is a real world of doctors and nurses and health professionals and social workers and DMV clerks and others who have no interest in having untrained self-styled pistoleros in their workplaces. I've been shot at, I've been involved in active shooter scenarios, it is no place for amateurs.

In fact, during the Critical Incident Management training and testing I helped develop we would introduce situations in which non-trained armed persons would interject themselves, and it did not go well.

What we know is that the risks to your employees and the public will be increased significantly when guns are introduced in the manner this amendment would provide for. That puts you at risk, should you vote to pass this amendment knowing as we have informed you today that it will increase risks, should the worse happen you will be held responsible to answer why considering the facts you removed something that was deemed necessary? It won't go well.

When we taught decision making in Critical Incident Management something we would tell our fellow first responders is this, "If you're not sure what to do ask yourself, if things go badly can you stand tall before the man and give a good accounting?" How will you explain fixing something that isn't broken without consulting the very people it directly affects based upon the say so of a special interest group with an agenda based upon fear and outlandish beliefs?

One outlandish idea is that there is no need for this law at all as these properties are somehow already covered by federal or state statutes. When thought about that argument falls apart on its face. If that were the case then the issue covered would still exist as is, as it falls apart it becomes clear it is in fact non-sensical.

I respectfully ask you, in your consideration of the ramifications of this action was the Attorney General for this district in Buffalo asked how he would respond to a call for a man with a gun in the emergency room at Wyoming County Community Hospital at 2 am? Surely having deputies or law enforcement respond with a local law in their toolbox makes far more sense than waiting until morning to discuss federal prosecutorial issues.

July 11, 2017

So, let me show you one more thing, because it's important to know who planted the notion that this was a good idea. I used to belong to SCOPE, I thought as a gun owner it was a decent organization, until I started to go to their meetings and read its official positions as published in its newsletter "The Firing Line". I show you an article written by an official of the group. I made copies so you can see for yourself. In this article, the official states it approves of a policy to work for the overthrow of the New York State government, by force if necessary. And worse, on the occasion where just two days ago we lost a brother officer in the NYSP, it compares our state troopers to Nazis. That position has never been recanted by SCOPE. This is who you took advice from. Not your doctors, nurses, employees or their representatives or experts in the field, but from an organization that has advocated the violent overthrow of the rule of law and compared our Troopers to Nazis.

It is not too late to vote no, it is not too late to bring the very people this law protects into the conversation, it is not too late to rethink the message you will be sending to your employees and the public about the character of Wyoming County. Is Wyoming County such a dangerous backwater that people are forced to arm themselves for a trip to the DMV? Is Wyoming County more concerned with its employees and everyday citizens or a group of zealots?

Wouldn't you rather send the message that Wyoming County is a place people can feel at home doing business in, living in and visiting?

***Chairman Berwanger, recanted the 3 min. limit turning into 9 min. In light of this abuse of the allotted time the Chairman indicated he will let the next speaker to take 9 min.***

- Larry Becker, 5201 Murphy Rd., Gainesville NY 14066 (representing himself)
  - In favor of proposal to amend
- Michael Pfohl, 761 Route 20A, Strykersville NY 14145 (representing himself)
  - In favor of proposal to amend
- Brian Krawczyk, 2533 Wethersfield Rd., North Java NY 14113 (representing Wyo. Co. S.C.O.P.E.)
  - In favor of proposal to amend

***Chairman Berwanger called on County Attorney Wujcik to explain the process used by the Board of Supervisors to date that got the proposed amendment this far...***

***County Attorney explained that it is important to know that the request by S.C.O.P.E. was discussed by Public Safety at the Committee level and Committee of the Whole, which is a meeting of the Board of Supervisors prior to the monthly Board Meeting...***

***The drafting of the proposed amendment acknowledges and will not affect the***

*present laws, rules and regulations in effect under federal and state law which governs certain county buildings. Practically, what that means, in laymen's terms is that covers the hospital, DSS, Mental Health and Thomson Hall. That means the entire hospital complex is covered. The amendment covers the court complex. It covers the Ag. Center because of one of the tenants that resides there, it falls under federal law. And it is important to point out that the county cannot usurp federal or state law. What the proposed amendment does is it acknowledges people that have a lawful pistol permit, and remember pistol permits are issued by a dually appointed county judge governed by penal law 400 (2)(f). They would have the right to carry in the buildings not governed by federal or New York State rules and regulations, namely the County Clerk's office and DMV.*

*County Attorney Wujcik stated he can alleviate concerns about carrying in the hospital, mental health and Social Services. Those buildings are all governed under state law.*

*Chairman Berwanger thanked the County Attorney for the explanation and asked the Board if they had any comments they wished to share. Hearing none he continued with a question of his own. He asked if the Board's preference was to vote on the local law today or to defer it to the September 2017 regular meeting in order to give the Supervisors time to digest material received today?*

*Supervisor Becker, T/Sheldon voiced his opinion to hold the vote today. Chairman Berwanger called on Supervisor Copeland as the Public Safety Committee Chair. He recommended the Board take some time to digest what they received and heard today and hold the vote in September.*

### **Close the Public Hearing ~**

*A motion by Supervisor Grant, T/Bennington to close the public hearing and defer the vote on Local Law Introductory D, year 2017, entitled "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," until the September 12, 2017 regular monthly meeting of the Board of Supervisors.*

*Supervisor Leuer, T/Middlebury questioned as to whether or not Department Heads have been given an opportunity to provide comment. Judge Dadd affirmed that they had.*

There was some discussion by the Board with the County Attorney as to whether the vote to defer would be “*one man, one vote*” or weighted. County Attorney Wujcik directed the vote take place, “*one man, one vote.*”

<b>Carried: XXX</b>	<b>Ayes: (9)</b>	Arcade	<b>Noes: (7)</b>	Attica	<b>Absent:</b>	<b>Abstain:</b>
		Bennington		Castile		
		Covington		Eagle		
		Gainesville		Genesee Falls		
		Middlebury		Java		
		Orangeville		Pike		
		Perry		Sheldon		
		Warsaw				
		Wethersfield				

*County Attorney Wujcik added that the Board will hold the record open until the September 2017 meeting to further receive documentation relative to the Board's decision for passage or failure of the proposed local law to amend Local Law 11, year 1994.*

**Local Law  
#29**

**RESOLUTION NO. 17-  
(July 11, 2017)**

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

**LOCAL LAW NO. 4 (INTRODUCTORY D, YEAR 2017) ~ 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”**

**ADOPTED**

**WHEREAS,** There was duly presented and introduced at a meeting of this Board, held on the 13<sup>th</sup> day of June, 2017, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2017, entitled, “**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**”; and

**WHEREAS,** In accordance with the provisions of Resolution No. 17-261, there was a public hearing held by this Board of Supervisors on this 11<sup>th</sup> day of July, 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

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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

## **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.

**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,<sup>CMC</sup>  
Clerk to the Board

**Carried:            Ayes:            Noes:            Absent:            Abstain:**

*Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #30 or #31. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #30 prior to the roll call vote.*

July 11, 2017



**RESOLUTION NO. 17-306**  
**(July 11, 2017)**

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

**COUNTYWIDE SHARED SERVICES PLAN FOR WYOMING COUNTY**  
**APPROVED**

**WHEREAS**, The FY 2018 Enacted New York State Budget established the County-Wide Shared Services Initiative (CWSSI), designed to generate property tax savings by facilitating operational collaboration between local governments; and

**WHEREAS**, Under this initiative, the Chief Executive Officer of each county (outside of New York City) will:

- **Establish a Shared Services Panel** that will include the mayor of each city or village and the supervisor of each town.
  - Wyoming County participating Villages include:
    - Arcade, Attica, Castile, Gainesville, Perry, Silver Springs, Warsaw and Wyoming
  - Wyoming County participating Towns Include:
    - Arcade, Attica, Bennington, Castile, Covington, Eagle, Gainesville, Genesee Falls, Java, Middlebury, Orangeville, Perry, Pike, Sheldon, Warsaw, Wethersfield
- **Develop a County-Wide Shared Service Property Tax Savings Plan:**
  - To identify, propose and implement new actions to save taxpayers money through shared, coordinated and more efficient services between local governments within the county.
- **Save taxpayer dollars, engage the public and be eligible for State match funding:**
  - Plans that create actual and demonstrable savings across multiple jurisdictions may receive a one-time match of the net savings resulting from new actions implemented pursuant to the Plan; and

**WHEREAS**, The Wyoming County Panel has identified several areas where potential for shared services exists and calculates an estimated savings of \$4,591.88 in County-Wide Zoning Officer expenses among the County of Wyoming, the Towns of Arcade, Eagle, Gainesville and the Village of Silver Springs; and

**WHEREAS**, The Panel has identified other areas of interest for Shared

Services that may or may not be ready for implementation with the adoption of 2018 budgets. Nonetheless, municipalities within the borders of Wyoming County have agreed to establish and participate in quarterly Wyoming County Local Government meetings to discuss implementation of these and other opportunities to work together; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, in its advisory capacity, according to the rules of the CWSSI as adopted by the New York State Legislature, hereby approves the Wyoming County Plan and the direction it is taking to date with the hopes that more calculations can be added to achieve greater savings.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:      #UC31**

**RESOLUTION NO. 17-307  
(July 11, 2017)**

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

**SALARY SCHEDULE “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 “S”:**

***District Attorney***

- Set the salary of the Assistant District Attorney (2<sup>nd</sup>) (position code # 005.503) to \$75,000.00 annually; position available date was June 14, 2017.

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

*Supervisor Grant, Bennington asked to be heard. She thanked the members of the search committee for the new Director of Veteran Services, Christ Reynolds. In his absence, she offered a warm welcome as the new Director and provided his regrets on not being able to attend today’s meeting following a death in the family.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:54 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

July 11, 2017



## **REGULAR SESSION**

**(August 15, 2017)**

**Tuesday**

**2:00 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Youth Building of the Wyoming County Fairgrounds, Pike, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Lisa Perez.

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

### **ACKNOWLEDGEMENT OF COLORS ~**

- *By Dedicated Retired Veterans of Wyoming County*

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

### **Gunnery Sergeant Brandon Strang**

Gunnery Sergeant Strang was born in DeKalb, Illinois and graduated from Indian Creek High School in 2001. He knew from a young age he wanted to be a Marine and joined the Marine Corps Delayed Entry Program while still in high school.

After graduation, he shipped out to the Marine Corp Recruit Depot in San Diego, California, which is tasked with the initial training of enlisted male recruits living west of the Mississippi River; training over 21,000 recruits every year. After successfully completing basic training, Gunnery Sergeant Strang completed four weeks of training at the School of Infantry that ensures "every Marine is, first and foremost, a rifleman".

Gunnery Sergeant Strang then attended Motor Transport School at Fort Leonard Wood, Missouri and thereafter moved to Camp Lejeune, North Carolina where he was assigned to the 1<sup>st</sup> Battalion, 6<sup>th</sup> Marines. During this four-year assignment, he deployed to Kandahar, Afghanistan as the Ground Combat Element of the 22<sup>nd</sup> Marine Expeditionary Unit.

Gunnery Sergeant Strang's next move was to Syracuse, New York where he was part of the Instructor Inspector Staff School teaching Marine Reservists the key elements needed before being activated for deployment.

After three years of teaching in Syracuse, it was back to Camp Lejeune as the

Motor Transport Chief of a Mortar Unit with the 1<sup>st</sup> Battalion, 10<sup>th</sup> Marines. While serving with the 1/10, he again deployed to Afghanistan, serving from November 2010 to May 2011 in support of Operation Enduring Freedom in the Helmand Province.

Returning stateside, Gunnery Sergeant Strang taught Logistics Operations for three years at Camp Johnson, which is one of six satellite facilities located at Camp Lejeune. Currently, he serves as a Marine Recruiter in Raleigh, North Carolina, which covers a 41,000 square-mile area containing eighty counties and each recruiter is responsible for approximately 788 square miles. For his continued and courageous service to our country, Gunnery Sergeant Strang has earned:

Three Navy Marine Corps Commendation Medals;  
Three Navy Marine Corps Achievement Medals;  
Five Good Conduct Medals; the  
Combat Action Ribbon; and the  
Afghanistan Campaign Medal

Gunnery Sergeant Strang has been married for ten years to his wife Danelle, daughter of Board Clerk, Cheryl Ketchum. Together, they have a son, Adin, who is six years old and two dogs. When not in his Marine uniform, he truly enjoys family time, playing with the dogs and woodworking. He feels one of the honors of being a Marine, is that wherever you go, another Marine is always watching out and that camaraderie is something that lasts forever.

***The pledge was said by all.***

*Chairman Berwanger presented the customary certificate of appreciation to Gunnery Sergeant Strang and an opportunity to address the Board. At which time, Mr. Strang thanked the board for the opportunity to be here today.*

## **NATIONAL ANTHEM ~**

- ***By Trinity Fanaro***
  - *Daughter of Paul and Rachelle Fanaro ~  
T/Middlebury*

*Chairman Berwanger presented a Certificate of Recognition to Ms. Fanaro. He thanked her for signing the National Anthem and expressed what a great job she did...*

**#1**

**RESOLUTION NO. 17-308  
(August 15, 2017)**

August 15, 2017

By Mr. Kehl, Chairman of the Agriculture Committee:

## **WYOMING COUNTY FAIR WEEK PROCLAIMED**

**WHEREAS,** The Wyoming County Fair will be held from August 12<sup>th</sup> through August 19<sup>th</sup>, 2017 in the Town of Pike, Wyoming County, New York; and

**WHEREAS,** The Wyoming County Fair is a fabulous opportunity for residents of Wyoming County to learn and experience exhibits and demonstrations; and

**WHEREAS,** The Fair's 2017 theme celebrates "*Hometown Pride Shared County Wide*"; and

**WHEREAS,** The purpose of the Fair focuses on all families, particularly the farm family, agriculture, horticulture, domestic arts and allied sciences through educational instruction display and competition; and

**WHEREAS,** The Wyoming County Fair is truly a showcase for our farmers, artisans of all types and the youth of the entire County; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors hereby proclaims the week of August 12<sup>th</sup> through August 19<sup>th</sup> in the year 2017 as **WYOMING COUNTY FAIR WEEK**; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors does hereby appreciate, acknowledge and applaud the untiring efforts of the Wyoming County Fair Association.

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

*Chairman Berwanger invited Supervisor Kehl, T/Attica to the microphone to read the Proclamation. Supervisor Kehl asked Wyoming County Fair General Superintendent Michael Roche and the newly crowned Fair Queen Taylor Tisdale (daughter of Ken and Naomi Tisdale) to join him at the microphone. After reading the Proclamation, he presented the Proclamation to Ms. Tisdale and to Supt. Roche. Supt. Roche thanked the Board for their continued support and mentioned that if anyone was interested in volunteering he was certain they could find something for them to do... Ms. Tisdale expressed her gratitude for the opportunity to be here today and said she wants to be a role model to all young girls.*

## **INTRODUCTION OF GUESTS ~**

- New York State Senator ~ Hon. *Patrick Gallivan*

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- New York State Assemblyman ~ Hon. **David DiPietro**
- United States Congressman Chris Collins' Representative ~ **Christopher Catt**

*Chairman Berwanger acknowledged Christopher Catt, Congressman Collins representative who was in attendance today in the audience.*

## **PRESENTATIONS ~**

*Chairman Berwanger invited Senator Gallivan and Assemblyman DiPietro to the microphone for their presentations.*

*Senator Gallivan said he was thrilled to be here and to represent Wyoming County in the Senate. He said that one of the most rewarding things he gets to do is meet and recognized individuals and organizations that contribute so much to a community.*

*Assemblyman DiPietro said that the Wyoming County Fair is the best in the state and he spends as much time as he can here...*

*The following people were acknowledged by Congressman Collins, Senator Gallivan, Assemblyman DiPietro, and the Wyoming County Board of Supervisors with proclamations from each...*

- **SCHOOL RESOURCE OFFICERS**
  - **Officer Holly Royce ~ Perry Central School**
    - Accompanied by Perry Police Chief Michael Grover and Perry Central School Superintendent Daryl McLaughlin
  - **Officer Timothy McGinnis ~ Warsaw Central School**
    - Accompanied by Warsaw Police Chief Peter Hoffmeister and Warsaw Central School Superintendent Joseph Englebert
  - **Deputy Ivan Carrasquillo ~ Attica and Letchworth Central Schools**
    - Accompanied by Wyoming County Sheriff Greg Rudolph, Wyoming County Undersheriff David Linder, Attica Central School Superintendent Bryce Thompson and the new Letchworth Central Superintendent Todd Campbell
- **OUTSTANDING SENIOR CITIZEN**
  - **Ron Pastor ~ T/Attica accompanied by his dog, Patches**
- **US ARMY VETERAN (20 years of service)**
  - **Staff Sergeant Stephen W. Sampson ~ T/Eagle**

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- MONTHLY VETERAN
  - *Gunnery Sergeant Brandon Strang, Active Duty ~ U.S. Marine Corps*
  
- VOLUNTEER FIREFIGHTERS (60 plus years of service)
  - *Joseph Heller, Jr.* T/Bennington
  - *Joseph Pomona* T/Bennington (Cowlesville)
  - *Charles Young* T/Bennington (Cowlesville)
  - *Peter York* T/Castile
  - *Ronald Eddy* T/Gainesville (Silver Springs)
  - *Caryl Robson* T/Gainesville
  - *Allen Capwell* T/Middlebury (Wyoming)
  - *Joseph Lee* T/Middlebury (Wyoming)
  - *Albert Strathern* T/Middlebury (Wyoming)
  - *George Reisdorf* T/Java (Strykersville)
  - *Carl Schiltz* T/Java (Strykersville)
  - *Donald Simons* T/Java (Strykersville)
  - *Kenneth Martin* T/Sheldon
  - *Francis Head* T/Warsaw
  
- AGRICULTURE ENVIRONMENTAL MANAGEMENT AWARD
  - *Dueppengiesser Dairy Farm ~ T/Perry*

*Chairman Berwanger then introduced the elected officials of Wyoming County...*

- County Sheriff, Greg Rudolph
- District Attorney, Donald O'Geen
- County Treasurer, Cheryl Mayer from the Town of Pike
- County Clerk, Rhonda Pierce from the Town of Wethersfield

#2

**RESOLUTION NO. 17-309**  
**(August 15, 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:

<b>Public Health</b>			
<b>From:</b> 01.38.4011.4.40301 Prof. Svc Contract	\$1,650.00		
<b>To:</b> 01.38.4010.4.42433 Tobacco Enf ATUPA		\$1,650.00	
<b>Reason:</b> Transfer funds to ATUPA for approved grant reimbursement of eligible Pictometry International expense.			

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<b>From:</b> 01.38.4060.8.89001 Med Hosp. Ins. <b>To:</b> 01.38.4060.4.41701 Employee Physical 01.38.4060.1.10602 Ins Repudiation <b>Reason:</b> To cover new Jail Medical employee WPH eval and insurance repudiation from 6/1/17 – 12/31/17 (previous employee accepted WC health insurance family policy).	\$820.00	\$185.00 635.00	
<b>Public Health Total</b>			<b>\$2,470.00</b>
<b>Sheriff</b>			
<b>From:</b> 01.37.3150.1.10102 Full Time Jail <b>To:</b> 01.37.3110.1.10001 Schedules S/D/I <b>Reason:</b> For Jail Civil clerk to Sheriff Administrative Assistant.	\$15,481.30	\$15,481.30	
<b>Sheriff Total</b>			<b>\$15,481.30</b>
<b>Buildings &amp; Grounds</b>			
<b>From:</b> 01.34.1620.1.10202 Temp Employee <b>To:</b> 01.34.1620.4.40805 Cleaning Services-Private <b>Reason:</b> To help cover cost of private cleaning services for the Government Center and Public Safety Building.	\$6,727.50	\$6,727.50	
<b>Buildings &amp; Grounds Total</b>			<b>\$6,727.50</b>

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

**#3**

**RESOLUTION NO. 17-310**  
**(August 15, 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:

<b>Weights and Measurers</b>			
<b>To:</b> 01.43.6610.4.41414 Misc. Repairs w/01.03.6610.1289 Other Dept. Income <b>Reason:</b> Used the entire line for repairs and improvements to prover trailer needed to make it roadworthy to take to Albany for recertification testing required every five years.	\$405.00	\$405.00	
<b>Weights and Measurers Total</b>			<b>\$405.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.41204 Advertising w/01.09.7510.2705 Gifts & Donations <b>Reason:</b> These are funds from our yard sale this year to be used towards our history tour project.	\$205.00	\$205.00	

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<b>To:</b> 01.46.7510.4.42301 Books & Publications w/01.09.7510.2705 Gifts & Donations <b>Reason:</b> Donation given for designated use of joint book project on Wyo. Co. WWII Soldiers KIA to be published by the Wyoming County Historian's Office.	\$500.00	\$500.00	
<b>Historian Total</b>			<b>\$705.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4310.4.41703 Health Assessments w/ <i>any funds available</i> <b>Reason:</b> 730 Evaluations.	\$8,000.00	\$8,000.00	
<b>Mental Health Total</b>			<b>\$8,000.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.40801 contracted bldg. repair w/01.11.4010.340104 Additional State Aid <b>Reason:</b> Appropriate funds awarded from NYSDOH Performance Incentive Award.	\$12,000.00	\$12,000.00	
<b>Public Health Total</b>			<b>\$12,000.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3112.4.40009L Cellphone 2017 01.37.3112.4.40016L Internet Svc 2017 w/01.12.3112.43890L Homeland Security Grants 2017 <b>Reason:</b> To cover expenses relating to Homeland Security Grants 2017.	\$3,095.00 14,400.00	\$17,495.00	
<b>Sheriff Total</b>			<b>\$17,495.00</b>
<b>Buildings and Grounds</b>			
<b>To:</b> 01.34.1620.4.40805 Cleaning Services-Private w/ <i>any funds available</i> <b>Reason:</b> To cover cost of cleaning of Public Safety Building and Government Center.	\$20,772.50	\$20,772.50	
<b>Buildings and Grounds Total</b>			<b>\$20,772.50</b>
<b>Highway</b>			
<b>To:</b> 04.53.5112.4.40940 HBRR Contract w/04.11.5112.3089 Other State Aid 04.12.5112.4089 Corps of Engineers 04.13.5112.5031 Interfund Transfer <b>Reason:</b> Appropriate TIP Projects not approved for 2017 prior to budgeting.	\$511,365.00	\$52,228.50 435,248.25 23,888.25	
<b>To:</b> 01.52.9901.9.99003 Provisions for Const. w/ <i>any funds available</i> <b>Reason:</b> To cover TIP expenses not budgeted.	\$23,888.25	\$23,888.25	
<b>Highway Total</b>			<b>\$535,253.25</b>

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

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$3,452,802.49** for the month of **July 2017**.

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

**#4**

**RESOLUTION NO. 17-311  
(August 15, 2017)**

Regular Session

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

## **CHILD SUPPORT AWARENESS MONTH PROCLAIMED**

**WHEREAS**, Our children are our most precious and valuable resource and by investing in them, we secure a future of hope and opportunity for us all; and

**WHEREAS**, The welfare of our children is the most important responsibility we have as parents and a child should be able to rely on parental support; and

**WHEREAS**, Children who receive adequate emotional and financial support from both parents may experience less difficulty in becoming healthy, happy and productive citizens; and

**WHEREAS**, Prior to 1975, child support enforcement was primarily accomplished in the private sector through civil actions by private attorneys; and

**WHEREAS**, The public sector of Child Support Enforcement was established in 1975 under Title IV-D of the Social Security Act, making child support enforcement a joint federal, state and local partnership in order to ensure that children are financially supported by both parents. In addition to the efforts made by the public sector, private attorneys will continue to play an active role in child support enforcement; and

**WHEREAS**, Concerned and dedicated child support workers, clerks of the court, county attorneys, support magistrates, judges and deputy sheriffs throughout the County work diligently to establish and enforce child support obligations for the benefit of children in Wyoming County; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim August 2017 in the County of Wyoming as **CHILD SUPPORT AWARENESS MONTH**

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

*Chairman Berwanger asked Supervisor Grant, T/Bennington to share the Child Support Awareness Month Proclamation.*

*Supervisor Grant asked Commissioner Rumsey, Director of Programs Judith Gardner and Child Support Unit Supervisor Joanne Schreiber to join her at the microphone for the reading of the Proclamation.*

*Commissioner Rumsey thanked the Board for its continued support of the Child*

August 15, 2017

*Supervisor Schreiber stated that in 2016, the Support Collection Unit collected \$3.8 million dollars which was disbursed over 2,000 cases. Right now, the Unit is on pace to collect over \$5 million dollars by the end of the year.*

#5

**RESOLUTION NO. 17-312**  
**(August 15, 2017)**

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

**RESOLUTION DIRECTING THE COUNTY ATTORNEY TO PREPARE  
RESEARCH INTO FEASIBILITY OF INDIVIDUALLY FILING OR  
JOINING MULTI-PLAINTIFF LAWSUIT AGAINST MAJOR DRUG  
MANUFACTURERS TO RECOVER CURRENT AND FUTURE  
DAMAGES TO THE COUNTY TAXPAYERS FROM ABUSE OF  
OPIOID PHARMACEUTICALS**

**WHEREAS**, According to statistics provided by the Centers for Disease Control and Prevention, in 2015 there were over 33,000 opioid overdose deaths nationwide, or 91 Americans per day, one every 16 minutes and a 14% increase from 2014, driven by both prescription opiate abuse and misuse as well as heroin abuse, the latter often brought on by prescription opiate abuse; and

**WHEREAS**, News reports state that “the number of opioid-related deaths rose 47 percent in New York between 2010 and 2014, fueled by a surge in heroin abuse, state records show,” that 26 of the state’s 62 counties saw the number of deaths double during the five-year span,” that “a total of 5,860 deaths occurred in New York between 2010 and 2014, compared to 2,931 from 2003 through 2007,” and that in neighboring Erie County, more than 300 people died from opioid-related drug overdoses in 2016; and

**WHEREAS**, The Wyoming County age-adjusted rate per 100,000 of all overdose deaths involving opioids is 10.0, ranking Wyoming County the 29<sup>th</sup> highest statewide and faring worse than the New York State average; and

**WHEREAS**, Wyoming, Genesee and Orleans Counties established a joint heroin and opioid task force to address the issues on January 31, 2017, with representation from across the three county region engaging in fact-finding and public education on the opioid crisis, and

**WHEREAS**, Various entities, including Erie County, Nassau County and the State of Ohio, have pursued lawsuits against the manufacturers of

pharmaceuticals containing opioids, alleging, in the words of the Buffalo Law Journal, “pharmaceutical manufacturers misled doctors and patients into believing that opioid painkillers were not addictive” and that “the drug manufacturers aggressively marketed opioid pain relievers despite growing addiction rates, misrepresented the dangers of long-term opioid use to physicians and ignored that continued use of opioids diminishes the drugs intended result, requiring increases in dosage and ups the risk of addiction”; and

**WHEREAS,** The Nassau County lawsuit states that the pharmaceutical manufacturers “knew that opioids were effective treatments for short-term post-surgical and trauma-related pain, and for palliative (end-of-life) care. Yet they also knew—and had known for years—that opioids were addictive and subject to abuse, particularly when used long-term for chronic non-cancer pain (pain lasting three months or longer, hereinafter referred to as “chronic pain”), and should there not be used except as a last-resort” and that “the U.S. Food and Drug Administration (“FDA”) has expressly recognized that there have been no long-term studies demonstrating the safety and efficacy of opioids for long-term use”; and

**WHEREAS,** It is the view of this Board of Supervisors that the County of Wyoming should recover damages from those parties directly contributing to high costs to the taxpayers in the form of increased social services, policing, and other expenditures, so as to mitigate the impact of the same; and

**WHEREAS,** That the Wyoming County Board of Supervisors further notes that the abuse of both recreational and prescription drugs has led to a decline in quality of life and public safety, particularly for those residents located in communities particularly impacted by the presence of narcotics, and the documented surge in opiate abuse throughout Western New York and America at large has notably impacted those communities; and

**WHEREAS,** The Wyoming County Board of Supervisors must act to preserve both the financial wellbeing of the County of Wyoming and to ensure the safety of its people; now, therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby direct the County Attorney to research ongoing lawsuits against manufacturers of opiate-based pharmaceuticals; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors directs the County Attorney to determine which pharmaceutical manufacturers have demonstrated culpability in manufacturing and promoting products that were not safe; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors directs the County Attorney to make recommendations as to whether the County of Wyoming should join another multi-plaintiff suit, file our own individual lawsuit, take no action, or pursue some other legal strategy, and to report the same jointly to the Public Health Committee and Committee of the Whole within 60 days of the enactment of this Resolution; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors directs the Board of Supervisors, the Mental Health Department, the Health Department, the Department of Social Services, the Wyoming County Sheriff's Office, Wyoming County Emergency Services and such other departments as may provide services, data, or knowledge pertinent to the pursuit of a lawsuit to provide the same upon request from the County Attorney.

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

*Chairman Berwanger acknowledged the opioid crisis in Wyoming County and across the United States. He invited Public Health Admin. Laura Paolucci to the microphone for an update on "how we got here and what we are doing about it..."*

*Public Health Admin. Laura Paolucci provided the following...*

*The opioid and heroin crisis facing communities across NYS and the US has been well publicized in the news. Wyoming County is included among those communities in crisis.*

*In the context of our work at the health department to "PROMOTE MENTAL HEALTH AND PREVENT SUBSTANCE ABUSE", I've read reports, reviewed local data, evaluated evidence-based programs and brainstormed with colleagues. The issues surrounding opiate use and heroin abuse are complex, and so our response must be also – this doesn't fall to just one organization or entity. Thank you to the Board of Supervisors for supporting the work of County departments, as we respond to the most vulnerable residents of Wyoming County.*

*Earlier this year Wyoming Genesee and Orleans Counties joined together to form a three County Opioid Taskforce. As of July, the membership is close to 150 individuals from across the three counties – there are representatives from the hospital systems, primary care, substance abuse treatment facilities and programs, community based organizations, law enforcement, education, treatment courts, the faith-based community, EMS, mental health, public health, social services, private business, local government elected officials, representatives from the media, concerned members of the public, family*

*members and more. The voices of the parents who have lost children to a drug overdose are loudest to me.*

*The Taskforce has now established workgroups to try and structure our efforts to respond to the crisis. The workgroups are Data, Community Education and Access to Care. Each workgroup meets regularly and has created a work plan to guide their efforts. Please, if you would like to join us in this important work – the next full Taskforce meeting will be October 19<sup>th</sup> at Genesee Community College in Batavia. You can call the Health Department for more information.*

*The Resolution being presented today is important. Some responsibility for the current crisis and human suffering belongs squarely on the pharmaceutical manufacturers' aggressive and irresponsible marketing of addictive opioid painkillers. I look forward to working with the County Attorney's office and other departments to gather data to assist the Board in making your decision on how to proceed with potential legal proceedings.*

#6

**RESOLUTION NO. 17-313  
(August 15, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**WYOMING COUNTY FAIR CATTLE BARN CONSTRUCTION  
PROJECT SUPPORTED**

**WHEREAS,** The Wyoming County Fair focuses on all families, particularly the farm family, and is a fabulous opportunity for young people to develop life skills through hands on learning experiences, including the livestock competitions which are held at the *Cattle Barn*; and

**WHEREAS,** The Wyoming County 4-H program has been serving the young people of Wyoming County with educational and leadership opportunities since 1913 and the program reaches more than 2,600 youth and 225 volunteers annually; and

**WHEREAS,** In 2016, New York State Agriculture and Markets made available grant funding to agricultural fairgrounds throughout New York State for infrastructure improvements; and

**WHEREAS,** The Wyoming County Fair was awarded \$92,000.00, which was subsequently increased to \$192,000.00 at the end of April 2017. A Committee was formed by the Executive Board of the Fair Association and began researching the best utilization of the grant funds; and

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**WHEREAS,** In an effort to keep up with current technologies, the Committee has decided to move forward with replacing the current *Cattle Barn* rather than trying to renovate or rehabilitate the original structure that was constructed in 1977 and is in need of renovations and repairs that would exceed the amount of grant money; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors hereby supports the efforts of the Fair Association and the construction of a new *Cattle Barn* on the Wyoming County Fairgrounds and also encourages all citizens to support with worthy endeavor.

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

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #7 and #8. Hearing no objection resolution titles were read.*

**#7**

**RESOLUTION NO. 17-314  
(August 15, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SEND A LETTER TO ERIE COUNTY  
REQUESTING WYOMING COUNTY'S INCLUSION WITHIN THE  
SERVICE AREA OF FOREIGN-TRADE ZONE (FTZ) NUMBER 23**

**WHEREAS,** The County of Wyoming, working with the Wyoming County Industrial Development Agency (WCIDA), wishes to become part of the Service Area of Foreign-Trade Zone No.23 (FTZ), so businesses in the County can become more globally competitive, do more exports to global markets, create and maintain well-paying jobs, and local communities will have a tool for attracting foreign investment; and

**WHEREAS,** Local businesses will be able to improve logistics and improve inventory controls because imported merchandise can be admitted into the FTZ without paying duties and excise tax until it is physically removed from the FTZ and into the USA domestic market, and if merchandise is exported, duties are never paid; and

**WHEREAS,** The grantee, the County of Erie, will be able to apply to the Foreign-Trade Zones Board for authority to serve sites located within this County based on businesses' trade-related needs and that the zone will be made available on a uniform basis to companies within Wyoming County, in a manner



consistent with the legal requirement that each FTZ be operated as a public utility; and

**WHEREAS,** The Erie County Industrial Development Agency (ECIDA) operates as the “grantee” on behalf of Erie County to administer Foreign-Trade Zone No.23 and will execute and monitor agreements with Wyoming County businesses and property owners, and will apply for grants of authority and decide structure; and

**WHEREAS,** The WCIDA will pay for all legal and consulting expenses relating to the County becoming part of Foreign-Trade Zone No. 23; now therefore

**BE IT RESOLVED,** That the Board of Supervisors supports the County becoming included in the Service Area of Foreign-Trade Zone No. 23; and be it

**FURTHER RESOLVED,** That the Chairman of the Board of Supervisors is hereby authorized and directed, upon approval of the County Attorney, to execute a Concurrence Letter to be sent to the grantee--Erie County, NY--to have Wyoming County included as part of the Service Area of Foreign-Trade Zone No. 23.

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

**#8**

**RESOLUTION NO. 17-315**  
**(August 15, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN INTER-MUNICIPAL  
COOPERATIVE AGREEMENT WITH GLOW SOLID WASTE  
MANAGEMENT COMMITTEE 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 the Inter-Municipal Cooperative Agreement with the GLOW Solid Waste Management Committee, Genesee County Building 2, 3837 West Main Street Road, Batavia, NY 14020 on behalf of Wyoming County. Said Agreement to carry out GLOW Solid Waste pharmaceutical and household hazardous waste collection programs and services in an amount not to exceed eighteen thousand one hundred seven dollars (\$18,107.00) per year and thirty-six thousand two hundred fourteen dollars

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(\$36,214.00) in two (2) years; effective January 1, 2017 through December 31, 2019. Contingent upon the availability of funds.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #9 and #10. Hearing no objection resolution titles were read.*

**#9**

**RESOLUTION NO. 17-316  
(August 15, 2017)**

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

**FIRE ADVISORY BOARD DELEGATES APPOINTED/REAPPOINTED**

**BE IT RESOLVED**, That the following named persons are hereby appointed/ reappointed to the Wyoming County Fire Advisory Board in accordance with Section 225-a of the County Law for a term of one (1) year; effective ***July 01, 2017 through June 30, 2018:***

Arcade	Gregory Landis	782 Geer Road, Arcade, NY 14009
Attica	Terry Snyder	37 Buffalo Street, Attica, NY 14011
Bennington	Joseph Heller	1290 Maxon Road, Attica, NY 14011
Bliss	Marc Roche*	3438 Rt. 39, Bliss, NY 14024
Castile	Michael Lindsay	6555 West Center Road, Castile, NY 14427
Cowlesville	Wilson Wild	1336 Blood Rd., Cowlesville, NY 14037
Gainesville	Gregory Lockwood	32 North Main Street, Gainesville, NY 14066
Harris Corners	Steven Mest	1988 Burrough Road, Cowlesville, NY 14037
North Java	Joseph Syler	1911 Route 78, Java Center, NY 14082
Perry	Frederick Eickhoff	33 Dolbeer Street, Perry, NY 14530
Perry Center	James Brick	7618 Rt. 20A, Perry, NY 14530
Pike	Douglas Anderson*	7728 Spencer St., Gainesville, NY 14066
Sheldon	Richard Brzezicki, Jr.	3342 Dutch Hollow Rd., Strykersville, NY 14145
Silver Springs	John Proper	80 Orchard Street, POB 183, Silver Springs NY14550
Strykersville	Donald Simons	425 Factory Road, Strykersville, NY 14145
Varysburg	Adam Vetter	PO Box 632, Varysburg, NY 14167
Warsaw	Joseph Cummins	5400 Toolhouse Road, Warsaw, NY 14569
Wyoming	John Moore	911 Tower Road, Wyoming, NY 14591

*\*denotes new delegates*

Members At-Large for Towns without Departments:

Orangeville	Town Supervisor	Town of Orangeville
Covington	Town Supervisor	Town of Covington

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

**#10**

**RESOLUTION NO. 17-317  
(August 15, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE NEW YORK STATE DIVISION OF CRIMINAL  
JUSTICE 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 acceptance award with the New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, NY 12210 on behalf of the Public Defender's Office. Said grant is for the Indigent Parolee Program in a minimum amount of one hundred eighty-six thousand dollars (\$186,000.00); effective April 1, 2017 through March 31, 2018. *Project Number LG17-1069-D00*

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #11 through #14. Hearing no objection resolution titles were read.*

**#11**

**RESOLUTION NO. 17-318  
(August 15, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH THE NEW YORK STATE UNIFIED  
COURT SYSTEM ON BEHALF OF BUILDINGS AND GROUNDS  
(CO. BLDGS.)**

**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 Unified Court

August 15, 2017

System, 92 Franklin Street, 3<sup>rd</sup> Floor, Buffalo, NY 14202 on behalf of Buildings and Grounds (Co. Bldgs.). Said grant is for reimbursement of costs associated with the cleaning, minor repair and maintenance of the Courthouse Campus, Government Center and Records Retention in a *maximum* amount of seventy-five thousand three hundred twenty-three dollars (\$75,323.00); effective April 1, 2017 through March 31, 2018.

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

**#12**

**RESOLUTION NO. 17-319  
(August 15, 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-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 \$31,225.00 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:**

**#13**

**RESOLUTION NO. 17-320  
(August 15, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN 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 the following contracts on behalf of County Highway:

- **Bergmann Associates, Inc.,** 280 East Broad Street, Suite 200, Rochester, NY 14604
  - SLA Supplement No. 2 for the construction support and inspection for Bixby Hill Road Highway Preventative Maintenance, Town of Arcade, PIN 4 WYO.00 in an amount not to exceed thirty-two thousand six hundred thirty-four dollars (\$32,634.00); effective January 3, 2017 through December 31, 2017.

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- **Milherst Construction**, 10025 County Road, Clarence Center, NY 14032
  - For construction (milling and resurfacing) of Bixby Hill Road Highway Preventative Maintenance, Town of Arcade, PIN 4WY0.00, in an amount not to exceed two hundred eighty-four thousand four hundred seventy-five dollars (\$284,475.00); effective August 15, 2017 through project completion.
- **DLVEWS, Inc.**, 2841 Turner Road, Auburn, ME 04210
  - For a galvanized steel tunnel liner plate for Perry Bridge #21, Gardeau Street, Perry, New York in an amount not to exceed thirty-nine thousand ninety dollars (\$39,090.00); effective August 15, 2017 through completion of project.

Contingent upon the availability of funds.

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

**#14**

**RESOLUTION NO. 17-321  
(August 15, 2017)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH LAND PRO EQUIPMENT 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 authorized to sign a contract with Land Pro Equipment, 3517 Railroad Avenue, Alexander, NY 14005 on behalf of County Highway. Said contract is for two (2) new John Deere tractors complete with broom and rake in an amount not to exceed one hundred eighteen thousand three hundred dollars (\$118,300.00); effective August 15, 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 #15 through #26. Hearing no objection resolution titles were read.*

**#15**

**RESOLUTION NO. 17-322**  
**(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2018 INSURANCE  
 RATES ON BEHALF OF CURRENT AND RETIRED COUNTY  
 EMPLOYEES**

**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 health insurance rate sheets with Blue Cross/Blue Shield and the Alliance of WNY, 2914 Pine Street, Niagara Falls, NY 14301; effective January 1, 2018 through December 31, 2018 as follows:

**Employee BCBS PPO**

- ❖ Single \$1,204.57
- ❖ Family \$3,267.84

**Employee BCBS High Deductible Plan**

- ❖ Single \$587.72
- ❖ Family \$1,594.36

**Retiree BCBS PPO**

- ❖ Single \$1,880.78
- ❖ Two-Person \$3,855.26
- ❖ Family \$5,829.90

**Retiree BCBS High Deductible Plan**

- ❖ Single \$1,037.91
- ❖ Two-Person \$2,127.75
- ❖ Family \$3,217.53

Contingent upon the availability of funds.

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

**#16**

**RESOLUTION NO. 17-323**  
**(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-232 RESCINDED**

**WHEREAS, Resolution Number 17-232 entitled, “CHAIRMAN  
 AUTHORIZED TO SIGN A CONTRACT WITH VIGILANT, LLC ON**

August 15, 2017

**BEHALF OF INFORMATION TECHNOLOGY”** passed by this Board of Supervisors on May 9, 2017 and provided a contract with Vigilant, LLC, 9378 South Mason Montgomery Road, Mason, OH 45040 on behalf of Information Technology. Said contract was 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*); now, therefore,

**BE IT RESOLVED**, That Resolution Number 17-232 be hereby rescinded in its entirety effective May 9, 2017 as the contract was never negotiated with the vendor.

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

**#17**

**RESOLUTION NO. 17-324  
(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SHI INTERNATIONAL CORP 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 SHI International Corp., 5 West Bank Street, Cold Springs, NY 10516 on behalf of Information Technology. Said contract is for network security monitoring and event logging in an amount not to exceed thirty thousand dollars (\$30,000.00); effective August 1, 2017 through July 31, 2020. *NYS Contract # PD67647*

Contingent upon the availability of funds.

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

**#18**

**RESOLUTION NO. 17-325  
(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

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

Regular Session



## 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:

- **Outsource Receivables Management, Inc.**, 261 Main Street, Arcade, NY 14009 for collection services for patient accounts and website credit card payment services in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00) per year (based on usage); effective July 1, 2017 through June 30, 2020.
- **Ferguson Electric Service Co., Inc.**, 321 Ellicott Street, Buffalo, NY 14203 for electrical preventive maintenance program to provide visual and infrared thermographic inspection of facilities electrical distribution system and preventive maintenance on the electrical distribution system in an amount not to exceed eleven thousand three hundred seventy-four dollars (11,374.00) per year for a total of fifty-six thousand eight hundred seventy dollars (56,870.00) for the five-year term; effective August 1, 2017 through August 31, 2021.
- **Buffalo Bone and Joint, PLLC**, 400 North Main Street, Warsaw, NY 14569 to provide orthopaedic surgery, clinic services and serve as the chief medical officer for orthopaedic services in an amount not to exceed one million five hundred fifty thousand dollars (\$1,550,000) per year plus two percent (2%) annual increase; effective on or about November 1, 2017 through October 31, 2022 and upon completion of insurance credentialing.

Contingent upon the availability of funds.

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

**#19**

### RESOLUTION NO. 17-326 (August 15, 2017)

By Mr. Brick, Chairman of the Finance Committee:

### RESOLUTION NUMBER 17-034 AMENDED

August 15, 2017

**WHEREAS**, Resolution Number 17-034 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, was passed by this Board of Supervisors on January 17, 2017 and provides, in part, for the following contract:

- **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.

Now, therefore,

**BE IT RESOLVED**, That Resolution Number 17-034 be hereby amended as follows:

- Extend the expiration date of the contract from September 1, 2017 to ***December 31, 2018***.
- Amend the not to exceed amount from one hundred fifty thousand dollars (\$150,000.00) per term to ***one hundred sixty thousand dollars (\$160,000.00)*** per term.

All else remains the same.

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

**#20**

**RESOLUTION NO. 17-327  
(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-238 AMENDED**

**WHEREAS**, Resolution Number 17-238 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, was passed by this Board of Supervisors on May 9, 2017 and provides, in part, for the following contract:

- **Nuance Communications, Inc.**, 1 Wayside Road, Burlington, MA 01803 for the use of Nuance “Dragon” hosted voice recognition

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software in the WCHS 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 sixteen thousand seven hundred fifty dollars (\$16,750.00); effective July 1, 2017 through June 30, 2022.

Now, therefore,

**BE IT RESOLVED**, That Resolution Number 17-238 be hereby amended as follows:

- Amend the not to exceed amount from twenty-five thousand dollars (\$25,000.00) per year to ***forty thousand dollars (\$40,000.00)*** per year.
- Amend the expiration date of the contract from June 30, 2022 to ***July 31, 2022***.

All else remains the same.

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

**#21**

**RESOLUTION NO. 17-328**  
**(August 15, 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**”, was passed by this Board of Supervisors on June 14, 2016 and provides, in part, for the following contract:

- **University Orthopaedic Services, Inc. (UOS)**, a New York UOS Faculty Practice Corporation, 5500 Main Street, Williamsville, NY 14221 (Lindsey Clark, M.D). Services to consist of a minimum of twenty-nine (29) days per year of professional services in the Hospital’s Orthopedic Clinic (with a physician and physician’s assistant), in an amount not to exceed two hundred seventy-five thousand dollars (\$275,000.00) in year one (1) and three hundred thousand dollars (\$300,000.00) in each of the following years; effective May 1, 2016 through April 30, 2019; and

August 15, 2017

**WHEREAS**, That Resolution Number 16-265 was previously amended by this Board of Supervisors on September 13, 2016 by Resolution Number 16-363 as follows:

- Amend the administrative office address for University Orthopaedic Services, Inc. to ***4225 Genesee Street, Cheektowaga, NY 14225.***
- Amend the contract effective dates from May 1, 2016 through April 30, 2019 to ***July 14, 2016 through July 13, 2019.***

Now, therefore,

**BE IT RESOLVED**, That Resolution Number 16-265, as previously amended by Resolution Number 13-363, be hereby further amended as follows:

- Add physician assistant services in an amount not to exceed ***twenty thousand dollars (\$20,000.00)*** per year; effective ***September 1, 2017 through July 13, 2019*** or as soon as practical upon credentialing.

All else remains the same.

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

**#22**

**RESOLUTION NO. 17-329**  
**(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-298 AMENDED**

**WHEREAS**, Resolution Number 16-298 entitled, “**SALARY SCHEDULES “C”, “G” AND “S” AMENDED,**” passed by this Board of Supervisors on July 12, 2016 and provided various changes to Salary Schedule C, in part, as follows:

- Place one (1) position of ***Director of Surgical Services & Maternity and Women's Health, FT*** on Salary Schedule “C” under OPERATING ROOM and set the salary at \$82,820.00 per year; position available date is May 31, 2016.
- Remove one (1) position of ***Director of Surgical Services/Maternity & Women's Health, Risk Manager*** on Salary Schedule “C” under OPERATING ROOM; effective May 31, 2016; and

**WHEREAS**, That Resolution Number 16-298 was previously amended by this Board of Supervisors on August 16, 2016 by Resolution Number 16-317, in part, as follows:

- Amend available date of one (1) position of Director of Surgical *Services & Maternity and Women's Health FT* on Salary Schedule "C" under OPERATING ROOM from May 31, 2016 to **June 19, 2016**.
- Amend removal date of one (1) position of *Director of Surgical Services/Maternity & Women's Health, Risk Manager* on Salary Schedule "C" under OPERATING ROOM from May 31, 2016 to **June 19, 2016**.

now, therefore,

**BE IT RESOLVED**, That Resolution Number 16-298, as previously amended by Resolution Number 16-298, be hereby further amended as follows:

- Correct the salary of *Director of Surgical Services & Maternity and Women's Health, FT* on Salary Schedule "C" under OPERATING ROOM from \$82,820.00 per year to **\$82,187.00** per year.
- Correct the salary of the removed position of *Director of Surgical Services/Maternity & Women's Health, Risk Manager* on Salary Schedule "C" under OPERATING ROOM to from \$82,820.00 per year to **\$82,187.00** per year.

All else remains the same.

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

**#23**

**RESOLUTION NO. 17-330**  
**(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES "C" 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*

August 15, 2017

- Set the salaries for employees in the job titles covered by Salary Schedule “C” in **Column A**; effective the first payroll on or after of January 1, 2017 as attached.
- Set the salaries for the employees in the job titles covered by Salary Schedule “C” in **Column B**; effective the first payroll on or after August 1, 2017 as attached.
- Create one (1) position of **Executive Assistant** under ADMINISTRATION and set the annual salary at \$54,000.00; effective the first payroll on or after August 1, 2017.
- Create one (1) position of **Laboratory Services Director** under LABORATORY and set the annual salary at \$86,715.00; effective the first payroll on or after August 1, 2017.

**Salary Schedule “D”:**

***Fire and Building Codes***

- Set a stipend for the **Code Enforcement Officer** for the administration of the Countywide Zoning Program including support of the Zoning Enforcement Officer’s duties in the amount of \$6,000.00 annually; effective August 15, 2017.

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

2017 WYOMING COUNTY SALARY PLAN SCHEDULE "C"				
Wyoming County Community Hospital		COLUMN A		COLUMN B
Revised xx/xx/2017		Effective first payroll on or after 01/01/2017		Effective first payroll on or after 08/01/2017
CURRENT TITLES	RESOLUTION		NOTE	
ACUTE QUALITY				
Quality and Risk Management Coordinator, FT	Res# 16-482	57,283	4	60,000
Quality Assurance Specialist / Infection Prevention, FT	Res# 17-271	71,600	9	

<b>ADMINISTRATION</b>				
Administrative Assistant	Res# 16-230	51,000		
Chief Operating Officer	Res# 16-230	103,691		
Executive Assistant				54,000
<b>ADULT DAY CARE (SNF)</b>				
Program Director	Res# 16-230	65,000		
<b>BIOMEDICAL ENGINEERING</b>				
Biomedical Supervisor, FT	Res# 17-078	67,500	13	68,850
<b>EMERGENCY</b>				
Director of Emergency Services	Res# 16-230	71,413	1	76,000
<b>FISCAL SERVICES</b>				
Assistant Director of Finance	Res# 16-230	63,829		
Director of Reimbursement/Quality & SNF Rehabilitation, FT	Res# 16-298	95,976	6	
Manager of Budget & Financial Analysis, FT	Res# 17-271	72,624	9	76,000
<b>HOSPITAL INFORMATICS</b>				
Healthcare Information Specialist	Res# 16-230	78,576		
Director of Utilization Review & Health Information Management	Res# 16-230	81,600		
<b>IMAGING AND TESTING</b>				
Director of Outpatient Services	Res# 17-033	77,520	11	
<b>INFECTION CONTROL</b>				
Director of Nurse Education & Infection Control	Res# 16-230	67,670		
<b>INFORMATION SYSTEMS</b>				
Director of Healthcare Information Systems	Res# 16-230	72,692		
Network Admin II	Res# 16-230	61,200		64,500

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<b>LABORATORY</b>				
Laboratory Services Director				86,715
<b>MEDICAL DIRECTOR</b>				
Administrative Secretary	Res# 16-230	37,429		
<b>MEDICAL SURGICAL UNIT / 3<sup>RD</sup> FLOOR</b>				
Director of Medical / Surgical, Intensive Care, FT	Res# 17-271	75,000	9	
<b>MENTAL HEALTH UNIT</b>				
Director of Behavioral Health	Res# 16-437	70,380	8	73,380
<b>NURSING FACILITY ADMINISTRATION</b>				
Administrative Secretary	Res# 16-230	39,215		
Assistant Administrator	Res# 16-230	58,157		
Assistant Administrator / Director of Nursing	Res# 16-230	74,984		
Assistant Director of Nursing (SNF) FT	Res# 17-241	77,010	14	
Director of Nursing	Res# 16-230	78,030		
Nursing Facility Administrator	Res# 16-230	117,300		119,300
RN Supervisor - SNF (Per Diem) (5 positions)	Res# 16-437	\$150/ 4 hour shift	7	
RN Supervisor - SNF (Per Diem) (2 positions)	Res# 17-033	\$150/ 4 hour shift	12	
<b>NURSING ADMINISTRATION (ACUTE)</b>				
Administrative Secretary	Res# 16-230	33,760		
Director of Nursing	Res# 16-326	90,413	2	94,000
Nursing Supervisor Per Diem in the Nursing Service Office (5 positions)	Res# 16-230	\$150/ 4 hour shift		
<b>OB CLINIC</b>				
OB/GYN Clinic Office Manager, FT	Res# 16-298	42,432	5	
Clinic Office Manager	Res# 16-326	40,310	3	



<b>OPERATING ROOM</b>				
Director of Surgical Services & Maternity & Women's Health, FT	Res# 16-298	83,831	6	
<b>PATIENT ACCOUNTS</b>				
Revenue Cycle / Business Office Manager	Res# 16-230	71,197		
<b>PATIENT AND FAMILY SERVICES</b>				
Clinical Documentation Improvement Coordinator, FT	Res# 16-537	66,000	10	
<b>PHYSICAL THERAPY</b>				
Director of Therapy Services Acute & Outpatient, FT	Res# 16-298	88,836	6	
<b>PLANT MAINTENANCE</b>				
Maintenance Supervisor	Res# 17-033	61,200	11	
<b>WORKPLACE HEALTH SERVICES</b>				
Director of WPHS, Clinic Quality & Corporate Compliance	Res# 16-230	88,292		
<b>1 - Effective 02/01/2016</b>				
<b>2 - Effective 07/01/2016</b>				
<b>3 - Effective 07/31/2016</b>				
<b>4 - Effective 10/26/2016</b>				
<b>5 - Effective 06/28/2016</b>				
<b>6 - Effective 06/19/2016</b>				
<b>7 - Effective 09/28/2016</b>				
<b>8 - Effective 10/09/2016</b> (add \$3,000.00 upon successful completion of six(6) month goals)				
<b>9 - Effective 05/14/2017</b>				
<b>10 - Position Available Date 11/30/2016</b>				
<b>11 - Effective 01/01/2017</b>				
<b>12 - Position Available Date 12/28/2016</b>				

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13 - Effective 01/16/2017
14 - Effective 04/14/2017

**RESOLUTION NO. 17-331**  
**(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-291 RESCINDED**

**WHEREAS**, Resolution Number 17-291 entitled, “**INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**” was passed by this Board of Supervisors on July 11, 2017; now, therefore,

**BE IT RESOLVED**, That Resolution Number 17-291 be hereby rescinded in its entirety effective immediately.

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

**RESOLUTION NO. 17-332**  
**(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

**BE IT ENACTED** by the Wyoming County Board of Supervisors as follows:

**SECTION 1.** The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

**SECTION 2.** Imposition of sales tax.  
On and after March 1, 1981, there is hereby imposed and there shall be paid a

tax of three percent upon, and for the period commencing December 1, 1992 through November 30, 2020, there is hereby imposed and there shall be paid an additional tax of one percent upon:

**SECTION 2.** Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 through November 30, 2020, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

**SECTION 3.** Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

**SECTION 4.** Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under

paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2020, the tax shall be at the rate of four percent, and on and after December 01, 2020, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

**SECTION 4.** Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992 through November 30, 2020.

**SECTION 5.** Paragraph (B) of subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 through November 30, 2020, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

**SECTION 6.** This enactment shall take effect on December 1, 2017.

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

**#26**

**RESOLUTION NO. 17-333  
(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE LAW  
OFFICES OF THERON A. FOOTE ON BEHALF OF THE COUNTY  
TREASURER**

**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 Law Offices of Theron A. Foote, 23 West Court Street, Warsaw, NY 14569 on behalf of the County Treasurer. Said contract is for legal services for the preparation of Article 11 Tax Foreclosures at a rate of three hundred seventy-five dollars (\$375.00) per parcel for a total amount not to exceed ninety thousand dollars (\$90,000.00); effective November 1, 2017 through October 31, 2019.

Contingent upon the availability of funds.

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

***2/3 Majority  
#27***

**RESOLUTION NO. 17-334  
(August 15, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RULES OF PROCEDURE AMENDED AND ADOPTED**

**BE IT RESOLVED**, That this Board of Supervisors hereby adopts, as its Rules of Procedure, the Rules of this Board as adopted April 12, 2011, as amended, and be it

**FURTHER RESOLVED**, That the Rules of Procedure are hereby amended as follows:

**Rule 14.      Committee No. 4: Human Services.**

Regular Session

- a. Office for the Aging
- b. Department of Social Services
- c. Veterans' Services
- d. Youth Bureau / PSHC – Pre-K / Early Intervention
- e. ***Wyoming County Community Action***

This Committee shall have charge of all matters relating to the above sub-headings.

**Carried: XXX      Ayes: 1471      Noes:      Absent:      Abstain:**

*Chairman Berwanger thanked all meeting attendees taking time out to attend the board meeting at the Wyoming County Fair. Thank you!*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:00 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>

Clerk to the Board

August 15, 2017

**REGULAR SESSION**  
**(September 12, 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 2:29 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Lisa Siemer-Harvey**

Mrs. Siemer-Harvey was born in Buffalo and attended Holland Central School in Holland, New York.

Following a long history of military service by her family, Mrs. Siemer-Harvey enlisted in the United States Air Force right after graduating high school at the age of eighteen.

Her military career began with basic training at Lackland Air Force Base in San Antonio, Texas. This base is the "*Gateway to the Air Force*" as it provides basic training to all enlisted people entering the Air Force, Air Force Reserves and Air National Guard.

Upon successfully completing basic training and staying in Texas, Mrs. Siemer-Harvey went to Sheppard Air Force Base to become a B-52 mechanic. The B-52 is a strategic bomber that has been utilized since 1952 with 744 of them being built. As of 2015, there are still fifty-eight bombers in active service and eighteen in reserves.

After completing all training, Mrs. Siemer-Harvey was stationed at Loring Air Force Base in Maine. This base is named after Major Charles J. Loring Jr. who was a Medal of Honor recipient during the Korean War. Being a female mechanic in the Air Force in the 1980's, made Mrs. Siemer-Harvey determined to prove that females could perform just as well as males. After two and a half years of service, Mrs. Siemer-Harvey was honorably discharged from the Air Force as a Senior Airman.



For her faithful service to her country, Mrs. Siemer-Harvey earned the

Air Force Training Ribbon

Air Force Outstanding Unit Award Ribbon

After leaving military service, Mrs. Siemer-Harvey obtained a Bachelor of Science degree from the University of Maryland and went to work in the Human Resource field. She worked for the Federation of American Societies for Experimental Biology, The Arora Group, Roa Radiologists and Kalieida Health. She has been married to her husband Thomas for nineteen years and has two adult children. Her hobbies include rug hooking, knitting and riding her Harley Davidson motorcycle.

In addition to her military service, Mrs. Siemer-Harvey's extensive experience in both the human resource and medical fields earned her the position as the new Assistant Director for Wyoming County Veterans Services. She is ready and eager to assist all Veterans and their families who will benefit from her knowledge and experience.

***The pledge was said by all.***

*Chairman Berwanger acknowledged that Mrs. Siemer-Harvey has an Arcade mailing address but is actually from the Town of Java. He invited Town of Java Supervisor, V. McCormick to join him in the presentation of the customary certificate of appreciation to Mrs. Siemer-Harvey and an opportunity to address the Board. The Chairman also welcomed Mrs. Siemer-Harvey to Wyoming County Veterans Services as the new Assistant Director.*

*Mrs. Siemer-Harvey thanked the Board for this opportunity and said she is looking forward to serving Veterans on a daily basis.*

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

#### **Communications ~**

- None

**#1**

### **RESOLUTION NO. 17-335 (September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

### **FUNDS TRANSFERRED TO VARIOUS 2017 ACCOUNTS**

September 12, 2017

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

<b>District Attorney</b>			
<b>From:</b> 01.32.1168.8.81001 Retirement 01.32.1168.8.85001 Medicare - FICA <b>To:</b> 01.32.1168.4.41010 Office Supplies <b>Reason:</b> To bring grant budget in line with county budget so that we can spend out remaining grant funds.	\$288.48 1.16	\$289.64	
<b>District Attorney Total</b>			<b>\$289.64</b>

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

**RESOLUTION NO. 17-336  
(September 12, 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:

<b>Reforestation</b>			
<b>To:</b> 01.49.8710.4.41802 Reforestation <i>w/any funds available</i> <b>Reason:</b> To cover 2017 school taxes.	\$2,048.12	\$2,048.12	
<b>Reforestation Total</b>			<b>\$2,048.12</b>
<b>Jail</b>			
<b>To:</b> 01.37.3150.2.20701 Institutional Equipment 01.37.3150.4.40803 Building Supplies w/01.11.3150.3389 State Aid-Other <i>any other funds available</i> <b>Reason:</b> To cover expenses relating to DASNY Grant 2017 for Jail kitchen upgrades.	\$100,000.00 20,000.00	\$100,000.00 20,000.00	
<b>Jail Total</b>			<b>\$120,000.00</b>
<b>County Attorney</b>			
<b>To:</b> 01.34.1420.4.40902 Legal Services <i>w/any funds available</i> <b>Reason:</b> To pay for services performed by Jennifer Wilkinson, Esq.	\$5,000.00	\$5,000.00	
<b>County Attorney Total</b>			<b>\$5,000.00</b>
<b>Social Services</b>			
<b>To:</b> 01.39.6010.4.40508 Private Auto Repair w/01.08.6010.2680 Insurance Recovery <b>Reason:</b> To cover cost of vehicle repairs for 8/3/17 MVA.	\$2,603.52	\$2,603.52	
<b>Social Services Total</b>			<b>\$2,603.52</b>

<b>District Attorney</b>			
<b>To:</b> 01.32.1163.4.42306 DA Seized Assets w/01.07.1163.2626 Forfeiture of Crime Proceeds <b>Reason:</b> To cover cost of continued trainings and other law enforcement related expenses.	\$8,000.00	\$8,000.00	
<b>District Attorney Total</b>			<b>\$8,000.00</b>
<b>STOP DWI</b>			
<b>To:</b> 01.37.3315.4.41315 DWI Special Programs w/01.12.3315.4389 Federal Aid- DWI Crackdown <b>Reason:</b> To appropriate funds from DWI Crackdown Grant.	\$9,124.00	\$9,124.00	
<b>STOP DWI Total</b>			<b>\$9,124.00</b>
<b>Highway</b>			
<b>To:</b> 03.54.5130.2.23001 Motor Vehicles w/ <i>any funds available</i> <b>Reason:</b> To cover the shortage for equipment approved and ordered.	\$2,603.95	\$2,603.95	
<b>Highway Total</b>			<b>\$2,603.95</b>

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

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$4,277,569.11** for the month of **August 2017**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 and #4. Hearing no objection resolution titles were read.*

**#3**

### **RESOLUTION NO. 17-337 (September 12, 2017)**

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

### **WYOMING COUNTY TITLE VI PLAN APPROVED**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors has approved the *Wyoming County Title VI Plan*, annexed hereto; effective immediately.

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

### **WYOMING COUNTY ADMINISTRATIVE POLICY AND PROCEDURE**

**Title: Title VI Non-Discrimination Policy      Policy #: TBD**

**Effective Date: August 29, 2017      Review Date: \_\_\_\_\_ By \_\_\_\_\_**

September 12, 2017

**Periodic Review: By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supersedes: Policy #** \_\_\_\_\_ **Dated** \_\_\_\_\_

**Departments Affected:** \_\_\_\_\_ **All** \_\_\_\_\_

**References:** \_\_\_\_\_

**Prepared / Sponsored by (print title, name, and initial):**

**Director of Human Resources, Peter J. Bendyna**

**Senior Management Review and Approval by (print title, name, and initial)**

**Director of Human Resources, Peter J. Bendyna**

**Chairman, Board of Supervisors Approval by / Date** \_\_\_\_\_

**WCCHS or Department Medical Director Approval / Date** \_\_\_\_\_ **N/A** \_\_\_\_\_

**Board of Supervisors Approval Date** \_\_\_\_\_

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**DISCIPLINARY  
INTRODUCTION**

WYOMING COUNTY  
TITLE VI PLAN

**Prepared by**

**Peter J. Bendyna,  
Director of Human Resources  
July 2017**

**Title VI Plan**

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**Title VI/Nondiscrimination Policy Statement**

The **County of Wyoming** assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The **County of Wyoming Highway Department** further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

September 12, 2017

In the event that the **County of Wyoming** distributes federal aid funds to another governmental entity, the **County of Wyoming** will include Title VI language in all written agreements and will monitor for compliance. The **County of Wyoming** is responsible for initiating and monitoring Title VI activities, preparing required reports and other **County of Wyoming** responsibilities as required by 23 CFR 200 and 49 CFR 21.

#### **Authorities:**

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

#### **Additional Authorities and Citations Include:**

Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3; EO 13166.

### **Title VI Reporting**

The **County of Wyoming** has appointed Peter J. Bendyna, Director of Human Resources as the **County of Wyoming** Title VI Coordinator.

The **County of Wyoming** is required to appoint a Title VI Coordinator who will have easy access to the agency's Chief Executive Officer.

The contact information for the **County of Wyoming's** Title VI Coordinator is as follows:

Wyoming County Human Resources Department  
 Attn: Director of Human Resources  
 Thomson Hall  
 338 North Main Street  
 Warsaw, New York 14569  
 585-786-8830, Ext. 7100

**Special Emphasis Program Areas**

***Appointment of Title VI Program Specialists***

In addition to appointing a Title VI Coordinator, Wyoming County has proactively appointed several Title VI Program Specialists to annually monitor Wyoming County emphasis program areas. The emphasis program areas are: Highway, Buildings and Grounds, Planning and Development and Fire and Building Codes.

The personal contact information for each Title VI Specialist is as follows:

<b>Highway Department:</b>	<b>Planning &amp; Development</b>
Highway Superintendent	Director of Planning & Development
<b>Fire &amp; Buildings Codes</b>	<b>Buildings &amp; Grounds</b>
Code Enforcement Officer	Superintendent of Buildings & Grounds

**Limited English Proficiency Strategies**

Strategies to provide meaningful access to LEP persons to ensure that they can communicate effectively.

**Not Applicable**

**Wyoming County** does not meet the 5% threshold to develop a Limited English Proficiency (LEP) Plan.

**Title VI Responsibilities**

- Monitor compliance with Title VI requirements in all aspects of the environmental process, including Environmental Justice and Limited English Proficiency requirements.
- Conduct meetings to review the project impact.
- Disseminate to the public their right to call or write the department to view plans and discuss environmental problems.
- Ensure DBE goal attainment.
- Coordinate the gathering of environmental information for the Annual Title VI Update Report including awards to DBE firms.
- Notify protected group residents of public meetings or hearings regarding a proposed project. Ensure time and location for public meetings or hearings is accessible.
- Maintain mechanisms to identify population affected by a project.
- Ensure participation of all segments of the impacted population in the location selection process.

- Ensure that all federally funded consultant contracts administered by this section have the appropriate Title VI Appendix enclosed.
- Review guidelines and procedures to ensure Title VI compliance.
- Maintain and update necessary data and documentation, including demographic data mapping ethnicity by area as required for completion of the department's internal annual Title VI Annual Report.

### **Title VI Coordinator's Responsibilities**

As authorized by A.D. Berwanger, Chairman of the Wyoming County Board of Supervisors, the Title VI Coordinators and Title VI Program Specialists are responsible for initiating, monitoring, and ensuring the **County of Wyoming** compliance with Title VI requirements as follows:

1. Process, review and investigate Title VI complaints received by the **County of Wyoming** in accordance with the **County of Wyoming's** Complaint Procedures. If any individual believes they or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin, or gender, they may file a complaint with the **County of Wyoming**. It is the goal of the **County of Wyoming** to resolve complaints informally at the lowest managerial level.
2. Collect statistical data (race, color, income, gender, and national origin) of participants in and beneficiaries of, **County of Wyoming** highway programs (i.e., relocatee's, impacted citizens, and affected communities). Each of the Title VI special emphasis program area will maintain data to be incorporated in the Title VI updates. Procedures will be reviewed regularly to ensure the data is sufficient in meeting the Title VI program administration requirements.
3. Review special emphasis program areas to determine the effectiveness of program area activities at all levels. In addition to the day-to-day monitoring, all special emphasis program areas will be reviewed annually to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator and Title VI Program Specialists will coordinate efforts to ensure equal participation in their program areas and activities at all levels.
4. Conduct Title VI reviews when necessary of contractors and other recipients of federal aid highway funds.



5. Work with special emphasis program staff to ensure the fundamental principles of Environmental Justice outlined below:
  - Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
  - Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
  - Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
6. Develop Title VI and Limited English Proficiency information for Public Dissemination. Ensure dissemination to the general public and, where appropriate, in languages other than English. The County will disseminate Title VI Program information to County employees, contractors, subcontractors, consultants, and sub consultants as well as the general public. Public dissemination will include posting of public statements and inclusion of Title VI language in contracts. The Title VI/Nondiscrimination Policy Statement will be published in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications.
7. Prepare an Annual Title VI Update Report. The update will report on any accomplishments and changes to the program occurring during the preceding year. The update will include goals and objectives for the upcoming year.
8. Schedule training for Title VI related statutes for **County of Wyoming** employees. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints. All directives providing operational guidelines to all subrecipients, and special emphasis program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.
9. Identify and eliminate discrimination when found to exist. Work with all **County of Wyoming** Offices and Departments to establish procedures for promptly resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to

exist, including, but not limited to utilization of disadvantaged business enterprises, public involvement and property acquisition.

10. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary within a period of 90 days. The **County of Wyoming** will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, procedures will be implemented to resolve Title VI issues, and reducing to writing remedial action agreed necessary within a period of 90 days.

Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

The **County of Wyoming** will seek the cooperation of the subrecipient in correcting deficiencies found during the Title VI compliance reviews. The **County of Wyoming** will also provide the technical assistance and guidance needed to aid the subrecipient to comply voluntarily.

When a subrecipient fails or refuses to voluntarily comply with requirements within the allotted time frame, the **County of Wyoming** will submit a copy of the case file to NYSDOT's Office of Civil Rights or the FHWA and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

11. Maintain updated legislative and procedural information regarding the **County of Wyoming** Title VI Program. This will include federal laws, rules and regulations, NYSDOT guidelines, the **County of Wyoming** plan and updates, and other resource information pertaining to Title VI issues.

### **Title VI Complaint Procedures**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, (including its Disadvantaged Business Enterprises (DBE)), Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any

transportation or Public Works program or activity administered by the City, as well as to subrecipients, consultants, and contractors. These procedures apply to complaints filed against a program or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA).

Intimidation or retaliation of any kind is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest managerial/administrative level possible. The option of informal mediation meeting(s) between the affected parties and the investigator may be used for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

## **Procedures**

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities prohibited under Title VI based upon race, color, sex, age, national origin or disability may file a written complaint with the **County of Wyoming**.

### **Time Limits for Filing**

A formal complaint must be filed within 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person became aware of the alleged discrimination; or
- There has been a continuing or the latest instance of the discriminatory conduct.

### **Form of Complaints**

A formal complaint must meet the following requirements:

- Must be in writing and signed by the person or their representative and include the complainant's name, address and telephone number. A formal complaint of discrimination will also be acknowledged and processed if received by fax or e-mail.

A formal complaint of discrimination received by telephone will be written down and provided to the complainant for confirmation or

revision before processing.

- Must provide a detailed description of the issues including names, dates, and job titles of witnesses or those individuals perceived as parties in the complained of incident.

Upon receipt of the complaint, Wyoming County will determine its jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. In cases where the complaint is against one of the **County of Wyoming** sub-recipients of federal highway funds, the **County of Wyoming** will assume jurisdiction and will investigate and adjudicate the case. Complaints against the **County of Wyoming** will be referred to the New York State Department of Transportation's Office of Civil Rights for proper disposition. In special situations warranting intervention to ensure equity, the NYSDOT Office of Civil Rights may assume jurisdiction and either complete or obtain services to review or investigate matters.

Acceptance of a complaint will be determined by

- Whether the complaint is timely filed;
- Whether the allegations involve a covered basis such as race, color, national origin, gender, disability or retaliation;
- Whether the allegations involve a program or activity of a Federal-aid recipient, subrecipient, or contractor; or, in the case of ADA allegations, an entity open to the public;
- The complainant(s) acceptance of reasonable resolution based on the Department's administrative authority;

A complaint may be dismissed for the following reasons

- The complainant requests the withdrawal of the complaint;
- The complainant fails to respond to repeated requests for additional information needed to process complaint;
- The complainant cannot be located after reasonable attempts.

The **County of Wyoming** has sole authority for accepting complaints for investigation. Once the **County of Wyoming** decides to proceed with the investigation, the complainant and the respondent will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a case number and be logged into the **County of Wyoming** records identifying its basis, alleged harm, the race, color, national origin and gender of the complainant(s).

In cases where the **County of Wyoming** assumes investigation of the complaint, the **County of Wyoming** will provide the respondent with the opportunity to

respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of the **County of Wyoming** written notification of acceptance of the complaint to furnish their response to the allegations.

Within 40 calendar days of the acceptance of the complaint, the **County of Wyoming** or NYSDOT investigator will prepare an investigative report for Wyoming County's Title VI Coordinator and the **Chairman, Board of Supervisors, (Chief Executive Officer.)** The report will include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. The **County of Wyoming** Title VI Coordinators and **Chairman, Board of Supervisors** will have 10 calendar days to review and provide comments to the investigator.

Once the investigator addresses any comments to the preliminary investigative report, the report and its findings will be forwarded to the **County of Wyoming** Law Department for review. The Law Department attorneys will review the report and associated documentation and will provide input within 10 calendar days.

Any comments or recommendations from the **County of Wyoming** Law Department will be reviewed by the **Chairman, Board of Supervisors**. There will be a period of 10 calendar days for the **Chairman, Board of Supervisors** to discuss the report and any recommendations with the **County of Wyoming** Title VI Coordinators, and to have the Title VI Coordinators address any modifications before the report's release to the corresponding United States Department of Transportation (USDOT) modality (FHWA, FTA, FAA).

The **County of Wyoming** final investigative report and a copy of the complaint will be forwarded to either NYSDOT, FHWA, FTA, or FAA, within 60 calendar days of the acceptance of the complaint.

The **County of Wyoming** will notify the parties of its preliminary findings which are subject to the corresponding USDOT modality's concurrence.

The corresponding USDOT modality will issue the final decision to the **County of Wyoming** based on the investigative report.

USDOT will analyze the facts of the case and will issue its conclusion to the complainant according to their procedures. Once the corresponding USDOT modality issues its final decision, the **County of Wyoming** will notify all parties involved about such determination. USDOT's final determination is not subject to an appeal.

## **Title. VI Complaint Form**

September 12, 2017

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

**Basis of Complaint**

Race ☐  
Color ☐  
Sex ☐  
National Origin ☐  
Age ☐  
Disability (ADA) ☐  
Low-Income ☐  
Limited English Proficiency ☐

**Who allegedly discriminated against you?**

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_

**If an organization, what is its name?**

Name of organization \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_

**How were you discriminated against?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Where did the alleged discrimination occur?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date/s and times discrimination occurred?**

\_\_\_\_\_  
\_\_\_\_\_

---

First time \_\_\_\_\_  
Second time \_\_\_\_\_  
Third time \_\_\_\_\_

**Were there any other witnesses to the discrimination?**

<b>Name</b>	<b>Title</b>	<b>Work Telephone</b>	<b>Home Telephone</b>

**What can Wyoming County do to resolve the complaint?**

\_\_\_\_\_

\_\_\_\_\_

**Have you filed your complaint with anyone else?**

**Who** \_\_\_\_\_

**When** \_\_\_\_\_

**Complaint number, if known** \_\_\_\_\_

**Do you have an Attorney in this matter?**

**Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **Zip** \_\_\_\_\_

**When did you acquire** \_\_\_\_\_

**Signed** \_\_\_\_\_

**Date** \_\_\_\_\_

**Mail to:**            **New York State Department of Transportation**  
                          **Title VI Coordinator**  
                          **Office of Civil Rights**  
                          **50 Wolf Road**  
                          **Albany, New York 12232**  
                          **or**  
                          **Phone (518) 457-1129**  
                          **Email: OCR-Title VI @dot.ny.gov**

**Attachment 1**  
**Title VI Notice to Public**

September 12, 2017

The **County of Wyoming** hereby gives public notice that it is the **County of Wyoming** policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, gender, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the **County of Wyoming** receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the **County of Wyoming**. Any such complaint must be in writing and filed with the City Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from this office at no cost to the complainant on our website at [www.gov](http://www.gov) or by calling (123) 456-7890.

## **Attachment 2**

### **Standard Title VI/Non-Discrimination Assurances**

The **County of Wyoming** (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the **New York State Department of Transportation (NYSDOT)**, is subject to and will comply with the following:

#### **Statutory/Regulatory Authorities**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
  - 49 C.P.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
  - 28 C.P.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964 );
- The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

#### **General Assurances**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be*



*otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the NYSDOT.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

### **Specific Assurances**

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted (*Name of Appropriate Program*):

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with

all (*Name of Appropriate Program*) and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The County of Wyoming in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or

recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
- b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the **County of Wyoming** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the (*insert Agency name*) access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the (*insert Agency name*). You must keep records, reports, and submit the material for review upon request to (*insert Agency name*), or its designee in a timely, complete, and accurate way.

Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The **County of Wyoming** gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the (*Name of Appropriate Program*). This ASSURANCE is binding on the State of *New York*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the (*Name of Appropriate Program*). The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

**County of Wyoming**

BY \_\_\_\_\_ DATED \_\_\_\_\_  
A.D Berwanger, Chairman, Board of Supervisors)

**The United States Department of Transportation**  
**Standard Title VI/Nondiscrimination Assurances**  
**DOT Order No. 1050.2A**

**SUB-RECIPIENT TITLE VI ASSURANCES AND NON-**  
**DISCRIMINATION PROVISIONS**

The \_\_\_\_\_ [LPA/MPO/College] (hereinafter referred to as the "Sub-Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), Federal Highway Administration, from the State of \_\_\_\_\_, through its Transportation/Highway Department (Recipient), it is subject to and must comply with the Statutory/Regulatory Authorities and requirements detailed in this document.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, agreements, property,

September 12, 2017

and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **Federal Highway Program** and is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Programs**. The person or persons whose signature appears below are authorized to sign this assurance on behalf of the Sub-Recipient.

(Name of Subrecipient) \_\_\_\_\_ DATED \_\_\_\_\_

## **WYOMING COUNTY AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN**

### **ADA Transition Plan**

This ADA Transition Plan reflects Wyoming County's long-term commitment to ADA compliance, and details the stages of Wyoming County's plan and timeline for: (1) evaluating accessibility by identifying any structural barriers associated with public facilities; (2) identifying accommodations and/or modifications that can be provided to make programs and services accessible; and (3) prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

This ADA Transition Plan will be revised and updated as the steps of the Plan are completed.

### **Introduction**

ADA regulations prohibit discrimination against individuals on the basis of disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

As detailed below, Wyoming County has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure that Wyoming County identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedules and implements ADA-required improvements in order to remove those barriers.

The ADA requires that the Transition Plan include the following components:

- 1) Identification of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- 2) Identification of the methods to be used to remove any barriers limiting accessibility;

- 3) A schedule for completion of the necessary steps to achieve accessibility in public facilities; and
- 4) The name of the public entity's ADA Coordinator.

### **STEP 1: Identification of Physical Barriers in Wyoming County's Facilities**

The first phase of the Wyoming County ADA Transition Plan is to evaluate the County's public facilities for accessibility. Officials from the Wyoming County Building & Grounds and Highway Departments will coordinate to conduct accessibility evaluations of the following County facilities:

- ☐ Sidewalks, crosswalks, and curb ramps
- ☐ Publicly accessible buildings
- ☐ Parking lots serving publicly accessible buildings

For each facility evaluated, a Survey of Wyoming County Public Facilities ("the Survey") will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey. An Inventory of Public Facilities ("the Inventory") will also be created, and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

#### **Evaluation of Sidewalks, Crosswalks, and Curb Ramps**

The Survey will contain the following ratings to assess the condition of each County sidewalk, crosswalk, and curb ramp:

**Rating 1** – Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.

**Rating 2** – Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

**Rating 3** – Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

**Rating 4** – Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.

**Rating 5** – Fully Accessible: Designed to current standards, but reasonable accommodations may still be required for individual cases.

### Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

### Schedule for Completion

Wyoming County officials from its Building & Grounds and Highway Departments will be coordinating over the next several months to evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities will be subject to this evaluation, and consequently this will be a substantial undertaking for the reviewing officials. Therefore, it is estimated that Step 1 will be completed by **x-x-x**.

## **STEP 2: IDENTIFICATION OF METHODS TO REMOVE**

### **BARRIERS**

The second phase of the Wyoming County ADA Transition Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a public meeting of the County's Public Works Committee. It is the County's practice to provide public notice of the dates and agendas of Public Works Committee meetings on the County's website. This will provide the public with an opportunity to participate in the formulation of the ADA Transition Plan.

#### **A. Nature of Improvements and Structural Feasibility**

The nature of necessary improvements will be determined during Step 1 – the accessibility evaluation of County facilities – and will be incorporated into the ADA Transition Plan after completion of Step 1. Any improvements that County officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

#### **B. Priority of Improvements**

Sidewalks

Crosswalks

Curb

Ramps

With respect to sidewalks, crosswalks and curb ramps, the primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of “2” and “3” on the scale discussed above. The priority of improvements will be to those serving publicly accessible County facilities.

### Parking Lots and Publicly Accessible Buildings

The priority of improvements to parking lots and publicly accessible spaces in County buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. All new construction or renovations to existing facilities have complied with ADA standards. As such, the County does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

### **STEP 3: SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS**

Once the Inventory of Public Facilities has been completed, and necessary improvements have been prioritized as provided above, the County will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation, and the costs associated with the improvements. The County, however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. The County’s ADA Transition Plan will outline a specific schedule for improvements after Completion of Step 2, and this schedule will reflect the County’s commitment to ADA compliance.

### **ADA COORDINATOR**

The Wyoming County ADA Coordinator is Peter J. Bendyna, Director of Human Resources. Contact information is as follows:

Peter J. Bendyna,	338 N. Main St.
Director of Human Resources	Warsaw, NY 14569
Thompson Hall	585-786-8830, ext. 7100

### **APPENDIX A**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration**, as they may be amended

from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the **Federal Highway Administration** to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the **Federal Highway Administration**, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the **Federal Highway Administration** may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the **Federal**



**Highway Administration** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## APPENDIX B

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

**NOW, THEREFORE**, the Department of Transportation as authorized by law and upon the condition that the (*Title of Recipient*) will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of **Federal Highway Program**, and the policies and procedures prescribed by the **Federal Highway Administration** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (*Title of Recipient*) all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

### (HABENDUM CLAUSE)

**TO HAVE AND TO HOLD** said lands and interests therein unto (*Title of Recipient*) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the (*Title of Recipient*), its successors and assigns.

The (*Title of Recipient*), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\*

(2) that the (**Title of Recipient**) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.\*

### APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the (**Title of Recipient**) pursuant to the provisions of Assurance 8(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
  1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race (equates to minority), color, national origin, sex, age, disability, low-income, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, (**Title of Recipient**) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (**Title of Recipient**) will have the right to

enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (**Title of Recipient**) and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

## APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by (**Title of Recipient**) pursuant to the provisions of Assurance 8(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race (equates to minority), color, national origin, sex, age, disability, low-income, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, sex, age, disability, low-income, or LEP will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, (**Title of Recipient**) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, (**Title of Recipient**) will there upon revert to and vest in and become the absolute property of (**Title of Recipient**) and its assigns.\*

## APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

#### APPENDIX F: ADA CURB LOCATIONS

County Road	Road Name	Town	Length (miles)	ADA	Curb Locations
1	Buffalo Rd	Warsaw	0.79	A	B
1	Dale Rd	Warsaw, Middlebury	8.09	n/a	
1	West Middlebury Rd	Middlebury	0.58	n/a	
1	Skates Hill Rd	Middlebury	0.56	n/a	
2	Broughton Rd (SR 19 to SR 19A)	Gainesville	2.53	A	B
2	East Lake Rd (SR 39 to village limits)	Gainesville, Castle	3.43	n/a	
2	East Lake Rd (Perry Rd)	Gainesville	0.59	A	B C D E
3	West Lake Rd	Castle, Perry	3.97	n/a	
3	Weaver Rd	Perry	2.19	n/a	
3	Suckerbrook Rd	Perry	1.85	n/a	
3	West Park Rd	Castle	0.51	A	B C D E F
4	Hemitage Rd	Wethersfield, Warsaw	6.65	n/a	
5	Church Rd	Bennington	4.78	n/a	
6	Middle Reservation Rd	Perry, Castle	8.11	n/a	
6	Borden Ave	Perry	0.27	A	B C D
7	Salvate Rd	Middlebury	4.3	n/a	
7	East Bethany Rd	Middlebury	3.17	A	B
7	Main St	Middlebury	0.9	A	B C D

7	East Main St		Middlebury	0.85	n/a	
9	Perry Rd		Sheldon, Java	6.62	A	B
10	Hardy's Rd		Pike, Gaines., Weth.	5.27	n/a	
11	East Arcade Rd		Arcade, Java	6.5	n/a	
12	LaGrange Rd		Covington, Perry	5.81	n/a	
13	Simmons Rd		Middlebury, Perry	5.17	n/a	
13	Old State Rd		Middlebury	3.52	n/a	
14	Liberty Rd		Orangeville, Warsaw	4.13	A	B C D E F G H I J
15	Holland Rd		Java	1.66	n/a	
16	Peoria Rd		Covington	1.28	n/a	
17	Centerville Rd		Eagle	1.51	n/a	
18	Schenk Rd		Castile	2.2	n/a	
19	East Main Rd		Attica	3.63	n/a	
19	Vernal Rd		Attica, Middlebury	3.29	n/a	
20	Quakertown Rd		Orangeville	2.49	n/a	
20	Orangeville Center Rd		Orangeville	2.35	n/a	
21	Dewitt Rd		Pike	2.94	n/a	
22	Silver Lake Rd		Perry	0.63	n/a	
23	Barber Rd		Castile, Gainesville	1.26	n/a	
24	East Koy Rd		Pike	3.74	A	B
25	Simmons Rd		Perry	1.6	n/a	
26	Bullis Rd		Bennington	0.89	n/a	
27	Chaffee Rd		Java, Arcade	4.78	n/a	



42	Altica Gulf Rd	Altica	2.69	n/a	
43	Silver Springs Rd	Warsaw, Gainesville	3.85	A	B see also CR #2 East Lake Rd.
44	Curriers Rd	Arcade, Java	8.82	n/a	
45	Blackhouse Rd	Warsaw, Middlebury	4.63	n/a	
46	Telegraph Rd	Eagle, Pike	4.75	A	
47	West Middlebury Rd	Middlebury	2.5	n/a	
48	Orangeville Center Rd	Orangeville	0.84	n/a	
48	Almeier Rd	Orangeville	0.62	n/a	
50	Water St	Pike	0.83	A	B
53	Siarr Rd	Covington	1.77	n/a	
55	Glen Iris Rd	Genesee Falls	0.5	n/a	
57	Mole Rd	Wethersfield	2.82	n/a	
57	Poplar Tree Rd	Wethersfield	1.53	n/a	
58	Main St	Eagle	0.18	A	B C D
59	Bixby Hill Rd	Arcade	1.01	A	B
60	Wyoming Rd	Middlebury, Covington	2.62	n/a	
62	French Rd	Sheldon, Bennington	4.57	n/a	

2	Broughton Rd (SR 19 to SR 19A)	Silver Springs	2.53	A	B
2	East Lake Rd (Perry Rd)		0.59	A	B C D E
43	Silver Springs Rd		3.85	A	B see also CR #2 East Lake Rd.
30	Oatka Rd (Lake St)	Perry	5.41	A	B C D E F G H I J K



6	Borden Ave		0.27	A	B	C	D	
3	West Park Rd	Castle	0.51	A	B	C	D	E F
24	East Koy Rd	Pike	3.74	A	B			
50	Water St		0.83	A	B			
46	Telegraph Rd		4.75	A				
58	Main St	Bliss	0.18	A	B	C	D	
59	Bixby Hill Rd	Arcade	1.01	A	B			
9	Perry Rd	North Java	6.62	A	B			
32	Wethersfield Rd		11.26	A	B			
31	Exchange St	Altica	6.57	A	B	C	D	
7	East Bethany Rd	Wyoming	3.17	A	B			
7	Main St		0.9	A	B	C	D	
1	Buffalo Rd	Warsaw	0.79	A	B			
14	Liberty Rd		4.13	A	B	C	D	E F G H I J

APPENDIX G: ADA CURB LOCATIONS RATING

County road #	road name	intersection	location	fail or pass	curb ramp width (48" min.)	running slope (8.3% max)	cross slope (2% max)	gutter slope (5% max)	transition (1/4" max)	detectable warnings	flared sides (25% max) or (10% max) in circulation
1	Buffalo Rd, Warsaw	at Rt. 19	A	fail							10.7%
			B	fail							31.0%
2	Broughton Rd, Silver Springs	at Rt 19A	A	fail			3.7%			none	
			B	fail			2.8%		2"		
2	East Lake Rd, Silver Springs	at Rt 19A	A	fail	46"		3.2%	25.0%	1-1/2"		
			B	fail		11.3%				none	
		at North Main St	C	pass							
			D	fail					1/2"		
			E	fail						none	
			F	fail					1-1/2"	none	
3	West Park Rd, Castle	at Washington St	A	fail						none	
			B	fail			4.1%	11.9%		none	
		at Jefferson Rd	C	fail			5.5%			none	
			D	fail		8.4%	7.2%		2"	none	
		at Rt. 39	E	fail		13.0%		ok...6.3%			16.6%
			F	fail		ok...8.8%	3.0%	ok...9.6%			

site E fails on running slope because 13% is greater than 9.6% (running slope of Rt. 39) while site F is ok on that because 8.8% is less than 9.6%

site E and F are both ok on gutter slope because neither are greater than 9.6%

6	Borden Ave, Perry	at Rt 39	A	fail				2.6%	5.3%				
			B	fail				5.3%		3/4"			
		at Gardeau St	C	fail				2.3%				none	12.8%
			D	fail			19.2%					none	13.6%
7	East Bethany Rd, Wyoming	at Rt 19	A	fail				3.6%	5.1%	1-1/4"			10.2%
			B	fail						1"			
		intersection	location	pass or fail	curb ramp width (48" min.)	running slope (8.3% max)	cross slope (2% max)	gutter slope (5% max)	transition (1/4" max)	detectable warnings	flared sides (25% max) or (10% max) in circulation		
7	Main St, Wyoming	at Rt 19	A	fail			3.3%						10.6%
			B	fail		8.5%							12.2%
			C	fail		8.6%							
			D	fail		10.5%			1/2"				10.2%
9	Perry Rd, North Java	at Rt 78	A	fail			9.3%	2.3%		1-3/8"		none	
			B	fail								none	
14	Liberty Street Rd, Warsaw	at Rt 20A	A	fail			10.2%						
			B	pass									
		at Brooklyn St	C	fail					3"			none	
			D	fail					2-1/2"			none	
			E	fail			5.8%		4-1/2"			none	
			F	fail			4.1%		2-1/2"			none	
		at Jefferson St	G	fail					2"			none	
			H	fail								15.5%	
			I	fail					2"			none	



43	Silver Springs Rd, Silver Springs	at East Lake Rd	A fail	46"	10.2%	3.1%	8.4%	none	
			B fail					none	
46	Telegraph Rd, Pike	at Main St	A fail					1-3/4"	none
50	Water St, Pike	at Rt 19	A fail			2.3%		1-3/4"	
			B fail					3/4"	
58	Main St, Bliss	at Railroad Ave	A fail		13.3%			1-1/4"	11.6%
		at Exchange St	B fail		9.2%	4.3%		2-1/2"	none
			C fail			3.1%		1/2"	none
		at Rt 362	D fail			2.5%		3/4"	none
59	Bixby Hill Rd, Arcade	at Rt 39	A fail					3/4"	15.0%
			B fail			4.4%			16.4%



RECORD OF REVISION

REV. #	DESCRIPTION OF CHANGE	PAGE #S / SECTION #S IMPACTED BY CHANGE(S)	DATE
0	Original issue	All	8/29/2017
1	Revision	All	
2	Revision	All	

**RESOLUTION NO. 17-338  
(September 12, 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, in part, for the following contract:

- **Jennifer Wilkinson**, 11 Exchange Street, Attica, New York 14011 for the provision of legal services to the Wyoming County Department of Social Services in an amount not to exceed seventy-five dollars (\$75.00) per hour and a total of ten thousand dollars (\$10,000.00); effective January 1, 2017 through December 31, 2017; and

**WHEREAS**, Resolution Number 16-450 was previously amended by this Board of Supervisors on December 13, 2016 by Resolution Number 16-497 to correct the contract terms from January 1, 2017 through December 31, 2017 to *November 8, 2016 through November 7, 2017*; now therefore

**BE IT RESOLVED**, That Resolution Number 16-450, as previously corrected by Resolution Number 16-497, be hereby amended to increase the total annual amount of the contract from ten thousand dollars (\$10,000.00) *to fifteen thousand dollars (\$15,000.00)*. All else remains the same.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #8. Hearing no objection resolution titles were read.*

**#5**

**RESOLUTION NO. 17-339  
(September 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
CATTARAUGUS-ALLEGANY BOCES ON BEHALF OF THE  
YOUTH BUREAU**

September 12, 2017

**BE IT RESOLVED, 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 Cattaraugus-Allegany BOCES, 1825 Windfall Road, Olean, NY 14760 on behalf of the Youth Bureau. Said contract is for preschool SED services in an amount not to exceed the 2015~2018 budget; effective September 1, 2017 through June 30, 2018.

Contingent upon the availability of funds.

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

**#6**

**RESOLUTION NO. 17-340  
(September 12, 2017)**

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

**NATIONAL YOUTH COURT MONTH PROCLAIMED**

**WHEREAS,** Throughout September more than 1200 Youth Court programs operate in the nation's juvenile justice systems and will celebrate "National Youth Court" month; and

**WHEREAS,** Youth Courts are one of the fastest growing crime prevention programs in the nation. Youth Courts emphasize the importance of being involved in one's community and provide our youth with an opportunity to learn about government and take an active role in upholding our democratic principles; and

**WHEREAS,** Youth Courts empower youth through involvement in community solutions by developing skills in leadership, decision-making, and problem solving. Youth learn the appropriate use of peer pressure and are given opportunities to mentor and instill integrity in their peers. They gain a clearer understanding of our nation's judicial system; and

**WHEREAS,** We all should strive to reduce juvenile delinquency in this country. Youth Court teaches our youth about accountability and the consequences of making poor choices; they also reward responsible behavior; and

**WHEREAS,** The Wyoming County Board of Supervisors strongly supports Youth Court programs because they help build healthier and safer communities and the Board commends the youth and adult volunteers who support the Wyoming County Youth Bureau's Youth Court; now therefore



**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim the month of September 2017 as **Youth Court Month** in Wyoming County and calls on all citizens to find ways to give their time, energy and talents to serve and support the Wyoming County Youth Court.

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

**#7**

**RESOLUTION NO. 17-341  
(September 12, 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 with the approval of the County Attorney are hereby authorized and directed to sign the following Welfare Management System Contracts on behalf of the Department of Social Services:

- **Berkshire Farm Center & Services for Youth**, 13640 Route 22, Canaan, NY 12029 to provide residential foster care services for Wyoming County children/youth in an amount not to exceed ninety-one thousand one hundred thirty-three dollars and twenty cents (\$91,133.20); effective July 1, 2017 through June 30, 2018.
- **Gateway-Longview**, 6350 Main Street, Williamsville, NY 14221 to provide residential foster care services for approximately one (1) child through September 2017 in an amount not to exceed twenty-six thousand eight hundred ninety-six dollars and twenty cents (\$26,896.20); effective July 1, 2017 through September 30, 2017.
- **Delevan Latchkey – Yorkshire Pioneer CSD**, 12125 County Line Road, Yorkshire, NY 14173 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance, variable amount depending upon services provided; effective September 1, 2017 through June 30, 2018.
- **Pioneer Latchkey Program**, Main and Church Street, P. O. Box 9, Arcade, NY 14009 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary

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assistance variable amount depending upon services provided; effective September 1, 2017 through June 30, 2018.

Contingent upon the availability of funds.

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

**#8**

**RESOLUTION NO. 17-342  
(September 12, 2017)**

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

**HUNGER ACTION MONTH PROCLAIMED**

**WHEREAS**, Hunger is a grave concern for the State of New York and Wyoming County; and

**WHEREAS**, According to Feeding America, there are an estimated 4,640 Wyoming County residents who are considered food insecure, meaning they lack access to enough nutritious food to live a healthy life; and

**WHEREAS**, For the youngest residents of our county, food insecurity is more ubiquitous, affecting 1 in 5 children; and

**WHEREAS**, Wyoming County is committed to working with Foodlink and local hunger relief agencies to educate people about the role of food banks and hunger relief programs in addressing hunger; and

**WHEREAS**, Many of our impoverished communities are classified as food deserts and have limited access to fresh fruits and vegetables. They lack supermarkets and grocery stores, and are instead served by fast food restaurants and convenience stores that offer very few healthy, affordable food options. Residents of these neighborhoods have high health disparities, with increased levels of obesity and other diet-related diseases, such as diabetes and heart disease; and

**WHEREAS**, Foodlink and its network of hunger-relief organizations provided over 17 million pounds of food to vulnerable children, seniors, and adults in its 10-county service area throughout the Finger Lakes and Genesee Valley regions of New York; and

**WHEREAS**, Food banks across the country, including Foodlink, will host events and activities throughout the month of September to bring awareness

and attention to the issue of hunger and encourage the involvement of our community to help solve this pressing issue; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors proclaims the month of September 2017 as **Hunger Action Month in Wyoming County**.

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

*Chairman Berwanger asked Supervisor Grant, T/Bennington to share the Youth Court Month and Hunger Action Month Proclamations. Supervisor Grant noted there was no one from the Youth Board attending but stated that the proclamation would be provided to Director Aldinger. She did ask Cindy Kehl, the new Warsaw Food Pantry Coordinator, to join her at the podium. Supervisor Grant read the National Youth Court Month Proclamation. Ms. Kehl was asked to read the Hunger Action Month Proclamation, which she did...*

*Ms. Kehl stated that the Warsaw Food Pantry covers all of Wyoming County is located in the United Church and recently had renovations completed. She said that hunger is real in Wyoming County and they serve 400 plus people per month. There has been an increased effort to provide healthier options such as fresh produce, which their patrons enjoy and appreciate.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #9 and #10. Hearing no objection resolution titles were read.*

**#9**

**RESOLUTION NO. 17-343  
(September 12, 2017)**

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

**RESOLUTION NUMBER 14-152 AMENDED**

**WHEREAS**, Resolution Number 14-152 entitled, “**CHAIRMAN AND COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT WITH ECLINICALWORKS, LLC ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**” was passed by this Board of Supervisors on April 8, 2014 and provided for the implementation of electronic medical records services according to a fee schedule in an amount not to exceed nine thousand five hundred ten dollars (\$9,510.00) annually, plus flight expense associated with in-person training and subject to annual increases in fees, not to exceed five (5) percent annually for a term of three (3) years; effective upon

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execution of agreement by all parties (estimated April, 2014 through March, 2017); now, therefore

**BE IT RESOLVED**, That Resolution Number 14-152 be hereby amended as follows:

- Add an additional .25fte Clinical Provider.
- Extend the contract date through December 31, 2017.

All else remains the same.

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

**RESOLUTION NO. 17-344  
(September 12, 2017)**

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

**CHAIRMAN/COMMISSIONER OF HEATH 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:

- **New York State Department of Health**, Corning Tower, ESP, Albany, NY 12237
  - Funding for *Early Intervention Administration* in a minimum amount of twenty thousand three hundred forty-five dollars (\$20,345.00) annually; effective October 1, 2016 through September 30, 2021.
  - Funding for the *Children with Special Health Care Needs Program* in a minimum amount of seventeen thousand six hundred seven dollars (\$17,607.00) annually; effective October 1, 2017 through September 30, 2020.
- **Governor's Traffic Safety Committee**, Empire State Plaza, Albany, NY 12228
  - Funding for the *Child Passenger Safety Program* a minimum

amount of three thousand five hundred dollars (\$3,500.00);  
effective October 1, 2017 through September 30, 2018.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:**  
**#11**

**RESOLUTION NO. 17-345**  
**(September 12, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**E. JOSEPH GOZELSKI AND ROBERT FONTAINE REAPPOINTED  
TO THE INDUSTRIAL DEVELOPMENT AGENCY**

**BE IT RESOLVED**, That E. Joseph Gozelski, 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550 be hereby reappointed to the Industrial Development Agency *for a term of three (3) years; effective September 12, 2017 through September 11, 2020;* and be it

**FURTHER RESOLVED**, That Robert Fontaine, 26 Industrial Street, Warsaw, NY 14569 be hereby reappointed to the Industrial Development Agency *for a term of three (3) years; effective September 12, 2017 through September 11, 2020:*

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #12 through #18. Hearing no objection resolution titles were read.*

**#12**

**RESOLUTION NO. 17-346**  
**(September 12, 2017)**

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

**WYOMING COUNTY SHERIFF'S WEEK PROCLAIMED**

**WHEREAS**, The Office of Sheriff has been an integral part of the criminal justice system in New York State and in Wyoming County throughout our history, having been established in the State's first constitution in 1777, continued in every succeeding constitution, and one of the original constitutional offices of our County; and

**WHEREAS**, Despite changes in its function, status and powers during

September 12, 2017

its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continues to be an essential component of our criminal justice community; and

**WHEREAS,** The Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers, using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

**WHEREAS,** The Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of “Keeper of the Peace,” and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts; and

**WHEREAS,** As a constitutionally empowered entity directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves; and

**WHEREAS,** It is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby proclaim September 17 through September 23, 2017 as **Sheriffs Week in Wyoming County,**

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

**#13**

**RESOLUTION NO. 17-347  
(September 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
THE STATE OF NEW YORK UNIFIED COURT SYSTEM 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 State of New York Unified Court System, 8<sup>th</sup> Judicial District, 92 Franklin Street, Buffalo, NY 14202 on behalf of the Sheriff’s Department. Said contract to provided court

security for County, Family and Supreme Courts in an amount not to exceed three hundred forty-two thousand eight hundred four dollars (\$342,804.00); effective April 1, 2017 through March 31, 2018.

Contingent upon the availability of funds.

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

### **RESOLUTION NO. 17-348**

**(September 12, 2017)**

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

### **CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SINCLAIR PHARMACY 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 Sinclair Pharmacy, 75 North Main Street, Warsaw, NY 14569 on behalf of the County Jail. Said contract to provided inmate pharmaceuticals at the current contract rate or lower; effective April 1, 2017 through March 31, 2019.

Contingent upon the availability of funds.

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

### **RESOLUTION NO. 17-349**

**(September 12, 2017)**

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

### **2018 STOP DWI PLAN APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the 2018 Stop DWI Plan with the Governors Traffic Safety Committee, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County's STOP DWI Program. The 2018 STOP DWI Plan Agreement is for continued work addressing the problem of impaired driving in a minimum amount of one hundred forty-seven thousand four hundred seventy-five dollars (\$147,475.00); effective January 1, 2018 through December 31, 2018.

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

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**RESOLUTION NO. 17-350  
(September 12, 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  
GOVERNOR'S TRAFFIC SAFETY COMMITTEE ~ NEW YORK  
STATE STOP-DWI FOUNDATION ON BEHALF OF STOP DWI**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with New York State Governor's Traffic Safety Committee ~ New York State STOP-DWI Foundation, 6 Empire State Plaza, Albany, NY 12228 on behalf of STOP DWI. Said funding is for special crackdown patrols during certain holidays and events with high visibility road checks and saturation patrols in a minimum amount of ten thousand dollars (\$10,000.00); effective October 1, 2017 through September 30, 2018.

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

#17

**RESOLUTION NO. 17-351  
(September 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE NEW YORK STATE DIVISION OF HOMELAND  
SECURITY AND EMERGENCY SERVICES OFFICE OF  
INTEROPERABLE AND EMERGENCY COMMUNICATIONS  
ON BEHALF OF EMERGENCY SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications, State Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of the Emergency Services. Said funding is for the 2016 Statewide Interoperable Communications Formula-Based Program that will concentrate on improving interoperability and operability of communication 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:**  
#18

**RESOLUTION NO. 17-352**  
**(September 12, 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:

- **U. S. Geological Survey, United States Department of the Interior, 425 Jordan Rd.,**  
Troy, New York, 12180 for the installation, operation and maintenance of the satellite telemetry at gaging station 04216428, Tonawanda Creek, Attica, New York in an amount not to exceed ten thousand one hundred ninety dollars (\$10,190.00); effective October 1, 2017 through September 30, 2021.
- **Fishers Storage Sheds, 7854 Alverson Road, Leicester, New York, 14481** for the building of a 12' x 24' garage in an amount not to exceed five thousand seven dollars (\$5,007.00); effective September 13, 2017 through completion of project.

Contingent upon the availability of funds.

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

*Chairman Berwanger invited Supervisor Copeland, T/Wethersfield to the podium for the reading of the Sheriff's Week Proclamation. Supervisor Copeland asked Sheriff Rudolph and Undersheriff Linder to join him and Sheriff Rudolph read the proclamation...*

*Sheriff Rudolph expressed his thanks for those who supported and voted on this proclamation today. He said that it is not uncommon to have people say thank you and the community is very supportive of law enforcement despite what you*

September 12, 2017

*see in the news. There are people who try them and they deal with people in crisis on a daily basis but overall the public is very appreciative of the law enforcement in the community.*

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 and #20. Hearing no objection resolution titles were read.*

#19

**RESOLUTION NO. 17-353  
(September 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NEW  
YORK STATE DEPARTMENT OF TRANSPORTATION 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 SLA Supp #3 contract with New York State Department of Transportation, 50 Wolf Road, Albany, NY 12232 on behalf of County Highway. Said additional funding for E/D; ROW; C/CI for CR #59 Bixby Hill Road Highway Preventative Maintenance, Town of Arcade, PIN 4WYO.00 in an amount not to exceed three hundred fifty-two thousand seven hundred sixty dollars (\$352,760.00); effective November 10, 2016 through July 25, 2026. Contingent upon the availability of funds.

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

#20

**RESOLUTION NO. 17-354  
(September 12, 2017)**

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

**ANNUAL HIGHWAY SAND BIDS APPROVED**

**BE IT RESOLVED**, That the attached yearly County Highway sand bids are hereby approved effective; effective September 1, 2017 through August 31, 2018; 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.

Contingent upon the availability of funds.

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

WYOMING COUNTY HIGHWAY DEPARTMENT  
Silver Springs, New York 14550  
**ABRASIVE GRIT**

Bids opened August 24, 2017

Contract period – 9/1/17 – 8/31/18

Price/Ton – F.O.B. Plant

Frey Sand & Gravel  
3850 Dry Bridge Road  
Alexander, NY 14005

Alexander Plant:

8.00

Gernatt Asphalt Products, Inc.  
13870 Taylor Hollow Road  
Collins, New York 14034  
Phone 716-532-3371

Chaffee Plant:

5.95

Freedom Plant:

5.95

M & M Aggregates  
6128 Sheppard Road  
Bliss, NY 14024

Sheppard Rd Plant:

5.50

Spallina Materials, Inc.  
P.O. Box 337, 1 Conlon Ave.  
Mt. Morris, NY 14510  
Phone 658-2248

Cohocton Plant

6.50

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WYOMING COUNTY HIGHWAY DEPARTMENT  
Silver Springs, New York 14550

**ABRASIVE GRIT**

Bids opened August 24, 2017

Contract period – 9/1/17 – 8/31/18

<u>Town</u>	<u>Price/Ton @ Town Stockpile Location</u>	<u>Supplier</u>
Arcade	9.35	Gernatt Asphalt Products
Attica	11.30	M & M Aggregates
Bennington	10.95	Gernatt Asphalt Product
Castile	10.45	M & M Aggregates
Covington	11.45	M & M Aggregates
Eagle	9.50	M & M Aggregates
Gainesville	10.50	M & M Aggregates
Genesee Falls	10.95	Spallina Materials
Java	9.85	M & M Aggregates
Middlebury	11.25	M & M Aggregates
Orangeville	10.30	M & M Aggregates
Perry	11.30	M & M Aggregates
Pike	9.00	M & M Aggregates
Sheldon	10.10	M & M Aggregates
Warsaw	10.35	M & M Aggregates
Wethersfield	10.00	M & M Aggregates

All materials for use in State/County stockpile will be delivered as shown.

Todd Gadd  
County Superintendent of Highways

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #21 through #29. Hearing no objection resolution titles were read*

*Supervisor Brick acknowledged that Resolution #23 pertains to salary increases. He stated that an agreement has been reached with the Union and the Committee felt it necessary to mirror those increases for Salary Schedules “S”, “D” and “I” to keep parity.*

Regular Session

**RESOLUTION NO. 17-355**  
**(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-168 AMENDED**

**WHEREAS**, Resolution Number 17-168 entitled, **“SALARY SCHEDULES “C” AND “S” AMENDED**, was passed by this Board of Supervisors on May 14, 2017 and provides, in part, for the following salary:

**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.

now, therefore,

**BE IT RESOLVED**, That Resolution Number 17-168 be hereby amended to include the following language for salary adjustments:

- After completion of calendar year 2017 of full time work and contingent upon satisfactory performance and meeting pre-established goals for 2017, employee is eligible for an increase in pay of \$2,000.00; effective January 01, 2018.
- Beginning in the year 2019 the employee will be eligible for annual pay increases consistent with Schedule S positions.

All else remains the same.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:**  
***Local Law***  
**#22**

**RESOLUTION NO. 17-356**  
**(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. E**  
**YEAR 2017**

September 12, 2017

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12<sup>th</sup> day of September, 2017, a proposed local law entitled, "Local Law Introductory No. E Year 2017, **"A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEARS 2016, 2017 and 2018,"** 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 **10<sup>th</sup> day of October, 2017 at 2:30 PM in the Supervisors' Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

**INTRODUCTORY LOCAL LAW NO. E - YEAR 2017  
County of Wyoming, Providing Salaries for Certain County Officers for the  
years 2016, 2017 and 2018**

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING AS FOLLOWS:**

Section 1. Effective as hereafter provided, the annual salary for the *County Clerk* shall be increased by **\$825.00** for a new annual salary of **\$55,825.00**.

Section 2. Effective as hereafter provided, the annual salary for the *Sheriff* shall be increased by **\$2,349.00** for a new annual salary of **\$80,652.00**.

Section 3. Effective as hereafter provided, the annual salary for the *Commissioner of Elections* shall be increased by **\$222.00** for a new annual salary of **\$14,818.00**.

Section 4. Effective as hereafter provided, the annual salary of the *Clerk of the Board of Supervisors* shall be increased by **\$907.00** for a new annual salary of **\$61,378.00**.

Section 5. Effective as hereafter provided, the annual salary of the *County Attorney* shall be increased by **\$881.00** for a new annual salary of **\$59,591.00**.

Section 6. Effective as hereafter provided, the annual salary for the *County Highway Superintendent* shall be increased by **\$1,302.00** for a new annual salary of **\$88,609.00**.

Section 7. Effective as hereafter provided, the annual salary for the *Public Defender* shall be increased by **\$853.00** for a new annual salary of **\$57,746.00**.

Section 8. Effective as hereafter provided, the annual salary for the ***Commissioner of Public Health*** shall be increased by ***\$1,141.00*** for a new annual salary of ***\$77,180.00***.

Section 9. Effective as hereafter provided, the annual salary for the ***Director of Real Property Tax Services*** shall be increased by ***\$773.00*** for a new annual salary of ***\$52,273.00***.

Section 10. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$1,089.00*** for a new annual salary of ***\$73,722.00***.

Section 11. All salaries set forth in SECTIONS 1 THROUGH 10 ABOVE shall be effective as of ***January 1, 2016***.

Section 12. Effective as hereafter provided, the annual salary for the ***County Clerk*** shall be increased by ***\$2,175.00*** for a new annual salary of ***\$58,000.00***.

Section 13. Effective as hereafter provided, the annual salary of the ***County Treasurer*** shall be increased by ***\$7,500.00*** for a new annual salary of ***\$63,500.00***.

Section 14. Effective as hereafter provided, the annual salary for the ***Sheriff*** shall be increased by ***\$6,367.00*** for a new annual salary of ***\$87,019.00***.

Section 15. Effective as hereafter provided, the annual salary for the ***Commissioners of Elections*** shall be increased by ***\$296.00*** for a new annual salary of ***\$15,114.00***.

Section 16. Effective as hereafter provided, the annual salary of the ***Clerk of the Board of Supervisors*** shall be increased by ***\$1,228.00*** for a new annual salary of ***\$62,606.00***.

Section 17. Effective as hereafter provided, the annual salary of the ***County Attorney*** shall be increased by ***\$1,192.00*** for a new annual salary of ***\$60,783.00***.

Section 18. Effective as hereafter provided, the annual salary for the ***County Highway Superintendent*** shall be increased by ***\$1,761.00*** for a new annual salary of ***\$89,830.00***.

Section 19. Effective as hereafter provided, the annual salary for the ***Public Defender*** shall be increased by ***\$1,155.00*** for a new annual salary of ***\$58,901.00***.

Section 20. Effective as hereafter provided, the annual salary for the ***Commissioner of Public Health*** shall be increased by ***\$1,544.00*** for a new annual salary of ***\$78,724.00***.

Section 21. Effective as hereafter provided, the annual salary for the ***Director of Real Property Tax Services*** shall be increased by ***\$1,045.00*** for a new annual salary of ***\$53,318.00***.

Section 22. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$1,474.00*** for a new annual salary of ***\$75,196.00***.

Section 23. All salaries set forth in SECTIONS 12 THROUGH 22 ABOVE shall be effective as of ***January 1, 2017***.

Section 24. Effective as hereafter provided, the annual salary for the ***Coroners of the County*** (four (4) total) shall be increased by ***\$25.00*** per case for a new per case amount of ***\$100.00*** plus mileage reimbursement.

Section 25. Effective as hereafter provided, the annual salary for the ***County Clerk*** shall be increased by ***\$2,000.00*** for a new annual salary of ***\$60,000.00***.

Section 26. Effective as hereafter provided, the annual salary of the ***County Treasurer*** shall be increased by ***\$7,500.00*** for a new annual salary of ***\$71,000.00***.

Section 27. Effective as hereafter provided, the annual salary for the ***Sheriff*** shall be increased by ***\$3,357.00*** for a new annual salary of ***\$90,376.00***.

Section 28. Effective as hereafter provided, the annual salary for the ***Commissioners of Elections*** shall be increased by ***\$302.00*** for a new annual salary of ***\$15,416.00***.

Section 29. Effective as hereafter provided, the annual salary of the ***Clerk of the Board of Supervisors*** shall be increased by ***\$1,252.00*** for a new annual salary of ***\$63,858.00***.

Section 30. Effective as hereafter provided, the annual salary of the ***County Attorney*** shall be increased by ***\$1,216.00*** for a new annual salary of ***\$61,999.00***.

Section 31. Effective as hereafter provided, the annual salary for the ***County Highway Superintendent*** shall be increased by ***\$1,797.00*** for a new annual salary of ***\$91,627.00***.



Section 32. Effective as hereafter provided, the annual salary for the ***Public Defender*** shall be increased by ***\$1,178.00*** for a new annual salary of ***\$60,079.00***.

Section 33. Effective as hereafter provided, the annual salary for the ***Commissioner of Public Health*** shall be increased by ***\$1,574.00*** for a new annual salary of ***\$80,298.00***.

Section 34. Effective as hereafter provided, the annual salary for the ***Director of Real Property Tax Services*** shall be increased by ***\$13,738.00*** for a new annual salary of ***\$67,056.00***.

Section 35. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$1,504.00*** for a new annual salary of ***\$76,700.00***.

Section 36. All salaries set forth in SECTIONS 24 THROUGH 35 ABOVE shall be effective as of ***January 1, 2018***.

Section 37. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 38. This Local Law is subject to permissive referendum.

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

**RESOLUTION NO. 17-357  
(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “S”, “D” AND “T” APPROVED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as follows:

- Salary Schedules “S”, “D” and “T” annexed hereto shall be substituted for the existing Schedules “S”, “D” and “T” to reflect the following increases:
  - Commencing January 1, 2016, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and

September 12, 2017

- Commencing January 1, 2017, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and
- Commencing January 1, 2018, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

**FURTHER RESOLVED,** That the salary of any position vacated shall be open for review by the appropriate committee.

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

Wyoming County Salary Plan Schedule "B"										
Current Titles	Res. #	2016 Increase	2016 1/1/16	2017 Increase	Salary Adjustment	Effective 10/1/17	2018 Increase	Effective 1/1/18	Notes	Additional Notes
<b>ANIMAL CONTROL</b>										
Animal Control Assistant, PT	Res. # 14-448	15.89/hr	0.24	16.93	0.32	18.25	0.33	17,398		
Public Health Technician - Animal Island	Res. # 17-241	4,388	0	4,388	0	4,388	0	4,388		
<b>BOARD OF SUPERVISORS</b>										
Deputy Commissioner	Res. # 14-448	35,100	572	35,680	774	36,454	759	40,343		
Deputy Commissioner	Res. # 17-241	35,069	0	35,069	4,454	39,454	759	40,243	2	*Effective 10/1/17 inc. to \$38,123 **Effective 10/1/17 \$17-241/17 inc. to \$39,454
Voting Machine Operator (2) each	Res. # 13-334	1,000	0	1,000	0	1,000	0	1,000	1	
<b>BOARD OF SUPERVISORS</b>										
Deputy Clerk of the Board of Supv.	Res. # 15-433	48,125	592	48,717	938	49,755	955	48,785		
<b>BUDGET</b>										
Deputy Budget Officer PT	Res. # 18-252	39,333	592	39,925	759	40,721	918	41,542		
Finance Clerk I	Res. # 17-193	34,569		34,569	890	35,199	704	35,904	5	
<b>BUILDING AND GROUNDS</b>										
Secretary to the Board/Secretary of Buildings and Grounds County Buildings, PT	Res. # 18-321	36,000		36,000	800	36,800	812	37,312		
<b>CIVIL DEFENSE</b>										
Administrative Assistant (Enter Bar)	Res. # 14-448	37,210	554	37,764	764	38,522	772	39,293		
County Fire Coordinator, PT	Res. # 18-128	29,623	444	30,072	801	30,873	813	31,388		
Deputy Fire Coordinator (2) each	Res. # 13-35	750	0	750	0	750	0	750	3	
<b>COUNTY ATTORNEY</b>										
Asst. Co. Atty. PT (net)	Res. # 17-240	76,382	1,026	77,408	1,428	78,837	1,458	79,320	10	
Asst. Co. Atty. PT (net)	Res. # 17-271	55,000	0	55,000	0	55,000	1,100	56,100	11	
Secretary to the County Attorney, PT	Res. # 14-448	25,418	425	25,843	279	26,412	535	26,951		
Secretary I	Res. # 14-448	28,145	422	28,567	271	29,124	532	29,721		
Reporter for the County Attorney (Assign Counsel)	Res. # 13-415	3,879		3,879		3,879		3,879		
<b>COUNTY CLERK</b>										
Deputy County Clerk	Res. # 14-448	49,922	914	41,538	831	42,387	2,833	45,000	**	
Deputy County Clerk	Res. # 17-253					49,809	900	49,989	18	***Effective 2/1/17
<b>COUNTY HISTORIAN</b>										
Assistant County Historian, PT	Res. # 17-332	15,200		15,200	384	15,584	3,350	21,924		
<b>DISTRICT ATTORNEY</b>										
Assistant District Attorney (net)	Res. # 14-448	38,373	1,204	39,579	1,832	41,211	1,884	34,879		
Assistant District Attorney (net)	Res. # 17-327	75,000	0	75,000	0	75,000	1,800	76,800	6	
Secretary to the District Attorney	Res. # 14-448	33,333	307	34,337	387	35,032	700	35,734		
Administrative Assistant (District Attorney)	Res. # 14-448	38,247	544	38,791	738	39,521	751	39,273		
Assistant District Attorney (Temporary), PT	Res. # 17-170	750/hr	0	750/hr	0	750/hr	0	750/hr	7	
<b>FIRE &amp; BUILDING CODES ENF.</b>										
Building Inspector	Res. # 14-152	35,000	570	35,570	771	36,341	737	40,123		
Fire Safety Inspector, PT	Res. # 14-448	7,825	118	7,925	159	8,112	159	8,274		
<b>HIGHWAY DEPARTMENT</b>										
Deputy Co. Highway Sup.	Res. # 14-448	89,182	1,037	78,199	1,404	71,802	1,432	73,635		
Reporter for Deputy Co. Highway Sup.	Res. # 17-295	5,000		5,000		5,000		5,000	14	
Secretary to the Co. Highway Sup.	Res. # 14-448	41,500	322	42,123	842	42,965	859	43,824		
Reporter for Secretary to the Co. Highway Sup.	Res. # 17-295	5,000		5,000		5,000		5,000	14	
Spreading Technician	Res. # 15-320	45,000			900	45,900	918	46,818		
<b>HUMAN RESOURCE</b>										
Administrative Assistant (HR)	Res. # 14-448	37,823	381	38,399	783	39,182	793	39,941		
Human Resource Assistant	Res. # 14-435	33,000	430	32,460	651	33,110	881	33,743		
Human Resource Assistant	Res. # 14-448	33,838	502	34,144	853	34,821	897	35,524		
Exam Monitor PT (8) each	Res. # 18-131	30/week	0	30	0	30	0	30		

Wyoming County Salary Plan Schedule "S"

Current Title	Res. #	2017 Increase	Effective 1/1/17	2017 Increase	Salary Adjustment	Effective 1/1/17	2017 Increase	Effective 1/1/18	Notes	Additional Notes
<b>INFORMATION TECHNOLOGY</b>										
Information Technology Specialist	Res. # 14-448	48,979	735	49,514	999	50,514	1,018	51,532		
Information Technology Assistant	Res. # 14-448	37,323	587	37,910	758	38,668	793	39,461		
Information Systems Administrator	Res. # 14-448	55,787	838	56,625	1,000	57,625	1,028	58,653		
Information Systems Specialist	Res. # 14-448	45,479	693	46,172	923	47,095	942	48,037		
Network Administrator	Res. # 15-148	60,999	900	61,899	1,219	63,118	1,242	64,360		
<b>JAIL</b>										
Jail Administrator/PT	Res. # 15-071	63,888	945	64,833	1,212	66,045	1,208	67,253		
<b>MENTAL HEALTH</b>										
Public Officer 1	Res. # 15-344	35,000	528	35,528	771	36,300	723	37,023		
Administrative Assistant/PT	Res. # 15-372	18,888	18,888	37,776	377	38,153	378	38,531		
<b>OFFICE FOR THE AGING</b>										
Deputy Director of Aging	Res. # 14-448	47,354	711	48,065	992	49,057	951	50,008		
<b>PLANNING AND DEVELOPMENT</b>										
zoning Enforcement Officer	Res. # 17-279	38,888	0	0	0	38,888	38,888	38,888		
<b>PROBATION</b>										
Parole Clerk 1	Res. # 15-021	33,500	500	34,000	800	34,800	800	35,600		
<b>PUBLIC DEFENDER</b>										
Assistant Public Defender/PT (Jury)	Res. # 14-448	33,310	350	33,660	479	34,139	452	34,591		
Assistant Public Defender (Jury)	Res. # 14-448	47,279	708	47,987	950	48,937	910	49,847		
Assistant Public Defender/PT (Jury)	Res. # 14-448	33,310	350	33,660	479	34,139	452	34,591		
Assistant Public Defender/PT (Jury)	Res. # 17-302	35,000	0	35,000	0	35,000	700	35,700		
Secretary to the Public Defender/PT	Res. # 14-448	13,950	190	14,140	250	14,390	250	14,640		
Secretary 1, PT	Res. # 14-448	5,439	82	5,521	110	5,631	110	5,741		
<b>PUBLIC HEALTH</b>										
Director of Environmental Health	Res. # 14-090	65,235	920	66,155	1,222	67,377	1,247	68,624		
Deputy Director of Environmental Health	Res. # 15-344	17,888	250	18,138	348	18,486	350	18,836		
Public Health Officer	Res. # 17-180	47,000	0	0	0	47,000	47,000	47,000		
Director of Housing	Res. # 14-090	67,672	1,018	68,690	1,374	70,064	1,401	71,465		
Nurse Practitioner	Res. # 14-090	71,888	1,078	72,966	1,458	74,424	1,483	75,907		
Public Officer 1, PT	Res. # 15-344	37,888	0	37,888	0	37,888	740	38,628		
Nurse Practitioner (Per Diem)	Res. # 17-371	\$44,000/hr	0	0	0	0	0	0		
<b>REAL PROPERTY TAX SERVICES</b>										
RPT Assistant	Res. # 15-320	45,888	0	45,888	0	45,888	890	46,778		
Tax Map Technician	Res. # 14-448	33,325	507	33,832	857	34,689	700	35,389		
Secretary to the Director of Real Property Tax Services/PT	Res. # 15-430	35,888	0	35,888	800	36,688	810	37,498		
<b>SHENIFF</b>										
Sheniff	Res. # 14-448	71,750	2,155	73,905	8,183	82,088	3,072	85,160		
Secretary to the Sheniff	Res. # 14-448	41,560	1,345	42,905	8,384	51,289	1,840	53,129		
Administrative Assistant (Sheniff)	Res. # 17-205	35,888	0	35,888	0	35,888	700	36,588		
Stop-DWI Coordinator/PT	Res. # 10-447	2,599	0	2,599	0	2,599	1,000	3,599		
Secretary to the Stop-DWI Coordinator/PT	Res. # 10-447	2,599	0	2,599	0	2,599	1,000	3,599		
<b>SOCIAL SERVICES</b>										
Secretary II	Res. # 14-448	39,994	498	40,492	859	41,351	843	42,194		
Administrative Assistant (SSS)	Res. # 14-448	38,952	559	39,511	781	40,292	788	41,080		
Public Director	Res. # 14-448	55,182	837	56,019	1,200	57,219	1,204	58,423		
Director of Programs	Res. # 14-448	55,125	837	55,962	1,200	57,162	1,204	58,366		
Dir of Children & Family Services	Res. # 14-448	53,891	802	54,693	1,000	55,693	1,113	56,806		
Administrative Assistant (Fiscal Operator)	Res. # 14-448	38,927	552	39,479	793	40,272	808	41,080		
<b>TREASURER</b>										

Wyoming County Salary Plan Schedule "S"

Current Title	Res. #	2017 Increase	Effective 1/1/17	2017 Increase	Salary Adjustment	Effective 1/1/17	2017 Increase	Effective 1/1/18	Notes	Additional Notes
County Treasurer	Res. # 11-059	5,000	0	5,000	0	5,000	0	5,000		
Payroll Specialist/PT	Res. # 15-259	49,295	804	50,099	818	50,917	834	51,751		
<b>VETERAN'S SERVICES</b>										
Assistant Director of Veterans Services/PT	Res. # 15-035	20,950	0	20,950	0	20,950	0	20,950		
<b>WORKERS COMPENSATION</b>										
Insurance Program Assistant	Res. # 14-448	32,888	492	33,380	888	34,268	879	35,147		
<b>YOUTH BUREAU</b>										
Paraprofessional Coordinator	Res. # 14-448	44,882	873	45,755	911	46,666	929	47,595		
Public Officer 1	Res. # 14-448	38,952	552	39,504	751	40,255	788	41,043		

1-Not to exceed \$1,000 per vacation per working machine condition  
 2-Effective 1/1/17 as annual stipend to be paid out on the first payroll in December  
 3-Plus mileage reimbursement

4-Effective 1/1/17  
 5-Effective 1/1/17  
 6-Effective 1/1/17  
 7-Effective 1/1/17  
 8-Effective 1/1/17  
 9-Effective 1/1/17  
 10-Effective 1/1/17  
 11-Effective 1/1/17  
 12-Effective 1/1/17  
 13-Effective 1/1/17  
 14-Effective 1/1/17  
 15-Effective 1/1/17

Unless Noted - all increases are reflected as:  
 Effective 1/1/17 1% increase  
 Effective 1/1/17 2% increase  
 Effective 1/1/18 2% increase

2017 Sal. Adj.  
 2018 Sal. Adj.  
 Effective 7/1/17  
 2018 Sal. Adj.  
 Effective 7/1/18 (3%), 2017 (3%), 2018 (3%)  
 2018 (3%), 2017 (3%), 2018 (3%)

(ex. 10-08-17 (8))

Wyoming County Salary Plan Schedule "D"										
Current Titles	Res #	Current	2018 Increase	Effective 1/1/18	2019 Increase	Salary Adjustment	Effective 1/1/17	2018 Increase	Salary Adjustment	Effective 1/1/18
<b>ANIMAL CONTROL</b>										
Animal Control Officer	Res # 14-445	41,070	510	41,580	834		40,750	830		43,370
<b>BOARD OF ELECTIONS</b>										
Commissioner of Elections (2) each	Res # 15-038	14,817	222	14,918	296		15,114	302		15,416
<b>BOARD OF SUPERVISORS</b>										
Chair of the Board of Supervisors	Res # 14-446	60,471	807	61,378	1,228		62,606	1,252		63,858
<b>BUDGET</b>										
Reimbursement & Budget Administrator	Res # 14-446	72,672	1,080	73,752	1,475		75,237	1,505		76,742
Budget Officer, PT	Res # 14-446	10,609	199	10,799	215		10,893	220		11,203
<b>BUILDING AND GROUNDS</b>										
Supt. of Buildings & Grounds (County Buildings)	Res # 14-446	78,558	1,133	79,691	1,534		78,223	1,554		79,787
<b>CIVIL DEFENSE</b>										
Dir. of Fire & Emergency Management	Res # 14-446	59,037	880	59,923	1,188		61,121	1,378		62,500
<b>CONSUMER AFFAIRS</b>										
Director of Weights and Measures	Res # 14-446	45,088	678	45,764	915		46,679	934		47,613
<b>COUNTY ATTORNEY</b>										
County Attorney	Res # 15-038	58,710	881	59,591	1,192		60,783	1,210		61,993
<b>COUNTY HISTORIAN</b>										
County Historian	Res # 15-210	27,340	413	27,753	559		28,512	570		29,082
<b>COUNTY RECORDS MANAGEMENT</b>										
County Records Manager	Res # 14-446	38,404	581	38,985	800		40,789	1,705		42,500
<b>FIRE AND BUILDING CODE ENFORCEMENT</b>										
Code Enforcement Officer	Res # 14-446	78,445	1,147	79,592	1,552		78,144	1,589		80,737
Spent for Code Enforcement Officer	Res # 17-330	5,000	0	5,000	0		5,000	0		5,000
<b>HIGHWAY DEPARTMENT</b>										
County Highway Superintendent	Res # 15-038	85,767	1,302	87,069	1,701		89,830	1,797		91,627
Stipend for County Highway Superintendent	Res # 17-280	5,000	0	5,000	0		5,000	0		5,000
<b>HIPAA</b>										
HIPAA Privacy Officer	Res # 05-392	1,000	0	1,000	0		1,000	0		1,000
HIPAA Security Officer	Res # 05-392	1,000	0	1,000	0		1,000	0		1,000
<b>HUMAN RESOURCE</b>										
Human Resource Director	Res # 17-241	85,000	0	85,000	0	2,500	85,000	1,700		86,700
Civil Service Commissioner (3) each	Res # 16-187	\$125mtg	0	\$125mtg	0		\$125mtg	0		\$125mtg
<b>INFORMATION TECHNOLOGY</b>										
Dir. of Information Technology	Res # 14-446	85,638	1,430	87,078	1,841		89,014	1,980		90,994
<b>MENTAL HEALTH</b>										
Dir. of Community Services (28 hours/week)	Res # 17-280	55,000	0	55,000	0		55,000	0		55,000
<b>OFFICE FOR THE AGING</b>										
Director of Aging and Youth	See Youth Bureau below									
<b>PLANNING AND DEVELOPMENT</b>										
Director of Planning and Development	Res # 14-309	75,000	1,120	76,120	1,523		77,643	1,553		79,201
<b>PROBATION</b>										
Probation Director I	Res # 14-446	59,893	899	60,791	1,216		62,007	1,240		63,247
<b>PUBLIC DEFENDER</b>										

Wyoming County Salary Plan Schedule "D"										
Current Titles	Res #	Current	2018 Increase	Effective 1/1/18	2019 Increase	Salary Adjustment	Effective 1/1/17	2018 Increase	Salary Adjustment	Effective 1/1/18
Public Defender, PT	Res # 15-038	55,893	853	57,746	1,155		58,901	1,178		60,079
<b>PUBLIC HEALTH DEPT</b>										
Commissioner of Public Health	Res # 15-038	78,238	1,141	79,379	1,544		78,724	1,574		80,298
Medical Director, PT	Res # 17-271	33,000	485	33,485	670		34,155	689		34,844
Public Health Administrator	Res # 14-446	68,231	1,023	69,254	1,395		70,639	1,413		72,052
<b>REAL PROPERTY TAX SERVICES</b>										
Director of Real Property Tax Services	Res # 15-038	61,500	773	62,273	1,045		63,318	1,060		64,378
Stipend for Director of Real Property Tax Serv.	Res # 13-308	12,000	180	12,180	244		12,424	248		12,672
Stipend for Director of Real Property Tax Serv.	Res # 16-482	6,693	0	6,693	0		6,693	0		6,693
<b>SOCIAL SERVICES DEPT</b>										
Commissioner of Social Services	Res # 15-038	72,633	1,089	73,722	1,474		75,196	1,504		76,700
<b>VETERAN'S SERVICES</b>										
Director of Veterans Services	Res # 17-280	42,500	0	42,500	0		42,500	0		42,500
<b>WORKERS COMPENSATION</b>										
Workers Comp. Prog. Administrator	Res # 14-446	58,201	879	59,074	1,181		60,255	1,205		61,460
<b>YOUTH BUREAU</b>										
Director of Aging and Youth	Res # 14-446	58,243	874	59,117	1,182		60,299	1,206		61,505

1-Current increases that are subject to Local Law

2-2018-01 per meeting Civil Service Commission Meeting

3-Effective 07/1/17

4-Effective 06/1/17

5-Effective 07/03/17

6-Annual Stipend for 2013 - 2018 to be paid as per resolution

7-Effective 07/1/17

8-Effective 08/1/17

Unless noted - all increases are reflected as:

Effective 1/1/18 1.5% increase

Effective 1/1/17 2% increase

Effective 1/1/18 2% increase

\*2018 Set Adj.

(res: 08-06-17 c/c)

Wyoming County Salary Plan Schedule "I"

Title		current	2016 Increase	Effective 1/1/16	2017 Increase	Effective 1/1/17	2018 Increase	Effective 1/1/18	Notes:
Bd of Supv. Chairman**	Res. #08-494	53,858		53,858		53,858		53,858	
Stipend to Bd. of Supv. Chairman (WCOH)	Res. #12-74	20,000		20,000		20,000		20,000	
Bd of Supervisors***	Res. #08-471	10,500		10,500		10,500		10,500	
Coroner (4) each****	Res. #13-35	75.00/case		75.00/case		75.00/case	25	100.00/case	per case
County Clerk*	Res. #14-099	55,000	#25	55,825	2,175	58,000	2,000	60,000	1
District Attorney**	Res. #16-235	183,350		183,350		183,350		183,350	
Treasurer*	Res. #14-099	58,000		58,000	7,500	63,500	7,500	71,000	2
Sheriff*	Res. #12-394/Res. #13-186	78,303	2,349	80,652	6,367	87,019	3,357	90,376	3

\* Denotes increases that are subject to Local Law

\*\*Salary set per 10/18

\*\*\*Salary effective 04/01/14

\*\*\*\*Denotes increases that are subject to advertising with the budget

\*\*\*\*\*Plus mileage reimbursement

#1 - 2016 (1.5%), 2017 (Sal Adj), 2018 (Sal Adj)

#2 - 2017 (Sal Adj), 2018 (Sal Adj)

#3 - 2018 (3%), 2017 (4%), 2018 (4%) plus longevity

(rev. 09-08-17 gk)

#24

## RESOLUTION NO. 17-358 (September 12, 2017)

By Mr. Brick, Chairman of the Finance Committee:

### APPROVES PROPERTY AUCTION SALES

**WHEREAS**, The County has acquired the deed for the following properties pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

**WHEREAS**, The Wyoming County Board of Supervisors has determined that these properties are surplus properties based on their location, condition, age and lack of suitability for any public use; and

**WHEREAS**, The Finance Committee of the Board has obtained bids at public auction for said properties and recommends the acceptance thereof, namely:

<b>183.14-1-47</b>	Matthew Bailaszewski, 14 Railroad Avenue, Arcade, NY 14009 has offered \$3,050 for property located at 10 Railroad Avenue in the T/Arcade.
<b>183.14-1-32</b>	Dennis and Violet Dick, 12269 Hosmer Drive, Sardinia, NY 14134 has offered \$54,000 for property located at 16 Park Street in the T/Arcade.
<b>18.-1-17</b>	Dale Knab, 740 Old State, Road, Attica, NY 14011 has offered \$15,000 for property located at 727 Stedman Road in the T/Bennington.

September 12, 2017

<b>147.7-1-14</b>	Jonathan Doane, 3993 Mote Road, Gainesville, NY 14066 has offered \$13,500 for property located at 1 South Main Street in the T/Castile.
<b>111.20-3-54</b>	Daniel and Cindy Bunch, 4294 Bug Road, Warsaw, NY 14569 has offered \$4,300 for property located at 4377 Springbrook Rd in the T/Castile.
<b>51.-1-16</b>	Timothy McCutcheon, 3876 Rt 98, North Java, NY 14113 has offered \$10,750 for property located at 1581 Route 246 in the T/Covington.
<b>165.-1-28</b>	Daniel and Sherry Hibsich, 3240 Cooley Road, Bliss, NY 14024 has offered \$23,000 for property located at 3238 Cooley Road in the T/Eagle.
<b>82.-1-79</b>	Chad Smith, 43 S Main Street, Castile, NY14427 has offered \$1,400 for property located at Syler Road in the T/Orangeville.
<b>88.19-6-15</b>	Joanne Kibler, 6749 Oatka Road, Perry, NY 14530 has offered \$41,000 for property located at 81 Leicester Street in the T/Perry.
<b>100.7-8-52.2</b>	David G Becker, 670 Attridge Road, Churchville, NY14428 has offered \$950 for property located at Dolbeer Street in the Town of Perry.
<b>100.8-1-30</b>	Nicholas Stefaniak, 6856 Westview Drive, Perry, NY 14530 has offered \$7,000 for property located at 13 Water Street in the T/Perry.
<b>100.7-10-45</b>	Caleb Kelly, 64 Leicester Street, Perry, NY 14530 has offered \$10,000 for property located at 64 Leicester Street in the T/Perry.
<b>179.14-2-52.12</b>	Chad Smith, 43 S Main Street, Castile, NY14427 has offered \$44,000 for property located at 18 South Water Street in the T/ Pike.
<b>168.-1-13</b>	Ann Spagnola, 464 Denise Road, Rochester, NY 14616 has offered \$4,300 for property located at 5467 Route 39 in the T/Pike.
<b>90.-1-2.3</b>	Jeffery Miller, DLM Conesus Lake Assoc, LLC, 5553 Hidden Pines Court, Williamsville, NY 14221 has offered \$3,200 for property located at Rte 78 in the T/Sheldon.
<b>73.19-1-22.1</b>	Curt Cooke, 5116 Fox Road, Wyoming, NY 14591 has offered \$29,500 for property located at 53 Linwood Avenue in the T/Warsaw.
<b>85.8-1-6</b>	Curt Cooke, 5116 Fox Road, Wyoming, NY 14591 has offered \$29,000 for property located at 28 Elm Street in the T/Warsaw.
<b>132.1-1-15.1</b>	Marsha Kersch, 4344 Dolph Road, Gainesville, NY 14066 has offered \$15,250 for property located at 4337 Dolph Road in the T/Wethersfield.

**RESOLVED**, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before October 12, 2017.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:**  
#25

**RESOLUTION NO. 17-359**  
**(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES**

**WHEREAS**, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2017-2018 school taxes to the County Treasurer for inclusion in the following year's town and county levy; and

**WHEREAS**, The Board of Supervisors entered into an agreement with the various villages within the County that, upon notification to the County, by the villages, within the time period as defined in the agreement, the unpaid mandatory village taxes without the inclusion of non-tax items such as user fees or other charges which are included in relieved tax bills submitted to the County to become part of the next town and county levy; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

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

**RESOLUTION NO. 17-360**  
**(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-333 AMENDED**

**WHEREAS**, Resolution Number 17-333 entitled, "**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE LAW OFFICES OF THERON A. FOOTE ON BEHALF OF THE COUNTY**"

September 12, 2017

**TREASURER”** was passed by this Board of Supervisors on August 15, 2017 and a contract for legal services for the preparation of Article 11 Tax Foreclosures at a rate of three hundred seventy-five dollars (\$375.00) per parcel for a total amount not to exceed ninety thousand dollars (\$90,000.00); effective November 1, 2017 through October 31, 2019; now therefore,

**BE IT RESOLVED**, That Resolution Number 17-333 be hereby amended to correct the legal name of the law firm to the ***Law Office of Foote and Meyer, PLLC***.

All else remains the same.

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

**RESOLUTION NO. 17-361  
(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 13-088 AND AMENDMENTS CORRECTED**

**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**” provided for various contracts, which added the following services to the **Western New York Physicians, PLLC** contract as follows:

- ***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 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 WCHS 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 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 term 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 previously amended by Resolution Number 15-328 was further amended by this Board of Supervisors on **October 13, 2015** by **Resolution Number 15-391** to correct the expiration date of the **Western New York Physicians PLLC**, 2261 Route 19 North, Warsaw, NY 14569 Hospitalist Services contract from January 1, 2015 to January 31, 2015; and

**WHEREAS**, That Resolution Number 13-088, as increased by Resolution Number 15-030 and amended by Resolution Number 15-328 and Resolution Number 15-391 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; and

**WHEREAS**, That Resolution Number 13-088, as increased by Resolution Number 15-030 and amended by Resolution Number 15-328, Resolution Number 15-391 and Resolution Number 16-294 was further amended by this Board of Supervisors on *May 9, 2017* by **Resolution Number 17-235** as follows:

- Delete Section 6 ~ **Group's Emergency Department Services** of the **Hospitalist Services** contract effective June 30, 2017; and

**WHEREAS**, That Resolution Number 13-088, as increased by Resolution Number 15-030 and amended by Resolution Number 15-328, Resolution Number 15-391, Resolution Number 16-294 and Resolution Number 17-235 was further amended by this Board of Supervisors on *July 11, 2017* by **Resolution Number 17-296** as follows:

- **Medical Director** and **Hospitalist Services** for Skilled Nursing Facility with minimum of 16 hours per week of **Physician Services** and increases the hours per week of **Physician** or **Nurse Practitioner Services** from 40 to 60 hours per week.
- Increase the annual compensation from \$192,000.00 to \$252,320.00 per year plus fees through the end of the original contract for the additional services to be provided.
- Effective immediately upon completion of credentialing through January 31, 2018.

Now therefore,

**BE IT RESOLVED**, That the above reflects all amendments to Resolution Number 13-088 to date.

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

**RESOLUTION NO. 17-362  
(September 12, 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**

Regular Session

**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:

- **Usherwood Office Technology**, 1005 West Fayette Street, Syracuse, NY 13204 for copy/printing/multi-function equipment, maintenance and consumable supplies (excluding paper) and repair service for all system wide copy/printing/multi-function equipment, including current standalone and networked printers owned in an amount not to exceed one hundred twenty thousand dollars (\$120,000.00) per year; effective January 1, 2018 through December 31, 2020.
- **Aramark Healthcare Support Services, LLC**, 1101 Market Street, 19<sup>th</sup> Floor, Philadelphia, PA 19107-2988, to extend the term of the management services agreement for housekeeping management services and supplies for an additional one (1) year renewal term in an amount not to exceed two hundred eleven thousand seven hundred ninety-six dollars (\$211,796.00) per year; effective September 1, 2017 through August 31, 2018.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 17-363  
(September 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-434 AMENDED**

**WHEREAS**, Resolution Number 16-434 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,”** passed by this Board of Supervisors on October 11, 2016 on behalf of the Wyoming County Community Health System and provides, in part, for the following contract:

- **Clark Patterson Lee**, 205 St. Paul Street, Suite 500, Rochester, NY 14604 to provide consultant and professional engineering services in modifying the layout of the existing medical office suite located on the 2<sup>nd</sup> floor northwest corner of 408 North Main Medical Building,

September 12, 2017

consulting and professional engineering services for other areas of the facility to include the old Emergency Department, clinic/office space currently occupied by Qutubuddin Dar, MD, and relocation of the MRI unit, in an amount not to exceed \$75,000.00; effective June 1, 2016 through May 31, 2017.

now, therefore,

**BE IT RESOLVED**, That Resolution Number 16-434 be hereby amended as follows:

- Extend the term from May 31, 2017 to December 31, 2018.
- Increase the contract amount from \$75,000.00 to \$125,000.00.

All else remains the same.

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

*Chairman Berwanger read the title of the local law, “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”; and provided a summary of how we got here today...*

*The Chairman stated that this local law was presented at the June 13, 2017 board meeting. A public hearing was held during the July 11, 2017 board meeting, which provided all attendees that wished to speak an opportunity to do so. The public hearing was closed but it was suggested to hold the comment period open to provide an opportunity to receive more information from concerned citizens. The vote was tabled until September 12, 2017 as the August meeting was being held at the Pike Fair and today provided a better format for everyone to be able to hear the vote.*

*Chairman Berwanger stated that the public hearing has been had and there will be no further comment period. He referenced and read aloud Rule 43 from the Board’s Rules of Procedure regarding participation in sessions which in part states that ... “no person other than the members of the Board... shall participate in any way in the meetings....except by the granting the privilege of the floor by a two-thirds vote of members present.”*

*Chairman Berwanger then asked if any Supervisor had comments that they would like to share at this time. Chairman Berwanger acknowledged Supervisor Ryan, T/Warsaw who stated she would like to outline her concerns regarding this local law and stated the following:*

## Section 1: Purpose & Intent (still in effect from existing 1994 law)

The County of Wyoming, through its County Board of Supervisors, declares that it is necessary for the security, safety, protection, and well-being of its employees, and its property and individuals present thereupon, to place restrictions on the bearing and possession of firearms and other dangerous weapons and instruments by individuals while entering into and being present in buildings owned, leased and/or operated by the County of Wyoming.

Only change in that law by the proposed amendment is addition of second paragraph:

### **Section 3: Exclusions**

A person licensed by NYS Penal Law Section 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 NYS law, rule or regulation.

### **Section 4: Penalties**

A violation of this local law shall be an unclassified misdemeanor punishable by imprisonment for not more than 3 months and /or a fine not exceeding \$500. Conviction of misdemeanor can mean revocation of concealed carry license. #4, Part B of Pistol/Revolver Application states; "Any license issued as a result of this application is subject to revocation at any time by the licensing officer or any judge or justice of a court of record."

There is no source for the legally licensed concealed carry citizen to find information, prior to walking to the door, as to which County Departments, offices, buildings have Federal or State regulations prohibiting one to carry. You can't "google" possible state or federal funding and again, the law states "while entering into and being present in buildings owned, leased and/or operated by the County of Wyoming."

I whole-heartedly support the Constitution, especially the Second Amendment. I do not want to create a situation that could jeopardize that right of a person legally licensed to have and carry a concealed weapon. I believe we need clarification as to which buildings will be exempted. If this amendment passes today the headlines will read, "***Wyo. Co. Board of Supervisors passes amendment allowing concealed weapons in County Buildings***" when it is a distinct possibility that due to State and Federal regulations concealed weapons cannot be allowed in any County building.

*Supervisor Davis, T/Covington was acknowledged and stated that he has had a permit to carry concealed since 1974. He said that 16 years ago, our world changed and today he carries more than he used to. He quoted that “you can’t bring a knife to a gun fight” and it is better to have a gun and not need it than it is to need a gun and not have it.*

*Supervisor McCormick, T/Java was acknowledged and stated that as an elected official she will be voting yes today to protect the fundamental rights of her constituency.*

*Supervisor Grant, T/Bennington was acknowledged and stated that she was undecided on her decision until she spoke with several County employees whose comments lead to her to vote the way she will today.*

*Supervisor Copeland, T/Wethersfield was acknowledged and stated that he has been a member of the NRA for over 40 years. Each month when he receives his “American Hunter” periodical, he always reads the “Armed Citizen” section first which list news articles from across the County about how families and homes have been protected by the right to carry. He stated he would be voting yes today to allow employees the right to protect themselves.*

**Local Law  
#30**

**RESOLUTION NO. 17-364  
(September 12, 2017)**

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

**LOCAL LAW NO. 4 (INTRODUCTORY D, YEAR 2017) ~ 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”**

**ADOPTED**

**WHEREAS,** There was duly presented and introduced at a meeting of this Board, held on the 13<sup>th</sup> day of June, 2017, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2017, entitled, **“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”;** and

**WHEREAS,** In accordance with the provisions of Resolution No. 17-261, there was a public hearing held by this Board of Supervisors on this 11<sup>th</sup>

day of July, 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 4, Year 2017, County of Wyoming, New York, as presented to this Board on the 13<sup>th</sup> day of June 2017, is hereby adopted in its original form as follows:

### **LOCAL LAW NO. 4 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.

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.

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DATED at Warsaw, New York  
June 13, 2017 (Introduced)  
September 12, 2017 (Adopted)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

**Carried: XXX Ayes: 1398 Noes: 201 (Warsaw) Absent: Abstain:**

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:08 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board



**REGULAR SESSION**  
**(October 10, 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:

**Commissioner of Social Services, David Rumsey**

*Chairman Berwanger, T/Arcade introduced Commissioner Rumsey as the outgoing Commissioner. Commissioner Rumsey served in the United States Navy in one of the forward most M.A.S.H. units in the gulf war.*

***The pledge was said by all.***

*Supervisor Grant, T/Bennington was invited to join Chairman Berwanger and Commissioner Rumsey for a presentation. Chairman Berwanger presented Commissioner Rumsey with a plaque in appreciation of his seventeen years employment with the County of Wyoming. Commissioner Rumsey has accepted a position with the Genesee County Department of Social Services.*

*Supervisor Grant, T/Bennington also commented on what a pleasure it has been working with Commissioner Rumsey and the leadership skills he brought to his department and fellow department heads...*

*Commissioner Rumsey took a moment to thank the Board of Supervisors for their continued support of him and his department...*

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

**Communications ~**

- None

**Open Public Hearing ~**

October 10, 2017

- “Local Law No. 5, Year 2017 (Introductory E, Year 2017) Entitled, “***A Local Law Providing Salaries for Certain County Officers for the Years 2016, 2017 and 2018***”

#1

**RESOLUTION NO. 17-365  
(October 10, 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:

<b>Historian</b>			
<b>To:</b> 01.46.7510.4.42404 Grant Expenses w/01.03.7510.128901 Other Dept. Income-Grant <b>Reason:</b> Funds allocated for the <i>Eat Your Way Through History</i> tour.	\$142.66	\$142.66	
<b>Historian Total</b>			<b>\$142.66</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4325.4.42445 Supported Apartment w/01.11.4325.3490 State Aid <b>Reason:</b> Recording increase in state aid for supported housing (4 beds).	\$17,000.00	\$17,000.00	
<b>Mental Health Total</b>			<b>\$17,000.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1161.4.41361 Traffic Diversion Program w/01.07.1161.2610 Diversion Program Revenue <b>Reason:</b> To purchase equipment, extra patrols or provide training to law enforcement with some of the 2016 excess funds from the Traffic Diversion.	\$6,000.00	\$6,000.00	
<b>To:</b> 01.32.1165.1.10601 Unused Benefit Time 01.32.1165.8.83001 FICA 01.32.1165.8.85001 Medicare – FICA w/ <i>any funds available</i> <b>Reason:</b> To pay unbudgeted Unused Benefit Time per the vacation buy back policy for eligible employee Kelly Eastman.	\$697.05 43.22 10.11	\$750.38	
<b>District Attorney Total</b>			<b>\$6,750.38</b>
<b>Buildings and Grounds</b>			
<b>To:</b> 01.34.1620.8.84001 Unemployment ins w/ <i>any funds available</i> <b>Reason:</b> To cover cost of unemployment drawn by former employee.	\$1,208.50	\$1,208.50	
<b>To:</b> 01.34.1620.4.40802 Cont. Bldg. Repair Private w/ <i>any funds available</i> <b>Reason:</b> To cover the expense of emergency purchase of split cooling system at the Fire Training Center.	\$8,865.00	\$8,865.00	
<b>Buildings and Grounds Total</b>			<b>\$10,073.50</b>

**Carried: XXX**

**Ayes: 1599**

**Noes:**

**Absent:**

**Abstain:**

Regular Session

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$2,259,072.71** for the month of **September 2017**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #2 through #4. Hearing no objection resolution titles were read.*

**#2**

**RESOLUTION NO. 17-366  
(October 10, 2017)**

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

**RESOLUTION URGING NEW YORK STATE TO PERMIT THE  
FEDERAL AND STATE PRIMARY ELECTIONS TO BE HELD ON THE  
SAME DAY AND FOR THE STATE TO ABSORB INCREASED  
EXPENSES INCURRED BY LOCAL BOARDS OF ELECTIONS FOR  
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**, Recent proposals for early voting and holding multiple primaries will increase county costs for managing elections; and

**WHEREAS**, The Election Law requires that a primary election be held on the first Tuesday after the second Monday in September before every general election unless otherwise changed by an act of the legislature; and

**WHEREAS**, New York must conduct its federal primary election on a date no later than 35 days prior to the 45-day advance deadline set by the Federal Military and Overseas Voter Empowerment (MOVE) Act for transmitting ballots to the State's military and overseas voters, or at least 80 days before the federal general election; and

**WHEREAS**, In 2018, New York State must hold a federal primary election for congressional candidates for congressional races to adhere to the MOVE Act; and

**WHEREAS**, The federal primary cannot be held on the current State and local primary date in September and remain in compliance with federal election law; and

October 10, 2017

**WHEREAS**, Election Law Section 8-100 permits the date of the New York primary to be changed by an act of the State Legislature; and

**WHEREAS**, If the State Legislature fails to move the normal September primary elections to coincide with the federal primary, there will be two primary elections in New York in 2018, which will increase costs for county boards of elections; and

**WHEREAS**, Recent proposals that would require counties to open polling sites for early voting would increase local election costs by \$3-\$4 million, according to the State Division of Budget; 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 amend the Election Law to permit the federal primary election and the New York primary election to be held on the same date; and be it

**FURTHER RESOLVED**, That if the Governor and the State Legislature do not wish for the federal congressional primary election and the New York State and local primary election to be held on the same day, that New York State absorb the costs of holding the New York primary election; and be it

**FURTHER RESOLVED**, That any new mandated costs of future early voting legislation should include full state funding for these county 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 Board of Elections, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 17-367  
(October 10, 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 State County Clerks play a 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

**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 State 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**, The Governor and the 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 during the 2015-16 Legislative Session, which would raise the 12.7 percent county share up to a 25 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,** That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the 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: 1599      Noes:      Absent:      Abstain: #4**

**RESOLUTION NO. 17-368  
(October 10, 2017)**

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

**RESOLUTION CALLING FOR THE FULL REPEAL OF THE NEW  
YORK STATE SCAFFOLD LAW OR REFORM TO INCLUDE A PURE  
STANDARD OF COMPARATIVE NEGLIGENCE**

**WHEREAS,** New York Labor Law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

**WHEREAS,** The laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

**WHEREAS,** The law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

**WHEREAS,** The New York State Legislature did not implement any positive reform to the New York Scaffold Law in the 2017 legislative session; and

**WHEREAS,** The Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the

construction business, causing New York State to have the highest general liability insurance costs in the nation; and

**WHEREAS,** The Scaffold Law is a boon to personal injury lawyers as half of the 30 largest lawsuits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500%; and

**WHEREAS,** New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and

**WHEREAS,** The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in neighboring states; and

**WHEREAS,** Not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment; and

**WHEREAS,** This negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

**WHEREAS,** Federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions to be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors is in support of Scaffold Law reform as well as meaningful protection of construction workers; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; 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

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New York State Association of Counties and all others deemed necessary and proper.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #13. Hearing no objection resolution titles were read.*

**#5**

**RESOLUTION NO. 17-369**

**(October 10, 2017)**

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

**RESOLUTION CALLING ON THE STATE TO INCREASE STATE  
SUPPORT TO LOCAL VETERAN SERVICES**

**WHEREAS,** New York state and county governments offer needed services and programs for the nearly 900,000 veterans living in our State; and

**WHEREAS,** We have a duty to provide services to those who sacrificed so much for our freedoms; and

**WHEREAS,** The New York State Division of Veterans' Affairs and County Veteran Service Agencies have been working in conjunction for decades to support and provide needed services to our veterans; and

**WHEREAS,** Unfortunately, citing State budget concerns, the New York State Division of Veteran Affairs has recently recalled its regional Veteran Benefit Advisors from working in many counties; and

**WHEREAS,** Losing State Veteran Benefit Advisors will put a strain on our county providers which in turn could negatively impact the services given to our local veterans and their families; and

**WHEREAS,** The State should not decrease funding and services to veterans but instead increase support as this population continues to grow and service needs become more apparent; and

**WHEREAS,** The State should also expand specific veteran services such as providing Veteran Treatment/Diversion courts throughout the state; and

**WHEREAS,** Veteran Treatment Courts provide veteran-defendants suffering from addiction, mental illness and/or co-occurring disorders with links to



community-based services as well as to local, state and federal agencies specializing in veterans' affairs; and

**WHEREAS**, Veteran Treatment Courts are similar to drug treatment and mental health courts, however, unlike drug diversion courts that are present throughout the State, Veteran Treatment Courts are in only 22 counties; and

**WHEREAS**, With a modest increase in funding, the State could provide local support by returning Veteran Benefit Advisors to all counties and could provide Veteran Treatment Courts throughout the State; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to place increased funding in the 2018/2019 State Budget dedicated to provide local support to veterans in 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: 1599      Noes:      Absent:      Abstain: #6**

**RESOLUTION NO. 17-370  
(October 10, 2017)**

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

**RESOLUTION URGING THE GOVERNOR 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 still 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**, Since this transition, the counties no longer contract directly with providers; and

**WHEREAS**, Counties continue to be held responsible to ensure that services developed in an Individualized Family Service Plan (IFSP) begin within

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a timely fashion, namely 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, the provider is 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 the Governor and New York State Legislature to consider reforms to the Early Intervention Program to ensure sufficient provider capacity is available; and be it

**FURTHER RESOLVED,** That the County of Wyoming is not responsible for provider capacity and will not be held accountable for any delays due to a lack of adequate and timely availability of providers; 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: #7**

**RESOLUTION NO. 17-371  
(October 10, 2017)**

Regular Session

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 request additional documentation; 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 resulting in higher costs for both the state and counties; and

**WHEREAS**, We continue to support proposals from the Governor that prioritize and require providers to adhere to current insurance regulations regarding payment of Early Intervention service claims in an attempt to maximize commercial insurance collections; and

**WHEREAS**, We also ask that as part of these systems enhancement proposals, Medicaid revisit the Retro Re-Billing Process where the State identifies all claims that the counties and state pay including, but not limited to, waived services, and resubmit those to Medicaid to identify if a child's coverage changed. We ask that Medicaid instead pay the claims in first instance, so that counties don't have to pay upfront and then receive these monies many years later; and

**WHEREAS**, The State has implemented health insurance benefit changes in its Child Health Plus program that will likely reduce third party

billing opportunities, resulting in higher costs for counties in the Early Intervention Program; and

**WHEREAS,** Under the statewide fiscal agent model counties remain concerned about program integrity efforts pursued by the fiscal agent and the Department of Health (DOH) through audits, and believe that third party collections are not being maximized based on the increasing drawdown of funds out of the escrow for many counties far in excess of what has been budgeted or caseload changes suggest; and

**WHEREAS,** While counties have been advised by DOH that they can pursue their own audits and collections to ensure program integrity, counties have no effective mechanism under the law, or leverage with providers, to recoup any audit findings as counties do not hold the provider contracts or have the ability to withhold payments as a way to recoup funds; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and the State Legislature to implement policies and procedures to ensure that provider claims are filed within 60 days to maximize commercial insurance Medicaid reimbursement; and be it

**FURTHER RESOLVED,** That the State require 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 Governor's Budget for 2016-17, ensure providers exhaust all appeals within the required timeline of the insurer before moving on to the next payer of record; and be it

**FURTHER RESOLVED,** The State should carefully review all benefit changes in state supported public health insurance programs such as Medicaid and Child Health Plus to ensure new costs are not shifted to county public health programs when current benefits are eliminated or modified; and be it

**FURTHER RESOLVED,** That the Bureau of Early Intervention develop a robust audit program outside of NYEIS for provider claims to ensure state and local funds are being spent appropriately; 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:**

**RESOLUTION NO. 17-372  
(October 10, 2017)**

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

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO FULLY FUND THE STATUTORY STATE  
REIMBURSEMENT PROVISIONS RELATED TO PRESCHOOL  
SPECIAL EDUCATION SERVICES, UPDATE ADMINISTRATIVE  
REIMBURSEMENTS TO COUNTIES, AND ADJUST  
TRANSPORTATION REIMBURSEMENT CAPS**

**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 percent by the 1993-94 school year; and

**WHEREAS**, A longstanding 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**, While these recommendations were never enacted, statutory law governing state required reimbursements to counties for preschool special education services stands at 69.5 percent, but is capped at 59.5 percent each year by the Governor and Legislature in annual appropriation bills; and

**WHEREAS**, This resolution has been sent to the state legislature by this Board of Supervisors and standing committee repeatedly; 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, but excludes children with special needs; and

**WHEREAS**, Other states do not require county governments to pay for these special education expenses (unless the county is the school district), combined with the failure of New York State to fully fund its required share of preschool special education program costs contributes to New York's highest in the nation property tax burden; and

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**WHEREAS,** Over the last decade the failure of the state to fund these costs has shifted more than \$1.6 billion to county property taxpayers, exceeding \$250 million annually today, raising costs for homeowners and small businesses throughout New York; and

**WHEREAS,** The state also caps transportation reimbursements to counties related to preschool special education costs without considering special circumstances and increased motor fuel and other inflationary pressures; and

**WHEREAS,** The state has not increased the \$75 per child administrative fee counties receive in decades, however counties, all of which are responsible for reimbursing school districts 100% for their Committee on Pre-School Education (CPSE) administrative costs, all of which results in more costs for county taxpayers; 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 state fiscal responsibility for the preschool special education program (4410) at 69.5 percent state reimbursement to help reduce pressure on property taxes; and be it

**FURTHER RESOLVED,** The state should increase the \$75 per child administrative fee counties receive to address inflationary pressures and adjust it annually thereafter with changes in the consumer price index and to eliminate the responsibility for counties to reimburse school districts for administration costs; and be it

**FURTHER RESOLVED,** The state should increase county reimbursement caps for transportation costs to recognize inflationary pressures since they were last changed, and provide for an additional adjustment above the cap for counties experiencing special circumstance such as a lack of transportation providers and/or severe caseload changes; 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: #9**

**RESOLUTION NO. 17-373  
(October 10, 2017)**

Regular Session

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

**RESOLUTION URGING NEW YORK STATE TO FULLY FUND NEW COSTS INCURRED BY COUNTIES RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY, INVEST IN PROVIDER CAPACITY TO ENSURE APPROPRIATE AND MEANINGFUL SERVICES AND DIVERSION PROGRAMS ARE AVAILABLE, AND TO CONTINUE AN OPEN DIALOGUE WITH COUNTIES, NEW YORK CITY AND OTHER ENTITIES THAT WILL BE IMPLEMENTING THE NEW LAW**

**WHEREAS**, The state has enacted legislation to raise the age of criminal responsibility in New York effective October 1, 2018; and

**WHEREAS**, The state has indicated they will fully fund incremental costs counties incur related to raise the age provisions in most circumstances; and

**WHEREAS**, Significant questions remain unanswered on how incremental costs will be defined and how counties experiencing fiscal stress will be treated in regard to state reimbursement; and

**WHEREAS**, The state currently caps funding for foster care and youth detention, limits reimbursement for other child welfare and probation programs, and is proposing the elimination of PINS funding by 2020 under the new law, causing concern among counties of a potentially significant increase in unreimbursed state mandated costs related to changing 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, significant engagement of the education system before youth need intervention, transportation supports, drug and alcohol treatment, family and individual counseling, remedial and vocational education for youth and adults, coordinated mental hygiene services, case management, and an increase in trained foster parents with skills to care for and provide guidance to older troubled youth, and other interventions resulting in higher expenses; and

**WHEREAS**, The law includes significant reforms to and places new mandates upon county public safety, probation and legal departments; and

**WHEREAS**, There are significant changes required under the law to the criminal justice system for youth requiring a fundamental realignment of

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court jurisdiction; training of judges, prosecutors, defense attorneys; and numerous other activities that are under the control of the Judicial Branch of New York government; and

**WHEREAS,** The state has not yet provided concrete guidance to individual counties on potential caseloads, service provider capacity, and potential new county costs; and

**WHEREAS,** The state has assured counties that they are working on providing such fiscal guidance, and they have also indicated that such information may not be available until late 2017; and

**WHEREAS,** Getting fiscal guidance that late in the county budget cycle makes it nearly impossible for counties to budget with any certainty on their potential costs in 2018; and

**WHEREAS,** Beyond unknown costs, many regions of the state currently do not have adequate capacity to provide the type and quantity of necessary services to affected youth and their families in their local communities; and

**WHEREAS,** Numerous questions related to the new legal and judicial requirements remain unspecified; and

**WHEREAS,** The Law requires the construction and staffing of completely new adolescence detention centers that do not exist today; and

**WHEREAS,** The design, operation, and other features of these new detention facilities remains undefined one year prior to implementing the law; and

**WHEREAS,** The Governor's Office and state agencies have begun an aggressive outreach effort on the new law in coordination with county officials and others that will implement the law, but actual guidance and clear definitions on implementing the law, and estimates of potential caseload by county, are still months away; now therefore

**BE IT RESOLVED,** That 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,** The state should consider removing fiscal caps for foster care and youth detention as part of this age of criminal



responsibility reform, as well as restore the 65 percent state matching rate for child welfare services and continue state funding for PINS; and be it

**FURTHER RESOLVED,** The state needs to provide a clear service needs plan and capital investment strategy to ensure there is sufficient provider capacity and detention space in all areas of the state; and be it

**FURTHER RESOLVED,** The state needs to do extensive outreach and engage the K-12 school system as a partner in these systemic reforms; and be it

**FURTHER RESOLVED,** Given the fast approaching deadlines, we strongly encourage the state to consider a waiver process during the early transition years, especially in regard to finding appropriate placement options for youth and families in need of services, as well as for cases where placement in new adolescent detention facilities are required, but may not yet be built and fully operational; and be it

**FURTHER RESOLVED,** That fiscal waivers should be guaranteed for counties in the early years of the transition, or until such time that reliable historical data is available to help counties develop accurate budget projections; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors strongly encourage state agencies and the judicial branch to provide estimates to individual counties of their pending fiscal, caseload, and capital costs related to this law as soon as practicable so that counties can prudently plan their budget, staffing, and borrowing needs in a timely manner; and be it

**FURTHER RESOLVED,** The state should recognize there will need to be flexibility in accommodating 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 Wyoming County Board of Supervisors appreciate the outreach by the Governor and state agencies related to implementation and we strongly encourage this dialogue to continue and be expanded in 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: 1599      Noes:      Absent:      Abstain:**

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**RESOLUTION NO. 17-374  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE GOVERNOR AND LEGISLATURE  
TO REVERSE THE FOSTER CARE COST SHIFT IMPLEMENTED IN  
THE 2017-18 STATE BUDGET**

**WHEREAS**, The 2017-18 state budget enacted a reduction in state reimbursement support for foster care that will cost counties and New York City more than \$62 million annually; and

**WHEREAS**, Counties and advocates strongly opposed the cut because it will require counties to make up the difference with cuts to other human services, including preventive services contracts; and

**WHEREAS**, Some counties have extremely limited options to control foster care costs and placements due to the orders of judges and the growing epidemics that are ravishing many communities across the state, forcing placements outside of the home as parents, and/or children struggle with beating addictions; and

**WHEREAS**, Addressing the opioid and heroin scourge brings with it longer and costlier stays in care that require intensive mental health, drug abuse, and behavioral health counseling and treatment regimens; and

**WHEREAS**, In addition to more intensive services required in foster care today, the age of children entering the system is falling, triggering other critical and lengthy service needs; and

**WHEREAS**, The concurrent enactment of legislation that raises the age of criminal responsibility in New York from 16 to 18 will likely increase demand for foster care services; and

**WHEREAS**, This state foster care reimbursement cut is another in a long series of state funding cuts to human services programs including Safety Net, adoption subsidies, food stamp administration, child support enforcement, juvenile justice and reintegration programs for incarcerated individuals returning to the community; and

**WHEREAS**, The state funding cuts to foster care and these other

programs impacts the ability of counties to provide critical prevention supports that can keep children and families at-risk out of the foster care system in the first instance, and undermines state and local efforts to achieve permanency for children; and

**WHEREAS,** The state foster care funding cut equaled 74 percent of the allowable property tax cap growth for an average county and for 20 counties the cut was greater than their entire allowable property tax cap growth; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to reverse the state reimbursement cuts to foster care enacted in the 2017-18 budget, and to also gradually restore funding cuts in other key human services 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: 1599      Noes:      Absent:      Abstain: #11**

**RESOLUTION NO. 17-375  
(October 10, 2017)**

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

**RESOLUTION URGING THE STATE TO CLARIFY ITS  
HOMELESSNESS PREVENTION GOALS AND DEVELOP A MORE  
EFFECTIVE EMERGENCY SHELTER MODEL**

**WHEREAS,** Homelessness continues to be a major concern across the state; and

**WHEREAS,** Counties have a long-standing commitment to serve vulnerable children and adults in our communities; and

**WHEREAS,** Local social service districts focus scarce resources on achieving permanent housing, preventing homelessness, and providing temporary placement; and

**WHEREAS,** Counties maintain that preventing homelessness in the

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first place is the best way to keep families safe and secure; and

**WHEREAS,** Significant state funding cuts in a wide array of social service programs over the last decade, in conjunction with the state imposed property tax cap has restricted counties' ability to pursue more aggressive prevention efforts that can help prevent homelessness in the first place; and

**WHEREAS,** Counties agree that providing safe, secure, and sanitary emergency shelter is critically important; and

**WHEREAS,** Recent state directives, emergency rulemaking, and data requests that focus on safety and security in emergency and temporary shelter situations are causing significant administrative burdens for counties without providing any additional financial support from the state to assist and comply with these demands even though the state has added significant new staff of their own; and

**WHEREAS,** The new administrative needs are drawing resources away from services that are targeted to prevent homelessness in the first place and provide stability for families at risk; and

**WHEREAS,** Counties maintain that while it is important to provide help in a crisis, it is better policy to maintain stability and prevent emergencies by providing sufficient resources; and

**WHEREAS,** State policies are directing excessive attention on inspections of motels, hotels and shelters beyond what is required in state law to ensure health and safety, as well as conflict with inspections from the State Comptroller and local code enforcement; and

**WHEREAS,** Counties believe there is insufficient OTDA inspection training and a lack of clarity on inspection procedures; and

**WHEREAS,** The Governor has emphasized certain emergency homelessness measures to address public safety and health concerns such as the "Code Blue" initiative; and

**WHEREAS,** This special focus in cold winter months is creating unintended consequences because they are promulgated under different rules that do not require visitors to follow local and state social service districts eligibility rules designed to help them overcome barriers (such as drug and alcohol abuse, mental health treatment, and employment) which impede their ability over the long term to achieve permanent housing and stability; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and state agencies to streamline inspections through a LEAN process to eliminate duplication and reduce excessive administrative burden, and provide fiscal assistance to help counties fund more services that can prevent homelessness in the first instance; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors is seeking state training on inspection procedures focused on significant criteria so that health and safety is addressed and attention is not diverted to insignificant matters; and be it

**FURTHER RESOLVED,** In order to successfully prevent homelessness and improve stability for families, the state must share its long-term vision on what role the state and counties will play in responding to and alleviating the homelessness crisis in many communities and how it will be funded, including addressing housing affordability in communities where that is an especially acute problem; 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:**  
#12

**RESOLUTION NO. 17-376**  
**(October 10, 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 DIVISION  
OF VETERANS AFFAIRS ON BEHALF OF WYOMING COUNTY  
VETERANS SERVICES**

**BE IT RESOLVED,** That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with New York State Division of Veterans Services, Office of General Services, Division of Financial Administration, P.O. Box 2166, Empire State Plaza, Albany, NY 12228 on behalf of Wyoming County Veteran Services. Said funding to provide services to local veterans in a minimum amount of eight thousand five hundred twenty-nine dollars (\$8,529.00); effective April 1, 2017

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through March 31, 2018.

**Carried: XXX**

**Ayes: 1599**

**Noes:**

**Absent:**

**Abstain:  
#13**

**RESOLUTION NO. 17-377  
(October 10, 2017)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH  
CHILD'S CREATIVE DEVELOPMENT CENTER 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 Welfare Management System Contract with Child's Creative Development Center, 2900 Transit Road, West Seneca, NY 14224 on behalf of the Department of Social Services. Said contract to provide subsidized childcare for temporary assistance families, as well as, eligible families not on temporary assistant. Contract will have a variable amount depending upon services provided and will be paid through the State Welfare Management System; effective September 25, 2017 through December 31, 2017.

Contingent upon the availability of funds.

**Carried: XXX**

**Ayes: 1599**

**Noes:**

**Absent:**

**Abstain:  
#14**

**RESOLUTION NO. 17-378  
(October 10, 2017)**

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

**KIMBERLEY BARBER APPOINTED COMMISSIONER OF  
SOCIAL SERVICES**

**BE IT RESOLVED**, That Kimberley Barber, 6691 Warsaw Road, Perry NY 14530 be hereby appointed Commissioner of Social Services for a term of five (5) years; effective October 16, 2017 through October 15, 2022, as per Local Public Welfare Law §116 (1) to succeed the former Commissioner, D. Rumsey; and be it

**FURTHER RESOLVED**, That the salary of the Commissioner of the Department of Social Services on Salary Schedule “D” be set at \$66,500.00 annually. On January 01, 2018, Commissioner Barber is eligible for an increase in pay of \$2,500.00 contingent upon satisfactory performance and meeting pre-established goals.

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

*After the roll call vote was taken, Chairman Berwanger invited Supervisor Grant, T/Bennington was invited to introduce the new Commissioner of Social Services, Kimberly Barber. Ms. Barber offered a few words explaining her eagerness to serve in this new roll after 21 years of service within the department.*

***Joint Resolution  
#15***

**RESOLUTION NO. 17-379  
(October 10, 2017)**

By Ms. Grant, Chairman of the Human Services Committee and Mr. Copeland, Chairman of Public Safety Committee:

**DOMESTIC VIOLENCE AWARENESS MONTH PROCLAIMED**

**WHEREAS**, Domestic violence affects all residents of Wyoming County, and its damage is inflicted not only upon victims, but their children, families and communities; sadly, one in four individuals suffer abuse at the hands of their partner and these victims can be of any age, race, religion, gender or economic status, and can endure extreme suffering and possible long-term harm; and

**WHEREAS**, Wyoming County, through its domestic violence programs, takes decisive steps to strengthen the policies of New York State that hold domestic violence offenders accountable and ensure the safety of victims and their children by focusing upon the improved working relationship with legal, law enforcement, human services, education and healthcare systems; and

**WHEREAS**, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of domestic violence and to help families obtain assistance they need to be free from domestic violence; and

**WHEREAS**, Wyoming County is stronger when all citizens become aware of domestic violence prevention; and

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**WHEREAS**, Wyoming County residents will support victims of domestic violence and will support the public and private entities that continuously strive to provide the best coordinated response to domestic violence within the county, therefore sending a strong and unwavering message to abusers that domestic violence will not be tolerated in this county; now therefore

**BE IT RESOLVED**, That the Board of Supervisors does hereby proclaim the Month of October 2017 as **DOMESTIC VIOLENCE AWARENESS MONTH** in Wyoming County and commends this observance to the citizens of this county.

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

*After the roll call vote was taken, Supervisors Grant, T/Bennington and Copeland, T/Wethersfield were invited to the podium to present the Domestic Violence Awareness Month Proclamation. Commissioners Rumsey and Barber were also invited to the podium for the presentation. Commissioner Rumsey read the proclamation and thanked the Board of Supervisors for their continued support of the agency.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #16 through #25. Hearing no objection resolution titles were read.*

**#16**

**RESOLUTION NO. 17-380  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND  
SUBSTANCE ABUSE SERVICES AND THE GOVERNOR 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 continues 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 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 the Governor 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 where the money is provided directly to Local Government Units (LGUs); 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 Office of Alcoholism and Substance Abuse Services, the New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #17**

**RESOLUTION NO. 17-381  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH,  
THE DEPARTMENT OF HEALTH AND THE GOVERNOR 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 the Governor, 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

**FURTHER RESOLVED,** That this comprehensive array of services include: Emergency and Crisis Services, Family Support, Respite Services, Outpatient Services, Community Residential Services and Inpatient Services; as

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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 State Office of Mental Health, the State Department of Health, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 17-382  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE GOVERNOR, THE OFFICE OF  
MENTAL HEALTH AND THE STATE OF NEW YORK TO PROVIDE  
ADEQUATE RESOURCES FOR THE LOCAL GOVERNMENTAL  
UNITS (LGUS) TO IMPLEMENT THE ASSISTED OUTPATIENT  
TREATMENT (AOT) PROGRAM**

**WHEREAS**, The State of New York enacted the Assisted Outpatient Treatment Law, also known as Kendra's Law, in order to create a procedure to obtain court ordered Assisted Outpatient Treatment for persons with serious mental illness to enable them to continue living safely in the community; and

**WHEREAS**, Local Governmental Units in the City of New York and in every county in New York State have been mandated to implement an AOT Program since the passage of Kendra's Law in November 1999; and

**WHEREAS**, The Local Governmental Units are responsible for operating an AOT Program, investigating potential AOT petitions, initiating and pursuing court proceedings to obtain a court order, developing the treatment plan for all persons eligible for Assisted Outpatient Treatment, and monitoring the person's compliance of such treatment plan; and

**WHEREAS**, The Local Governmental Units' costs associated with the administration and implementation of the AOT Program have never been fully funded by the State; and

**WHEREAS**, The State Aid funding for the counties which was

promised at the time of passage of the AOT Law, has decreased or disappeared, leaving New York City and counties responsible for funding the major portion, if not all, of the costs of this state imposed program; and

**WHEREAS,** The downsizing of state hospitals, the movement of more high need/high risk individuals back into the community, and the increase in the use of the AOT Program as a discharge planning tool from State Psychiatric Centers and prisons, have created a significant increase in the number of AOT cases initiated across the state; and

**WHEREAS,** While the number of individuals receiving AOT has substantially increased, there has been no additional funding for the LGU to administer this program; and

**WHEREAS,** Adequate State funding is needed to support the AOT Program including the LGU costs associated with the investigation of petitions, the development and monitoring of treatment plans, the preparation for, initiation of, and attendance at court proceedings, and the support for the staffing of and the maintenance of the infrastructure for the program; now therefore

**BE IT RESOLVED,** That the New York State Association of Counties calls on the Governor and the Office of Mental Health to provide Local Governmental Units with an appropriate level of State Aid funding based on the actual costs to oversee and administer the Assisted Outpatient Treatment Program across 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 State Office of Mental Health, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 17-383  
(October 10, 2017)**

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

**RESOLUTION NUMBER 16-457 AMENDED**

**WHEREAS,** Resolution Number 16-457 entitled, “**CHAIRMAN**

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**AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH,”**

passed by this Board of Supervisors on November 8, 2016 and provides for adult programs and supported housing in Wyoming County in an amount not to exceed three hundred six thousand nine hundred sixty-five dollars (\$306,965.00) annually; effective January 1, 2017 through December 31, 2017; now therefore

**BE IT RESOLVED,** That Resolution Number 16-457 be hereby amended to reflect an increase in state aid funding of seventeen thousand dollars (\$17,000.00) for a new total contact amount of three hundred twenty-three thousand nine hundred sixty-five dollars (\$323,965.00).  
All else remains the same.

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

**RESOLUTION NO. 17-384  
(October 10, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF MENTAL HEALTH**

**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 Mental Health:

- **Livingston/Wyoming ARC**, 18 Main Street Mt. Morris, NY 14510 for competitive employment services for the mentally ill residents of Wyoming County in an amount not to exceed forty-nine thousand seven hundred seventy-eight dollars (\$49,787.00); effective January 1, 2018 through December 31, 2018.
- **Suburban Adult Services, Inc.**, 960 West Maple Court Elma, NY 14059 to provide sheltered work activities for the MR/DD population in the southwestern part of Wyoming County in an amount not to exceed thirty-nine thousand ninety-eight dollars (\$39,098.00); effective January 1, 2018 through December 31, 2018.
- **Coordinated Care Services, Inc. (CCSI)**, 1099 Jay Street, Building J, Rochester, NY 14611 for various behavioral health programs in an amount not to exceed four hundred six thousand one hundred seventy-

eight dollars (\$406,178.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #21**

**RESOLUTION NO. 17-385  
(October 10, 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 in 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, 2018; 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

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addition to plans for dental and behavioral health services, which complicates 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,** The transition to Medicaid Managed Care and reduced Medicaid revenue will cause some school-based health centers to close; and

**WHEREAS,** A reduction in State grant funding to school-based health centers by 20 percent statewide and over 60 percent for individual school-based health center sponsors, the transition to Medicaid Managed Care will force even more school-based health centers 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 in every school; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the State to maintain their commitment to school-based health centers and maintain their carve out from Medicaid Managed Care; 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: #22**

**RESOLUTION NO. 17-386  
(October 10, 2017)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND  
THE NEW YORK STATE LEGISLATURE TO RESTORE FUNDING  
SUPPORT FOR UNATTENDED DEATH INVESTIGATIONS**

Regular Session



**WHEREAS,** Coroners and medical examiners are county officers who make official inquiries about the cause and manner of an individual's death, especially those that occur under unnatural, unexplained, or suspicious circumstances; and

**WHEREAS,** Coroners or medical examiners are required by law to investigate deaths by violence or accident; and

**WHEREAS,** Coroners and medical examiners work in morgues to provide information for death reports, medical autopsies, post-mortem examinations, forensic pathology, and toxicology tests; and

**WHEREAS,** A coroners and medical examiners work to identify unknown or unclaimed bodies, report news of a death to the next of kin, collect and transfer personal belongings found on a body at the time of the death, as well as sign death certificates; and

**WHEREAS,** Prior to 2011, county coroners and medical examiners were reimbursed up to 36 percent with state aid from Article 6 funding to local health departments; and

**WHEREAS,** In 2011, the State Budget shifted the reimbursement for medical examiners from the New York State Department of Health (NYSDOH) to the New York State Department of Criminal Justice Services (DCJS) and the funding was no longer available as the state deemed this activity to be of public safety, not public health; and

**WHEREAS,** With the ongoing opioid and heroin epidemic, there has been a huge increase in the number of synthetic opioids and analogs that need to be tested, which places a significant work and financial burden on toxicology efforts of county medical examiner offices; and

**WHEREAS,** Coroners and medical examiners should have a dedicated funding stream from the state to assist with the identification of real-time trends such as prescription medication and drug abuse, lethal activities, and to alert the appropriate county agencies and the public of these dangers; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to restore direct state funding for unattended death investigations; and be it

**FURTHER RESOLVED,** That local health departments should be funded in ways that allow for discretion and flexibility in addressing local public

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health priorities, such as the growing opioid and heroin epidemic; 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 Department of Health, the Commissioner of the Department of Criminal Justice Services, New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 17-387  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE GOVERNOR, THE LEGISLATURE  
AND THE DEPARTMENT OF HEALTH TO PROVIDE SUPPORT AND  
FINANCIAL RESOURCES FOR STATEWIDE AWARENESS ON THE  
THREAT OF LYME DISEASE AND OTHER TICK BORNE DISEASES**

**WHEREAS**, Lyme Disease is a common but frequently misunderstood illness that, if not caught early and treated properly, can cause serious health problems; and

**WHEREAS**, Lyme disease was first discovered in New York State on Long Island and in the Hudson Valley region. However, over recent years, the number of Lyme and tick-borne disease cases have spread to the northern and western areas of the state; and

**WHEREAS**, New York currently has the highest number of reported (confirmed) cases of Lyme disease in the United States; and

**WHEREAS**, According to the New York State Department of Health, over 95,000 cases have been confirmed in New York State since 1986, and 8,272 cases of Lyme were diagnosed in 2015; and

**WHEREAS**, The possibility of being bitten by a deer tick is greater during specific times of the year when ticks are most active, with young deer ticks (called nymphs) active from mid-May to mid-August and adult ticks most active from March to mid-May and from mid-August to November. Both nymphs and adults can transmit Lyme disease; and

**WHEREAS,** Diagnosis of Lyme disease takes into account the following factors: history of possible exposure to ticks in areas where Lyme disease is known to occur; signs and symptoms of the illness; and the results of blood tests used to detect whether the patient has antibodies to Lyme disease bacteria; and

**WHEREAS,** While the impact of Lyme disease is widespread, a large number of cases remain unreported or undiagnosed. The Center for Disease Control (CDC), as of 2012, estimated there were nearly 30,000 new cases of Lyme disease each year, however, only 10,000 cases were actually reported; and

**WHEREAS,** There are more than a dozen tick-borne illnesses in the United States, in addition to Lyme disease; one tick may carry more than one disease resulting in people receiving more than one "co-infection" from a single tick bite; and

**WHEREAS,** In 2017 both houses of the legislature passed a resolution proclaiming May 2017 as Lyme Disease Awareness Month in the State of New York. In the Resolution, the Legislature called on the CDC to reevaluate its guidance on Lyme and other tick-borne disease, and urged the National Institute of Health, Department of Defense, and other federal agencies to provide more funding for these diseases in light of the high number of cases found each year and the Wyoming County Board of Supervisors is supportive of the Resolution and increase in funding from the federal government; now therefore

**NOW, THEREFORE, BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor, the Legislature and the Department of Health to provide support and financial resources for statewide awareness on the threat of Lyme Disease and other tick-borne disease; 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 Department of Health, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 17-388  
(October 10, 2017)**

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

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**RESOLUTION SUPPORTING AN END TO ADMINISTRATIVE FUNDING 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

**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,** The reduction and potential 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,** New York State Department of Health (DOH) has frequently applied changing and inconsistent standards in what it allows as state aid claims; and

**WHEREAS,** State agency 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 and Zika;
- 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 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 the Governor to compensate, within the 2018-19 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 more of the public health services are eligible for 100 percent reimbursement of local expenditures:
  - a) Increase the base grant to Full Service LHDs (i.e. those with environmental health units) from \$650,000 to \$750,000;
  - b) Increase the base grant to Partial Service LHDs (i.e. those with environmental health units) from \$500,000 to \$550,000;
  - c) 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

**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 Health, the New York State Association of Counties and all others deemed necessary and proper

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #25**

**RESOLUTION NO. 17-389  
(October 10, 2017)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
VARIOUS CONTRACTS ON BEHALF OF PUBLIC HEALTH**

**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 Public Health:

- **H & H Roofing, Inc.**, 7430 Olean Road, #4, Holland, NY 14080 for replacement of gutters at the Health Department in an amount not to exceed eighteen thousand nine hundred sixty dollars (\$18,960.00); effective upon signature through completion of the project.
- **Freed Maxick CPA's PC**, 420 Main Street, Suite 800, Buffalo, NY 14202 for the preparation of the 2016 Diagnostic and Treatment Center (AHCF) Medicaid Cost Report in an amount not to exceed five thousand seven hundred dollars (\$5,700.00) plus direct expenses; effective August 1, 2017 through completion and upload of the cost report.

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 #26 through #32. Hearing no objection resolution titles were read.*

**#26**

**RESOLUTION NO. 17-390  
(October 10, 2017)**

October 10, 2017

By Mr. Kehl, Chairman of the Agriculture Committee:

### **NATIONAL 4-H WEEK PROCLAIMED**

**WHEREAS**, 4-H is America's largest youth development organization, having supported almost six million youth across the country thus far; and

**WHEREAS**, 4-H has helped 1,006 youth in Wyoming County, New York this year to become confident, independent, resilient and compassionate leaders; and

**WHEREAS**, 4-H is delivered by Cooperative Extension – a community of more than 100 public universities across the nation that provides experiences where young people learn by doing in hands-on projects in areas including health, science, agriculture and citizenship; and

**WHEREAS**, National 4-H Week showcases the incredible experiences that 4-H offers young people, and highlights the remarkable 4-H youth in Wyoming County who work each day to make a positive impact on those around them; and

**WHEREAS**, 4-H's network of 600,000 volunteers and 3,500 professionals provides caring and supportive mentoring to all 4-H'ers, helping them to grow into true leaders, entrepreneurs and visionaries; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, do hereby proclaim October 1–7, 2017 as **NATIONAL 4-H WEEK** throughout Wyoming County and encourage all of our citizens to recognize 4-H for the significant impact they have made and continue to make by empowering youth with the skills they need to lead for a lifetime; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors congratulates all 4-H'ers and volunteers, and encourages them to keep up the good work!

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

### **RESOLUTION NO. 17-391 (October 10, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

### **A RESOLUTION TO INCREASE STATE SUPPORT FOR CORNELL**

Regular Session



## **COOPERATIVE EXTENSION COUNTY ASSOCIATIONS IN THE STATE OF NEW YORK**

**WHEREAS**, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

**WHEREAS**, Local extension educators are key community partners in helping to implement state initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of the York's natural resources,, building opportunity through STEM based youth education and leadership skills in 4-FI, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

**WHEREAS**, Support from Federal, State and County sources is essential to the continued success of locally-governed county cooperative extension associations; and

**WHEREAS**, State appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224 (8) of the County Law have remained stagnant for seventeen years; and

**WHEREAS**, State funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports increasing the State appropriation for Cornell Cooperative Extension associations to \$8 million, such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law.

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

**RESOLUTION NO. 17-392  
(October 10, 2017)**

October 10, 2017

By Mr. Kehl, Chairman of the Agriculture Committee:

### **ORDER OF PROTECTION FOR DEER APPROVED**

**WHEREAS**, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tail deer population within the County of Wyoming due to anticipated weather conditions; now therefore,

**BE IT RESOLVED**, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2017 through April 1, 2018, under Article 7, Section 122 of the New York State Agriculture and Markets Law. *A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler*; and be it

**FURTHER RESOLVED**, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

*Perry Herald, Perry, New York*  
*Daily News, Batavia, New York*

and be it

**FURTHER RESOLVED**, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

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

### **RESOLUTION NO. 17-393 (October 10, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

### **CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED**

**BE IT RESOLVED**, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2018 through Midnight, December 31, 2018, under Article 7, Section 122 of the New York State Agriculture and Markets Law. *A dog shall not be deemed to be in violation of*

*such order if accompanied by and under the full control of the handler;* and be it

**FURTHER RESOLVED**, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

*Perry Herald, Perry, New York*  
*Daily News, Batavia, New York*

and be it

**FURTHER RESOLVED**, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #30**

**RESOLUTION NO. 17-394**  
**(October 10, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION SUPPORTING HIGH SCHOOL AGRICULTURAL  
 EDUCATION, AG IN THE CLASSROOM (AITC), NEW YORK  
 ASSOCIATION OF AGRICULTURAL EDUCATORS (NYAAE) AND  
 NEW YORK FUTURE FARMERS OF AMERICA  
 (NYFFA)**

**WHEREAS**, The agriculture education programs of New York Ag In the Classroom, New York Association of Agricultural Educators, and New York Future Farmers of America (FFA), coordinated through Cornell University's Agriculture Education Outreach initiative, deliver affordable, high quality agriculture education programs, events and services that support local schools, teachers and students; and

**WHEREAS**, Combined, this programming annually reaches over 135,000 students and more than 400 educators each year through FFA, Ag Ed, or AITC; and, more specifically, New York currently has 145 secondary agriculture education programs in its high schools and BOCES centers with 4,289 FFA members and more than 70 schools statewide seeking to start new agriculture programs and FFA chapters; and

**WHEREAS**, School-based Agricultural Education is a proven delivery model for Career and Technical Education (CTE) and Science, Technology,

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Engineering and Math (STEM) education; and students enrolled in STEM-based Agricultural Education will be the next generation of biotechnologists, environmental engineers, food scientists, and hundreds of agriculturally-related careers that will improve the food supply by producing higher yields with greater food safety standards; and

**WHEREAS,** Formal, classroom-based Agricultural Education in New York's high schools engages and prepares students for a lifetime of informed choices and careers in the agriculture industry; and

**WHEREAS,** School-based Agricultural Education and FFA Programs play an important role in augmenting various County Farmland Protection Plans; and

**WHEREAS,** The preparation, support, and retention of quality, certified agriculture educators are key components to the success of agriculture education and FFA programs throughout the state.

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors supports the use of state funds to support all components of the Cornell University Agricultural Education Outreach Program, including coordination of Pre-K through grade 12 Agriculture in The Classroom, secondary level agriculture education and FFA programs, and professional development and support to the New York Association of Agriculture Educators (NYAAE); and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors supports funding that enhances opportunities in STEM agricultural education by providing technical training for teachers, updating facilities, and purchasing equipment and supplies necessary to enhance and/or build agriculture education programs that will provide an adequate workforce to grow, harvest, transport, and market the products we need for our growing population; 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 Senate Agriculture committee members, the New York Commissioner of Agriculture and Markets, the New York State Association of Counties and all others deemed necessary and proper.

**FURTHER RESOLVED,** that copies of this resolution be sent to the Governor of the State of New York, New York State Assembly and Senate Agriculture committee members, and New York Commissioner of Agriculture and Markets.

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

**RESOLUTION NO. 17-395  
(October 10, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION ENHANCING SCHOOL PARTICIPATION IN THE NEW  
YORK FARM2SCHOOL PROGRAM AND URGING INCREASED  
STATE REIMBURSEMENT FOR THE PURCHASE OF SCHOOL  
LUNCHES**

**WHEREAS**, Farm-to-School programs promote the use of fresh, locally sourced foods in school meals; and

**WHEREAS**, Such programs can enhance nutritional and educational opportunities for children while at the same time benefitting local farmers and New York State's overall agricultural economy; and

**WHEREAS**, The New York State Farm to School Program was created in 2002 under the jurisdiction of both the Department of Agriculture and Markets and the New York State Education Department with a purpose of connecting schools with local farms and food producers to strengthen local agriculture, improve student health and promote regional food systems awareness; and

**WHEREAS**, Creating opportunities for schools to purchase more healthy food produced in New York is highly consistent with efforts in New York State to strengthen economic opportunities for New York's farmers through events and programs like the Yogurt Summit, Farm to Table Upstate-Downstate Agriculture Summit, Fresh Connect Program, and Taste NY; and

**WHEREAS**, New York is in the top five producers in America in nearly 15 fruits, vegetables and dairy products — ranging from apples to sweet corn to milk and Greek yogurt — and produce these healthy foods through associated food processors and other businesses which annually generate more than \$46 billion in economic activity in New York; and

**WHEREAS**, State legislation has set the current reimbursement rate of .0599 cents per lunch meal and has not increased this reimbursement rate in many years, and the low reimbursement rate hinders the ability of school districts to purchase fresh, nutritious, locally grown New York State food products; and

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**WHEREAS,** That the Wyoming County Board of Supervisors recognizes the important role of New York agriculture in connecting our state's agriculture industry with the opportunity to provide and serve students with fresh, locally sourced, healthy and nutritious school-based meals, now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors encourages the State Legislature enact a school lunch reimbursement formula that provides schools with additional funding with the stipulation that increases be used to purchase locally grown, fresh food options; and

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors recommends the State Legislature increase the current reimbursement rate of \$ .0599 per lunch to at least \$.0799 per lunch; and be it

**FURTHER RESOLVED,** That the state should consider implementing a reimbursement rate that would be dependent upon the percentage of locally grown and produced products schools purchase each year with the New York State Department of Agriculture and Markets providing guidance for schools, farmers, food processors, and distributors that could provide such foods grown or produced in New York to purchase, with input from experts such as the Governor's Council on Food Policy; and be it

**FURTHER RESOLVED** That the Wyoming County Board of Supervisors recommends creating dedicated funding for schools to purchase healthy foods grown in New York, such as fruits and vegetables, milk and yogurt, and other foods; 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:**  
#32

**RESOLUTION NO. 17-396**  
**(October 10, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION SUPPORTING RE-ESTABLISHMENT AND  
DEVELOPMENT OF THE AGRICULTURE EDUCATION TEACHER**

Regular Session

## **TRAINING AND CERTIFICATION PROGRAM AT NEW YORK STATE'S LAND GRANT INSTITUTION**

**WHEREAS,** Agriculture is New York's number one industry and provides our citizens and residents with a wide variety of affordable, fresh, nutritious, high quality agriculture foods and products; and

**WHEREAS,** While less than two percent of the population work in production agriculture or farming, more than 24 percent of our workforce is employed in more than 200 different jobs and careers that support production agriculture or the processing, marketing, and distribution of agricultural products to consumers; and

**WHEREAS,** The agriculture industry is facing a workforce shortage at all education levels; and

**WHEREAS,** School based, secondary agriculture education programs are critical to introducing students to agriculture degree pathways and career pathways; and

**WHEREAS,** The development of school-based, secondary agriculture education programs and need for well-trained, certified agriculture education instructors continues to grow; and

**WHEREAS,** Federal legislation of the Morrill Land-Grant Acts through U.S. Representative Justin Morrill established land grant universities to "teach such branches of learning as are related to agriculture and the mechanic arts" and in order to maintain their status as land-grant colleges and receive federal funds, a number of programs are required to be maintained by the college, including agriculture; and

**WHEREAS,** Cornell University was founded as the land-grant university of New York State under the Morrill Act of 1862 and today, as New York's only land grant college, is recognized as a world leader in agriculture studies; and

**WHEREAS,** Cornell University previously offered an on-campus, agriculture education teacher training and certification program, but currently does not offer such a degree program, now there fore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Cornell University President Martha E. Pollack to re-establish and develop an Agriculture Education teacher certification program based on campus at Cornell University; and be it

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**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, Cornell University President Martha E. Pollack, the SUNY Chancellor, the State Commissioner of Education, the New York State Association of Counties and all others deemed necessary and proper.

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

*Supervisor Kehl, T/Attica was called on to present the National 4-H Week proclamation but before that presentation Chairman Berwanger asked Supervisor Brick, T/Perry, a member of the Cornell Cooperative Extension of Wyoming County's Board of Directors to introduce the newly appointed Executive Director, Laura Fuller. Ms. Fuller was selected after a nationwide search acknowledging that Wyoming County's 4-H program is the largest in New York State.*

*Supervisor Kehl invited Ms. Fuller and Joan Petzen to join him at the podium. Supervisor Kehl thanked Ms. Petzen, once again for filling the role of Executive Director during the search for Exec. Director Fuller...*

*On behalf of the hardworking 4-H team at Extension, Ms. Petzen thanked the Board of Supervisors.*

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #33 through #37. Hearing no objection resolution titles were read.*

**#33**

**RESOLUTION NO. 17-397  
(October 10, 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 when compared to their counterparts with access to broadband; 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, 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,** Phase I awarded \$54.2 million to telecommunication providers, which allowed for 25 projects in eight upstate regions and connected 34,127 homes and 2,044 businesses and community anchors (libraries, hospitals, schools) to high-speed broadband; and

**WHEREAS,** Phase II awarded \$212 million to telecommunication providers, which allowed for 52 projects in eight upstate regions and connected 82,463 homes and 7,051 businesses and community anchors; and

**WHEREAS,** Round III, launched on March 30, 2017, targets all remaining communities across the state that currently lack broadband access and is supported by the Federal Communications Commission (FCC), which allocated up to \$170 million from the Connect America Fund (CAF) to address eligible unserved areas of New York; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors supports the "New NY Broadband Program" and calls on Governor Cuomo and leadership within the BPO to continue their commitment to prioritizing broadband services to unserved and underserved areas statewide; 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.

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**RESOLUTION NO. 17-398**  
**(October 10, 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 energy 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,** 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 encourage utilities to facilitate more rapid connections to the electricity grid; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the New York State Public Service Commission to identify and prioritize solutions to resolve the ongoing delays 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: 1599      Noes:      Absent:      Abstain: #35**

**RESOLUTION NO. 17-399  
(October 10, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING THE CREATION OF AN INDUSTRY-  
SPONSORED PAINT STEWARDSHIP PROGRAM TO REDUCE THE**

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**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 statewide 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 the Governor 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: 1599      Noes:      Absent:      Abstain:**

**RESOLUTION NO. 17-400  
(October 10, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION URGING THE GOVERNOR TO SIGN SENATE BILL  
S.2122A (O'MARA) AND ASSEMBLY BILL A.18414 (MORELLE)  
WHICH REQUIRES PROPERTY SUBJECT TO A PILOT TO BE  
INCLUDED IN THE TAX BASE GROWTH FACTOR**

**WHEREAS**, New York State's counties supported the inclusion of the quantity change factor in the original tax cap legislation in order to not penalize local communities experiencing strong economic growth and development; and

**WHEREAS**, The inclusion of this factor allows a municipality's tax levy to increase due to "quantity change," including new growth and/or significant additions to existing properties; and

**WHEREAS**, A community that sees this expanded development must pay for the necessary public services and infrastructure to support the growth but is not allowed to proportionately grow their tax base under the current tax cap provisions; and

**WHEREAS**, This situation hampers the ability of local governments to ensure a high level of services for residents and, over time, will be counterproductive to the state's economic development and job creation goals; and

**WHEREAS**, The average IDA project investment is \$18 million and there are approximately 4,600 active IDA projects, the overall impact of this exclusion to taxing jurisdictions is significant; and

**WHEREAS**, In June 2017, both chambers of the New York State Legislature passed legislation that would require assessed property under an IDA PILOT agreement to be made part of the calculation for determining a taxing jurisdiction's quantity change factor; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors urges the Governor to sign S.2122A (O'Mara)/A.1841A (Morelle), which requires property subject to a PILOT to be included in the Tax Base Growth Factor; 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

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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: #37**

**RESOLUTION NO. 17-401  
(October 10, 2017)**

By Mr. Leuer, Chairman of the Planning 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 US 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 lists to reach all living quarters and associated population for inclusion in the census; and

**WHEREAS**, Participating in LUCA 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

**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 census counts; and

**WHEREAS**, The Census Bureau has sent registration forms to counties and local governments this summer, encouraging them to sign up to participate in LUCA; and

**WHEREAS**, Participation in LUCA will require additional resources, time, and attention on the part of municipal leaders and their designated staff members; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors encourages New York State to provide resources and funding to the counties, municipalities, and regional planning commissions that are participating in the US Census Bureau's Local Update of Census Addresses Program; 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 Board of Elections, the New York State Association of Counties and all others deemed necessary and proper.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #38 through #55. Hearing no objection resolution titles were read.*

**#38**

**RESOLUTION NO. 17-402  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE STATE TO REIMBURSE  
COUNTIES FOR THE TEMPORARY DETAINMENT OF PAROLE  
VIOLATORS AT LOCAL CORRECTIONAL FACILITIES**

**WHEREAS**, Those who violate their parole are often held at local correctional facilities while appeals and extensions on hearing the violation are granted by the court; and

**WHEREAS**, The parole violator must appear before the court within 10 business days of the court's notice to appear; and

**WHEREAS**, The time the violator spends in the local correctional facility is credited to their sentence and oftentimes their additional sentence is served in a local correctional facility; and

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**WHEREAS,** This is causing a financial and personnel strain on local correctional facilities; and

**WHEREAS,** S.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after 10 days in a local correctional facility; and

**WHEREAS,** The legislation also requires Department of Correctional and Community Supervision (DOCCS) to reimburse the local facility for the cost of the temporary detainment of the parole violator if they are not transferred to a DOCCS facility within 10 days; and

**WHEREAS,** Operating local jails imposes a significant cost to counties. It is important to implement policies that require the state to be responsible for the costs of detaining state parole violators. This bill has the potential to provide fiscal relief for counties; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to support legislation that requires parole violators be transferred to state correctional facilities after 10 days or reimburse counties for temporary detainment of parole violators; 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: #39**

**RESOLUTION NO. 17-403  
(October 10, 2017)**

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

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY  
REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY  
INCREASES SET 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 in 2016 and \$203,000 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,** For over 50 years, the state has funded all 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,** This salary increase recommendation occurred well after all counties set their 2016 budgets in law; and

**WHEREAS,** To the extent that the Commission's recommendations do, in fact, supersede the provisions of Judiciary Law section 221-d as applicable to District Attorney's annual salary; and

**WHEREAS,** DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

**WHEREAS,** The State Legislature enacted two consecutive state budgets in 2016 and 2017, both in excess of \$150 billion, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; 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 represents approximately 1/3 of their total allowable property tax growth for all government operation, now therefore

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**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the State of New York to immediately pass legislation and pay for this increase and not pass this unfunded mandate on to local taxpayers; and be it

**FURTHER RESOLVED,** That 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: 1599      Noes:      Absent:      Abstain: #40**

**RESOLUTION NO. 17-404  
(October 10, 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  
COMMUNICATION DEVICES AND USE REVENUES TO FINANCE  
COUNTY 9-1-1**

**WHEREAS,** The State of New York imposes a \$1.20 public safety surcharge on "contract telephones," and a \$.90 public safety surcharge on prepaid devices 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,** In the 2017/18 enacted State Budget included language to apply a \$1.20 public safety surcharge to include pre-paid devices, \$.90 for the state and \$.30 for county run 9-1-1 centers; and

**WHEREAS,** We thank the State Legislature and Governor Andrew Cuomo for enacting this surcharge on pre-paid wireless devices; and

**WHEREAS,** Counties provide 9-1-1 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**, Even with the recent modernization for financing 9-1-1 systems, these new mechanisms will not 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 calls upon Governor Andrew M. Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency needs; 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: 1599      Noes:      Absent:      Abstain: #41**

**RESOLUTION NO. 17-405  
(October 10, 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

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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 that 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/A4581 Blankenbush 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: 1599      Noes:      Absent:      Abstain: #42**

**RESOLUTION NO. 17-406  
(October 10, 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-arraignment 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

**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 ensure that counsel for all parties are present at all crucial proceedings, including arraignment and other initial appearances; and

**WHEREAS,** This allows 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 to use 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: 1599      Noes:      Absent:      Abstain: #43**

**RESOLUTION NO. 17-407  
(October 10, 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), 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

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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**, S.2125 (Ritchie)/A.6930 (Abinanti) prohibits civilian drone use within one thousand feet of a correctional facility; and

**WHEREAS**, Violating this provision shall result in a civil penalty of \$1000 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 8.2125 (Ritchie)/A.6930 (Abinanti) prohibiting civilian drone use within 1000 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: 1599      Noes:      Absent:      Abstain: #44**

**RESOLUTION NO. 17-408  
(October 10, 2017)**

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

**RESOLUTION CALLING ON GOVERNOR CUOMO TO OPT INTO  
THE FEDERAL FIRST RESPONDER NETWORK AUTHORITY  
(FIRSTNET) "WITH NEGOTIATION STATUS"**

**WHEREAS**, In February of 2012, the Middle Class Tax Relief and Job Creations Act created the First Responder Network Authority (FirstNet); and

**WHEREAS,** The law gave FirstNet the mission to build, operate, and maintain the first high-speed, nationwide wireless broadband network dedicated to public safety; and

**WHEREAS,** In August 2013, FirstNet and the Federal Emergency Communications Preparedness Center (ECPC), established the FirstNet Consultation Focus Group to consult with federal, state, tribal, and local public safety entities on the development of the nationwide public safety broadband network (NPSBN); and

**WHEREAS,** This partnership with AT&T will build and maintain an enormous public safety broadband network that will strengthen our state and county emergency communication services; and

**WHEREAS,** The implementation of this plan in our state will allow for mission critical, high speed data services to supplement the voice capability of the current Land Mobile Radios (LMR); and

**WHEREAS,** FirstNet will allow our local 9-1-1 dispatchers and law enforcement the ability to send, receive data, video, images, text as well as voice communications on a reliable and secure system; and

**WHEREAS,** FirstNet will improve the communication of all emergency services, both local and state, as well as provide services to unserved and underserved rural areas in our counties and across the state; 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 Andrew M. Cuomo to have the state opt into the federal FirstNet program "with negotiation status" so the state and local needs can be factored in; and be it

**FURTHER RESOLVED,** FirstNet's mission has highlighted the importance of local input to ensure public safety priorities. Many of our county 9-1-1 dispatchers, law enforcement and police/fire are the first responders who will be working on this network and provide the services needed to secure the safety of those throughout our 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: 1599      Noes:      Absent:      Abstain:**

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**RESOLUTION NO. 17-409**  
**(October 10, 2017)**

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

**RESOLUTION SUPPORTING A STATEWIDE LAW ENFORCEMENT  
RECORDS MANAGEMENT SYSTEM**

**WHEREAS**, A statewide records management system is an invaluable tool to provide all law enforcement agencies with an all-inclusive information sharing tool; and

**WHEREAS**, Statewide systems can provide not only incident-based reporting tools, but other features including evidence and property management, field contact, equipment inventory, fleet and personnel management; and

**WHEREAS**, Statewide systems enhance real-time information sharing, improves data delivery, and allows data to be shared with federal and other state agencies; and

**WHEREAS**, A statewide system in New York will reduce costs, improve investigation efficiencies, and allow for more strategic decision-making by local and state police agencies; and

**WHEREAS**, The current record management system available to local police agencies in the State is an aging system and not capable of providing all the investigative tools that enhance the ability of law enforcement to navigate the criminal investigation process, reduce response time, and improve public safety; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors encourages appropriate state agencies to create and implement an effective statewide records management system for all state and local municipalities; and be t

**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:**



**RESOLUTION NO. 17-410  
(October 10, 2017)**

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

**RESOLUTION SUPPORTING TIMELY COUNTY CORRECTION  
OFFICER, DEPUTY SHERIFF, PROBATION OFFICER AND COUNTY  
DISPATCHER ELIGIBLE LISTS FROM NEW YORK STATE  
DEPARTMENT OF CIVIL SERVICE**

**WHEREAS**, Sheriffs, Probation Directors and 911 Directors must be able to constantly and quickly fill vacant correction officer positions in order to provide a safe and secure jail and to protect inmates, staff, visitors and the community; and

**WHEREAS**, Sheriffs, Probation Directors and 911 Directors are limited to hiring staff from eligible lists established by local civil service commissions or by personnel directors; and

**WHEREAS**, Sheriffs, Probation Directors, and 911 Directors are mandated by state law to comply with minimum staffing requirements for each county jail, as established by reporting agencies; and

**WHEREAS**, When Sheriffs, Probation Directors, and 911 Directors are unable to fill vacant positions due to the lack of an eligible list or limited numbers of eligible candidates on those lists, other personnel must work overtime causing substantial overtime payments by the county and very significant stress to the officers who are often required to work extra hours; and

**WHEREAS**, Delays in the creation of a civil service eligible list also cause logistical problems for Sheriffs, Probation Directors, and 911 Directors who must schedule required training schools and sessions, and prevent Sheriffs, Probation Directors and 911 Directors from deploying personnel until that training has been completed; and

**WHEREAS**, There have recently been significant delays in the creation of eligible lists for the position of correction officer, deputy sheriffs, probation officers, and 911 dispatchers and a reduction in the number of tests provided by the State Civil Service Department; now therefore

**BE IT RESOLVED**, That the Wyoming Board of County Supervisors joins the NYS Sheriffs Association in support of the adequate and timely testing

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of correction officer, deputy sheriff, probation officer, and 911 dispatcher candidates; and be it

**FURTHER RESOLVED**, That a conference with the Commissioners of the Civil Service Commission is appropriate to determine what steps can be taken to improve the testing process so that Sheriffs, Probation Directors and 911 Directors and counties will have adequate and timely civil service eligible lists in order to hire required personnel at their public safety posts; 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: #47**

**RESOLUTION NO. 17-411  
(October 10, 2017)**

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

**RESOLUTION SUPPORTING FAMILIAL DNA DATA BASE USE  
WHEN APPROPRIATE**

**WHEREAS**, The majority of elected Sheriffs in New York State provide criminal law enforcement services to their counties, which includes the investigation of violent crimes; and

**WHEREAS**, Advances in DNA collection and analysis have facilitated the solving of crimes that would not otherwise have been solved using traditional investigatory procedures; and

**WHEREAS**, The law currently only allows for the release of identifying information of an individual whose DNA is already in the State database upon a match or partial match to a DNA sample submitted from a crime scene; and

**WHEREAS**, It is technologically possible to identify family members, whose DNA profile is in the State database, of an individual whose DNA is collected from a crime scene; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors

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supports the proposed regulations put forth by the New York State Division of Criminal Justice Services that would allow for the release of DNA database information when it is determined that there is a familial connection between a recorded offender and a sample collected from the scene of a violent crime, and that such support be submitted in writing during the public comment period for such regulations; 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: #48**

**RESOLUTION NO. 17-412  
(October 10, 2017)**

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

**RESOLUTION CALLING UPON THE NEW YORK STATE  
LEGISLATURE TO AMEND NAVIGATION LAW 49-A IN AN EFFORT  
TO STOP BOATING WHILE INTOXICATED**

**WHEREAS**, Boaters operating watercraft when under the influence of alcohol and/or drugs is a problem that seems to be on the rise based upon the number of accidents and injuries reported recently; and

**WHEREAS**, Impairment by alcohol and/or drugs may be considered to be even more dangerous when in the context of a boating environment for several reasons including but not limited to that:

1) a boater must, in addition to dealing with starting, stopping, and situational awareness, deal with wind, weather, the lack of mechanical advantage for braking, steering, and progression which makes the impairment of visual cognition, judgment, and coordination far more critical;

2) the motion, vibration, noise in the environment, and need to balance accelerate the operator's impairment; and

3) the average boater spends only a limited amount of time on the water annually making them much more in need of concentration and clarity to perform routine functions; and

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**WHEREAS**, Section 49-a of the Navigation Law contains the legal aspects of Boating While Intoxicated ("BWI") enforcement in New York State; and

**WHEREAS**, Navigation Law Section 49-a, while well-intentioned and useful, contains some weaknesses such as failing to compel chemical tests (49-a(7)), containing a flawed definition of intoxication (49-a(2)[b]), and failing to define vessels or operation in a broad enough sense to cover all aspects of recreational boating; and

**WHEREAS**, BWI laws should be strengthened so that they can have a significant impact in order to prevent accidents, injuries, and deaths as opposed to simply reacting after these negative events have occurred; and

**WHEREAS**, Funding for state, county, and municipal navigation enforcement have been systematically cut for over two decades with increased shrinkage to followed recently proposed tax caps on local government; now therefore

**BE IT RESOLVED**, That upon the review and recommendation of the Public Safety Committee that the Wyoming County Board of Supervisors call upon the New York State Legislature to amend Navigation Law 49-a to close the aforementioned loopholes, make it mirror exactly the motor vehicle laws (VTL 1192,) and allow for suspension of operating privilege to include all motorized vehicles upon conviction under either VTL 1192 or NL 49-a, and be it

**FURTHER RESOLVED**, Return of adequate funding to state, county, and municipal enforcement units to ensure rapid and certain interdiction of BWI violators on the waters of New York 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: 1599      Noes:      Absent:      Abstain: #49**

**RESOLUTION NO. 17-413  
(October 10, 2017)**

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

**RESOLUTION SUPPORTING STATEWIDE BALLOT PROPOSAL**

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**NUMBER THREE THAT WILL CREATE A LAND ACCOUNT TO ADDRESS SPECIFIC PUBLIC HEALTH AND SAFETY CONCERNS FOR USE BY TOWNS, VILLAGES AND COUNTIES HAVING NO VIABLE ALTERNATIVE OTHER THAN USING FOREST PRESERVE LAND**

**WHEREAS,** The State Forest. Preserve lands, in many instances, border local and state highways where local government needs to use a portion of that land to straighten a dangerous road, replace a culvert to prevent floods, create a safer bike path, drill a water supply well or install broadband and other critical infrastructure, and

**WHEREAS,** The proposed Amendment will create a land account with up to 250 acres of Forest Preserve land eligible for use by towns, villages, and counties that have no viable alternative to using Forest Preserve land to address specific public health or safety concerns; and

**WHEREAS,** As in exchange for the land removed from the Forest Preserve, another 250 acres of land, will be added to the Forest Preserve, subject to Legislative approval, and

**WHEREAS,** The proposed Amendment also will allow bicycle trails and certain public utility lines to be located within the width of specified highways that cross the Forest Preserve while minimizing removal of trees and vegetation.

**WHEREAS,** The State Constitution has been amended to allow such projects in the past requiring approval by two separately elected state legislatures and a statewide referendum, and

**WHEREAS,** There exists currently a NYS DOT Landbank for State Road projects which has a long-standing track record of success, and

**WHEREAS,** If approved by voters, Ballot Proposition #3 would eliminate the time-consuming and costly bureaucratic process for completing important road maintenance, utility installation and bicycle path creation projects in the Adirondacks and Catskills, a process not faced by communities in any other part of the state, and

**WHEREAS,** The Amendment has wide bi-partisan support from local governments, environmental protection organizations, business groups, recreational enthusiasts and others for two simple reasons: It's for the public good and it's rooted in plain old common-sense, and

**WHEREAS,** This Amendment represents the best possible solution to

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long standing or continuing issues, which local government leaders have worked for many years to resolve, and

**WHEREAS,** Ballot Proposal #3 warrants the support of the voters of New York State; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby support Ballot Proposal Number #3, which is deemed critically important to our communities, the Forest Preserve, the environment, and the People of the State of New York; 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: #50**

**RESOLUTION NO. 17-414  
(October 10, 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 authorized to sign a grant application and acceptance award with New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office. Said funding is for domestic violence services in a minimum amount of thirty-two thousand six hundred twenty-three dollars and eighty-four cents (\$32,623.84); effective January 1, 2018 through December 31, 2018.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #51**

**RESOLUTION NO. 17-415  
(October 10, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MICHAEL J. FLAHERTY, ESQ. ON BEHALF OF THE DISTRICT ATTORNEY**

**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 Michael J. Flaherty, Esq., 329 Elmwood Avenue, Buffalo, NY 14222 on behalf of the District Attorney's Office. Said contract to provide special prosecution services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #52**

**RESOLUTION NO. 17-416  
(October 10, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION OF CRIMINAL 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 authorized to sign a grant application and acceptance award with New York State Division of Criminal Services, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office. Said funding is for Aid to Prosecution in a minimum amount of thirty thousand two hundred dollars (\$30,200.00); effective October 1, 2017 through September 30, 2018.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #53**

**RESOLUTION NO. 17-417  
(October 10, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND**

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**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 Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Building 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said funding is from the Emergency Management Performance Grant for fiscal year 2017 in a minimum amount of twenty thousand six hundred eighty-eight dollars (\$20,688.00); effective October 1, 2016 through September 30, 2018.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#54

**RESOLUTION NO. 17-418  
(October 10, 2017)**

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

**RESOLUTION NUMBER 16-217 AMENDED**

**WHEREAS**, Resolution Number 16-217 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT PARTICIPATION AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**” was passed by this Board of Supervisors on May 10, 2016 and provided for FY2016 Emergency Management Performance Grant in a minimum amount of twenty thousand seven hundred ninety-one dollars (\$20,791.00); effective October 1, 2015 through September 30, 2017; now therefore

**BE IT RESOLVED**, That Resolution Number 16-217 be hereby amended to extend the expiration date from September 30, 2017 through *December 31, 2017*. All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#55

**RESOLUTION NO. 17-419  
(October 10, 2017)**

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

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## RESOLUTION NUMBER 17-228 RESCINDED

**WHEREAS**, Resolution Number 17-228 entitled, “**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**” was passed by this Board of Supervisors on May 9, 2017 and provided 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; now, therefore

**BE IT RESOLVED**, That Resolution Number 17-288 be hereby rescinded in its entirety. (*Duplication of Resolution Number 17-351*)

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #56 and #57. Hearing no objection resolution titles were read.*

**#56**

## RESOLUTION NO. 17-420 (October 10, 2017)

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

### RESOLUTION CALLING ON NEW YORK STATE LEADERS TO CONSIDER ALTERNATIVE FUNDING MECHANISMS TO PROVIDE MORE ADEQUATE AND CONSISTENT INVESTMENTS IN LOCAL INFRASTRUCTURE PROJECTS

**WHEREAS**, We are living in an age where New York State's infrastructure needs far exceed the funding available; and

**WHEREAS**, Existing funding sources are either inadequate or add to the increasingly serious debt situation facing New York State; and

**WHEREAS**, The American Society of Civil Engineers (ASCE) reported startling facts about the state of New York State's infrastructure, including 403 high hazard dams, 2,169 bridges that are structurally deficient, and that approximately 60 percent of the major roads are of a poor or mediocre quality; and

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**WHEREAS,** The ASCE also estimates that within the next 20 years that \$27 billion is needed to upgrade drinking water systems in the state, and \$29.7 billion is needed for wastewater systems; and

**WHEREAS,** From the local perspective, municipally-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,** Estimates suggest that New York State spends as much on debt service as it does on the total \$440 million in CHIPS funding allocated in the most recent State Budget; and

**WHEREAS,** The combination of CHIPs funding bonds initiated at the New York State Thruway Authority and PIT Bonds is approximately \$8 billion, a figure that increases yearly, along with its debt service costs; and

**WHEREAS,** The funding that is allocated to localities is spread thin and used to do more paving projects that will need to be maintained or rebuilt within a shorter time frame than traditional capital construction projects; now therefore

**BE IT RESOLVED,** That New York State leaders need to consider alternative funding mechanisms that will provide more adequate and consistent flow of investments in local infrastructure projects; and be it

**FURTHER RESOLVED,** That some of the ideas that could be considered include, but are not limited to: targeting a share of the legal settlement monies for local infrastructure projects or for paying down the state's CHIPs bond debt, or adapt the gas tax and dedicate additional revenue to county road and bridge capital projects; 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.

<b>Carried: XXX</b>	<b>Ayes: 1599</b>	<b>Noes:</b>	<b>Absent:</b>	<b>Abstain:</b>
				<b>#57</b>

**RESOLUTION NO. 17-421**  
**(October 10, 2017)**

Regular Session

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 the state of New York State's infrastructure, including 403 high hazard dams, 2,169 bridges that are structurally deficient, and that 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 that \$27 billion is needed to upgrade drinking water systems in the state, and \$29.7 billion is needed for wastewater systems; and

**WHEREAS**, From the local perspective, municipally-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 to attract increased trade, economic development and revitalization, to create new and retain existing businesses and jobs, to provide safe transportation to and from schools, businesses, farms, hospitals and health care facilities, 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 transportation, water, and utility and health systems; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby calls on the President and members of the New York State delegation to direct an appropriate share of any federal infrastructure program investments to counties and local governments who oversee many of the roads, bridges, water, sewer, and airport systems in New York State; and be it

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**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, 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:**

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #58 through #76. Hearing no objection resolution titles were read.*

**#58**

**RESOLUTION NO. 17-422  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SPECTRUM ENTERPRISE, 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 Spectrum Enterprise, Inc., 20 Century Hill Drive, Latham, NY 12110 on behalf of Information Technology. Said contract to provide 50 mb fiber internet service in an amount not to exceed seven hundred twenty dollars (\$720.00) per month and Metro E fiber 50 mb connection for the Department of Social Services, Public Health and Thompson Hall in an amount not to exceed eight hundred forty dollars (\$840.00) per month for each department for a total contract amount not to exceed thirty-eight thousand eight hundred eighty dollars (\$38,880.00) per year for a minimum twelve (12) month period. *NYS Contract PS63596*. Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:  
#59**

**RESOLUTION NO. 17-423  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

Regular Session

**RESOLUTION HONORING 2017 AS THE 100<sup>th</sup> ANNIVERSARY OF  
WOMEN'S SUFFRAGE IN NEW YORK STATE**

**WHEREAS**, This year, 2017, celebrates the one hundredth anniversary of the passage in New York State of the Suffrage Act, granting women in New York the right to vote in local and state elections; and

**WHEREAS**, New York State is home to the first-ever Women's Rights Convention, held in Seneca Falls on July 19-20, 1848; organized by Lucretia Mott and Elizabeth Cady Stanton; and

**WHEREAS**, Sixty-nine years later, on November 6, 1917, women in New York State won the right to vote; and

**WHEREAS**, New York was the first State in the eastern U.S. to successfully approve women's suffrage, an act that led to the passage of the 19<sup>th</sup> Amendment to the United States Constitution recognizing the right for women to vote across the nation in 1920; and

**WHEREAS**, The story of how women won the right to vote is an integral part of New York State and its counties; and

**WHEREAS**, Women have made a significant contribution as leaders in New York's counties; and

**WHEREAS**, This year, the New York State Association of Counties established the NYSAC Women's Leadership Council to provide resources for and support to women holding county office and to engage women in seeking leadership positions in their communities and within NYSAC; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby recognizes and celebrates the crucial role that women of all races and ethnic and political backgrounds have played in New York's history, as well as their important role in NYSAC today; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors recognizes and celebrates 2017 as the one-hundredth anniversary of women's suffrage in New York 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.

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**RESOLUTION NO. 17-424**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE CONGRESSIONAL  
DELEGATION TO PRESERVE THE FEDERAL INCOME TAX  
DEDUCTION FOR STATE AND LOCAL TAXES**

**WHEREAS**, Congress is proposing significant reforms to the federal tax system; and

**WHEREAS**, Under current federal law there is a deduction for state and local taxes and this deduction has been in place since the federal income tax was instituted in 1913; and

**WHEREAS**, The deductibility of these taxes prevents double taxation, since state and local taxes are mandatory payments; and

**WHEREAS**, States and local governments use revenues from property, income, sales and other locally generated resources to finance infrastructure, pay for K-12 education, support higher education and job training, provide for public safety and health, and implement a large array of federally mandated health and human service programs; and

**WHEREAS**, The deductibility of these state and local taxes allows them to maintain authority over local tax structures that support the public good; and

**WHEREAS**, Eliminating the deductibility of state and local taxes would represent double taxation on all Americans, a principle strongly rejected throughout the rest of the federal tax code; and

**WHEREAS**, In 2015, nearly 96 percent of all federal income tax itemizers took the state and local deduction; and

**WHEREAS**, Over 36 million individuals and families making under \$200,000 claimed this deduction in 2015; and

**WHEREAS**, The families taking this deduction accounted for 53 percent of the total amount of double taxation avoided in 2015; and

**WHEREAS,** In New York State as of 2014, over 34 percent of taxpayers itemize their federal income taxes, claiming \$67 billion in deductions for state and local taxes, representing over 13 percent of all state and local tax deductions claimed nationwide; and

**WHEREAS,** New Yorkers claim the highest average deductions of any state in the nation, at \$36,000, on their federal income taxes, with more than two-thirds of these deductions related to state and local taxes; and

**WHEREAS,** Eliminating the federal deductibility of state and local taxes will imperil the delivery of public services in New York, many of which are mandated by the federal government, and may increase the effective federal income tax rate for many New Yorkers; and

**WHEREAS,** New York State has been a "donor" state for federal income tax purposes for decades, meaning we pay far more in taxes to the federal government than we get back in federal payments and grants; and

**WHEREAS,** This consistent "donor" status requires the state to raise more revenues locally via state and local taxes to help pay for necessary services and infrastructure for state residents, and to finance federally mandated programs because federal revenues are insufficient to cover the costs of these local services as well as pay for federally mandated programs, regulations, and rules; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the New York State Congressional Delegation to preserve the federal deductibility of state and local taxes to prevent double taxation and to ensure New York's "donor" state status with the federal government is not made worse; and be it

**FURTHER RESOLVED,** That the Clerk to the Board shall forward copies of this resolution to the President of the United States, 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: #61**

**RESOLUTION NO. 17-425  
(October 10, 2017)**

October 10, 2017

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION SUPPORTING THE GOVERNOR'S INITIATIVE TO  
MATCH STATE JUDGMENT INTEREST RATES WITH FEDERAL  
LEVELS**

**WHEREAS,** The option to appeal a civil case court ruling is a fundamental right in the United States; and

**WHEREAS,** In New York State, defendants in civil case are required to pay interest on an original judgment until an appellate division determination is made; and

**WHEREAS,** Under State Law, judgment interest rates are set at 9 percent; and

**WHEREAS,** This judgment interest rate was set in Law in the 1970's, when 9 percent matched the federal interest rate and at a time, and when there were fewer cases in the court, so there was a quicker appeals process; and

**WHEREAS,** Today, due to court backlogs, the current appeals process can take months or years to be resolved, and in some instances interest penalties can exceed the underlying award; and

**WHEREAS,** Too often, a county must forfeit their right to appeal a case due to the costs associated with the interest payments during the appeal process; and

**WHEREAS,** Today, federal interest rates and federal judgment interest rates are below 2 percent; and

**WHEREAS,** The 2017-2018 Governor's Executive Budget proposed a simple and equitable solution to this problem, matching the state judgment interest rate with current federal interest rate; and

**WHEREAS,** Unfortunately both the Senate and the Assembly rejected the Governor's proposal; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor to again include this needed rate change in his proposed 2018-2019 Executive State Budget; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls on the Senate and the Assembly to support matching the state



judgment interest rate with current federal rates, for the decision to appeal can be made by legal merit and not predetermined due to concerns of cost to 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 New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #62**

**RESOLUTION NO. 17-426**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON STATE AGENCIES TO STREAMLINE  
AND EASE RULES REGARDING HOW LOCAL GOVERNMENTS  
TRANSMIT LOCAL LAWS AND OTHER OFFICIAL DOCUMENTS TO  
THE STATE**

**WHEREAS**, Governor Andrew Cuomo has emphasized improving government efficiency to help lower costs for taxpayers; and

**WHEREAS**, The State has made important strides in easing how local governments transmit certain documents to the state and the public, as well as easing rules on providing notifications to interested parties and the public regarding local governmental meetings, hearings and procurements; and

**WHEREAS**, There are still areas where the State has very specific and detailed rules regarding the transmission of certain local government documents to state agencies; and

**WHEREAS**, One such example is the requirement that locally passed laws and resolutions related to county sales tax renewals or changes be sent via registered or certified mail to the state; and

**WHEREAS**, Other delivery options are available for delivering items as effectively and efficiently, but simpler to administer; and

**WHEREAS**, Streamlining these processes can lower direct costs and ease administrative burdens for local governments; and

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**WHEREAS,** It is not clear how often state agencies may require a highly prescriptive correspondence or document delivery channel, where others may suffice; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor to instruct state agencies to review their procedures requiring how local governments file, transmit, or certify certain documents or other official communications with the state and develop more streamlined options for local governments to use, such as non-U.S. postal service means, electronic submissions, or other mechanisms that can improve efficiency while preserving security and other state needs; 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:**  
#63

**RESOLUTION NO. 17-427  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING FOR THE STATE OF NEW YORK AND THE  
SENECA NATION TO COME TO AGREEMENT ON GAMING  
REVENUE SHARING**

**WHEREAS,** In 2002, the State of New York and the Seneca Nation entered into a compact with a provision that gaming revenue would be shared with the State in return for certain gaming exclusivity rights in Western New York; and

**WHEREAS,** The State of New York shares with local governments, including 16 counties in Western New York, a portion of revenue they receive from the Seneca Nation; and

**WHEREAS,** The counties rely on that revenue to maintain infrastructure and provide public safety for all residents as well as provide services needed to help support this growing gaming industry; and

**WHEREAS,** In 2017 a dispute between the Seneca Nation and the

State arose over the language within the compact, leading the Nation to stop revenue sharing payments to the State; and

**WHEREAS,** This revenue loss amounts to approximately \$50 million annually to the 16 counties in Western New York; and

**WHEREAS,** Due to flat sales tax and a state imposed property tax cap counties are finding it increasingly difficult to maintain critical local services residents demand and expect; and

**WHEREAS,** The Seneca Nation and the counties of New York have a long history of productive partnerships and respect, and the Nation leaders have recently expressed that they wish to continue their valued partnership with our local governments; and

**WHEREAS,** The long-term viability of this region depends, in part, on all parties coming to an agreement on the involved issues in the near future; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the State of New York and the Seneca Nation to expeditiously resolve their differences and come to agreement to avoid catastrophic harm to public safety and county services; 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:**  
#64

**RESOLUTION NO. 17-428**  
**(October 10, 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 that has been part of the federal tax code since inception in

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1913 in recognition of the effectiveness of the exemption to assist in the development of critical and necessary public infrastructure; 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

**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,** In New York State it is estimated that the loss of this exemption during the 2003-2012 period would have increased the cost of \$150 billion in public infrastructure investment by \$45 billion in higher interest costs; and

**WHEREAS,** The American Society of Civil Engineers estimates that over the next decade the United States needs to invest \$4.6 trillion to improve and maintain our infrastructure; 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 2017, the American Society of Civil Engineers rates the United States' current commitment to our infrastructure at a D+, continuing a nearly 25-year decline in this metric; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon the New York State Congressional Delegation to preserve this critically important tax exemption; 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: #65**

**RESOLUTION NO. 17-429  
(October 10, 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**, The Governor and State Legislature have enacted several laws over the last few 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 and rebate check program, and a temporary state matching grant program for eligible local government shared services efforts; and

**WHEREAS**, For decades, counties and other local governments have implemented, and continue to implement, thousands of shared services projects and other government efficiencies; and

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**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 taxes 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 in lieu of state raised taxes to pay for statewide programs and initiatives; and

**WHEREAS,** State elected officials recognize that mandating local governments to finance state-designed and controlled programs directly impacts the property tax burden and to help mitigate this 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 two 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 also lower them from today's levels; and

**WHEREAS,** Permanent and historic reductions in property taxes can 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 pay for these state mandated services; 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 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 50 years, but not fully financed with state resources, therefore transferring a significant burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York and other states; and

**WHEREAS,** Cornell University researchers have documented 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,** We attribute the practice of using local revenues to subsidize statewide spending initiatives as the number one reason why New York's property taxes are the highest in the nation; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and 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 county property tax reductions and lower tax rates for New York City residents; 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:**  
#66

**RESOLUTION NO. 17-430**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**TERMINATION OF BUFFALO ORTHOPAEDIC GROUP, LLP**  
**CONTRACTS APPROVED**

October 10, 2017

**BE IT RESOLVED**, That any and all contracts with Buffalo Orthopaedic Group, LLP are hereby terminated effective November 30, 2017 in their entirety.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #67**

**RESOLUTION NO. 17-431  
(October 10, 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:

- **Buffalo Orthopaedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221 for an acceptable orthopaedic surgeon in the Hospital’s orthopedic clinic and in surgery per the agreed upon schedule at a rate of five thousand dollars (\$5,000.00) per day with a potential annual quality bonus of up to thirty thousand dollars (\$30,000.00) based on achievement of identified quality goals for a total amount not to exceed three hundred thirty thousand dollars (\$330,000.00) per year, effective December 1, 2017 through November 30, 2019.
- **University General Surgery Services, Inc.**, 5500 Main Street, Williamsville, NY 14221 for a WCCHS approved general surgeon to provide general surgery services at the WCCHS clinic, inpatient, surgery and call services as per the contract in an amount not to exceed four hundred sixty thousand dollars (\$460,000.00) per year; effective approximately December 1, 2017 or upon completion of credentialing. WCCHS to retain all fees generated.
- **Tarun Ohri, MD**, Ohri Medical Group, 165 Brooklyn Street, Warsaw,



NY 14569 on an as needed basis for mutually agreeable weekends in an amount not to exceed one thousand dollars (\$1,000.00) per weekend period from 5:00 p.m. Friday until 7:00 a.m. Monday for phone and on-site availability for cardiac consultation coverage; effective October 1, 2017 through April 1, 2018.

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#68

**RESOLUTION NO. 17-432  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-325 AMENDED**

**WHEREAS**, Resolution Number 17-325 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on August 15, 2017 and provides, in part, for the following contract:

- **Buffalo Bone and Joint, PLLC**, 400 North Main Street, Warsaw, NY 14569 to provide orthopaedic surgery, clinic services and serve as the chief medical officer for orthopaedic services in an amount not to exceed one million five hundred fifty thousand dollars (\$1,550,000) per year plus two percent (2%) annual increase; effective on or about November 1, 2017 through October 31, 2022 and upon completion of insurance credentialing.

now therefore

**BE IT RESOLVED**, That Resolution Number 17-325 be hereby amended to correct the providers name from Buffalo Bone and Joint, PLLC to *Buffalo Bone and Joint Surgery, PLLC*. All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#69

**RESOLUTION NO. 17-433  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

October 10, 2017

**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 contract:

- **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;

now therefore

**BE IT RESOLVED**, That Resolution Number 15-392 be hereby amended as follows:

- Extend the term of the service agreement to provide data abstraction for quality core measures and assist with review of in-house abstraction accuracy prior to resuming all abstraction in-house in an amount not to exceed seventy-five thousand dollars (\$75,000.00) per year (based on volume and varies quarterly); effective October 1, 2017 through September 30, 2018.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#70

**RESOLUTION NO. 17-434**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-199 AMENDED**

**WHEREAS**, Resolution Number 17-199 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on April 11, 2017 and provides, in part, for the following contract:

- **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.

now therefore

**BE IT RESOLVED**, That Resolution Number 17-199 be hereby amended to terminate the above contract in its entirety effective immediately. All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#71

**RESOLUTION NO. 17-435**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CYNTHIA ELBOW APPOINTED TO THE WYOMING COUNTY  
COMMUNITY HOSPITAL BOARD OF MANAGERS**

**BE IT RESOLVED**, Cynthia Elbow (President/Wyoming Community Hospital Foundation), 4508 Quarry Road, Warsaw, NY 14569 be hereby appointed to the Wyoming County Community Hospital Board of Managers to fill a vacant unexpired five (5) year term (*formerly held by T. Jacobs*); effective through December 31, 2018.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#72

**RESOLUTION NO. 17-436**  
**(October 10, 2017)**

October 10, 2017

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING GOVERNOR CUOMO AND THE STATE  
LEGISLATURE TO AMEND STATE INSURANCE LAW TO ALLOW  
SHARED MUNICIPAL HEALTH INSURANCE CONSORTIUMS**

**WHEREAS,** In the 2017-18 New York State Budget, the state enacted legislation that required county leaders to convene shared service panels consisting of all of the municipal leaders within their counties; and

**WHEREAS,** In announcing the enacted county-wide shared service initiative, Governor Andrew M. Cuomo encouraged panels to consider insurance purchasing cooperatives as new recurring property tax savings in their shared service plans; and

**WHEREAS,** Health insurance costs are among the fastest growing costs for local governments across the state; and

**WHEREAS,** Many of these county-wide shared service panels discussed proposals to create shared municipal health insurance consortiums; and

**WHEREAS,** For several years, counties have advocated for the ability to create municipal health insurance consortiums to jointly self-fund their health plans at a significantly lower cost for taxpayers; and

**WHEREAS,** These plans would reduce costs and increase flexibility while ensuring quality coverage for counties, municipalities, and local government employees; and

**WHEREAS,** Many municipalities would like to become part of a county's self-insured plan; and

**WHEREAS,** In order to lower health insurance costs for property taxpayers, these consortiums need to be allowed to purchase stop-loss insurance to cover the most serious and costly injuries and sicknesses; and

**WHEREAS,** Whenever two or more local governments want to join forces to provide employee health insurance, Article 47 of the Insurance Law is triggered; and

**WHEREAS,** The onerous regulations of Article 47 have allowed only one consortium to form since 1991; and

**WHEREAS,** Current State Insurance Law §§ 4237-a and 3231 prohibits

local governments with fewer than 50 employees for plans established prior to 2015 (and 100 for plans established after 2015) from purchasing stop-loss insurance policies; and

**WHEREAS,** These State laws represent significant barriers to local government efficiency, shared services and cost savings for property taxpayers; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby urge Governor Andrew M. Cuomo and the State Legislature to amend State Insurance Law to allow municipal health insurance consortiums that include local governments with fewer than 100 employees to purchase stop-loss health insurance policies; 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:**  
#73

**RESOLUTION NO. 17-437**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “S” AND “D” APPROVED**

**BE IT RESOLVED,** That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, are hereby amended as follows:

- Salary Schedules “S” and “D”, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2016, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and
  - Commencing January 1, 2017, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and

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- Commencing January 1, 2018, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

**FURTHER RESOLVED,** That the salary of any position vacated shall be open for review by the appropriate committee.

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



Wyoming County Salary Plan Schedule "S"

Current Titles	Res. #	2016 Income	Effective 1/1/16	2017 Income	Effective 1/1/17	2018 Income	Effective 1/1/18	Notes	Additional Notes
INFORMATION TECHNOLOGY									
Information Technology Specialist	Res. # 11-4-46	49,071	736	49,814	966	50,810	1,016	51,826	
Information Technology Assistant	Res. # 11-4-46	37,853	36,390	37,653	763	39,158	763	39,941	
Information Systems Administrator	Res. # 11-4-46	55,767	830	56,543	1,131	57,674	4,326	62,000	
Information Systems Administrator	Res. # 11-4-46	45,478	46,100	46,100	923	47,083	942	48,025	
Network Admin maintainer	Res. # 16-1-46	60,000	900	60,900	1,218	62,115	1,281	63,360	2016 retrogress back to 02-12-18
JAIL									
Jail Administrator JT	Res. # 15-071	63,000	945	63,945	3,912	67,857	2,000	69,857	****2016 retrogress back to 02-12-18
MENTAL HEALTH									
Mental Health Officer	Res. # 15-244	35,000	525	35,525	711	36,236	725	36,961	****2016 retrogress back to 02-12-18
Administrative Assistant, PT	Res. # 16-372	16,000		16,000	320	16,320	320	16,640	
OFFICE FOR THE AGING									
Deputy Director of Aging	Res. # 11-4-46	47,344	711	48,055	952	49,057	951	50,013	
PLANNING AND DEVELOPMENT									
Zoning Enforcement Officer	Res. # 17-276	36,000	0	0	36,000		36,000		12
PROBATION									
Inmate Clerk I	Res. # 16-003	33,900	503	34,403	600	34,983	604	35,577	2017 retrogress back to 06-12-18
PUBLIC DEFENDER									
Assistant Public Defender, PT (1st)	Res. # 11-4-46	23,310	350	23,660	473	24,133	483	24,616	2017 retrogress back to 06-12-18
Assistant Public Defender (2nd/3rd)	Res. # 11-4-46	22,278	760	27,037	960	28,001	0	28,961	
Assistant Public Defender, PT (4th)	Res. # 11-4-46	23,310	350	23,660	473	24,133	483	24,616	
Assistant Public Defender, PT (4th)	Res. # 17-303	35,000	0	35,000	0	35,000	700	35,700	
Secretary to the Public Defender, PT	Res. # 11-4-46	12,603	190	12,843	258	13,141	263	13,404	
Secretary I, PT	Res. # 11-4-46	5,439	82	5,521	110	5,631	113	5,744	
PUBLIC HEALTH									
Director of Environmental Health	Res. # 14-050	60,230	903	61,133	1,223	62,345	1,247	63,592	
Specialist to Director of Env Health (Walker Agent)	Res. # 15-244	17,000	255	17,255	345	17,600	352	17,952	
Public Health Officer	Res. # 11-4-46	47,000	47,000	0	47,000	0	47,000	0	47,000
Director of Nursing	Res. # 14-050	67,072	1,015	68,087	1,374	69,461	1,401	70,862	Resignation in place for increase
Nurse Practitioner	Res. # 14-050	71,866	1,078	72,944	1,438	74,403	1,463	75,861	
Fiscal Officer I, FT	Res. # 16-450	37,000		37,000	740	37,740		37,740	Resignation eff 07/16/17
REAL PROPERTY TAX SERVICES									
Nurse Practitioner (Per Diem)	Res. # 17-271	\$44.00/hr	0	0	0	0	0	0	
RP15 ASSESSOR									
RP15 Assessor	Res. # 10-432	49,000	0	49,000	0	49,000	940	49,940	
Tax Map Technician	Res. # 11-4-46	33,835	507	34,332	657	35,019	700	35,719	
County Director of Real Property Tax Services, FT	Res. # 10-430	36,000	0	36,000	650	36,650	612	37,212	
SHERIFF									
Undersheriff	Res. # 11-4-46	71,790	2,153	73,943	6,163	80,066	3,075	83,141	****
Secretary to the Sheriff	Res. # 11-4-46	41,500	1,245	42,745	8,255	51,000	1,542	52,542	****
Administrative Assistant (Sheriff)	Res. # 17-205	35,000	0	0	35,000	35,000	35,700	35,700	****
Step-DWI Coordinator, PT	Res. # 10-437	2,500	0	2,500	0	2,500	1,000	3,500	2
Secretary to the Step-DWI Coordinator, PT	Res. # 10-437	2,000	0	2,000	0	2,000	1,000	3,000	2
SOCIAL SERVICES									
Administrative Assistant	Res. # 11-4-46	36,994	465	37,459	639	38,098	642	38,730	
Administrative Assistant (DSS)	Res. # 11-4-46	36,982	355	37,337	741	38,084	746	38,830	
Director of Programs	Res. # 11-4-46	59,102	887	60,012	1,200	61,212	1,224	62,436	
Dir. of Children & Family Services	Res. # 11-4-46	53,691	805	54,496	1,900	55,566	1,112	56,678	
Administrative Assistant (Fiscal Operations)	Res. # 11-4-46	39,627	530	39,612	792	40,404	808	41,212	
TREASURER									



## Wyoming County Salary Plan Schedule "S"

Current Titles	Res. #	2016		2017	2018	Effective 12/1/17	Effective 12/1/18	Notes
		Increased	Decreased	Increased	Decreased	Increased	Decreased	
County Executive	Res. # 11-09	5,000	0	0	0	5,000	0	5,000
County Executive	Res. # 15-09	40,293	0	0	0	41,717	0	42,571
County Executive	Res. # 15-035	20,958	0	0	0	20,958	0	20,958
County Executive	Res. # 14-446	32,400	492	33,292	0	33,958	679	34,637
County Executive	Res. # 14-446	44,862	673	45,535	911	46,446	929	47,375
County Executive	Res. # 14-446	36,942	555	37,537	751	38,288	755	39,044

1 not to exceed \$1,000 per election per voting machine outbid  
 2-Effective 01/01/11 as annual stipend to be paid out on the 1st payroll in December  
 3-Plus mileage reimbursement

4-Effective 02/20/17  
 5-Effective 06/01/17  
 6-Effective 06/01/17  
 7-Effective 06/01/17  
 8-Effective 06/01/17  
 9-Effective 06/01/17  
 10-Effective 09/01/17  
 11-Effective 06/01/17  
 12-Effective 06/01/17  
 13-Effective 07/01/17  
 14-Annual Stipend for 2013 - 2018 to be paid as per resolution  
 15-Effective 07/01/17

Unless noted, all increases are reflected as:  
 0-Effective 01/01/15 increase  
 0-Effective 01/01/15 increase  
 0-Effective 01/01/15 increase

\*2017 Sal Adj.  
 \*\*2018 Sal Adj.  
 \*\*\*Effective 7/1/17  
 \*\*\*\*2018 Sal Adj.  
 \*\*\*\*\*Effective 7/1/16 (3%), 2017 (3%), 2018 (3%)  
 \*\*\*\*\*2016 (3%), 2017 (4%), 2018 (4%)

(per 00-03-17.4)

Wyoming County Salary Plan Schedule "D"											
Current Titles	Res. #	Current	2016 Increase	Effective 1/1/16	2017 Increase	Salary Adjustment	Effective 1/1/17	2018 Increase	Salary Adjustment	Effective 1/1/18	Notes
<b>ANIMAL CONTROL</b>											
Animal Control Officer	Res. # 14-446	41,070	616	41,686	834		42,520	850		43,370	
<b>BOARD OF ELECTIONS</b>											
Commissioner of Elections (2) each	Res. # 15-038	14,817	222	15,039	301		15,340	307		15,647	1
<b>BOARD OF SUPERVISORS</b>											
Clerk of the Board of Supervisors	Res. # 14-446	60,471	907	61,378	1,228		62,606	1,252		63,858	1
<b>BUDGET</b>											
Reimbursement & Budget Administrator	Res. # 14-446	72,672	1,090	73,762	1,475		75,237	1,505		76,742	
Budget Officer, P1	Res. # 14-446	10,609	159	10,768	215		10,983	220		11,203	
<b>BUILDING AND GROUNDS</b>											
Sup. of Buildings & Grounds (County Buildings)	Res. # 14-446	75,556	1,133	76,689	1,534		78,223	1,564		79,787	
<b>CIVIL DEFENSE</b>											
Dir. of Fire & Emergency Management	Res. # 14-446	59,037	886	59,923	1,198		61,121	1,379		62,500	*
<b>CONSUMER AFFAIRS</b>											
Director of Weights and Measures	Res. # 14-446	45,088	676	45,764	915		46,679	934		47,613	
<b>COUNTY ATTORNEY</b>											
County Attorney	Res. # 15-038	58,710	881	59,591	1,192		60,783	1,216		61,999	1
<b>COUNTY HISTORIAN</b>											
County Historian	Res. # 15-210	27,540	413	27,953	559		28,512	570		29,082	
<b>COUNTY RECORDS MANAGEMENT</b>											
County Records Manager	Res. # 14-446	39,404	591	39,995	800		40,795	1,705		42,500	*
<b>FIRE AND BUILDING CODE ENFORCEMENT</b>											
Code Enforcement Officer	Res. # 14-446	76,445	1,147	77,592	1,552		79,144	1,583		80,727	
Spend for Code Enforcement Officer	Res. # 17-330	6,000		0	6,000		6,000			6,000	8, eff. 08/15/17
<b>HIGHWAY DEPARTMENT</b>											
County Highway Superintendent	Res. # 15-038	86,767	1,302	88,069	1,761		89,830	1,797		91,627	1
Spend for County Highway Superintendent	Res. # 17-290	5,000		5,000			5,000			5,000	6
<b>HIPAA</b>											
HIPAA Privacy Officer	Res. # 05-392	1,000	0	1,000	0		1,000	0		1,000	
HIPAA Security Officer	Res. # 05-392	1,000	0	1,000	0		1,000	0		1,000	
<b>HUMAN RESOURCE</b>											
Human Resource Director	Res. # 17-241	85,000		82,500	0	2,500	85,000	1,700		86,700	4
Civil Service Commissioner (3) each	Res. # 16-197	\$125/mo		\$125/mo			\$125/mo			\$125/mo	2
<b>INFORMATION TECHNOLOGY</b>											
Dir. of Information Technology	Res. # 14-446	95,638	1,435	97,073	1,941		99,014	1,980		100,994	
<b>MENTAL HEALTH</b>											
Dir. of Community Services (28 hours/week)	Res. # 17-290	55,000				55,000	55,000			55,000	7 res. in place for Inor.
<b>OFFICE FOR THE AGING</b>											
Director of Aging and Youth	See Youth Bureau below										
<b>PLANNING AND DEVELOPMENT</b>											
Director of Planning and Development	Res. # 14-203	75,000	1,125	76,125	1,523		77,648	1,553		79,201	
<b>PROBATION</b>											
Probation Director 1	Res. # 14-446	59,893	898	60,791	1,216		62,007	1,240		63,247	
<b>PUBLIC DEFENDER</b>											

Wyoming County Salary Plan Schedule "D"										
Current Titles	Res. #	Current	2016 Increase	Effective 1/1/16	2017 Increase	Salary Adjustment	Effective 1/1/17	2018 Increase	Salary Adjustment	Effective 1/1/18
Public Defender, PT	Res. # 15-036	56,693	853	57,746	1,153		58,901	1,176		60,079
<b>PUBLIC HEALTH DEPT</b>										
Commissioner of Public Health	Res. # 15-038	76,039	1,141	77,180	1,544		78,724	1,574		80,298
Medical Director, PT	Res. # 17-271	39,000	585	39,585	390		39,961			5. Salary change 7/3/17
		33,000		33,000	336		33,752	675		34,406
Public Health Administrator	Res. # 14-446	68,231	1,023	69,254	1,385		70,639	1,413		72,052
<b>REAL PROPERTY TAX SERVICES</b>										
Director of Real Property Tax Services	Res. # 15-038	51,500	773	52,273	1,045		53,318	1,066	12,672	67,056
Stipend for Director of Real Property Tax Serv.	Res. # 13-308	12,000	180	12,180	244		12,424	248	-12,672	0
Stipend for Director of Real Property Tax Serv.	Res. # 16-482				6,693					6,693
<b>SOCIAL SERVICES DEPT</b>										
Commissioner of Social Services	Res. # 15-038	72,633	1,089	73,722	1,474		75,196	1,504		76,700
<b>VETERAN'S SERVICES</b>										
Director of Veterans Services	Res. # 17-290	42,500		42,500			42,500			42,500
<b>WORKERS COMPENSATION</b>										
Worker's Comp. Prog. Administrator	Res. # 14-446	58,201	873	59,074	1,181		60,255	1,205		61,460
<b>YOUTH BUREAU</b>										
Director of Aging and Youth	Res. # 14-446	58,243	874	59,117	1,182		60,299	1,206		61,505

1-Denotes increases that are subject to Local Law

2-\$125.00 per monthly Civil Service Commission Meeting

3-Effective 07/1/17

4-Effective 05/1/17

5-Effective 07/03/17

6-Annual Stipend for 2013 - 2016 to be paid as per resolution

7-Effective 07/12/17

8-Effective 08/15/17

Unless Noted - all increases are reflected as:

Effective 1/1/16 1.5% increase

Effective 1/1/17 2.5% increase

Effective 1/1/18 2% increase

\*2018 Sal Adj.

(rev. 09-21-17 c)

**RESOLUTION NO. 17-438  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-330 AMENDED**

**WHEREAS**, Resolution Number 17-330 entitled, “**SALARY SCHEDULES “C” AND “D” AMENDED**” was passed by this Board of Supervisors on August 15, 2017 and in part amended the Salary Schedule “D” as follows:

**Salary Schedule “D”:**

*Fire and Building Codes*

- Set a stipend for the *Code Enforcement Officer* for the administration of the Countywide Zoning Program including support of the Zoning Enforcement Officer’s duties in the amount of \$6,000.00 annually; effective August 15, 2017.

now therefore

**BE IT RESOLVED**, That Resolution Number 17-330 be hereby amended as follows:

**Salary Schedule “D”:**

*Zoning Department*

- Set a stipend for the *Code Enforcement Officer* for the administration of the Countywide Zoning Program including support of the Zoning Enforcement Officer’s duties in the amount of \$6,000.00 annually; effective August 15, 2017.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#75

**RESOLUTION NO. 17-439  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-276 AMENDED**

**WHEREAS**, Resolution Number 17-276 entitled, “**POSITIONS**

Regular Session

**APPROVED**” was passed by this Board of Supervisors on June 13, 2017 and created the following:

**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.

now therefore

**BE IT RESOLVED**, That Resolution Number 17-276 be hereby amended as follows:

**CREATED:**

***Zoning 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.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#76

**RESOLUTION NO. 17-440**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “F” 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 “F”:**

***Office for the Aging***

- To increase ***Meal Site Managers*** wage from \$9.38/hr. to \$9.70/hr. due to minimum wage increase effective January 1, 2017.

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**Salary Schedule “G”:*****District Attorney’s Office***

- Set the salary of the ***Crime Victims Program Coordinator*** within the Department of the District Attorney to reflect an annual salary of \$50,361.00; effective October 01, 2017.
- Set the salary of the ***Domestic Violence Coordinator*** within the Department of the District Attorney to reflect an annual salary of \$32,750.00; effective October 01, 2017.
- To provide Stipends plus corresponding fringes for the following:
  - ***Assistant District Attorney (1<sup>st</sup>)*** \$10,000.00
  - ***Administrative Assistant (District Attorney)*** \$450.00
  - ***Secretary to the District Attorney*** \$1,750.00
    - Said amounts are for first six (6) months of the grant; effective October 1, 2017 through March 31, 2018.
    - Said funds are provided through the 2017~2018 ATP Grant.
    - Said funds plus corresponding fringes to be paid out in January 2018.
- To provide Stipends plus corresponding fringes to the following:
  - ***Assistant District Attorney (1<sup>st</sup>)*** \$10,000.00
  - ***Administrative Assistant (District Attorney)*** \$450.00
  - ***Secretary to the District Attorney*** \$1,750.00
    - Said amounts are for second half of the grant; effective April 1, 2018 through September 30, 2018.
    - Said funds are provided through the 2017~2018 ATP Grant.
    - Said funds plus corresponding fringes to be paid out in April 2018.
- To provide Stipends plus corresponding fringes to the following:
  - ***Assistant District Attorney (2<sup>nd</sup>)*** \$5,000.00
  - ***Administrative Assistant (District Attorney)*** \$10,000.00
  - ***Secretary to the District Attorney*** \$10,000.00
  - ***Deputy County Treasurer*** \$3,000.00
    - Said funds are provided through the Traffic Diversion Program.
    - Said funds plus corresponding fringes to be paid out in November 2017.

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

**RESOLUTION NO. 17-441**  
**(October 10, 2017)**

By Mr. Tallman, Chairman of the Human Resource Committee and Mr. Brick, Chairman of the Finance Committee:

**REASSIGNMENT OF COUNTY PAYROLL FUNCTION APPROVED**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves the reassignment of the Wyoming County Payroll Specialist from the Treasurer's Office to the Wyoming County Community Hospital Finance Department; effective September 28, 2017; and be it

**FURTHER RESOLVED**, That the Payroll Specialist Cost Center will be moved to the Human Resource Department.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
**2/3 Majority**  
**#78**

**RESOLUTION NO. 17-442**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION AUTHORIZING THE PURCHASE OF MEDICAL EQUIPMENT AND RENOVATIONS AT THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,500,000, AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF**

**WHEREAS**, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

**WHEREAS**, It is now desired to authorize the financing of such capital project; now therefore

**BE IT RESOLVED**, By the affirmative vote of not less than two-

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thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The purchase of Hospital Equipment and MRI base at the Wyoming County Community Health System in and for the County of Wyoming, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$1,500,000.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,500,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is *five years*, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County



Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

**Carried: XXX      Ayes: 1471      Noes:      Absent:      Abstain:**  
**2/3 Majority**  
**#79**

**RESOLUTION NO. 17-443**  
**(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION AUTHORIZING THE PURCHASE OF MEDICAL  
EQUIPMENT AND MRI BASE AT THE WYOMING COUNTY  
COMMUNITY HEALTH SYSTEM IN AND FOR THE COUNTY OF  
WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF  
\$1,500,000, AND AUTHORIZING THE ISSUANCE OF \$1,500,000  
BONDS OF SAID COUNTY TO PAY THE COST THEREOF**

**WHEREAS,** All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

**WHEREAS,** It is now desired to authorize the financing of such capital project; now therefore

**BE IT RESOLVED,** By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The purchase of Hospital Equipment and MRI base at the Wyoming County Community Health System in and for the County of Wyoming, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$1,500,000.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,500,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is *ten years*, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be

determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

**Carried: XXX      Ayes: 1471      Noes:      Absent:      Abstain:**

*Before the roll call vote, Chairman Berwanger took a moment to explain the reason for the borrowing and highlighted the construction of new space for the MRI equipment versus a tractor trailer tractor in the old ER entry.*

#### **Public Hearing ~**

- *Comment Period*
  - *There were no comments from the public. However, Supervisor Brick asked for an opportunity to speak to the proposed local law.*

*He explained that it was customary for appointed and elected department heads who serve a term to be given raises consistent with unionized wage increases...*

**Close the Hearing ~**

*Motion to close the Public Hearing was made by Supervisor Becker, T/Sheldon. Seconded by Supervisor Hastings, T/Eagle. Carried.*

**Local Law  
#80**

**RESOLUTION NO. 17-444  
(October 10, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

LOCAL LAW NO. 5 (INTRODUCTORY E, YEAR 2017) ~ YEAR 2017,  
*“County of Wyoming, Providing Salaries for Certain County Officers  
for the Years 2016, 2017 and 2018”*

ADOPTED

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 12<sup>th</sup> day of September, 2017, a proposed local law of the County, designated as Local Law Introductory No. E, for the year 2017, entitled, *“County of Wyoming, Providing Salaries for Certain County Officers for the Years 2016, 2017 and 2018”*; and

**WHEREAS**, In accordance with the provisions of Resolution No. 17-356 there was a public hearing held by this Board of Supervisors on this 10<sup>th</sup> day of October, 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 5, Year 2017, County of Wyoming, New York, as presented to this Board on the 12<sup>th</sup> day of September 2017, is hereby adopted, in its amended form, as follows:

**LOCAL LAW NO. 5 - YEAR 2017**  
**County of Wyoming, Providing Salaries for Certain County Officers for the  
Years 2016, 2017 and 2018**

October 10, 2017

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE  
COUNTY OF WYOMING AS FOLLOWS:**

Section 1. Effective as hereafter provided, the annual salary for the *County Clerk* shall be increased by **\$825.00** for a new annual salary of **\$55,825.00**.

Section 2. Effective as hereafter provided, the annual salary for the *Sheriff* shall be increased by **\$2,349.00** for a new annual salary of **\$80,652.00**.

Section 3. Effective as hereafter provided, the annual salary for the *Commissioner of Elections* shall be increased by **\$222.00** for a new annual salary of **\$15,039.00**.

Section 4. Effective as hereafter provided, the annual salary of the *Clerk of the Board of Supervisors* shall be increased by **\$907.00** for a new annual salary of **\$61,378.00**.

Section 5. Effective as hereafter provided, the annual salary of the *County Attorney* shall be increased by **\$881.00** for a new annual salary of **\$59,591.00**.

Section 6. Effective as hereafter provided, the annual salary for the *County Highway Superintendent* shall be increased by **\$1,302.00** for a new annual salary of **\$88,069.00**.

Section 7. Effective as hereafter provided, the annual salary for the *Public Defender* shall be increased by **\$853.00** for a new annual salary of **\$57,746.00**.

Section 8. Effective as hereafter provided, the annual salary for the *Commissioner of Public Health* shall be increased by **\$1,141.00** for a new annual salary of **\$77,180.00**.

Section 9. Effective as hereafter provided, the annual salary for the *Director of Real Property Tax Services* shall be increased by **\$773.00** for a new annual salary of **\$52,273.00**.

Section 10. Effective as hereafter provided, the annual salary for the *Commissioner of Social Services* shall be increased by **\$1,089.00** for a new annual salary of **\$73,722.00**.

Section 11. All salaries set forth in Sections 1 through 10 above shall be effective as of **January 1, 2016**.

Section 12. Effective as hereafter provided, the annual salary for the **County Clerk** shall be increased by **\$2,175.00** for a new annual salary of **\$58,000.00**.

Section 13. Effective as hereafter provided, the annual salary of the **County Treasurer** shall be increased by **\$7,500.00** for a new annual salary of **\$63,500.00**.

Section 14. Effective as hereafter provided, the annual salary for the **Sheriff** shall be increased by **\$6,367.00** for a new annual salary of **\$87,019.00**.

Section 15. Effective as hereafter provided, the annual salary for the **Commissioners of Elections** shall be increased by **\$301.00** for a new annual salary of **\$15,340.00**.

Section 16. Effective as hereafter provided, the annual salary of the **Clerk of the Board of Supervisors** shall be increased by **\$1,228.00** for a new annual salary of **\$62,606.00**.

Section 17. Effective as hereafter provided, the annual salary of the **County Attorney** shall be increased by **\$1,192.00** for a new annual salary of **\$60,783.00**.

Section 18. Effective as hereafter provided, the annual salary for the **County Highway Superintendent** shall be increased by **\$1,761.00** for a new annual salary of **\$89,830.00**.

Section 19. Effective as hereafter provided, the annual salary for the **Public Defender** shall be increased by **\$1,155.00** for a new annual salary of **\$58,901.00**.

Section 20. Effective as hereafter provided, the annual salary for the **Commissioner of Public Health** shall be increased by **\$1,544.00** for a new annual salary of **\$78,724.00**.

Section 21. Effective as hereafter provided, the annual salary for the **Director of Real Property Tax Services** shall be increased by **\$1,045.00** for a new annual salary of **\$53,318.00**.

Section 22. Effective as hereafter provided, the annual salary for the **Commissioner of Social Services** shall be increased by **\$1,474.00** for a new annual salary of **\$75,196.00**.

Section 23. All salaries set forth in Sections 12 through 22 above shall be effective as of ***January 1, 2017***.

Section 24. Effective as hereafter provided, the annual salary for the ***Coroners of the County*** (four (4) total) shall be increased by ***\$25.00*** per case for a new per case amount of ***\$100.00*** plus mileage reimbursement.

Section 25. Effective as hereafter provided, the annual salary for the ***County Clerk*** shall be increased by ***\$2,000.00*** for a new annual salary of ***\$60,000.00***.

Section 26. Effective as hereafter provided, the annual salary of the ***County Treasurer*** shall be increased by ***\$7,500.00*** for a new annual salary of ***\$71,000.00***.

Section 27. Effective as hereafter provided, the annual salary for the ***Sheriff*** shall be increased by ***\$3,357.00*** for a new annual salary of ***\$90,376.00***.

Section 28. Effective as hereafter provided, the annual salary for the ***Commissioners of Elections*** shall be increased by ***\$307.00*** for a new annual salary of ***\$15,647.00***.

Section 29. Effective as hereafter provided, the annual salary of the ***Clerk of the Board of Supervisors*** shall be increased by ***\$1,252.00*** for a new annual salary of ***\$63,858.00***.

Section 30. Effective as hereafter provided, the annual salary of the ***County Attorney*** shall be increased by ***\$1,216.00*** for a new annual salary of ***\$61,999.00***.

Section 31. Effective as hereafter provided, the annual salary for the ***County Highway Superintendent*** shall be increased by ***\$1,797.00*** for a new annual salary of ***\$91,627.00***.

Section 32. Effective as hereafter provided, the annual salary for the ***Public Defender*** shall be increased by ***\$1,178.00*** for a new annual salary of ***\$60,079.00***.

Section 33. Effective as hereafter provided, the annual salary for the ***Commissioner of Public Health*** shall be increased by ***\$1,574.00*** for a new annual salary of ***\$80,298.00***.



Section 34. Effective as hereafter provided, the annual salary for the ***Director of Real Property Tax Services*** shall be increased by ***\$13,738.00*** for a new annual salary of ***\$67,056.00***.

Section 35. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$1,504.00*** for a new annual salary of ***\$76,700.00***.

Section 36. All salaries set forth in Sections 24 through 35 above shall be effective as of ***January 1, 2018***.

Section 37. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 38. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York  
September 12, 2017 (Introduced)  
October 11, 2017 (Adopted)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
**UC#81**

**RESOLUTION NO. 17-445**  
**(October 10, 2017)**

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

**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

October 10, 2017

amount of twenty-seven thousand six hundred fifty-four dollars (\$27,654.00) for the following:

## Wyoming County – Poplar Tree Road Softwood Sale

Stand 1	# of trees	Board foot
From Road to Drainage		
row thin 35 feet wide... leave 50 feet		
From Drainage to Southern Boundary		
Select Harvest		
Volume estimates:		
Red Pine	1,184	124,000
White Pine	10	1,500
White Ash	40	8,312
Stand 5		
Select Harvest		
Volume estimates:		
Red Pine	1,640	172,200
White Ash	54	13,110
Black Cherry	10	1,572
<b>Totals</b>	<b>2,938</b>	<b>320,694</b>
Red Pine	2,824	296,200
White Pine	10	1,500
White Ash	94	21,422
Black Cherry	10	1,572
<b>Totals</b>	<b>2,938</b>	<b>320,694</b>

Offered **\$27,654** for all material described above.

**Contract Terms:**

All timber to be removed is marked with blue paint  
18 month contract (time needed to work with regulations for protected stream.  
50% down at contract signing, remaining balance at the time harvesting begins

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
**UC #82**

### **RESOLUTION NO. 17-446 (October 10, 2017)**

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

### **APPROVES SALE OF PROPERTY**

**WHEREAS**, The County has acquired the right to transfer the following properties pursuant to a Judgment of Foreclosure Index 48791 under Article 11 of the Real Property Tax Law; and

Regular Session

**WHEREAS,** The Committee of the Whole of the Board of Supervisors has obtained a bid to purchase said property and recommends the acceptance thereof; and

**WHEREAS,** Douglas P Jones, 4603 Telegraph Road, Bliss, NY 14024 has offered \$1.00 for property Tax Map #147.7-3-37 located on 15 North Main Street, NY 14525, Town of Castile; now therefore

**BE IT RESOLVED,** That the above is hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by him on or before November 15, 2017.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
**UC #83**

**RESOLUTION NO. 17-447**  
**(October 10, 2017)**

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

**SALARY SCHEDULE “D” APPROVED**

**BE IT RESOLVED,** That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, are hereby amended as follows:

- Salary Schedules “D”, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2016, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and
  - Commencing January 1, 2017, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and
  - Commencing January 1, 2018, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

**FURTHER RESOLVED,** That the salary of any position vacated shall be open for review by the appropriate committee.

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

October 10, 2017

Wyoming County Salary Plan Schedule "D"											
Current Titles	Res. #	Current	2016 Increase	Effective 1/1/16	2017 Increase	Salary Adjustment	Effective 1/1/17	2018 Increase	Salary Adjustment	Effective 1/1/18	Notes
ANIMAL CONTROL											
Animal Control Officer	Res. # 14-446	41,070	616	41,686	834		42,520	850		43,370	
BOARD OF ELECTIONS											
Commissioner of Elections (2) each	Res. # 15-038	14,817	222	15,039	301		15,340	307		15,647	1
BOARD OF SUPERVISORS											
Clerk of the Board of Supervisors	Res. # 14-446	60,471	907	61,378	1,228		62,606	1,252		63,858	1
BUDGET											
Reimbursement & Budget Administrator	Res. # 14-446	72,672	1,090	73,762	1,475		75,237	1,505		76,742	
Budget Officer, PT	Res. # 14-446	10,609	159	10,768	215		10,983	220		11,203	
BUILDING AND GROUNDS											
Supt. of Buildings & Grounds (County Buildings)	Res. # 14-446	75,556	1,133	76,689	1,534		78,223	1,564		79,787	
CIVIL DEFENSE											
Dir. of Fire & Emergency Management	Res. # 14-446	59,037	886	59,923	1,198		61,121	3,879		65,000	*
CONSUMER AFFAIRS											
Director of Weights and Measures	Res. # 14-446	45,088	676	45,764	915		46,679	934		47,613	
COUNTY ATTORNEY											
County Attorney	Res. # 15-038	56,710	881	59,591	1,192		60,783	1,216		61,999	1
COUNTY HISTORIAN											
County Historian	Res. # 15-210	27,540	413	27,953	559		28,512	570		29,082	
COUNTY RECORDS MANAGEMENT											
County Records Manager	Res. # 14-446	39,404	591	39,995	800		40,795	1,705		42,500	*
FIRE AND BUILDING CODE ENFORCEMENT											
Code Enforcement Officer	Res. # 14-446	76,445	1,147	77,592	1,552		79,144	1,583		80,727	
Spend for Code Enforcement Officer	Res. # 17-330	6,000		0	6,000		6,000			6,000	8, eff. 08/15/17
HIGHWAY DEPARTMENT											
County Highway Superintendent	Res. # 15-038	86,767	1,302	88,069	1,761		89,830	1,797		91,627	1
Spend for County Highway Superintendent	Res. # 17-290	5,000		5,000			5,000			5,000	6
HIPAA											
HIPAA Privacy Officer	Res. # 05-392	1,000	0	1,000	0		1,000	0		1,000	
HIPAA Security Officer	Res. # 05-392	1,000	0	1,000	0		1,000	0		1,000	
HUMAN RESOURCE											
Human Resource Director	Res. # 17-241	85,000		82,500	0	2,500	85,000	1,700		86,700	4
Civil Service Commissioner (3) each	Res. # 16-197	\$125/mg.		\$125/mg.			\$125/mg.			\$125/mg.	2
INFORMATION TECHNOLOGY											
Dir. of Information Technology	Res. # 14-446	95,638	1,435	97,073	1,941		99,014	1,980		100,994	
MENTAL HEALTH											
Dir. of Community Services (28 hours/week)	Res. # 17-290	55,000				55,000	55,000			55,000	7-res. in place for incr.
OFFICE FOR THE AGING											
Director of Aging and Youth	See Youth Bureau below										
PLANNING AND DEVELOPMENT											
Director of Planning and Development	Res. # 14-203	75,000	1,125	76,125	1,523		77,648	1,553		79,201	
PROBATION											
Probation Director 1	Res. # 14-446	59,893	898	60,791	1,216		62,007	1,240		63,247	

Wyoming County Salary Plan Schedule "D"											
Current Titles	Res. #	Current	2016 Increase	Effective 1/1/16	2017 Increase	Salary Adjustment	Effective 1/1/17	2018 Increase	Salary Adjustment	Effective 1/1/18	Notes
<b>PUBLIC DEFENDER</b>											
Public Defender, PT	Res. # 15-038	56,893	853	57,746	1,155		58,901	1,178		60,079	1
<b>PUBLIC HEALTH DEPT</b>											
Commissioner of Public Health	Res. # 15-038	76,039	1,141	77,180	1,544		78,724	1,574		80,298	1
Medical Director, PT	Res. # 17-271	39,000	585	39,585	792		40,378				5, Salary change 7/3/17
		33,000			0		34,378	688		35,066	
Public Health Administrator	Res. # 14-446	68,231	1,023	69,254	1,385		70,639	1,413		72,052	
<b>REAL PROPERTY TAX SERVICES</b>											
Director of Real Property Tax Services	Res. # 15-038	51,500	773	52,273	1,045		53,318	1,066	12,672	67,056	1
Stipend for Director of Real Property Tax Serv.	Res. # 13-308	12,000	180	12,180	244		12,424	248	-12,672	0	Roll into above salary
Stipend for Director of Real Property Tax Serv.	Res. # 16-482	6,693		6,693			6,693			6,693	
<b>SOCIAL SERVICES DEPT</b>											
Commissioner of Social Services	Res. # 15-038	72,633	1,089	73,722	1,474		75,196	1,504		76,700	1
<b>VETERAN'S SERVICES</b>											
Director of Veterans Services	Res. # 17-290	42,500		42,500			42,500			42,500	1,3-res. In place for incr.
<b>WORKERS COMPENSATION</b>											
Worker's Comp. Prog. Administrator	Res. # 14-446	58,201	873	59,074	1,181		60,255	1,205		61,460	
<b>YOUTH BUREAU</b>											
Director of Aging and Youth	Res. # 14-446	58,243	874	59,117	1,182		60,299	1,206		61,505	

1-Denotes increases that are subject to Local Law

2-\$125.00 per month Civil Service Commission Meeting

3-Effective 07/11/17

4-Effective 05/11/17

5-Effective 07/03/17

6-Annual Stipend for 2013 - 2018 to be paid as per resolution

7-Effective 07/12/17

8-Effective 08/15/17

**Unless Noted - all increases are reflected as:**

Effective 1/1/16 1.5% increase

Effective 1/1/17 2% increase

Effective 1/1/18 2% increase

\*2018 Sal Adj.

(rev. 09/21/17 cjh)

**Countywide Shared Services Initiative ~**

- *Chairman Berwanger reviewed Wyoming County's process and submitted plan per Initiative instructions...*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:21 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>

Clerk to the Board

**REGULAR SESSION**  
**(November 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 Supervisor Vasile, T/Genesee Falls. 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 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Staff Sergeant Jonathan Howley**

Staff Sergeant Jonathan Howley was born in Berlin, Germany and attended Saegertown High School in Saegertown, Pennsylvania graduating from in June of 2009. He enlisted in the United States Marines Corps right after graduating high school at the age of eighteen, which continued a long history of military service by his family. His father served in the Army, his mother in the Air Force and his brother is currently serving in the Army National Guard.

Staff Sergeant Howley's military career began with basic training at Parris Island in Port Royal, South Carolina. The Marine Corps train about 17,000 recruits at Parris Island each year, which includes a thirteen-week program where the recruit is cut-off from the civilian world and must adapt to a Marine Corps lifestyle.

Upon successfully completing basic training, Staff Sergeant Howley attended combat training at the School of Infantry in Fort Lee, Virginia. This School ensures that a Marine has gained the knowledge and ability to operate in a combat environment as a rifleman and can perform these primary duties under fire.

Staying at Fort Lee, Virginia, Staff Sergeant Howley then attended Specialty School where he trained as a Bulk Fuel Specialist. In December of 2009, Staff Sergeant Howley was transferred to his first duty station in Okinawa, Japan for two years. His next duty station took him to San Diego, California where, while

performing his duties as a Bulk Fuel Specialist, he decided on a career change and began training to become a Recruiter.

Staff Sergeant Howley was stationed in San Diego, California for five years. In January of 2017, he came to Western New York to become a Recruiter in the Batavia area. He will be stationed here for three years and then is hoping to go back to San Diego.

For his continued and courageous service to our country, Staff Sergeant Howley has earned the:

National Defense Service Medal  
 Sea Service Deployment Ribbon  
 Certificate of Commendation  
 Letter of Appreciation  
 Navy and Marine Corps Achievement Medal  
 Navy Meritorious Unit Commendation  
 Marine Corps Good Conduct Medal  
 Afghanistan Campaign Medal  
 NATO Medal – ISAF Afghanistan; and the  
 Global War on Terrorism Service Medal

Staff Sergeant Howley met his wife Jennifer while in Okinawa and they married in 2010 in the State of Washington. He is father to three girls; Bethany attends college in Washington State, Emily, a senior and Gwenevere, a freshman, both of whom attend Alexander Central High School.

When not busy with his job, Staff Sergeant Howley loves to hunt and do woodworking. He is currently working on building a truck bed camper.

***The pledge was said by all.***

Chairman Berwanger presented the customary certificate of appreciation to Staff Sergeant Howley and offered an opportunity to address the Board. At which time, Staff Sergeant Howley thanked the Board offered that in his new role as the area recruiter, he hoped to see many of them around town...

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

Communications ~

- *October 16, 2017 correspondence from the New York State Board of Elections acknowledging the resolution to combine the two primaries into one*



- *October 20, 2017 correspondence from New York State Association of Counties acknowledging receipt of the various NYSAC fall conference resolutions*
- *October 23, 2017 correspondence from Assemblyman David DiPietro acknowledging receipt of the various NYSAC fall conference resolutions*
- *November 3, 2017 correspondence from Assistant Provost for Educator Preparation David Cantaffa at SUNY acknowledging receipt resolution number 17-396*

#1

**RESOLUTION NO. 17-448**  
**(November 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:

<b>County Attorney</b>			
<b>From:</b> 01.34.1420.4.40902 Legal Services <b>To:</b> 01.34.1420.4.10001 Salaries/Fixed Sch. S/D/I <b>Reason:</b> To Transfer funds remaining on Wendy Sisson's independent contract to salaries (less \$185.00 to cover her physical/drug/alcohol test); contract terminated as of 11:59 p.m. on 5/31/17. Ms. Sisson became Asst. Co. Attorney effective 6/1/17.	\$16,565.00	\$16,565.00	
<b>County Attorney Total</b>			<b>\$16,565.00</b>
<b>Human Resource</b>			
<b>From:</b> 01.34.1431.8.81001 Retirement <b>To:</b> 01.34.1431.4.41206 Other <b>Reason:</b> To cover the cost of Metrodata background checks.	\$4,000.00	\$4,000.00	
<b>Human Resource Total</b>			<b>\$4,000.00</b>
<b>Real Property Tax Services</b>			
<b>From:</b> 01.33.1355.8.81001 Retirement <b>To:</b> 01.33.1355.1.10601 Unused Benefit Time <b>Reason:</b> To pay for unbudgeted sell back of 5 vacation days of unused benefit time.	\$990.40	\$990.40	
<b>Real Property Tax Services Total</b>			<b>\$990.40</b>
<b>WCCH</b>			
<b>From:</b> 02.56.4510.4.42501 Contractual <b>To:</b> 02.56.9742.6.60001 Energy Cap. Lease Prin. 02.56.9742.7.70001 Energy Cap. Lease Int. <b>Reason:</b> To reflect payment as debt service not contractual per GASB requirements and auditor.	\$125,600.00	\$79,127.11 46,472.89	
<b>WCCH Total</b>			<b>\$125,600.00</b>

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<b>Ag Center Capital Lease</b>			
<b>From:</b> 01.42.6422.4.40601 Ag Center Rent <b>To:</b> 01.51.9785.6.66422 Ag Ctr. Capital Lease Prin. 01.51.9785.7.76422 Ag Ctr. Capital Lease Int. <b>Reason:</b> To reflect payment as debt service not contractual per GASB requirements and auditor.	\$354,416.16	\$155,490.00 198,926.16	
<b>Ag Center Capital Lease Total</b>			<b>\$354,416.16</b>
<b>Public Health</b>			
<b>From:</b> 01.38.4035.4.40301 Prof. Svc. Contract <b>To:</b> 01.38.4035.1.10202 Temporary <b>Reason:</b> Transfer funds from professional service contract with D. Goodberlet to cover the cost per diem employees J. Miller and N. Wilk in MWHS.	\$5,000.00	\$5,000.00	
<b>From:</b> 01.38.4010.8.81001 Retirement <b>To:</b> 01.38.4010.4.40704 Lab <b>Reason:</b> To cover anticipated water testing for the remainder of 2017.	\$3,200.00	\$3,200.00	
<b>Public Health Total</b>			<b>\$8,200.00</b>
<b>Sheriff</b>			
<b>From:</b> 01.37.3110.2.23001 Vehicles <b>To:</b> 01.37.3110.4.40509 Change Over Expenses <b>Reason:</b> For lights and detailing on new patrol vehicles	\$19,369.83	\$19,369.83	
<b>Sheriff Total</b>			<b>\$19,369.83</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*Before the roll call vote was taken Chairman Berwanger explained that the \$17M appropriation is part of the \$20M from the State of New York for debt defeasement at the hospital. Chairman Berwanger thanked Treasurer Mayer, WCCH Finance Director Jack Ormond and WCCH CEO Don Eichenauer for working on the receipt of this important funding.*

**#2**

**RESOLUTION NO. 17-449  
(November 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:

<b>Human Resource</b>			
<b>To:</b> 01.34.1431.4.40301 Prof. Services <i>w/any funds available</i> <b>Reason:</b> For additional legal costs resulting from contract negotiations, arbitrations and regulatory complaints.	\$40,000.00	\$40,000.00	
<b>Human Resource Total</b>			<b>\$40,000.00</b>

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<b>WCCH</b>			
<b>To:</b> 02.56.9730.6.60001 SB Princ. BBA \$9,028,634.30 02.56.9730.6.60002 SB Princ. Phase 2 8,565,903.33 02.56.9730.7.70001 SB Int. MBBA 9M 43,198.77 02.56.9730.7.70002 SB Int. Phase 2 39,513.98 02.56.4510.4.42503 Capital Proj. Serv. 24,500.00 02.56.4510.4.42501 Contractual WCCH 159,490.09 w/02.11.4510.348921 C31404GG Ess. \$17,677,250.38 \$20M Bond 183,990.09 02.11.4510.348922 C31404GG Ess. \$20M ERGY <b>Reason:</b> Recording of Essentials Grant proceeds to defease BANs at WCCH.			
<b>WCCH Total</b>			<b>\$17,861,240.47</b>
<b>Animal Control</b>			
<b>To:</b> 01.37.3510.4.41212 Veterinary Exp. \$11,948.25 w/ <i>any funds available</i> <b>Reason:</b> To pay remaining spay / neuter to “ <i>New York State Animal Population Fund</i> ” balance per NYS Ag & Markets as approved by Finance Committee 10/3/2017. \$11,948.25			
<b>Animal Control Total</b>			<b>\$11,948.25</b>
<b>DSS/Medicaid</b>			
<b>To:</b> 01.40.6102.4.42250MMIS IGT/DSH Py. \$1,867,191.00 w/01.11.6102.360201 MMIS Cap Adj. \$117,716.00 w/ <i>any funds available</i> 1,749,475.00 <b>Reason:</b> To cover the 50% County Share of the NH UPL Payment (SFY 2016-2017) and partial 2006-2009 UPL Recoup.			
<b>DSS/Medicaid Total</b>			<b>\$1,867,191.00</b>
<b>Veterans Services</b>			
<b>To:</b> 01.43.6510.4.40016 Internet \$295.00 w/01.09.6510.2705 Donations \$295.00 <b>Reason:</b> To cover unbudgeted cost of internet for Education Center for 2017.			
<b>Veterans Services Total</b>			<b>\$295.00</b>
<b>Public Health</b>			
<b>To:</b> 01.32.1185.4.40927 MCME \$24,023.00 w/ <i>any funds available</i> \$24,023.00 <b>Reason:</b> Increased Monroe County Medical Examiner case volume in 2017.			
<b>Public Health Total</b>			<b>\$24,023.00</b>
<b>Zoning Department</b>			
<b>To:</b> 01.48.8021.1.10001 Sal./Fix Sch. S/D/I \$2,498.00 01.48.8021.8.83001 FICA 155.00 01.48.8021.8.85001 FICA/Medicare 36.00 01.48.8021.4.40007 Telephone-Basic 363.00 01.48.8021.4.40401 Training/Education 275.00 w/01.04.8021.2210 Intergovernmental Svcs \$1,801.00 01.06.8021.2590 Permits 1,526.00 <b>Reason:</b> To cover Zoning Dept. expenses through the end of 2017.			
<b>Zoning Department Total</b>			<b>\$3,327.00</b>

<b>District Attorney</b>			
<b>To:</b> 01.32.1165.4.40301 Prof Svc Contract w/01.11.1165.308905 State Aid 606 <i>w/any funds available</i> <b>Reason:</b> For continued Special Prosecutor expenses for the remainder of the year. Most of the expense is reimbursed through Section 606 cases.	\$15,000.00	\$10,000.00 5,000.00	
<b>District Attorney Total</b>			<b>\$15,000.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3113.4.42306 Seized Assets 01.37.3113.2.23001 Vehicle w/01.07.3113.2626 Forfeiture of Crime Proceeds <b>Reason:</b> Purchase of vehicle and equipment for Drug Task Force plus funds for drug purchases.	\$10,000.00 \$6,500.00	\$16,500.00	
<b>Sheriff Total</b>			<b>\$16,500.00</b>
<b>Emergency Services</b>			
<b>To:</b> 01.37.3640.1.10302 Overtime w/01.03.3640.1289 Other Dept. Income <b>Reason:</b> To cover the cost of OT for the Jam in the Valley concert	\$2,823.29	\$2,823.29	
<b>Emergency Services Total</b>			<b>\$2,823.29</b>
<b>Highway</b>			
<b>To:</b> 04.53.5110.4.4260 Contractual/Co. Rd. <i>w/ any funds available</i> <b>Reason:</b> R. Smithley separation agreement approved according to the terms of the contract.	\$57,100.00	\$57,100.00	
<b>Highway Total</b>			<b>\$57,100.00</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,765,280.41** for the month of **October 2017**.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*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. 17-450  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
ELECTION SYSTEMS AND SOFTWARE ON BEHALF OF THE  
BOARD OF ELECTIONS**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to

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General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Election Systems and Software, 6055 Paysphere Circle, Chicago, IL 60674 on behalf of the Board of Elections. Said contract to provide annual software maintenance in an amount not to exceed five thousand one hundred eighty-eight dollars and seventy-six cents (\$5,188.76); effective December 1, 2017 through November 30, 2018. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #4**

**RESOLUTION NO. 17-451  
(November 14, 2017)**

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

**2017 ELECTION EXPENSES APPORTIONED**

**BE IT RESOLVED**, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2017 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships within Wyoming County as follows:

<b>TOWN</b>	<b>NO. ENROLLED VOTERS</b>	<b>AMOUNT OF LEVY</b>	<b>@.8600</b>
Arcade	2,684	\$2,253.00	\$2,308.00
Attica	2,666	\$2,240.00	\$2,293.00
Bennington	2,354	\$1,987.00	\$2,025.00
Castile	1,926	\$1,626.00	\$1,656.00
Covington	772	\$651.00	\$664.00
Eagle	813	\$686.00	\$699.00
Gainesville	1,473	\$1,239.00	\$1,267.00
Genesee Falls	308	\$264.00	\$265.00
Java	1,443	\$1,212.00	\$1,241.00
Middlebury	1,005	\$841.00	\$864.00
Orangeville	904	\$766.00	\$777.00
Perry	2,829	\$2,375.00	\$2,433.00
Pike	695	\$587.00	\$598.00
Sheldon	1,734	\$1,452.00	\$1,491.00
Warsaw	3,325	\$2,820.00	\$2,860.00
Wethersfield	575	\$487.00	\$495.00
<b>TOTAL</b>	<b>25,506</b>	<b>\$21,936.00</b>	<b>\$21,936.00</b>

Very truly yours  
Board of Elections

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

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**RESOLUTION NO. 17-452  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON  
BEHALF OF THE COUNTY ATTORNEY**

**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 the County Attorney:

- **David H. Nelson, Esq.**, 11 Exchange Street, Attica, New York 14011 for the rendering of legal services to the Resource Unit of the Wyoming County Department of Social Services at the rate of seventy dollars (\$70.00) per hour for a total contract amount not to exceed five thousand seven hundred fifty dollars (\$5,750.00); effective January 1, 2017 through December 31, 2017.
- **Mark H. Dadd Law Office, PLLC**, 166 Main Street, Attica, New York 14011 for the rendering of legal services in an amount not to exceed twenty thousand dollars (\$20,000.00) annually; effective January 1, 2018 through December 31, 2018.
- **Jennifer Wilkinson, Esq.**, 11 Exchange Street, Attica, New York 14011 for the rendering of legal services to the Wyoming County Department of Social Services at the rate of seventy-five dollars (\$75.00) per hour for a total contract amount not to exceed ten thousand dollars (\$10,000.00) annually; effective November 8, 2017 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 through #10. Hearing no objection resolution titles were read.*

**RESOLUTION NO. 17-453  
(November 14, 2017)**

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

### **FAMILY CAREGIVERS MONTH PROCLAIMED**

**WHEREAS**, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who are chronically ill, elderly, or disabled. Caregivers reflect family and community life at its best. They are among our County's most important natural resources; and

**WHEREAS**, The need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

**WHEREAS**, Family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, civic and business organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, does hereby proclaim **November 2017** as **FAMILY CAREGIVERS MONTH** in Wyoming County.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#7

### **RESOLUTION NO. 17-454 (November 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**

November 14, 2017

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized 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 Wyoming County Office for the Aging. Said funding to provide information and assistance regarding choices for long term care services and supports for residents of all ages in Wyoming County in a minimum amount of twenty-one thousand six hundred forty-five dollars (\$21,645.00); effective October 1, 2017 through March 31, 2018.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #8**

**RESOLUTION NO. 17-455  
(November 14, 2017)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE OFFICE FOR THE  
AGING ADVISORY COUNCIL**

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the Office For the Aging Advisory Council for a term of three (3) years; effective January 1, 2018 through December 31, 2020

**Agency Reps**

- Anthony Santoro ( Wyoming County Emergency Management), 151 North Main Street, Warsaw, NY 14569
- Gregory Rudolph (Wyoming County Sheriff's Department), 151 North Main Street, Warsaw, NY 14569
- Laura Paolucci (Wyoming County Health Department), 5362 Mungers Mill Road, Silver Springs, NY 14550
- Jennifer Howard (Wyoming County Department of Social Services), 466 North Main Street, Warsaw, NY 14569

**Town Reps**

- Martha Mengs (T/Orangeville) 2043 Mengs Road, Attica, NY 14011
- Marilyn Pirdy (T/Arcade) 8819 Youngers Road, Bliss, NY 14024

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #9**

**RESOLUTION NO. 17-456  
(November 14, 2017)**

Regular Session



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

## **MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING COUNTY YOUTH BOARD**

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

### **Community Members**

***Three (3) year term; effective January 1, 2018 through December 31, 2020***

- Bonnie Bagley, 466 North Main Street, Warsaw, NY 14569
- Staci Casseri (Five Star Bank), 3721 Krotz Road, Warsaw, NY 14569

### **Youth Representatives**

***One (1) year term; effective January 1, 2018 through December 31, 2018***

- Sam Matthews, 3867 Sowerby Road, Silver Springs, NY 14550
- Morgan Milhollen, 2008 Simmons Road, Perry, NY 14530
- Bethany Messe, 7646 Route 39, Perry, NY 14530

### **Agency Members**

***Two (2) year term effective January 1, 2018 through December 31, 2019***

- Erin Pataye (P4P), 460 North Main Street, Warsaw, NY 14569
- Samantha Willard (Probation), 143 North Main Street, Warsaw, NY 14569
- Ivan Carrasquillo (Sheriff's Department), 141 North Main Street, Warsaw, NY 14569

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain: #10**

## **RESOLUTION NO. 17-457 (November 14, 2017)**

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

## **NATIONAL ADOPTION AWARENESS MONTH PROCLAIMED**

**WHEREAS**, November 2017 is National Adoption Awareness Month and is designed to provide us with an opportunity to acknowledge the families and staff who are involved in adoption activities throughout the year. The focus this year is on those children currently in foster care; and

November 14, 2017

**WHEREAS,** Deciding to open their hearts and homes to a child, adoptive and foster care families demonstrate great compassion and provide hope and love to these children. National Adoption Awareness Month and National Adoption Day, November 18, 2017 help to raise public awareness of the fact that there are children available who are waiting for caring families; and

**WHEREAS,** There are currently nine children freed for adoption and approximately 45 children in Wyoming County in foster care. The valuable contributions of foster care and adoptive parents are recognized as they continually strive to improve the quality of life for the children brought into their lives; now therefore;

**BE IT RESOLVED,** That November 2017 is hereby proclaimed **NATIONAL ADOPTION AWARENESS MONTH** in Wyoming County; and be it

**FURTHER RESOLVED,** That it is the desire of this Board of Supervisors and Wyoming County Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*After the roll call vote of resolutions 6 through 10 were carried, Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium to present the National Adoption Awareness Month proclamation. She invited Commissioner Barber to join her with this presentation.*

*Commissioner Barber thanked the Board of Supervisors for the continued support of these foster children and the Wyoming County Foster Care program. She stated that Wyoming County is very lucky in that our foster families are open to adoption. There are currently 9 children freed for adoption.*

*Next Supervisor Grant, T/Bennington invited Office for the Aging Director, Andrea Aldinger to the podium to present the Family Caregivers Month proclamation. Director Aldinger invited Dawn James, Brandy Rajk-Winter and Tess Phillips to join her.*

*Brandy Rajk-Winter and Tess Phillips are Caregiver Coordinators working with the Alzheimer's program funding to provide support to Wyoming County families.*

*Dawn James provided an over view of the Adult Day Care program available at Wyoming County Community Hospital. This program is available as a result of funding requirements that went along with the recent renovations to the*

*healthcare facility and is a very successful part of providing care for loved ones and respite to care givers...*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #11 through #18. Hearing no objection resolution titles were read.*

#11

**RESOLUTION NO. 17-458**  
**(November 14, 2017)**

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

**RESOLUTION NUMBER 17-124 RESCINDED**

**WHEREAS**, Resolution Number 17-124 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF HEALTH ON BEHALF OF THE PUBLIC HEALTH DEPARTMENT**” was passed by this Board of Supervisors on November 12, 2014 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; now therefore,

**BE IT RESOLVED**, That Resolution Number 17-124 be hereby rescinded in its entirety effective March 24, 2017 as it is a duplicate of Resolution Number 17-344.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#12**

**RESOLUTION NO. 17-459**  
**(November 14, 2017)**

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

**CHAIRMAN/COMMISSIONER OF HEATH 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

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authorized and directed to sign the following grant applications and acceptance awards on behalf of the County Health Department:

- **Health Research, Inc.,** Riverview Center, 150 Broadway, Suite 560, Menands, NY 12204 for payment of clinical services for the ***Integrated Breast, Cervical and Colorectal Cancer Screening Program*** in a ***maximum*** amount of five thousand one hundred eight-four dollars (\$5,184.00); effective June 30, 2017 through June 29, 2018.
- **P2 Collaborative of WNY,** dba Population Health Collaborative, 355 Harlem Road, Building C, 2<sup>nd</sup> Floor, West Seneca, NY 14224 to expand the delivery of the ***National Diabetes Prevention Program*** through the IMPACT Program in a minimum amount of four thousand dollars (\$4,000.00); effective October 1, 2017 through September 29, 2018.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #13**

**RESOLUTION NO. 17-460  
(November 14, 2017)**

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

**RESOLUTION NUMBER 13-44 AMENDED**

**WHEREAS,** Resolution Number 13-44 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT”** was passed by this Board of Supervisors on February 12, 2013 and provided in part for the following contract on behalf of the County Health Department:

- **Visiting Nursing Association of Western New York, Inc.,** 2100 Wehrle Drive, Williamsville, NY 14221
  - Lease Agreement to provide 1,427 sq. ft. of office space located at 5362 Mungers Mill Road, Silver Springs for the VNA Wyoming County Branch Office Effective February 1, 2013 through December 31, 2017
    - \$13.00/sf/yr. for 02/01/13 to 12/31/15 (\$1,545.92/mo.)
    - \$14.00/sf/yr. for 01/01/16 to 12/31/17 (\$1,664.83/mo.)

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now therefore,

**BE IT RESOLVED**, That Resolution Number 13-44 be hereby amended to extend the Lease Agreement of office space through March 31, 2018. All else remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #14**

**RESOLUTION NO. 17-461  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MENTAL HEALTH ASSOCIATION OF ROCHESTER AND MONROE COUNTY ON BEHALF OF THE COUNTY HEALTH 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 Mental Health Association of Rochester and Monroe County, 320 North Goodman Street, Rochester, NY 14607 on behalf of Mental Health. Said contract is for Peer Operated Programs in Wyoming County in an amount not to exceed two hundred seventy-eight thousand four hundred forty-two dollars (\$278,442.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #15**

**RESOLUTION NO. 17-462  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH**

**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 Living Opportunities of

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DePaul, 2240 Old Union Road, Cheektowaga, New York 14227-2728 on behalf of Mental Health. Said contract is for residential programs in an amount not to exceed three hundred twenty-three thousand nine hundred sixty-five dollars (\$323,965.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#16**

**RESOLUTION NO. 17-463**  
**(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CAMP-GET-AWAY ON BEHALF OF MENTAL HEALTH**

**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 Camp Get-A-Way of Western New York, 77 Commerce Drive, Rochester, NY 14623 on behalf of Mental Health. Said contract is for camp services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#17**

**RESOLUTION NO. 17-464**  
**(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HILLSIDE CHILDREN'S CENTER ON BEHALF OF MENTAL HEALTH**

**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 Hillside Children's Center, 1183 Monroe Avenue, Rochester, New York 14620-1699 on behalf of

Mental Health. Said contract is for various mental health programs in an amount not to exceed one hundred twenty-nine thousand seven hundred eighty-three dollars (\$129,783.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #18**

**RESOLUTION NO. 17-465  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SPECTRUM HUMAN SERVICES ON BEHALF OF MENTAL HEALTH**

**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 Spectrum Human Services, Inc., 227 Thorn Avenue, Orchard Park, New York 14127 on behalf of Mental Health. Said contract is for behavioral health services for Wyoming County residents in an amount not to exceed five hundred twenty-one thousand five hundred ninety dollars (\$521,590.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #19 through #23. Hearing no objection resolution titles were read.*

**#19**

**RESOLUTION NO. 17-466  
(November 14, 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

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appointed/reappointed to the Wyoming County Planning Board:

**Voting Members**

***Three (3) year term effective January 1, 2018 through December 31, 2020***

- Dana Grover (T/Perry) 65 South Main Street, Perry, NY 14530
- William Marsh, (T/Pike) Darby Lane, Pike, NY 14130
- John Higgins (T/Attica) 189 Main Street, Attica, NY 14011
- Michael Armbrust (T/Sheldon) 601 Brookledge Court, Strykersville, NY 14145
- W. Jerome Smith (T/Warsaw) 4673 Buffalo Road, Warsaw, NY 14569

**Alternate Member #1**

***One (1) year term effective January 1, 2018 through December 31, 2018***

- Lee Frette (T/Perry) 3692 Shearman Road, Perry, NY 14530

**Alternate Member #2**

***One (1) year term effective January 1, 2018 through December 31, 2018***

- Gerald R. Pfeifer (T/Warsaw) 261 Linwood Avenue, Warsaw, NY 14569

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain: #20**

**RESOLUTION NO. 17-467  
(November 14, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**SMALL BUSINESS SATURDAY PROCLAIMED**

**WHEREAS**, Small business is the backbone of the nation's economy and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, Small business owners who work long hours, juggling family and career responsibilities and serving as community volunteers, are vital to our country's prosperity and to the vibrancy of our community. These entrepreneurs are vital to our country's economy, creating over sixty percent of our nation's new jobs; and

**WHEREAS**, Through the opportunities offered by the men and women who own and operate the almost one thousand small businesses including family farms in Wyoming County, many of our residents are able to pursue their dreams of a better life; and



**WHEREAS**, We recognize "Small Business Saturday" which is Saturday, November 25, 2017, a day to celebrate and support small businesses that create jobs, boost the economy, and strengthen neighborhoods around the country to encourage shopping locally; and

**WHEREAS**, The Wyoming County Board of Supervisors wishes to recognize small businesses for the key role they play in keeping our local economy strong and urging all our citizens to join in this observance, as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses; now therefore

**BE IT RESOLVED**, That Saturday, November 25<sup>th</sup>, 2017 is hereby designated as **SMALL BUSINESS SATURDAY** in Wyoming County in conjunction with the Wyoming County Chamber & Tourism and communities across Wyoming County, the State of New York, and the United States who have declared this as an important day in celebration and recognition of small business.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #21**

**RESOLUTION NO. 17-468  
(November 14, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**PROCLAIMING LETCHWORTH STATE PARK, RENOWNED AS THE  
"GRAND CANYON OF THE EAST", THE NUMBER ONE TOURISM  
ATTRACTION IN WYOMING COUNTY**

**WHEREAS**, Letchworth State Park is one of the most scenically magnificent natural attractions in the eastern United States; and

**WHEREAS**, The mighty Genesee River roars through the Letchworth gorge over three major waterfalls between cliffs as high as 600 feet in some places and is surrounded by lush forests; and

**WHEREAS**, Visitors to the park have the opportunity to experience hiking, biking, picnicking, fishing, hunting, camping, canoeing and kayaking, cottage rentals, whitewater rafting, hot air ballooning, a state-of-the-art nature center, a charming inn and restaurant named The Glen Iris Inn and much more; and

**WHEREAS**, Letchworth State Park was voted #1 *Best State Park* in the USA in 2015, and #1 *Best Attraction* in New York State in 2017; and

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**WHEREAS,** Visitation to Letchworth State Park exceeds three quarters of a million people annually; and

**WHEREAS,** Overnight visitors stay, on average, six days in Letchworth State Park and visit the surrounding area; and

**WHEREAS,** A visitor spends, on average, \$90.00 per a one day visit and \$200.00 per overnight stay in the surrounding area; and

**WHEREAS,** A Letchworth State Park visitor's combined potential economic impact on the local economy is significant and noteworthy; now therefore,

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors hereby recognizes the special significance of Letchworth State Park to the Nation and New York State, and be it further

**RESOLVED,** That the Wyoming County Board of Supervisors does hereby officially recognize it among the many worthy attractions in the County, as the *“Number One Tourism Attraction in Wyoming County”*.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #22**

**RESOLUTION NO. 17-469  
(November 14, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**2018 MATCHING FUNDS PROGRAM APPROVED ON BEHALF OF  
THE WYOMING COUNTY CHAMBER OF COMMERCE**

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors do hereby approve taking part in the 2018 Matching Funds Program for tourist promotional activities; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors hereby designates the Wyoming County Chamber of Commerce as the official tourist promotion agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**RESOLUTION NO. 17-470  
(November 14, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**COUNTYWIDE ZONING FEE SCHEDULE APPROVED**

**BE IT RESOLVED**, That the Countywide Zoning Fee Schedule is hereby approved and annexed hereto.

Proposed Fee Schedule 2017				
Fee Schedule				
Zoning permit	\$ 20.00	Up to 400 sq' plus .05 per/sq' above		
Land Separation	\$ 75.00	Per lot created		
Site Plan review	\$ 150.00			
Variance	\$ 150.00	Per Variance		
Special Use	\$ 150.00	Annual review fee - \$25		
Subdivision	\$ 500.00			
Re-zone	\$ 550.00			
Mailings	Applicant			
3rd party review	Applicant			
Home Occupation -	\$ 25.00	Unless Specified in the Local Zoning		
Minor		Law		
Home Occupation -	\$ 150.00	Unless Specified in the Local Zoning		
Major		Law		

Fines – As stated within the Local Municipalities Local Land Use Law, Zoning Law or Property Maintenance Law.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*At the conclusion of the roll call vote for resolutions 19 through 23 Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to present the Small Business Saturday proclamation and the proclamation naming Letchworth State Park the number one tourism Attraction in Wyoming County...*

*Scott Gardner and Eric Szucs from the Chamber of Commerce and Tourism were in attendance to accept the Small Business Saturday proclamation. They provided flyers for “Shopping and Shortstacks,” an all you can eat pancake breakfast being held at the Masonic Temple in Warsaw, November 25<sup>th</sup> from 8 am – 11:00 am.*

*Mr. Gardner also shared the Media Release announcing the Wyoming County*

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*Board of Supervisors Proclaims Small Business Saturday...  
 Letchworth State Park Director of Marketing Lisa Burns and General Park  
 Manager, Rolland Beck were also on hand to accept the proclamation  
**Proclaiming Letchworth State Park, Renowned as the “Grand Canyon of the  
 East” the Number One Tourism Attraction in Wyoming County.**  
 Mr. Beck spoke to the importance of collaborating with other county  
 departments and county agencies and his appreciation for being able to do so  
 with the many departments and agencies within Wyoming County...*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions  
 #24 through #30. Hearing no objection resolution titles were read.*

#24

**RESOLUTION NO. 17-471  
 (November 14, 2017)**

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

**RESOLUTION NUMBER 17-287 AMENDED**

**WHEREAS**, Resolution Number 17-287 entitled, “**CHAIRMAN  
 AUTHORIZED TO SIGN A CONTRACT WITH MICHAEL J.  
 FLAHERTY, JR. ON BEHALF OF THE DISTRICT ATTORNEY’S  
 OFFICE**,” passed by this Board of Supervisors on July 11, 2017 and provides  
 for special prosecution services in an amount not to exceed twenty thousand  
 dollars (\$20,000.00); effective July 5, 2017 through December 31, 2017; now  
 therefore

**BE IT RESOLVED**, That Resolution Number 17-287 be hereby  
 amended to reflect an increase of fifteen thousand dollars (\$15,000.00) for a new  
 total contact amount of thirty-five thousand dollars (\$35,000.00). All else  
 remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#25**

**RESOLUTION NO. 17-472  
 (November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS 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 the following contracts on behalf of the Sheriff's Department:

- **Letchworth Central School**, 5550 School Road Gainesville, NY 14066 for a School Resource Officer in an amount not to exceed:
  - \$45.10 per hour from September 1, 2017 through December 31, 2017; and
  - \$45.95 per hour from January 1, 2018 through June 30, 2018
    - For 2.5 days a week when school is in session
    - Effective September 1, 2017 through June 30, 2018
- **Attica Central School**, 3338 East Main Road, Attica, NY 14011 for a School Resource Officer in an amount not to exceed:
  - \$45.10 per hour from September 1, 2017 through December 31, 2017; and
  - \$45.95 per hour from January 1, 2018 through June 30, 2018
    - For 2.5 days a week when school is in session
    - Effective September 1, 2017 through June 30, 2018

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #26**

**RESOLUTION NO. 17-473  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH M J MECHANICAL SERVICES, 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 authorized to sign a contract with M J Mechanical Services, Inc., 95 Pirson Parkway, Tonawanda, NY 14150 on behalf of the County Jail. Said contract is for the purchase of new commercial grade kitchen equipment and upgrades in an amount not to exceed one hundred twenty thousand dollars (\$120,000.00); effective November 14, 2017 through completion of project. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

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**RESOLUTION NO. 17-474**  
**(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SWANSON SERVICES CORP. 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 Swanson Services, Corp., 1133 Pennsylvania Street, Denver, CO 80203 on behalf the County Jail. Said contract to provide inmate banking software and commissary services in an amount not to exceed thirty-five thousand dollars (\$35,000.00); effective January 1, 2017 through December 31, 2019. *Revenue Contract*

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain:**  
**#28**

**RESOLUTION NO. 17-475**  
**(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE 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 Board, with the approval of the County Attorney, is authorized to sign a grant acceptance award with New York State Division of Division of Office of Homeland Security and Emergency Services, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant is for FY2017 funding to support consultant to overhaul of current Comprehensive Emergency Response Plan and enhance access control system with software upgrades in a minimum amount of fifty-two thousand four hundred eighty-five dollars (\$52,485.00); effective September 1, 2017 through August 31, 2020.

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain:**

**RESOLUTION NO. 17-476  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SAIA COMMUNICATIONS, 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 SAIA Communications, Inc., 10 Stradtman Street, Buffalo, NY 14206 on behalf of Emergency services. Said contract to replace a microwave link between the 911 Center and the Kelly Road Tower in an amount not to exceed twenty-nine thousand five hundred ninety-six dollars and twenty cents (\$29,596.20); effective November 14, 2017 through completion of project. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#30**

**RESOLUTION NO. 17-477  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT ACCEPTANCE  
AWARDS 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 the following grant acceptance awards with the New York State Indigent Legal Services, 80 South Swan Street, Albany, New York on behalf of the Public Defender's Office:

- ***Second Counsel at First Appearance*** in a minimum amount of two hundred nine thousand eight hundred forty-nine dollars (\$209,849.00); effective January 1, 2017 through December 31, 2019.
- ***Distribution 7*** in a minimum amount of fifty-one thousand sixty dollars (\$51,060.00); effective January 1, 2017 through December 31, 2019.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

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*There was a motion by Mr. Davis, T/Covington, to combine resolutions #31 through #35. Hearing no objection resolution titles were read.*

#31

**RESOLUTION NO. 17-478  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT BIDS AND 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 award bids and sign contracts on behalf of Buildings and Grounds (Co. Bldgs.) as follows:

- **T.C.C.T. Cleaning Inc.**, 46 North Maple Street, Warsaw NY 14569 for cleaning services at the Office for the Aging, Public Defender, Highway Department, Public Safety, Courthouse, Ag Center and Government Center in an amount not to exceed one hundred ninety-five thousand one hundred forty-nine dollars and twenty-eight cents (\$195,149.28) per year; effective October 14, 2017 through October 13, 2020.
- **Warrens Commercial Cleaning**, 454 North Main Street, Warsaw NY 14569 for cleaning services at the Board of Elections, Department of Social Services, Mental Health, and Health Department in an amount not to exceed eighty thousand six hundred fifty-two dollars and eighty-four cents (\$80,652.84) per year; effective October 14, 2017 through October 13, 2020.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #32**

**RESOLUTION NO. 17-479  
(November 14, 2017)**

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



**WYOMING COUNTY COMMUNITY HOSPITAL WINDOW  
REPLACEMENT PROJECT BY WINDOW SPECIALIST, INC.  
COMPLETE**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors recognizes and accepts that the Window Replacement Project at the Wyoming County Community Hospital, as established on December 13, 2016 by Resolution Number 16-518 has been completed; and be it

**FURTHER RESOLVED**, That the Chairman of this Board is authorized to execute closeout documentation for the Window Replacement Project at the Wyoming County Community Hospital by Window Specialist, Inc.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #33**

**RESOLUTION NO. 17-480  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
FEEDWATER TREATMENT SYSTEMS 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 Feedwater Treatment Systems, P.O. Box 439, Athol Springs, New York 14010 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for the monitoring, maintaining, testing and inspecting of the cooling tower for the Wyoming County Jail, Courthouse, Public Health Department and Government Center in an amount not to exceed eleven thousand dollars (\$11,000.00); effective October 1, 2017 through October 1, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #34**

**RESOLUTION NO. 17-481  
(November 14, 2017)**

November 14, 2017

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

**RIGHT-OF-WAYS FOR SCHAD ROAD BRIDGE OVER RED BROOK  
PROJECT APPROVED**

**WHEREAS,** That the real property below located in the Town of Covington, Wyoming County, New York is needed to be acquired by the County of Wyoming for the replacement of Schad Road Bridge over Red Brook (BE #14), Town of Bennington, BIN #3319660; PIN #4BNY.14 as described on maps on file in the Office of the Wyoming County Superintendent of Highways;

<u>Property Owner</u>	<u>Tax Map No.</u>	<u>Surveyor Map &amp; Parcel No.</u>	<u>Acreage</u>
Robert J. Keicher	15-1-72	PE Map # 1 Parcel #1	.265 ±
Henry A. Keicher	15-1-72	PE Map # 1 Parcel #2	.421 ±
Gerald C. Keicher			
Donald J. Keicher			
Kim M. Keicher			
960 French Road			
Cheektowaga, NY 14227			

**WHEREAS,** Said real property owners have agreed to graciously donate said real property so that said replacement may be completed; and

**WHEREAS,** It is necessary for the County to indemnify said property owners in connection with said replacement; now therefore

**BE IT RESOLVED,** That the County of Wyoming shall indemnify and hold harmless the property owners listed from any claim, charge, expense or liability arising from any action or omission taken by the County in connection with exercising its rights under the easements given to the County of Wyoming by the property owners; and be it

**FURTHER RESOLVED,** That the County of Wyoming, subject to the approval of the County Attorney, is authorized to accept the donation of said real properties; said conveyances to be completed upon the recording of an easement from the real property owners to the County of Wyoming.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #35**

**RESOLUTION NO. 17-482  
(November 14, 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 -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”; and

**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 be it

**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 be it

**FURTHER RESOLVED**, That the Board of Supervisors hereby agrees that the 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 be it

**FURTHER RESOLVED**, That the sum of **\$172,645.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it

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

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**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 be it

**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 be it

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

**FURTHER RESOLVED,** This Resolution shall take effect immediately.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #36 through #53. Hearing no objection resolution titles were read.*

**#36**

**RESOLUTION NO. 17-483  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN  
2018 MEDICARE HEALTH INSURANCE RATES FOR RETIREES**

**BE IT RESOLVED,** That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Medicare PPO renewal rates for Retired County Employees for **2018** as follows:

- **Univera Medicare PPO High Option**
  - ❖ Single - \$532.47

Regular Session

- **Univera Medicare PPO Low Option**
  - ❖ Single \$488.52
- **Excellus Medicare PPO**
  - ❖ Single \$484.87
- **MVP Medicare Gold Anywhere ~ Buy Up Option**
  - ❖ Single \$370.70
- **MVP Medicare Gold Anywhere ~ Standard Option**
  - ❖ Single \$334.30

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #37**

**RESOLUTION NO. 17-484  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**2018 WORKERS' COMPENSATION COSTS APPROVED**

**BE IT RESOLVED**, That the cost of Workers' Compensation Insurance for the Participants covered by the Wyoming County Workers' Compensation Self-Insured Plan as based upon the 2018 budget of \$3,017,717.00 (total budget of \$3,057,962.00 minus a \$40,245.00 inter-fund transfer) are as follows:

<b>TOWNS</b>	
Arcade	\$38,656
Attica	\$36,089
Bennington	\$51,569
Castile	\$41,042
Covington	\$26,894
Eagle	\$34,547
Gainesville	\$40,437
Genesee Falls	\$23,750
Java	\$33,827
Middlebury	\$37,829
Orangeville	\$30,640
Perry	\$33,090
Pike	\$31,611
Sheldon	\$46,851

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Warsaw	\$46,454
Wethersfield	\$33,099
<b>TOTAL</b>	<b>\$586,385</b>

and be it

**FURTHER RESOLVED**, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Wyoming County Workers' Compensation Insurance estimated costs for participating County Departments, Villages, School Districts, and outside County Agencies are as follows:

<b>COUNTY</b>	
County Government	\$319,202
County Highway Department	\$196,368
Wyoming Co. Community Hospital	\$804,534
Wyoming Co. Volunteer Fire Depts.	\$366,455
<b>TOTAL</b>	<b>\$1,686,559</b>

<b>VILLAGES</b>	
Arcade	\$105,792
Attica	\$71,889
Castile	\$10,730
Gainesville	\$40
Perry	\$88,510
Silver Springs	\$9,546
Warsaw	\$115,444
Wyoming	\$7,672
<b>TOTAL</b>	<b>\$409,623</b>

<b>SCHOOL DISTRICTS</b>	
Attica Central School	\$135,825
Perry Central School <i>tail claims prior 1/1/2017</i>	\$41,210
Pioneer Central School <i>tail claims prior 1/1/2016</i>	\$89,690
Warsaw Central School	\$6,686

<i>tail claims prior 7/1/2003</i>	
Wyoming Central School	\$29,566
<b>TOTAL</b>	<b>\$302,977</b>

<b>OUTSIDE AGENCIES</b>	
Community Action	\$27,226
Soil & Water Conservation	\$4,947
<b>TOTAL</b>	<b>\$32,173</b>

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain: #38**

**RESOLUTION NO. 17-485**  
**(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**GREGORY RUDOLPH APPOINTED AS REPRESENTATIVE TO THE  
WYOMING COUNTY WORKERS' COMPENSATION PLAN**

**BE IT RESOLVED**, That Sheriff, Gregory Rudolph, 151 North Main Street, Warsaw, NY 14569 be hereby designated to represent Wyoming County as its Trustee for purposes of the Wyoming County Workers' Compensation Plan; effective November 14, 2017 to fill a vacancy created by David Rumsey effective October 13, 2017.

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain: #39**

**RESOLUTION NO. 17-486**  
**(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EVANS  
AGENCY PURCHASING COALITION TRUST ON BEHALF OF  
COUNTY INSURANCE**

**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 Evans Agency Purchasing Coalition Trust, One Grimsby Drive, Hamburg, NY 14075 on behalf

November 14, 2017

of County Insurance. Said contract allows the County to participate in the Evans Bank Coalition Trust for health insurance; effective January 1, 2018.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #40**

**RESOLUTION NO. 17-487  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
IVERGENT, 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 Ivergent, Inc., 7247 Cayuga RD Suite 300, Cheektowaga, NY 14225 on behalf of Information Technology. Said contract is for the provision of ADtran VOIP Equipment and Service Maintenance in an amount not to exceed nine thousand two hundred twenty-eight dollars (\$9,228.00); effective November 14, 2017 through November 13, 2018. (*NYS Contract PT65086*)

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #41**

**RESOLUTION NO. 17-488  
(November 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:

***Health Department***

- Abolish one (1) position of ***Registered Nurse*** (per diem) (position code #128.209), Schedule A, Grade 10B (\$27.48 - \$29.92 includes 10% no benefits). Position effective date is November 15, 2017.



- Create one (1) position of **Public Health Nurse** (per diem), Schedule A, Grade 18 (\$27.49 - \$31.11 includes 10% no benefits). Position available date is November 15, 2017.

### ***Human Resource***

- Create one (1) position of **HR Generalist**, to be placed on Salary Schedule S with a salary yet to be determined. Position available date is November 15, 2017.
- Create one (1) position of **HR Assistant**, to be placed on Salary Schedule S with a salary yet to be determined. Position available date is November 15, 2017.

### ***Veterans Services***

- Amend one (1) position of **Assistant Director of Veteran Services, PT** to increase hours temporarily from 25 hours per week to 35 hours per week; effective October 30, 2017.

### ***Public Defender***

- Extend one (1) position of **Investigator** contingent on continued funding by the New York State Indigent Legal Services Office at an annual salary of \$35,000.00; effective October 14, 2017 through December 31, 2020.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #42**

## **RESOLUTION NO. 17-489**

**(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

### **SALARY SCHEDULES “D”, “G”, “S” AND “C” 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 “D”:**

##### ***Worker’s Compensation Program***

- Set a stipend for the **Worker’s Compensation Program Administrator** in the amount of \$2,000.00 per month to act as the Acting Human Resource Director; effective 10/11/17 through the appointment of a new Human Resource Director.

#### **Salary Schedule “G”:**

##### ***Public Defender’s Office***

- To provide Stipends plus corresponding fringes for the following:

November 14, 2017

- Public Defender: \$5,000.00
- Assistant Public Defender (2<sup>nd</sup>) \$16,000.00
- Assistant Public Defender (3<sup>rd</sup>) \$14,000.00
- Investigator \$10,000.00
- Secretary to Public Defender, PT \$2,000.00
- Secretary 1, PT \$1,500.00
  - Said amounts are annual, to be paid bi-weekly and retroactive from 01/01/2017 through 12/31/2019.
  - Funds provided through 2017-2019 ILS Contract CAFA256 Indigent Legal Services, Second Counsel at First Appearance distribution.
- To Provide Stipends plus corresponding fringes to the following:
  - Public Defender: \$2,500.00
  - Assistant Public Defender (1<sup>st</sup>) \$2,400.00
  - Assistant Public Defender (3<sup>rd</sup>) \$2,400.00
  - Secretary to Public Defender, PT \$1,500.00
  - Secretary 1, PT \$772.00
  - Assistant Public Defender (4<sup>th</sup>) \$5,228.00
    - Said amounts to be paid bi-weekly and retroactive from 01/01/17 to 12/31/2019.
    - Except for **Assistant Public Defender (4<sup>th</sup>)** which will commence 07/05/2017.
    - Funds provided through 2017-2019 Contract C700056 with Indigent Legal Services, Distribution #7.

#### **Salary Schedule “S”:**

##### ***Public Defender’s Office***

- To provide a one-time Stipend plus corresponding fringes to the following:
  - Assistant Public Defender (1<sup>st</sup>) \$8,300.00
  - Assistant Public Defender (3<sup>rd</sup>) \$8,300.00
  - Assistant Public Defender (4<sup>th</sup>) \$8,300.00
    - Effective July 5, 2017 through December 31, 2017 to cover for individual chosen to fill position vacated on July 5, 2017.
    - Candidate has not yet begun employment leaving the duties to the remaining *Assistant Public Defenders*.

#### **Salary Schedule “C”:**

##### ***Wyoming County Community Hospital***

- Amend deletion date of one (1) position of *Director of Medical/Surgical, Intensive Care & Infection Prevention, FT* under Medical Surgical Unit/3<sup>rd</sup> Floor from May 14, 2017 to June 4, 2017.

- Set the salary of the *Director of Medical/Surgical, Intensive Care & Infection Prevention, FT* under Medical Surgical Unit/3rd Floor for the period January 1, 2017 through June 3, 2017 at \$83,232.00 annually.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #43**

**RESOLUTION NO. 17-490  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULE “C” APPROVED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as attached.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**WYOMING COUNTY SALARY PLAN SCHEDULE “C”  
WYOMING COUNTY COMMUNITY HOSPITAL AND SKILLED NURSING FACILITY  
Revised 11/14/2017**

November 14, 2017

Official Civil Service Titles	Res. #	COLUMN A		COLUMN B
		Effective first payroll on or after 1/1/2017 or as noted	Effective first payroll on or after 8/1/2017	Market Value / Performance Increases
		2% Increase	Comments	
<b>ACUTE QUALITY</b>				
Quality and Risk Management Coordinator	16-482	\$7,283		\$0.000
Quality Assurance Specialist/Infection Prevention	17-271	71,600	Effective 07/16/2017	
<b>ADMINISTRATION</b>				
Administrative Assistant	16-230	51,000	Vacant as of 08/01/2017	
Chief Operating Officer	16-230	103,891		
Executive Assistant	17-330			\$4,000
<b>ADULT DAY CARE (SNF)</b>				
Program Director	16-230	\$5,000	Vacant	
Steno for the Director of Nursing (Nursing Facility)	16-262	5,000	Annual	
Steno for the Assistant Director of Nursing (Nursing Facility)	17-241	5,500	Effective 05/04/2017	
<b>BIOMEDICAL ENGINEERING</b>				
Biomedical Supervisor	17-078	67,500	Effective 01/16/2017	\$6,800
<b>EMERGENCY</b>				
Director of Emergency Services	16-230	71,413		75,000
<b>FISCAL SERVICES</b>				
Assistant Director of Finance	16-230	63,829		
Director of Reimbursement/Quality and SNF Rehabilitation	16-288	95,678		
Financial Analyst	16-437	72,624	Deleted as of 05/14/2017	
Manager of Budget and Financial Analysis	17-271	72,624	Effective 05/14/2017	75,000
<b>HOSPITAL INFORMATICS</b>				
Healthcare Information Specialist	16-230	78,576		
Director of Utilization Review and Health Information Management	16-230	81,500		
<b>IMAGING AND TESTING</b>				
Director of Outpatient Services	17-033	77,520		
<b>INFECTION CONTROL</b>				
Director of Nurse Education and Infection Control	16-230	67,670	Vacant	
<b>INFORMATION SYSTEMS</b>				
Director of Healthcare Information Systems	16-230	72,652	On-call pay	
Steno for the Director of Healthcare Information Systems	17777	9,500	Annual	
Network Admin II	16-230	61,200	On-call pay	\$4,500
<b>LABORATORY</b>				
Laboratory Services Director	17-330			\$6,715
<b>MEDICAL DIRECTOR</b>				
Administrative Secretary	16-230	37,429		
<b>MEDICAL SURGICAL UNIT/3RD FLOOR</b>				
Director of Medical/Surgical, Intensive Care & Infection Prevention	17-271	83,232	Deleted as of 08/04/2017	
Director of Medical/Surgical, Intensive Care	17-271	75,000	Effective 08/10/2017	
<b>MENTAL HEALTH UNIT</b>				
Director of Behavioral Health	16-437	70,380	\$3,000 increase effective 04/08/2017 to \$73,380	
<b>NURSING FACILITY ADMINISTRATION</b>				
Administrative Secretary	16-230	35,218		
Assistant Administrator	16-230	58,161	Vacant	
Assistant Administrator/Director of Nursing	16-230	74,984	Vacant	
Assistant Director of Nursing (Nursing Facility)	17-241	77,010	Effective 05/04/2017	
Director of Nursing (Nursing Facility)	16-230	78,030		
Nursing Facility Administrator	16-230	117,850		119,300
RN Supervisor SNF (Per Diem) (2 positions)	16-437	\$1504 hour shift		
RN Supervisor SNF (Per Diem) (2 positions)	17-033	\$1504 hour shift		
<b>NURSING ADMINISTRATION (ACUTE)</b>				
Administrative Secretary	16-230	33,760		
Director of Nursing	16-326	90,413		\$4,500
Nursing Supervisor Per Diem in the Nursing Service Office (5 positions)	16-230	\$1504 hour shift		
<b>OB CLINIC</b>				
OB/GYN Clinic Office Manager	16-298	42,432		
Clinic Office Manager	16-326	40,310		
<b>OPERATING ROOM</b>				
Director of Surgical Services & Maternity and Women's Health	16-298	93,831		
<b>PATIENT ACCOUNTS</b>				
Revenue Cycle/Business Office Manager	16-230	71,187		
<b>PATIENT AND FAMILY SERVICES</b>				
Clinical Documentation Improvement Coordinator	16-537	66,000	Effective 08/10/2017	
<b>PHYSICAL THERAPY</b>				
Director of Therapy Services Acute and Outpatient	16-298	88,836		
<b>PLANT MAINTENANCE</b>				
Maintenance Supervisor	17-033	61,200		
<b>WORKPLACE HEALTH SERVICES</b>				
Director of WPHS, Clinic Quality & Corporate Compliance	16-230	98,292		

#44

**RESOLUTION NO. 17-XXX**  
**(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

*Withdrawn*  
**YORK WATER TOWNSHIP COUNTY REAL PROPERTY TAX  
EXEMPTION APPROVED**

**Resolution language to be provided by County Attorney**

**Carried:                      Ayes:                      Noes:                      Absent:                      Abstain:**

Regular Session

**RESOLUTION NO. 17-491**  
**(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF PERRY APPROVED**

**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

**TAX MAP PARCEL:** Tax Map # 100.5-1-37.2 ~ Town of Perry

**LOCATION:** Oatka Road

**ASSESSED TO:** Adam J. Koziel, Jr.  
6882 Oatka Road  
Perry, NY 14530

**ERROR TYPE:** Clerical Error

**AUTHORITY:** RPTL §550.2(e) *“an entry on an assessment roll or tax roll which is incorrect by reason of a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district.”*

**ACTION:** Correct **2016** Town/County Tax Bill  
Original Bill \$2,213.09  
Corrected Bill \$ 805.36  
Credit \$1,407.73

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

November 14, 2017

**RESOLUTION NO. 17-492  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF PERRY APPROVED**

**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

**TAX MAP PARCEL:** Tax Map # 100.5-1-37 ~ Town of Perry

**LOCATION:** Oatka Road

**ASSESSED TO:** Adam J. Koziel, Jr.  
6882 Oatka Road  
Perry, NY 14530

**ERROR TYPE:** Clerical Error

**AUTHORITY:** RPTL §550.2(e) *“an entry on an assessment roll or tax roll which is incorrect by reason of a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district.”*

**ACTION:** Correct 2017 Town/County Tax Bill  
Original Bill       \$2,206.70  
Corrected Bill     \$ 812.91  
Credit               \$1,393.79

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain:**

**RESOLUTION NO. 17-493  
(November 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:

- **Enhanced Communication Solutions, Inc.**, PO Box 23081, Rochester, NY 14692 for a phone system upgrade in an amount not to exceed five thousand nine hundred and one dollars and forty-seven cents (\$5,901.47) per month for a total contract cost of three hundred fifty-four thousand eighty-eight dollars and twenty cents (\$354,088.20) per five-year agreement; effective November 1, 2017 through October 31, 2022.
- **Stryker Flex Financial**, a Division of Stryker Sales Corporation, 1901 Romence Road, Parkway Portage, MI 49002 for supply purchase commitment for required equipment for surgical suite in an amount not to exceed two hundred five thousand eight hundred forty-two dollars and eighty cents (\$205,842.80) for 60-month term; effective November 1, 2017 through October 31, 2022.
- **Buffalo Orthopaedic Group, LLP**, 192 Park Club Lane, Amherst, NY 14221 for office support services at the WCCHS Orthopaedic Specialty Clinic in an amount not to exceed forty-two thousand dollars (\$42,000.00) per year; effective December 1, 2017 through November 30, 2019.
- **Lisa Kemp, NP**, 1712 Alleghany Road, Attica, NY 14011 to provide nurse practitioner assistance with physical examinations during Fireman’s Clinics and for relief coverage for Workplace Health

November 14, 2017

Services Clinic in an amount not to exceed sixty dollars (\$60.00) per hour and six thousand dollars (\$6,000.00) per year; effective November 15, 2017 through November 14, 2022.

- **Western New York Physicians, PLLC**, 2261 Route 19 North, Warsaw, NY 14569 to provide clinical patient hospitalists services to patients in the acute and behavioral health areas, to any unassigned patients in the hospital regardless of insurance or the lack thereof and to provide medical director and hospitalists services in the Skilled Nursing Facility in an amount not to exceed six hundred thirty-five thousand dollars (\$635,000.00); effective February 1, 2018 through January 31, 2020.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #48**

**RESOLUTION NO. 17-494  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SEMI-ANNUAL MORTGAGE TAX REPORT**

Mr. Brick, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 01, 2017 through September 30, 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 **\$173,831.11** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:



<b>TAX DISTRICTS</b>	<b>MORTGAGE TAX DISTRIBUTED</b>	<b>VILLAGE</b>	<b>TOWN</b>
Arcade	\$20,969.28	\$4,488.23	\$16,481.05
Attica	\$18,949.04	\$3,537.98	\$15,411.06
Bennington	\$20,062.23		\$20,062.23
Castle	\$15,250.95	\$984.00	\$13,406.39
Perry Village		\$360.56	
Covington	\$4,629.31		\$4,629.31
Eagle	\$5,742.11		\$5,742.11
Gainessville	\$5,082.01	\$166.01	\$4,383.66
Silver Springs Village		\$542.34	
Genesee Falls	\$1,206.38		\$1,206.38
Java	\$12,015.01		\$12,015.01
Middlebury	\$4,259.03	\$285.98	\$3,973.05
Orangeville	\$9,638.27		\$9,638.27
Perry	\$17,214.73	\$3,997.03	\$13,217.70
Pike	\$1,885.21		\$1,885.21
Sheldon	\$12,918.99		\$12,918.99
Warsaw	\$16,573.34	\$4,913.22	\$11,660.12
Wethersfield	\$7,425.22		\$7,425.22
<b>Total:</b>		<b>\$19,775.35</b>	<b>\$154,055.76</b>
<b>Grand Totals:</b>		<b>\$173,831.11</b>	

Let This Be Your Warrant for Such Payment: \$173,831.11 **IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 14<sup>th</sup> day of November 2017.

s/Cheryl J. Ketchum, Clerk  
Board of Supervisors

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain: #49**

**RESOLUTION NO. 17-495  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**2017 TOWN BALANCES APPROVED**

**BE IT RESOLVED**, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted; and be it

November 14, 2017

**FURTHER RESOLVED**, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2018 Tax Rolls of the respective towns:

<b>Town</b>	<b>Debit</b>	<b>Credit</b>
Arcade	0	
Attica	0	
Bennington	0	
Castile	67.99	
Covington	107.18	
Eagle	157.62	
Gainesville	239.06	
Genesee Falls	237.46	
Java	111.87	
Middlebury	0	
Orangeville	0	
Perry	558.99	
Pike	0	
Sheldon	1002.80	
Warsaw	13.04	
Wethersfield	0	
<b>Total</b>	<b>\$2,496.01</b>	

Dated: November 1, 2017

Cheryl D. Mayer, Wyoming County Treasurer

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #50**

**RESOLUTION NO. 17-496  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON  
BEHALF OF THE COUNTY TREASURER**

**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 various contracts on behalf of the County Treasurer:

- **Fiscal Advisors and Marketing**, 120 Walton Street, Suite 600, Syracuse, NY 13020, for the provision of Financial Advisory Services in an amount

not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2018 through December 31, 2018.

- **Drescher & Malecki, LLP**, 3083 William Street, Suite 5, Cheektowaga, NY 14227 for audit services in an amount not to exceed thirty-nine thousand five hundred dollars (\$39,500.00) for fiscal years ending December 31, 2017 and 2018; effective January 1, 2018 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #51**

**RESOLUTION NO. 17-497  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**2018 EQUALIZATION TABLE PRESENTED AND TABLED**

**BE IT RESOLVED**, That the 2018 Equalization Table is hereby presented; and be it

**FURTHER RESOLVED**, That its adoption be tabled for at least one (1) day.

**2018 EQUALIZATION TABLE**

Advisory Equaliz Rates	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rates	% of Co. Tax to be paid by Each Town	Taxable Assessed Value
95.00%	ARCADE	220,931,282	232,559,244	0.100892180	220,924,932
100.00%	ATTICA	189,118,288	189,118,288	0.082046002	189,107,888
45.00%	BENNINGTON	115,625,768	256,946,151	0.111472057	115,609,239
100.00%	CASTILE	248,898,901	248,898,901	0.107980683	248,870,351
98.00%	COVINGTON	72,911,078	74,399,056	0.032276863	72,910,578
100.00%	EAGLE	65,894,410	65,894,410	0.028500489	65,882,110
100.00%	GAINESVILLE	101,655,968	101,655,968	0.044101847	101,655,968
100.00%	GENESEE FALLS	30,076,527	30,076,527	0.013048229	30,073,527
80.00%	JAVA	118,227,310	147,784,138	0.064113830	118,215,310
100.00%	MIDDLEBURY	122,044,040	122,044,040	0.052946892	122,036,640
100.00%	ORANGEVILLE	101,066,863	101,066,863	0.043846273	101,066,863
98.00%	PERRY	194,935,130	198,913,398	0.086295457	194,915,380
100.00%	PIKE	56,556,526	56,556,526	0.024537029	56,556,526
79.00%	SHELDON	136,427,511	172,693,052	0.074920171	136,408,411
100.00%	WARSAW	241,833,965	241,833,965	0.104915872	241,832,465
100.00%	WETHERSFIELD	64,784,928	64,784,928	0.028105925	64,778,628
	<b>TOTALS</b>	<b>2,080,790,492</b>	<b>2,305,027,455</b>	<b>1.000000000</b>	<b>2,080,646,813</b>

26-Oct-17

**FINANCE COMMITTEE**

November 14, 2017

James Brick	Ellen Grant	Bryan Kehl
Jerry Davis	David Tallman	Daniel Leuer
Susan May	Sandy King	Rebecca Ryan
John Copeland		

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #52**

**RESOLUTION NO. 17-498  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**DATE OF PUBLIC HEARING FOR THE CONSIDERATION OF THE  
2018 TENTATIVE COUNTY BUDGET SET**

**BE IT RESOLVED**, That a Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 2018 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 N. Main Street, in the Village of Warsaw, NY 14569, on ***Tuesday, November 21, 2017 at 6:00 PM*** and that copies of that tentative County Budget will be available at the Public Hearing and after 4:00 P.M. on November 14, 2017, in accordance with Section 354(2) of the County Law of this State, at the Office of the Clerk of the Board of Supervisors; and be it

**FURTHER RESOLVED**, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and be it

**FURTHER RESOLVED**, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on November 21, 2017.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #53**

**RESOLUTION NO. 17-499  
(November 14, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**2018 RECYCLING FEES LEVIED**

**BE IT RESOLVED**, That the Clerk of this Board is hereby authorized and directed to levy fees on behalf of Towns and the County for the year 2018 as indicated in the amount of **\$2,083,913.92** (two million eighty-three thousand nine hundred thirteen dollars and ninety-two cents) as indicated on the January Town and County tax bill and any other outstanding fees for services rendered:

<b>Municipality</b>	<b>Recycle</b>	<b>Unit</b>	<b>Cost per Unit</b>	<b>Total</b>
Castile	Seasonal Garbage	220	\$121.08	\$26,637.60
	Year-Round Garbage	1,250	\$242.16	\$302,700.00
Gainesville	Seasonal Garbage	18	\$121.08	\$2,179.44
	Year-Round Garbage	812	\$242.16	\$196,633.92
Genesee Falls	Seasonal Garbage	14	\$121.08	\$1,695.12
	Year-Round Garbage	188	\$242.16	\$45,526.08
Middlebury	Seasonal Garbage	8	\$121.08	\$968.64
	Year-Round Garbage	587	\$242.16	\$142,147.92
Orangeville	Seasonal Garbage	22	\$121.08	\$2,663.76
	Year-Round Garbage	482	\$242.16	\$ 116,721.12
Perry	Seasonal Garbage	7	\$121.08	\$ 847.56
	Year-Round Garbage	1,838	\$242.16	\$445,090.08
Pike	Seasonal Garbage	20	\$121.08	\$2,421.60
	Year-Round Garbage	419	\$242.16	\$101,465.04
Sheldon	Seasonal Garbage	11	\$121.08	\$1,331.88
	Year-Round Garbage	896	\$242.16	\$216,975.36
Warsaw	Seasonal Garbage	9	\$121.08	\$1,089.72
	Year-Round Garbage	1,813	\$242.16	\$439,036.08
Wethersfield	Seasonal Garbage	57	\$121.08	\$6,901.56
	Year-Round Garbage	334	\$242.16	\$80,881.44
	Town Subsidy			\$(50,000.00)
<b>TOTAL</b>				<b>\$2,083,913.92</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #54**

**RESOLUTION NO. 17-500  
(November 14, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH RICHARD PEREZ ON BEHALF OF VETERANS 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 Richard Perez, 4275 Bumbacher Road, Gainesville, NY 14066 on behalf of Veterans Services. Said contract is for emergency interim professional oversight of the Veterans Services Department in the amount of forty-two dollars and eighty-five cents (\$42.85) per hour plus any out-of-pocket expenses incurred on assigned duties for the County of Wyoming; effective October 30, 2017 through appointment of a Director of Veteran Services.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:42 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>

Clerk to the Board

**SPECIAL SESSION**  
**(November 21, 2017)**  
**Tuesday**  
**6:00 PM**

The special 2018 budget hearing 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; M. Vasile, T/Genesee Falls; V. McCormick, T/Java; S. King, T/Pike; B. Becker, T/Sheldon; and J. Copeland, T/Wethersfield. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum, county department heads, contract agency directors and members of the public as follows:

Karen Tallman  
 Cheryl Mayer, Wyo. Co. Treasurer  
 Joan Petzen, Cornell Cooperative Extension  
 Laura Fuller, Cornell Cooperative Extension  
 Cynthia Amrhein, Wyo. Co. Historian  
 Hallie Cook  
 Ken Cook  
 Kelly Cook  
 Joan Kibler, Probation Director  
 Kelly Dryja, Community Services Director  
 Sandy Brick  
 Reporter from the Batavia Daily  
 Linda Kehl  
 Todd MacConnell, IT Director  
 Daryl Rogers, Supt. of Bldgs. and Grounds  
 Julia Ferrini, Reporter  
 Deanna Nikiel, Finance Clerk I (Budget Office)

At 6:02 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 no 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

November 21, 2017

would teach her the discipline, teamwork and skills needed for the future and with a bonus of free College 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. 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 turned the meeting over to Budget Officer Cook to present the 2018 proposed Budget.

Budget Officer Cook took the opportunity to thank the Board of Supervisors and her staff, Jean Monteleone and Deanna Nikiel for their contributions to the 2018 budget calculations.



## Wyoming County

November 21<sup>st</sup>, 2017 Presented by: Janis Cook, Budget Officer

## 2018 BUDGET PRESENTATION



## SUMMARY OF PROPOSED 2018 BUDGET

- > Proposed budget
  - \$ 134,376,566
- > Proposed tax levy
  - \$ 21,031,622
  - > 3.48% increase
- > Taxable Valuation
  - \$2,080,646,813
  - > 1.77% increase
- > Proposed tax rate @ 100% assessment
  - \$9.11 per  
thousand - 2.82%  
increase

## PROPERTY TAX LEVY AND RATE

	2017	2018	Amt change from prior yr	% change from prior yr
Property Tax Levy	\$ 20,324,000	\$ 21,031,622	\$ 707,622	3.48%
Taxable Valuation	\$ 2,044,543,907	\$ 2,080,646,813	\$ 36,102,906	1.77%
Full Valuation	\$ 2,281,842,582	\$ 2,305,027,455	\$ 23,184,873	1.02%
**Property Tax Rate	\$ 8.86	\$ 9.11	\$ 0.25	2.82%

\*\*100% Equalization in both FY 2017 & 2018

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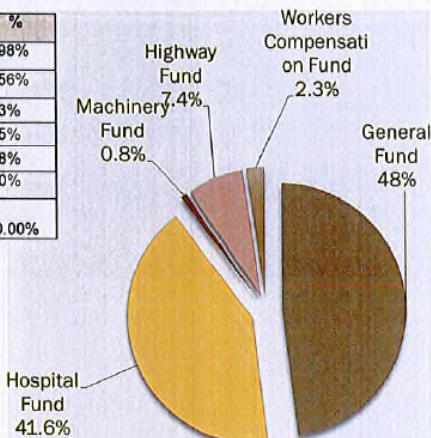
## riPPuny TAX RiTE HISTORY

Tax Rate 2008 - Tentitive 2018  
(per thousand)

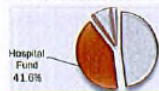


# **PROPOSED BUDGET BREAKDOWN**

APPROPRIATION BY FUND	EXPENDITURE	%
General Fund	84,468,673.72	47.98%
Hospital Fund	55,852,950.00	41.56%
Machinery Fund	1,120,042.00	0.83%
Highway Fund	9,876,937.88	7.35%
Workers Compensation Fund	3,057,962.00	2.28%
Capital Improvement Fund	0.00	0.00%
<b>Total Budgeted Expenditures</b>	<b>134,376,565.60</b>	<b>100.00%</b>



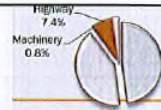
# **HOSPITAL FUND**



Hospital Fund	Adopted 2017	Tentative 2018	Change Amount Inc / (Dec)
<b>Total Revenues</b>	<b>54,380,510.00</b>	<b>55,852,950.00</b>	<b>1,472,440.00</b>
1 Personal Svc	21,642,739.00	22,512,816.00	870,077.00
2 Capital	500,000.00	0.00	(500,000.00)
4 Contractual	20,078,070.00	20,570,944.00	492,874.00
6 Principal Pmt	1,158,650.00	840,599.01	(318,050.99)
7 Interest Pmt	854,985.00	185,300.99	(669,684.01)
8 Fringe	10,146,066.00	11,743,290.00	1,597,224.00
9 Transfers	0.00	0.00	0.00
<b>Total Expenditures</b>	<b>54,380,510.00</b>	<b>55,852,950.00</b>	<b>1,472,440.00</b>
Fund Balance	0.00	0.00	0.00
Levy	0.00	0.00	0.00



## HIGHWAY & MACHINERY FUND



Highway & Machinery Fund		Adopted 2017	Tentative 2018	Change Amount Inc / (Dec)
Total Revenues		8,846,708.88	10,439,057.88	1,592,349.00
1	Personal Svc	1,360,401.00	1,483,726.00	123,325.00
2	Capital	381,212.00	100,000.00	(281,212.00)
4	Contractual	6,478,011.88	8,227,992.88	1,749,981.00
6	Principal Pmt	150,000.00	150,000.00	0.00
7	Interest Pmt	3,750.00	3,750.00	0.00
8	Fringe	986,713.00	1,031,511.00	44,798.00
9	Transfers	0.00	0.00	0.00
Total Expenditures		9,360,087.88	10,996,979.88	1,636,892.00
Fund Balance		(513,379.00)	(557,922.00)	(44,543.00)
Levy		0.00	0.00	0.00

## GENERAL FUND

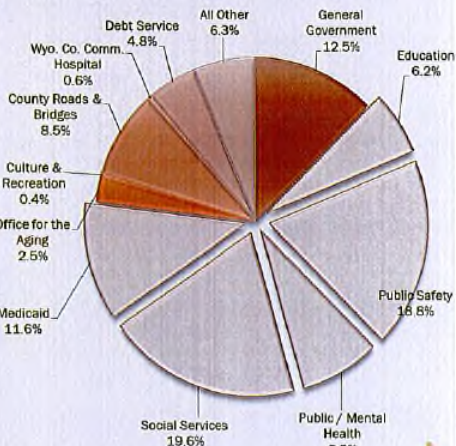


General Fund		Adopted 2017	Tentative 2018	Change Amount Inc / (Dec)
Total Revenues		40,492,614.32	41,977,051.72	1,484,437.40
1	Personal Svc	14,194,593.60	15,281,696.10	1,087,102.50
2	Capital	287,500.00	294,650.00	7,150.00
4	Contractual	30,932,595.00	30,428,703.28	(503,891.71)
6	Principal Pmt	1,402,842.20	2,150,694.98	747,852.78
7	Interest Pmt	480,087.74	926,364.89	446,277.15
8	Fringe	8,329,315.78	9,443,173.57	1,113,857.79
9	Transfers	5,939,680.00	5,943,390.88	3,710.88
	Highway	5,450,063.00	5,511,445.88	61,382.88
	Machinery	0.00	0.00	0.00
	Hospital	300,000.00	391,700.00	91,700.00
	CIP	150,000.00	0.00	(150,000.00)
	Workers Comp	39,617.00	40,245.00	628.00
Total Expenditures		61,566,614.32	64,468,673.72	2,902,059.40
Fund Balance		(750,000.00)	(1,460,000.00)	(710,000.00)
Allowance for Taxes		0.00	0.00	0.00
Levy		20,324,000.00	21,031,622.00	707,622.00

## GENERAL FUND EXPENDITURES



GENERAL FUND	EXPENDITURE	%
General Government	8,077,994	12.53%
Education	4,015,594	6.23%
Public Safety	12,112,427	18.79%
Public / Mental Health	5,275,495	8.18%
Social Services	12,612,031	19.56%
Medicaid	7,474,310	11.59%
Office for the Aging	1,637,563	2.54%
Culture & Recreation	241,320	0.37%
County Rds & Bridges	5,511,446	8.55%
WCCB	391,700	0.61%
Debt Service	3,077,060	4.77%
All Other	4,041,734	6.27%
<b>Total Budgeted Expenditures</b>	<b>64,468,674</b>	<b>100.00%</b>

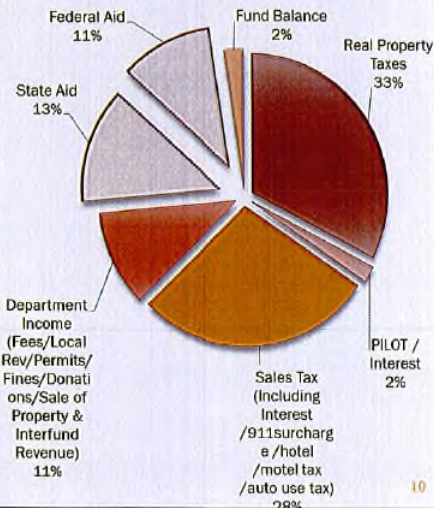


## GENERAL FUND REVENUE



GENERAL FUND	REVENUE	%
* Real Property Taxes (Levy)	21,031,622	32.62%
PILOT/Interest	1,202,221	1.86%
Sales Tax (Interest/911 surcharge /bed tax/auto use tax)	18,112,012	28.09%
Department Income (Fees/Local Rev/Permits/Fines/Donations/Sale of Property & Interfund Revenue)	7,058,111	10.95%
State Aid	8,606,746	13.35%
Federal Aid	6,999,962	10.86%
Fund Balance	1,460,000	2.26%
<b>Total General Fund Revenue</b>	<b>64,468,674</b>	<b>100.00%</b>

\* See slide #14 for Property Tax rate calculation





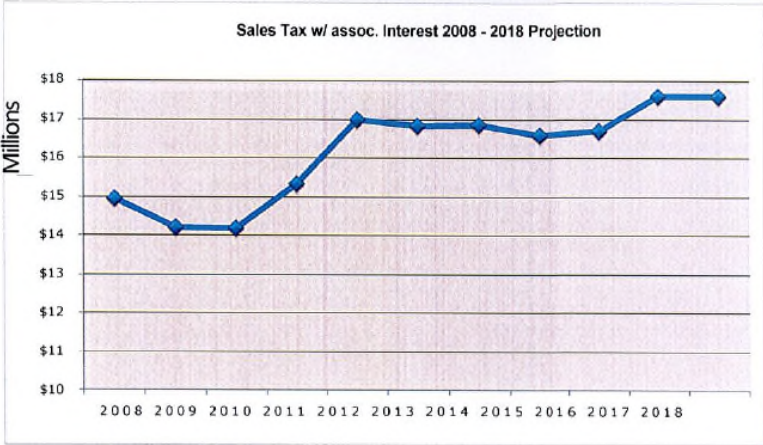
FUNCTION	APPROPRIATIONS	STATE & FEDERAL AID	REVENUES	TAX LEVY / SURPLUS
General Governmental Support	\$0.00	\$230,000.00	\$18,394,220.81	(\$18,624,220.81)
Legislative	\$787,555.56	\$0.00	\$600.00	\$788,955.56
Judicial	\$1,828,769.02	\$778,735.69	\$128,431.60	\$921,601.83
Finance	\$1,259,509.40	\$0.00	\$895,605.75	\$373,903.65
Staff	\$3,993,579.36	\$82,000.00	\$1,776,526.42	\$2,133,052.94
Special Items	\$208,561.00	\$0.00	\$0.00	\$208,561.00
Education	\$4,016,594.24	\$1,980,720.00	\$0.00	\$2,934,874.24
Public Safety	\$12,112,426.22	\$711,558.00	\$986,658.38	\$10,412,095.84
Health	\$5,275,494.87	\$3,067,808.67	\$652,788.13	\$954,806.07
Social Services (Less Medicaid)	\$12,612,030.96	\$7,988,925.00	\$693,800.00	\$3,929,305.96
Social Services (Medicaid / MMIS)	\$7,474,310.00	\$0.00	\$0.00	\$7,474,310.00
Economic Development	\$609,281.04	\$0.00	\$280,432.72	\$328,848.32
Other	\$208,448.24	\$11,868.00	\$8,000.00	\$185,780.24
Economic Assistance	\$1,637,583.08	\$867,854.00	\$220,722.00	\$559,487.08
Recreation	\$215,961.91	\$38,331.00	\$12,500.00	\$165,130.91
Culture	\$121,319.92	\$0.00	\$4,500.00	\$116,819.92
Adult Recreation	\$120,000.00	\$120,000.00	\$0.00	\$0.00
General Environment	\$2,356,293.57	\$0.00	\$2,307,658.52	\$50,625.05
Natural Resources	\$606,514.57	\$0.00	\$8,000.00	\$598,514.57
Employee Benefits	\$5,000.00	\$0.00	\$5,000.00	\$0.00
Debt Service	\$3,077,059.88	\$39,217.13	\$0.00	\$3,037,842.75
Interfund Transfers	\$5,943,390.88	\$0.00	\$0.00	\$5,943,390.88
Highway Funds	\$9,876,937.88	\$3,121,692.00	\$5,855,245.88	\$500,000.00
Machinery Fund	\$1,120,042.00	\$0.00	\$1,062,129.00	\$57,922.00
Hospital Funds	\$55,852,950.00	\$1,220,151.00	\$54,632,799.00	\$0.00
Compensation	\$3,057,902.00	\$0.00	\$3,057,902.00	\$0.00
Capital	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTALS:</b>	<b>\$134,376,565.60</b>	<b>\$20,548,550.49</b>	<b>\$90,776,471.11</b>	<b>\$23,049,544.00</b>
<b>Less Surplus:</b>				
General Fund				\$1,460,000.00
Machinery Fund				\$57,922.00
County Road Fund				\$500,000.00
Compensation				\$0.00
Capital				\$0.00
Subtotal Surplus Applied				\$2,017,922.00
<b>TAX LEVY:</b>				<b>\$21,031,622.00</b>

## NEW YORK STATE MANDATES

Mandates	2017 Budget	2018 Budget	Levy Increase
Medicaid (inc. IGT)*	7,386,747.00	7,474,310.00	87,563.00
All other mandated DSS Programs**	3,647,208.15	3,932,305.96	285,097.81
NYS mandated Retirement Contribution	5,572,370.72	5,798,557.41	226,186.69
Community College Expense	2,135,000.00	2,050,000.00	(85,000.00)
Probation	803,787.41	589,476.91	(14,310.50)
Indigent Defense	256,734.08	310,934.65	54,200.59
Special Ed Pre-K	969,031.34	884,874.24	(84,157.10)
Early Intervention	233,893.41	224,062.95	(9,830.46)
Total Levy Increase	20,804,772.09	21,264,522.12	459,750.03
<b>Tentative GF Levy</b>		<b>21,031,622.00</b>	

Mandated programs account for  
more than 101%  
of the Tentative County Tax Levy

# SALES TAX HISTORY



# PROPERTY TAX CAP CALCULATION

2017 Tax Levy 20,324,000	
Special District Levy 2,662,917	
2017 Total Adjusted Tax Levy 22,986,917	
Tax Base Growth Factor (Provided by NYS) 1.0136	23,299,539
PILOTS in 2017 (est.) 392,960	23,692,499
Allowable Levy Growth 1.84% (Provided by NYS) 1.0184	24,128,441
PILOTS in 2018 (est.) 382,201	
2018 ESTIMATED TOTAL TAX CAP \$23,746,220	
Amount Allowed to Increase Tax Levy * \$759,303	3.30%

\*Including Special District Levy

## PROPERTY TAX VS TAX CAP

	Adopted 2017	Tentative 2018	2018 Inc / (Dec)	2018 % Inc / -Dec
<b><u>General County Levy</u></b>				
Revenue	107,312,621.20	111,327,021.60	4,014,400.40	3.74%
Expenses	128,900,000.20	134,376,565.60	5,476,565.40	4.25%
Reserve to offset	1,263,379.00	2,017,922.00	754,543.00	59.72%
<b>Total General County Levy</b>	<b>20,324,000.00</b>	<b>21,031,622.00</b>	<b>707,622.00</b>	<b>3.48%</b>
<b><u>Special District Levy</u></b>				
Town Balances		2,496.01	2,496.01	
Board of Elections	21,486.00	21,936.00	450.00	2.09%
Recycling	2,039,766.73	2,083,913.92	44,147.19	2.16%
Worker's Comp	501,664.00	586,385.00	(15,279.00)	-2.54%
<b>Total Levy All Districts</b>	<b>22,988,916.73</b>	<b>23,726,352.93</b>	<b>739,436.20</b>	<b>3.22%</b>
NYS Tax Levy Limitation		23,745,220.00	759,303.27	3.30%
<b>Over / (Under) Allowable Cap</b>			<b>(19,867.07)</b>	<b>(.08%)</b>

Under Tax Cap

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## MANDATE RELIEF FROM ALBANY?

### NYS Governor

Hon. Andrew M. Cuomo

Executive Chambers

State Capitol Building

Albany, NY 12224

(518) 474-8390

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## THANK YOU

If you have any questions please feel free to contact me:



Janis Cook

Wyoming County Budget Officer

Phone: (585) 786-8804

[jcook@wyomingco.net](mailto:jcook@wyomingco.net)

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Supervisor Leuer, T/Middlebury questioned the requirement for the towns to be under the tax cap in order for residents to receive rebates from the state tied to the tax cap.

Budget Officer Cook also mentioned that she heard that any reimbursements from NY State associated with the Raise the Age legislation will be tied to the tax cap. Only Counties who managed to stay under the cap are eligible.

- *Public Comment ~*

Supervisor Ryan, T/Warsaw provided the below statement:

Wyoming County 2018 Budget Hearing  
November 21, 2017

Thank you Fellow Supervisors, Budget Director Cook, Dept. Heads and County Staff for the hard work, time and effort given once again in this year's budget process. The shared goal is for the county taxpayer to keep as much of their hard earned money as possible while still receiving the services they expect.

Great attention, scrutiny has always been aimed at the County regarding the tax levy. I would ask that the taxpayers give the same scrutiny to other taxing entities. The money for all taxes comes out of our same pocket. I would hope that the taxpayers would attend those budget hearings and engage with those elected officials as well.

Let me give you an example: My Warsaw Village tax **alone** exceeds my Town and County tax **combined**. Water and sewer is **not** included in the Village taxes and is billed quarterly by the Village. Garbage pick-up is **no longer** included in my Village taxes.

Last year, at the request of the Village of Warsaw, the County included the Village residents in the County garbage pick-up contract **(a shared service)**. This added cost was a substantial factor added to the County tax cap formula for the 2017 budget. Curiously there was no meaningful decrease evident in the subsequent Village tax bill. **In fact, the tax rate went up!**

Keep in mind that the County is burdened with state mandates including Community Colleges that exceed 100% of the tax levy. The County is responsible for maintaining **240+ miles** of County roads, the Hospital, Skilled Nursing Facility, Sheriff's Department, Jail, Public Health, Mental Health, Office for the Aging, Building & Zoning, Courts, Public Defender, District Attorney, DMV, County Clerk and DSS totaling approximately **950 employees**. The County also assists many agencies in the county on behalf of the residents.

This Board has been committed to keeping the hospital and the services I just mentioned. This Board is committed to maintaining the roads, we have **listened** to the County residents. We have held public meetings across the County to hear the residents' concerns and expectations. Those expectations are the basis from which we have worked from to form this budget. This Board has consistently worked toward providing services in the most efficient manner possible; **shared services** is just one example.

Remember, even when the County exceeded the tax cap, Town and County taxes **combined** were **less** than Village taxes **alone** for Warsaw.

I urge the public to also concentrate on the other local governments in an effort to ensure fiscal responsibility at **every level**. Public input, interest and oversight should always be welcome.

I would like to thank all those who took the time to attend our hearing tonight and thank you, Chairman for granting me the opportunity to address the Board tonight.

Becky Ryan  
Supervisor, Town of Warsaw

Finance Committee Chair, J. Brick, T/Perry thanked Budget Officer Cook for a job well done in formulating yet another year's budget.

Chairman Berwanger shared a story about his "rural roots" from when his Dad was still farming the family farm with him. One day his dad asked when he was going to plant the oats. Chairman Berwanger said the neighbor hasn't planted his oats yet. Dad said, "Let me tell you something, if you keep comparing yourself to the neighbor you're not going to be in business long, so you better get with it!"

Chairman Berwanger commented on Genesee County's \$10/\$1,000 rate as compared to Wyoming County's rate of \$9.11/\$1,000. Something to be very proud of when you consider the county owned hospital and skilled nursing facility. And we look forward to our continued affiliation with ECMC. The county plans on completing restoration of county roads in 2018.

November 21, 2017

Very grateful to be part of a Board of Supervisors who had the courage to move forward with these restoration projects. Very important to maintain infrastructure versus allowing them to deteriorate.

The people of this county expect services...

CLOSE PUBLIC HEARING ~

*Chairman Berwanger asked for any other comments. Receiving none, he asked for a motion to close the public hearing... A motion to close the Public Hearing was provided by Supervisor May, T/Orangeville. Second by Supervisor Tallman, T/Gainesville. All Ayes. Carried.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 6:26 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>

Clerk to the Board

**REGULAR SESSION**  
**(December 12, 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:

**Lawrence Kelly**

Mr. Kelly was born August 12, 1917 at his parents' home in Perry Center. His mother left when he was three years old and he was raised by his father. Mr. Kelly had to leave school when he was sixteen because his father passed away. He went to work in Perry Center for his Uncles at a Cider Mill. As soon as he turned eighteen, he applied for and entered into work as a member of the Civilian Conservation Corps.

The Emergency Conservation Work Act was signed into law by President Franklin D. Roosevelt on March 31, 1933 and is more commonly known as the Civilian Conservation Corps (CCC). This was one of the most successful and popular Depression-era programs, in which over three million young men enrolled, bringing together what President Roosevelt felt were two wasted resources: young men and land. These men accomplished a remarkable number of conservation and development projects, leaving a legacy still felt throughout the United States today with the plating of more than three billion trees and the construction of trails and shelters in more than 800 parks nationwide. Mr. Kelly spent his time in the CCC as a carpenter and was recognized on August 2, 2014 for his hard work building structures in Letchworth State Park where he spent most of his time.

He joined the United States Army on November 5, 1942 as a Rifleman and was stationed in Panama as part of the Allied War effort. The Panama Canal was the most strategic location in Latin America during World War II and was vital to commerce and the defense of the Western Hemisphere. On November 2, 1943, Mr. Kelly suffered a hearing loss as a rifleman and was transferred to the United

States Army Civil Air Corps at Drew Field in Tampa, Florida where he trained as a Radar Operator. The Civil Air Corps remained one of the combat arms of the Army until 1947, when it was legally abolished by legislation establishing the Department of the Air Force.

On September 2, 1945, Mr. Kelly was issued an honorable Service Lapel Button and was told to prepare to go home. He completed his tour of duty on October 25, 1945 and was discharged as a Private First Class from Fort Dix, New Jersey and headed for home. For his valor and courageous service to his country, Mr. Kelly earned the:

American Service Medal  
Good Conduct Medal  
Honorable Service Lapel Button

On May 3, 1941, Mr. Kelly married Meta Mae Rutherford at a small service in Perry Center. Together they had six children: Elaine, Alice, Ruth Ann, Gloria Jean, Lawrence John and Michael Frank.

After his military service, Mr. Kelly worked many jobs in Wyoming County. In 1951, he began his career as a fruit farmer working on George Sherman's farm in Castile. Part of his work arrangement included the purchase of one of Sherman's homes, which Mr. Kelly eventually turned into his own fruit farm. He operated and ran this farm, with his son Lawrence John, until this past year when he decided to retire at age 100.

Mr. Kelly lives with his son Lawrence John and enjoys reading and watching television.

***The pledge was said by all.***

*Chairman Berwanger presented the customary certificate of appreciation to Mr. Kelly and offered an opportunity to address the Board. At which time and on behalf of his father, Mr. Kelly's son, Lawrence John, thanked the Board of Supervisors for the honor to have his father lead the pledge and said that he was happy his father was able to get out and see some people today...*

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

**COMMUNICATIONS ~**

- November 15, 2017 correspondence from Rolland Beck, General Park Manager at Letchworth State Park thanking the Board of Supervisors for the prestigious proclamation naming Letchworth State Park as the number one tourism attraction in Wyoming County

**SALVATION ARMY BELL RINGING ~**

- *Suzanne Stopen*

*Ms. Stopen was introduced by Chairman Berwanger...*

*Ms. Stopen noted how much was raised last year and said that all proceeds stay in Wyoming County. She also told of a couple stories of how Salvation Army has helped people in the community. She also noted that she is in desperate need of bell ringers. She recognized some County residents that have rung the bell in the past and asked if everyone here today would consider ringing the bell for just sixty minutes. She also thanked the board for allowing her to come back this year to speak.*

#1

**RESOLUTION NO. 17-501  
(December 12, 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:

<b>Public Health</b>			
<b>From:</b> 01.38.4010.8.81001 Retirement	\$2,800.00		
<b>To:</b> 01.38.4010.4.40704 Lab Fees		\$2,800.00	
<b>Reason:</b> To cover the cost of water testing for the remainder of 2017.			
<b>Public Health</b>			
<b>From:</b> 01.38.4051.8.89002 HRA	\$2,884.00		
<b>To:</b> 01.38.4051.2.20201 Computer Equipment		\$2,884.00	
<b>Reason:</b> To move grant funds to cover the cost of a new laptop for the Navigator Program.			
<b>Public Health Total</b>			<b>\$5,684.00</b>

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

#2

**RESOLUTION NO. 17-502  
(December 12, 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:

December 12, 2017

<b>Information Technology</b>			
<b>To:</b> 01.34.1681.4.41402 Computers w/01.08.1681.2650 Revenue IT <b>Reason:</b> Sale of equipment on Ebay being used to purchase new camera and miscellaneous supplies.	\$600.00	\$600.00	
<b>Information Technology Total</b>			<b>\$600.00</b>
<b>Medicaid</b>			
<b>To:</b> 01.40.6102.4.42250 MMIS IGT/DSH Pymt w/ any funds available <b>Reason:</b> To cover the 50% County share of the NH UPL payment (SFY 2017-2018).	\$943,281.00	\$943,281.00	
<b>Medicaid Total</b>			<b>\$943,281.00</b>
<b>Workers Compensation</b>			
<b>To:</b> 01.52.9950.9.99006 Trans. to Workers Comp w/ any funds available <b>Reason:</b> To cover additional office furniture for the Worker's Comp Office due to the move. Old furniture will be left for the new HR staff.	\$3,500.00	\$3,500.00	
<b>To:</b> 05.58.1710.4.41010 Office Supplies w/05.13.1710.5031 Interfund Transfer <b>Reason:</b> To cover additional office furniture for the Worker's Comp Office due to the move. Old furniture will be left for the new HR staff.	\$3,500.00	\$3,500.00	
<b>Workers Compensation Total</b>			<b>\$7,000.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.2.23001 Vehicle w/01.08.3110.2680 Insurance Recovery <b>Reason:</b> To cover estimated replacement cost of a totaled 2015 patrol car.	\$26,000.00	\$26,000.00	
<b>Sheriff Total</b>			<b>\$26,000.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4320.4.42486 Case Management w/01.11.4320.3490 State Aid <b>Reason:</b> Update to 2017 state aid year-end review.	\$563.00	\$563.00	
<b>To:</b> 01.38.4323.4.42412 Forensic CM 01.38.4323.4.42409 Advocacy w/01.11.4323.3490 State Aid <b>Reason:</b> Update to 2017 state aid year-end review.	\$1,869.37 45.00	\$1,914.37	
<b>To:</b> 01.38.4325.4.42415 Family Support 01.38.4325.4.42467 Crisis outreach 01.38.4325.4.42445 Suppt. Appt 01.38.4325.4.42441 Misc. MH 01.38.4325.4.42409 Advocacy 01.38.4325.4.42419 Drop in w/01.11.4325.3490 State Aid <b>Reason:</b> Update to 2017 state aid year-end review.	\$76.00 17.00 376.00 75.25 328.00 594.00	\$1,466.25	
<b>To:</b> 01.38.4322.4.42408 ARC w/01.11.4322.3490 State Aid <b>Reason:</b> Update to 2017 state aid year-end review.	\$87.00	\$87.00	
<b>Mental Health Total</b>			<b>\$4,030.62</b>



<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.42461 Cancer Services Program w/01.09.4010.2705 Public Health Donations <b>Reason:</b> Appropriate funds donated by the Warsaw Grange for transportation assistance to patients in cancer treatment.	\$122.00	\$122.00	
<b>Public Health Total</b>			<b>\$122.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1167.4.42494 Viol Prev. LG-14t w/01.11.1167.3089 LG 14 Revenues <b>Reason:</b> 2016 Rollover Funds. Money being placed back into grant due to grant funds being overcharged.	\$165.52	\$165.52	
<b>To:</b> 01.32.1167.4.41010 Office Supplies w/01.12.1167.4389 VAWA Rev. <b>Reason:</b> 2016 rollover funds.	\$414.02	\$414.02	
<b>To:</b> 01.32.1169.4.40402 Conf and Conv w/01.12.1169.4389 OVS C1-00006 <b>Reason:</b> To cover travel exp. pd. in 2017 as part of 2017-18 grant years.	\$645.46	\$645.46	
<b>To:</b> 01.32.1166.4.40402 Conf and Conv w/01.12.1166.4389 OVS C1-00036 <b>Reason:</b> To cover travel exp. pd. in 2017 as part of 2017-18 grant years.	\$645.46	\$645.46	
<b>District Attorney Total</b>			<b>\$1,870.46</b>
<b>Public Defender Total</b>			
<b>To:</b> 01.32.1170.1.10001 Salaries 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare – FICA 01.32.1170.8.81001 Retirement w/01.11.1170.302507 Distribution 7 NYS ILS <b>Reason:</b> To cover expenses assoc. w/Distribution #7 from NYS ILS.	\$14,800.00 718.00 215.00 1,287.00	\$17,020.00	
<b>To:</b> 01.32.1170.1.10001 Salaries 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare – FICA 01.32.1170.8.81001 Retirement 01.32.1170.4.42494 Contractual Expenses w/01.11.1170.302507 Distribution 7 NYS ILS <b>Reason:</b> To cover expenses assoc. w/CAFA 2 grant from NYS ILS.	\$49,500.00 3,070.00 718.00 7,920.00 6,800.00	\$68,008.00	
<b>Public Defender Total</b>			<b>\$85,028.00</b>

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$5,276,721.70** for the month of **November 2017**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #6. Hearing no objection resolution titles were read.*

**RESOLUTION NO. 17-503  
(December 12, 2017)**

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

**RESOLUTION NUMBER 12-157 AMENDED**

**WHEREAS**, Resolution Number 12-157 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE BOARD OF ELECTIONS ON BEHALF OF WYOMING COUNTY BOARD OF ELECTIONS**,” passed by this Board of Supervisors on May 8, 2012 and provides for HAVA Funds (contract #C003253) and submission of HAVA operations expenses by Boards of Elections (SHOEBOX) in a minimum amount of sixty-five thousand seven hundred forty-seven dollars and sixty-six cents (\$65,747.66); effective April 01, 2004 through March 31, 2014; and

**WHEREAS**, That Resolution Number 12-157 was previously amended by this Board of Supervisors on July 8, 2014 by ***Resolution Number 14-233*** to extend the contract through March 31, 2016; and

**WHEREAS**, That Resolution Number 12-157, as previously amended by Resolution Number 14-233, was further amended by this Board of Supervisors on July 8, 2014 by ***Resolution Number 16-329*** to extend the contract through March 31, 2017; now therefore

**BE IT RESOLVED**, That ***Resolution Number 12-157***, as previously amended by ***Resolution Number 14-233*** and ***Resolution Number 16-329***, be hereby further amended to extend the contract through March 31, 2018.

All else remains the same.

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

#4

**RESOLUTION NO. 17-504  
(December 12, 2017)**

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

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

Regular Session

**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 *Memorandums of Understanding* by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreements to allow for the following:

- Amend Grade 1A of the WCCHS Schedule for 2016-2020. The below chart will replace the current schedule in the agreement.

<b>Revised WCCHS Grade 1A per minimum wage rates</b>									
Step 1 will change to minimum wage on 12/31 each year - all other steps change 1/1 according to CBA									
	GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6		
2018	***1A	10.40	10.63	10.86	11.09	11.32	11.55	Step 1 only eff 12/31/2017	
2019	***1A	11.10	11.33	11.56	11.79	12.02	12.25	Step 1 only eff 12/31/2018	
2020	***1A	11.80	12.03	12.26	12.49	12.72	12.95	Step 1 only eff 12/31/2019	
2021	***1A	12.50						Step 1 only eff 12/31/2020	

- Provide a signing bonus to newly hired *CNA positions* in the Nursing Facility; effective through June 30, 2018.
- Provide shift incentive to *Certified Nursing Assistants* and *Licensed Practical Nurses* at the Nursing Facility; effective through June 30, 2018.
- Create Grade 19 on Schedule A of the CSEA General Unit contract and upgrade the job title of *Probation Officer Supervisor* to Grade 19; effective January 1, 2017.

All else remains unchanged.

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

**#5**

**RESOLUTION NO. 17-505  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
METRODATA SERVICES, INC. ON BEHALF OF HUMAN RESOURCE**

December 12, 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 ***Metrodata Services, Inc.***, 403 Main Street, Suite 624, Buffalo, NY 14203 on behalf of Human Resource. Said contract to provide new hire pre-employment background screening services in an amount not to exceed contract fee schedule and utilization; effective November 15, 2017.

Contingent upon the availability of funds.

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

**#6**

**RESOLUTION NO. 17-506  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH  
MASS MUTUAL FINANCIAL GROUP ON BEHALF OF HUMAN  
RESOURCE**

**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 ***Mass Mutual Financial Group***, 179 Sully's Trail – Suite 200 Pittsford NY 14534 and the 457 Plan Service Group 100 Bright Meadow Boulevard Enfield, CT 06082) on behalf of Human Resource Said contract to continue administration of the Wyoming County Employees 457 Plan Service.

Contingent upon the availability of funds.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #7 through #14. Hearing no objection resolution titles were read.*

**#7**

**RESOLUTION NO. 17-507  
(December 12, 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 one (1) year term; effective January 1, 2018 through December 31, 2018 as follows:

- **Kimberley Barber** (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw, NY 14569 (*previously held by David Rumsey*)
- **Laura Paolucci** (County Health Department), 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550
- **Sandy Smith**, (Wyoming County Community Action), 6470 Route 20A, Suite 1, Perry, NY 14530-9799 (*previously held by Alex Pierce*)

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

#8

### RESOLUTION NO. 17-508 (December 12, 2017)

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

#### CHAIRMAN AUTHORIZED TO SIGN THE GLOW LOCAL PLAN

**WHEREAS**, The Federal Workforce Innovation and Opportunity Act of 2014 requires each local Workforce Development Board to develop and submit to the State, a comprehensive local plan with the appropriate Chief Elected Officials; and

**WHEREAS**, The State will be submitting, a new Plan to USDOL for PY2017; and

**WHEREAS**, As such, the local Workforce Development Boards are to submit a new local plan to NYSDOL for PY2017, in order to be eligible to receive WIOA funds for administering the One Stop System and delivering services to its customers; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby authorizes the Chairman of this Board to sign the GLOW Local Plan on behalf of Wyoming County for the period July 1, 2017 through June 30, 2021.

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

#9

December 12, 2017

**RESOLUTION NO. 17-509  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS 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 the following contracts on behalf of the Office for the Aging; effective January 1, 2018 through December 31, 2018:

- ***The Pine Lounge***, 164 Clinton Street, Cowlesville, NY 14037 for congregate meals for seniors 60+ years; in an amount not to exceed 2018 budget and variable depending on use.
- ***Susan Schell***, 3408 South Main Street, Warsaw, NY 14569 for dietician services to the Office for the Aging as required by New York State Office for the Aging and the Older Americans Act in an amount not to exceed eighteen thousand dollars (\$18,000.00).
- ***The Cloister***, 171 North Maple Street, Warsaw, NY 14569 for respite services to caregivers in Wyoming County; in an amount not to exceed 2018 budget and variable depending on use.
- ***Aurora Adult Day Services dba Aurora Adult Day Care***, 101 King Street, Suite B, East Aurora, NY 14052 for respite services to caregivers in Wyoming County; in an amount not to exceed 2018 budget and variable depending on use.
- ***Wyoming County Skilled Nursing Facility***, 400 North Main Street, Warsaw, NY 14569 for medical respite services to caregivers in Wyoming County; in an amount not to exceed 2018 budget and variable depending on use.
- ***Laura's Country Kitchen***, 70 North Water Street, Pike, NY 14130 for congregate meals for seniors 60+ years; in an amount not to exceed 2018 budget and variable depending on use.
- ***Community Care of WNY***, 1225 West State Street, Olean, NY 14760 for in-home services to residents 60+ in Wyoming County; in an amount not to exceed 2018 budget and variable depending on use.

Regular Session

- **Center for Elder Law & Justice, Inc.**, 438 Main Street, Suite 1200, Buffalo, NY 14202-3208 for legal services to residents 60+ years in Wyoming County; in an amount not to exceed nine thousand dollars (\$9,000.00).
- **Livingston County Office for the Aging**, Livingston County Campus, Building 8, Mount Morris, NY 14510 to provide foster grandparent program services to eligible Wyoming County Residents; in an amount not to exceed four thousand dollars (\$4,000.00).
- **Elderwood Health Plan**, 7 Limestone Drive, Williamsville, NY 14221 for a revenue contract for managed long-term care services.

Contingent upon the availability of funds.

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

**#10**

**RESOLUTION NO. 17-510  
(December 12, 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 authorized 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 Wyoming County Office for the Aging. Said funding for Title's IIIB, C1, C2, D, E, EISEP, CSE, CSI, WIN, HIICAP, TRANS, Title V in a minimum amount of five hundred ninety-three thousand three hundred ninety-five dollars (\$593,395.00); effective January 1, 2018 through December 31, 2018 and April 1, 2018 through March 31, 2019.

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

**#11**

**RESOLUTION NO. 17-511  
(December 12, 2017)**

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

December 12, 2017

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JAMES  
MCGUINNESS AND ASSOCIATES, INC. 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 to sign a contract with ***James McGuinness and Associates, Inc.***, 1482 Erie Boulevard Schnectady, NY 14305 on behalf of the Youth Bureau. Said contract is for support of our preschool software in an amount not to exceed seven hundred ninety-two dollars (\$792.00) per month plus one hundred twenty-five dollars (\$125.00) per hour; effective January 1, 2018 through December 31, 2018. Contingent upon the availability of funds.

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

**#12**

**RESOLUTION NO. 17-512  
(December 12, 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 FOR THE YEAR 2018**

**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 the following agencies on behalf of the Department of Social Services:

***Santo Bentivegna, Ph.D.***    Variable amounts depending on services provided  
*Mental Health/Psychological Evaluations*    Not to exceed \$12,000/year  
Effective January 1, 2018 through December 31, 2018

***David Nathanson, Ph.D.***    Variable amounts depending on services provided  
*Mental Health/Psychological Evaluations*    Not to exceed \$5,000/year  
Effective January 1, 2018 through December 31, 2018

***Accord Corporation***    Variable amounts depending on services provided  
*Residential Domestic Violence*    Not to exceed \$10,000/year  
Effective January 1, 2018 through December 31, 2018



***Chances & Changes, Inc.*** Variable amounts depending on services provided  
*Residential Domestic Violence* Not to exceed \$15,000/year  
 Effective January 1, 2018 through December 31, 2018

### **DAY CARE CONTRACTS ~**

Contracts are variable amounts depending on services provided; effective January 1, 2018 through December 31, 2018:

- ***A Home Away From Home ~ WITHDRAWN***
- ***Child's Creative Development Center***
- ***Color Your World Childcare Center North, Inc.***
- ***Early Bird Child Care Center***
- ***Hnat, Ivy***
- ***Kiddie Corner Too, Inc.***
- ***Little Lights Child Care Center***
- ***McLaughlin, Kelly***
- ***Ms. Jean's Child Care***
- ***Park, Kathy***
- ***Mudpies and Milestones (WCCA, Inc.)***
- ***Rainbow's End Early Childhood Learning Center***
- ***Smith, Linda***
- ***Smith, Sara***
- ***Wyoming Co. YMCA School-Age Child Care***

### **PERSONAL CARE/PRIVATE DUTY NURSING CONTRACTS ~**

Contracts are variable amounts depending on services provided; effective January 1, 2018 through December 31, 2018:

- ***Aurora Home Care, Inc.***
- ***Center for Disability Rights***
- ***Companion Care of Rochester***
- ***Home Care & Hospice***
- ***VNA Life Line – VNA Home Care Service***
- ***WNY Independent Living, Inc. – Independent Living of the Genesee Region***

### **FUNERAL SERVICES ~**

Contracts are variable amounts depending on services provided; effective January 1, 2018 through December 31, 2018:

- ***Eaton ~ Watson Funeral Home, LLC***
- ***Harmon ~ Watson Funeral Home***
- ***Marley Funeral Home, LLC***
- ***Robinson and Hackemer Funeral Home, Inc.***
- ***W.S. Davis Funeral Home, Inc.***

Contingent upon the availability of funds.

December 12, 2017

**RESOLUTION NO. 17-513  
(December 12, 2017)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE  
DEPARTMENT OF SOCIAL SERVICES FOR THE YEAR 2018**

**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 the following agencies on behalf of the Department of Social Services:

- ***Allegany Rehabilitation Association, Inc.***, 4222 Bolivar Road, Wellsville, NY 14895 for court ordered mental health evaluations and counseling in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 1, 2018 through December 31, 2018.
- ***Spectrum Human Services***, 227 Thorn Avenue, PO Box 631, Orchard Park, NY 14127-0631 for court ordered mental health evaluations and counseling in an amount not to exceed thirteen thousand six hundred thirty dollars (\$13,630.00); effective January 1, 2018 through December 31, 2018.
- ***Planned Parenthood ~ RESTORE Sexual Assault Services***, 114 University Avenue, Rochester, NY 14605 for domestic violence hotline and advocate in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2018 through December 31, 2018.
- ***Interpretek – Communications Services, Inc.***, 75 Highpower Road, Rochester, NY 14623 for sign language interpretation services to meet DSS requirements to provide language assistance services to person with limited English proficiency including required services for child in Article 10 placement in an amount not to exceed twelve thousand dollars (\$12,000.00); effective January 1, 2018 through December 31, 2018.

- **New Directions**, 6395 Old Niagara Road, Lockport, NY 14094 for community based treatment services in an amount not to exceed thirty-seven thousand five hundred dollars (\$37,500.000); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

**#14**

**RESOLUTION NO. 17-514  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE  
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BID  
AND SIGN A CONTRACT WITH VAN BORTEL FORD ON BEHALF  
OF THE DEPARTMENT OF SOCIAL 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 award bid and sign a contract with **Van Bortel Ford**, 71 Marsh Road, East Rochester, NY 14445 on behalf of the Department of Social Services. Said contract is for one (1) 2018 Ford Taurus Model SEL, all-wheel drive vehicle with a preferred color of blue in an amount not to exceed twenty-five thousand nine hundred twenty-four dollars and eighty-three cents (\$25,924.83); effective December 12, 2017 through delivery of vehicle, no later than December 31, 2017. (*Bid Number 17110094*)

Contingent upon the availability of funds.

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

*It was requested by Mrs. Ryan to have Resolution #16 withdrawn, which was so noted by the Chairman. There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #15, and #17 through #20. Hearing no objection resolution titles were read.*

**#15**

**RESOLUTION NO. 17-515  
(December 12, 2017)**

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

December 12, 2017

**DIANE SCOTT APPOINTED TO THE MENTAL HEALTH  
SUBCOMMITTEE**

**BE IT RESOLVED**, That *Diane Scott*, 2260 Dale Road, Warsaw, NY 14569 be hereby appointed to the Wyoming County Mental Health Subcommittee to fill an unexpired vacant four (4) year term; effective November 17, 2017 through December 31, 2018 (*previously held by Kathy Bell*).

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

**#16**

**RESOLUTION NO. 17-  
(December 12, 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; and

**WHEREAS**, That Resolution Number 16-461, as previously amended by Resolution Number 17-049, was further amended by *Resolution Number 17-183* by this Board of Supervisors on April 1, 2017 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-seven dollars and sixty-two cents (\$124,897.62); now therefore

**BE IT RESOLVED**, That *Resolution Number 16-461*, as previously amended by *Resolution Number 17-049* and *Resolution Number 17-183*, be hereby further amended by increasing the contract amount by one thousand eight hundred forty-six dollars and sixty cents (\$1,846.60) for a new contract total of one hundred twenty-six thousand seven hundred forty-four dollars and twenty-two cents (\$126,744.22). All else remains the same.

**Carried:**                      **Ayes:**                      **Noes:**                      **Absent:**                      **Abstain:**  
#17

**RESOLUTION NO. 17-516**  
**(December 12, 2017)**

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

**EDWARD HULME REAPPOINTED TO THE WYOMING COUNTY  
HEALTH DEPARTMENT BOARD OF HEALTH**

**BE IT RESOLVED**, That *Edward Hulme*, 3512 Hermitage Road, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Health Department Board of Health for a six (6) year term; effective January 1, 2018 through December 31, 2023.

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

**RESOLUTION NO. 17-517**  
**(December 12, 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 for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

December 12, 2017

**RESOLUTION NO. 17-518  
(December 12, 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, 2017 through September 30, 2018 as follows:

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

**#20**

**RESOLUTION NO. 17-519  
(December 12, 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  
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 authorized to sign a grant application and acceptance award with the *New York State Department of Health*, Empire State Plaza, Corning Tower, Albany, NY 12237 on behalf of the County Health Department. Said funding to provide comprehensive family planning and reproductive health services in a minimum amount of one hundred sixty-three thousand eight hundred seventy-eight dollars (\$163,878.00) per year; effective January 1, 2018 through December 31, 2019.

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

#21

**RESOLUTION NO. 17-520  
(December 12, 2017)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**JOHN KNAB 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 one (1) year term; effective January 1, 2018 through December 31, 2018.

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

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #22 through #25. Hearing no objection resolution titles were read.*

#22

**RESOLUTION NO. 17-521  
(December 12, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**ROBERTA CURRY REAPPOINTED 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), 36 Center Street, Suite C, Warsaw, NY 14569 is hereby reappointed to the GLOW Solid Waste Planning Committee and the GLOW

December 12, 2017

Regional Solid Waste Management Committee as the Planning and Development Representative for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

#23

**RESOLUTION NO. 17-522  
(December 12, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

**JOAN PETZEN REAPPOINTED TO THE GLOW SOLID WASTE  
ADVISORY COMMITTEE**

**BE IT RESOLVED**, That *Joan Petzen* (Cornell Cooperative Extension), 36 Center Street, Warsaw, NY 14569 is hereby reappointed to the GLOW Regional Solid Waste Advisory Committee as an Agency Representative for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

#24

**RESOLUTION NO. 17-523  
(December 12, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

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

**BE IT RESOLVED**, That *Larry Kilburn*, 1379 Bray Road, Arcade, NY 14009 is hereby reappointed to the Wyoming County Water Resource Agency Board of Directors for a three (3) year term; effective January 1, 2018 through December 31, 2020.

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

#25

**RESOLUTION NO. 17-524  
(December 12, 2017)**

By Mr. Leuer, Chairman of the Planning Committee:

Regular Session



**CHAIRMAN AUTHORIZED TO SIGN A CLIMATE CHANGE EASEMENT GRANTED PURSUANT TO ARTICLE 54, TITLE 15, OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW 54-1513, IN ORDER TO RECEIVE FUNDING FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**WHEREAS,** The Chairman of this Board was authorized by Resolution No. 17-254 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; and

**WHEREAS,** Said funding is for the construction of an Electric Vehicle Charging Station (SVCS) in the Village of Warsaw in a minimum amount of fourteen thousand sixteen dollars, (\$14, 016.00) effective November 1, 2016 through October 31, 2018; and

**WHEREAS,** The Mayor of the Village of Warsaw will also sign the Climate Change Easement as authorized by the Village Board of the Village of Warsaw; and

**WHEREAS,** The Climate Change Easement must be signed by both the Chairman and the Mayor of the Village of Warsaw to jointly declare that it is in the public interest to pursue the funding in order for the County to receive the fourteen thousand, sixteen dollars, (\$14,016.00); now therefore

**BE IT RESOLVED,** The Chairman of this Board is authorized to sign a Climate Change Easement granted pursuant to Article 54, Title 15, of the New York State Environmental Conservation Law 54-1513 in order to receive funding from the New York State Department of Environmental Conservation.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #26 through #30. Hearing no objection resolution titles were read.*

**#26**

**RESOLUTION NO. 17-525  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH GENESEE VALLEY FORD, LLC ON BEHALF OF THE SHERIFF'S DEPARTMENT**

December 12, 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 accept the New York State Office of General Services Vehicle Marketplace bid and sign a contract with ***Genesee Valley Ford, LLC***, 1675 Interstate Drive, Avon, NY 14414 on behalf of the Sheriff's Department. Said contract is for one (1) 2018 Ford Police Interceptor Sedan in an amount not to exceed twenty-five thousand nine hundred sixty dollars (\$25,960.00); effective through delivery of vehicle. (*Mini-bid No. 17110151*)

Contingent upon the availability of funds.

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

**#27**

**RESOLUTION NO. 17-526  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
LEXIS NEXIS 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 ***Lexis Nexis***, 1275 Broadway, Albany, NY 12204 on behalf of the County Jail. Said contract to provide legal research materials to the Jail Law Library to meet State Commission of Correction Standards in an amount not to exceed seven thousand three hundred forty-four dollars (\$7,344.00) per year; effective January 1, 2018 through December 31, 2020.

Contingent upon the availability of funds.

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

**#28**

**RESOLUTION NO. 17-527  
(December 12, 2017)**

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

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

Regular Session

**BE IT RESOLVED**, That *David Linder*, 563 Perry Road, Strykersville, NY 14145 be hereby reappointed as the STOP-DWI Coordinator, PT for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

#29

**RESOLUTION NO. 17-528  
(December 12, 2017)**

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

**WYOMING COUNTY EMERGENCY SERVICES STATEWIDE  
INTEROPERABLE COMMUNICATIONS PROGRAM FOR FISCAL  
YEAR 2013-2014 COMPLETE**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors recognizes and accepts that the Statewide Interoperable Communications Program, for Fiscal year 2013-2014, as established on June 11, 2013 by Resolution Number 13-200 as complete; and be it

**FURTHER RESOLVED**, That the Chairman of this Board is hereby authorized to execute closeout documentation for the Statewide Interoperable Communications Program, for Fiscal year 2013-2014, on behalf of Wyoming County Emergency Services.

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

#30

**RESOLUTION NO. 17-529  
(December 12, 2017)**

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

**RESOLUTION NUMBER 17-477 AMENDED**

**WHEREAS**, Resolution Number 17-477 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT ACCEPTANCE AWARDS ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE,**” passed by this Board of Supervisors on November 14, 2017 and provided, in part, for the following grant acceptance award:

December 12, 2017

- **Distribution 7** in a minimum amount of fifty-one thousand sixty dollars (\$51,060.00); effective January 1, 2017 through December 31, 2019; now therefore,

**BE IT RESOLVED**, That **Resolution Number 17-477** be hereby amended to rescind **Distribution 7** as it is a duplicate of **Resolution Number 17-069** passed by this Board of Supervisors on February 14, 2017.

All else remains the same.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #31 through #33. Hearing no objection resolution titles were read.*

**#31**

**RESOLUTION NO. 17-530  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT 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 authorized to sign a grant acceptance award with the **Dormitory Authority State of New York (DASNY)**, 515 Broadway, Albany, NY 12207 on behalf of County Highway. Said funding is for safety improvements to the intersection of Couriers Road and Genesee Road, Project ID #9524, under the State and Municipal Facilities Program (SAM) in a minimum amount of seventy-five thousand dollars (\$75,000.00); effective November 3, 2017 through completion of project.

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

**#32**

**RESOLUTION NO. 17-531  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH GENERAL WELDING AND CONTRACTING, INC.  
ON BEHALF OF COUNTY HIGHWAY**

Regular Session

**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 ***General Welding and Contracting, Inc.***, 991 Maple Road, Elma, NY 14059 on behalf of County Highway. Said contract is for a CAM Superline Trailer, Model 6 CAM19STT Split Tilt in an amount not to exceed six thousand five hundred dollars (\$6,500.00); effective December 12, 2017 through delivery of trailer.

Contingent upon the availability of funds.

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

**#33**

**RESOLUTION NO. 17-532  
(December 12, 2017)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE TRAFFIC SAFETY  
BOARD**

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the Traffic Safety Board for a three (3) year term; effective November 6, 2017 through November 5, 2020:

- ***Bruce Kreiger***, (Town of Attica), 700 Route 98, Attica, NY 14011
- ***William Hicks***, (Town of Arcade), 158 North Street, Arcade NY 14009
- ***Joseph Heller, Jr.***, (Town of Bennington), 1290 Maxon Road, Attica, NY 14011
- ***Michael Bell***, (Town of Covington), 7718 Kendall Road, Pavilion, NY 14525
- ***Eileen Stroud***, (Town of Pike), P.O. Box 244, Pike, NY 14130

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

**#34**

**RESOLUTION NO. 17-533  
(December 12, 2017)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE  
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BID**

December 12, 2017

**AND SIGN A CONTRACT WITH GENESEE VALLEY MOTORS (D/B/A  
GENESEE VALLEY DODGE) ON BEHALF OF THE DEPARTMENT  
OF SOCIAL 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 award bid and sign a contract with ***Genesee Valley Motors (d/b/a Genesee Valley Dodge)***, 1695 Interstate Drive, Avon, NY 14414 on behalf of the Department of Social Services. Said contract is for one (1) 2018 Dodge Grand Caravan SE with a preferred color of blue in an amount not to exceed twenty-one thousand eight hundred sixty-three dollars and thirty-four cents (\$21,863.34); effective December 12, 2017 through delivery of vehicle no later than December 31, 2017. (*Bid Number 17110106*)

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 #35 through #60 with the notation by Clerk Ketchum that Resolution No. 56 is subject to a 2/3 majority of the Board. Hearing no objection resolution titles were read.*

**#35**

**RESOLUTION NO. 17-534  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY VOIP TELEPHONE PROJECT COMPLETE**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors Recognizes and accepts that the VOIP Telephone Project, as established on November 12, 2014 by Resolution Number 14-384 as complete; and be it

**FURTHER RESOLVED**, That the Chairman of this Board is hereby authorized to execute closeout documentation for the VOIP Telephone Project on behalf of Information Technology.

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

**#36**

**RESOLUTION NO. 17-535  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID WITH PRINTER COMPONENTS, INC. ON BEHALF OF ALL WYOMING COUNTY DEPARTMENTS**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to award a bid and sign contracts with Printer Components, Inc., 155 Perinton Parkway, Fairport, NY 14450 on behalf of all County Departments. Said bid is to provide toner and toner supplies for all Wyoming County Departments, as per bid opening December 4, 2017 in an amount not to exceed awarded bid pricing; effective December 12, 2017 through December 11, 2018 with the option of two (2) one-year extensions.

Contingent upon the availability of funds.

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

**#37**

**RESOLUTION NO. 17-536  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LINSTAR 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 *Linstar*, 430 Lawrence Bell Drive, Buffalo, NY 14203 on behalf of Information Technology. Said contract for building access control upgrade and expansion in an amount not to exceed fifteen thousand four hundred thirty-nine dollars and thirty-six cents (\$15,439.36); effective December 12, 2017 through December 11, 2018. (*NYS Contract PT-63106*)

Contingent upon the availability of funds.

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

**#38**

**RESOLUTION NO. 17-537  
(December 12, 2017)**

December 12, 2017

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH KIRCHER CONSTRUCTION, INC. ON BEHALF  
OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**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 Kircher Construction, Inc., 28 Mill street, Mt. Morris, NY 14510 on behalf of the Wyoming County Community Health System. Said contract is for the MRI addition and renovation project in an amount not to exceed three hundred thirty-eight thousand five hundred dollars (\$338,500.00); effective December 12, 2017 through completion of project.

Contingent upon the availability of funds.

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

**#39**

**RESOLUTION NO. 17-538  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-272 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 June 13, 2017 and provides for various contracts, in part, as follows:

- **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;

now therefore



**BE IT RESOLVED**, That **Resolution Number 17-272** be hereby amended to extend the term of the professional anesthesia and administrative services of anesthesiologist agreement for an additional one-year term; effective through November 30, 2018.

All else remains the same.

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

**#40**

**RESOLUTION NO. 17-539  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
M. S. HALL & ASSOCIATES, LLC 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 a contract with **M. S. Hall & Associates, LLC**, P.O. Box 564, Syracuse, NY 13205 on behalf of the Wyoming County Community Health System. Said contract is for federal and state reimbursement filing assistance in an amount not to exceed two hundred eighty-five thousand three hundred eighty-four dollars (\$285,384.00) per year; effective January 1, 2018 through December 31, 2020.

Contingent upon the availability of funds.

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

**#41**

**RESOLUTION NO. 17-540  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 15-004 AMENDED**

December 12, 2017

**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 provides for various contracts, in part, as follows:

- **Surgery Specialists at the River, PLLC**, 5287 South Highway 95, Fort Mohave, AZ 86426 to provide a physician who is board certified or board eligible in the specialty of general surgery (**Ronald Weissenberg, D.O.**) to provide general surgery services at the hospital clinics, NYS Department of Corrections and on-call coverage on a 1:2 basis; effective December 16, 2014 through December 15, 2016:
  - PLLC will provide professional liability insurance covering all professional services.
  - WCCHS to provide office and support services and maintain all physician revenue in the amount of three hundred one thousand nine hundred thirty-eight dollars (\$301,938.00) per year payable twenty-five thousand one hundred sixty-one dollars and sixteen cents (\$25,161.16) per month for performance of services in accordance with this agreement plus up to five thousand dollars (\$5,000.00) based on properly documented receipts for travel and set-up expenses; and

**WHEREAS**, That Resolution Number 15-004 was previously amended by this Board of Supervisors on December 13, 2016 by **Resolution Number 16-536** to extend the contract expiration date through December 15, 2017 and change the administrative office address to 400 North Main Street, Warsaw, NY 14569; now therefore

**BE IT RESOLVED**, That **Resolution Number 15-004**, as previously amended by **Resolution Number 16-536**, be hereby further amended as follows:

- Change address to 124 North Maple Street, Warsaw, NY 14569
- Extend the term of the professional services agreement for an additional one-year; effective through December 15, 2018.
- Increase compensation in an amount not to exceed three hundred ten thousand nine hundred dollars (\$310,900.00 per year.

All else remains the same.

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

**RESOLUTION NO. 17-541**  
**(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 13-369 AMENDED**

**WHEREAS**, Resolution Number 13-369 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on November 12, 2013 and provides various contracts, in part, as follows:

- **University of Rochester (URMC) – Strong**, 601 Elmwood Avenue, Rochester, NY 14642 to provide pharmacy management services, effective *December 1, 2013 through November 30, 2014* at \$200,600.00 annual base amount to be paid monthly plus an estimated mileage reimbursement expense of \$2,000.00.
  - The agreement also includes a 3% increase for each term thereafter; and

**WHEREAS**, That Resolution Number 13-369 was further amended by this Board of Supervisors on December 13, 2016 by *Resolution Number 16-535* to:

- Authorize the *Automatic Renewal Option* for the a one (1) year term in an amount not to exceed \$206,618.00, the annual base amount to be paid monthly plus mileage reimbursement expense; effective December 1, 2014 through November 30, 2015; and
- To authorize the *Automatic Renewal Option* for the a one (1) year term in an amount not to exceed \$212,817.00, the annual base amount to be paid monthly plus mileage reimbursement expense; effective December 1, 2015 through November 30, 2016; and
- To authorize the *First Amendment* for a one (1) year term in an amount not to exceed \$219,201.00, the annual base amount to be paid monthly plus mileage reimbursement expense; effective December 1, 2016 through November 30, 2017. Said First Amendment includes two (2) Automatic Renewal Options; now therefore,

**BE IT RESOLVED**, That *Resolution Number 13-369*, as previously amended by *Resolution Number 16-535* be further amended as follows:

- Extend the term of the pharmacy management services agreement for an

December 12, 2017

additional 1-year term through 11/30/2018; in an amount not to exceed two hundred twenty-five thousand seven hundred seventy-three dollars (\$225,773.00), the annual base amount to be paid monthly plus mileage reimbursement expense.

All else remains the same.

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

**#43**

**RESOLUTION NO. 17-542  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH LUMSDEN & MCCORMICK, LLP 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 a contract with ***Lumsden & McCormick, LLP***, Cyclorama Building, 369 Franklin Street, Buffalo, NY 14202 on behalf of the Wyoming County Community Health System. Said contract is for Certified Public Accounting (CPA) firm to provide accounting and external audit services to said Health System for fiscal years 2017, 2018, and 2019, in an amount not to exceed one hundred thirty-five thousand dollars (\$135,000.00) per year; effective January 1, 2017 through December 31, 2020. Contingent upon the availability of funds.

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

**#44**

**RESOLUTION NO. 17-543  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX WARRANTS**

**WHEREAS**, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board; and

**WHEREAS**, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board; now therefore

**BE IT RESOLVED**, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls; warrants to be returned on or before April 1, 2018.

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

#45

**RESOLUTION NO. 17-544  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**REAL PROPERTY TAX SERVICES DIRECTOR AUTHORIZED TO  
APPROVE CORRECTION OF ERRORS**

**BE IT RESOLVED**, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL §§550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §554 (9) during the year 2018; and be it

**FURTHER RESOLVED**, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refunds, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §556 (8) (a)) during the year 2018.

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

#46

**RESOLUTION NO. 17-545  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

December 12, 2017

**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES  
AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL  
BUDGET OF TOWNS OF WYOMING COUNTY**

**WHEREAS,** There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2018; now therefore

**BE IT RESOLVED,** That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	\$ 45,297.62	\$ 344,828.45	\$ 390,126.07
ATTICA	\$ -	\$ 266,150.00	\$ 266,150.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 24,580.00	\$ 266,481.00	\$ 291,061.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 7,172.00	\$ 199,576.00	\$ 206,748.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 131,350.00	\$ 288,157.00	\$ 419,507.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 20,748.84	\$ 228,237.34	\$ 248,986.18
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 21,344.00	\$ 306,622.00	\$ 327,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
<b>TOTALS:</b>	\$ 250,492.46	\$ 1,900,051.79	\$ 2,150,544.25

and be it

**FURTHER RESOLVED,** That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the

respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEVIED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 76,000.00		*** \$142,000.00		\$ 218,000.00
ATTICA		\$ 74,000.00				\$ 74,000.00
BENNINGTON	V \$ 9,020.33	B \$ 95,000.00			* \$ 3,619.11	
		C \$ 79,621.00	\$ 1,800.00	* \$ 44,400.00		
		HC \$ 29,220.00				\$ 262,680.44
CASTILE				* \$ 41,000.00		
		\$ 78,000.00	\$ 6,750.00	** \$224,706.00	* \$ 1,733.02	\$ 352,189.02
COVINGTON		PA \$ 84,000.00				
		WY \$ 15,100.00		* \$ 350.00		
		PE \$ 5,950.00				\$ 105,400.00
EAGLE	\$ 185,423.00		\$ 6,000.00	* \$ 6,900.00	* \$ -	\$ 199,035.38
					*** \$ 712.38	
GAINESVILLE		G \$ 50,407.00				
		SS \$ 18,253.00				
		C \$ 2,000.00				\$ 70,660.00
GENESEE FALLS		\$ 37,900.00	\$ 8,500.00			\$ 46,400.00
JAVA	NJ \$ 3,454.00	NJ \$ 39,745.00	NJ \$ 3,000.00	* \$ 12,396.00	* \$ 4,094.00	
		S \$ 70,697.00	JC \$ 325.00			\$ 133,711.00
MIDDLEBURY		F1 \$ 91,280.00				
		F2 \$ 14,324.00				\$ 105,604.00
ORANGEVILLE	V \$ 64,688.40			* \$ 3,008.40	* \$ -	
		O \$ 17,285.00	L3 \$ 700.00			\$ 85,681.80
PERRY	F3 \$ 3,463.51	F4 \$ 55,000.00	PC \$ 1,600.00	* \$ 15,580.00	* \$ 288.44	
				** \$ 23,779.25		\$ 99,711.20
PIKE	F1 \$ 41,800.00		L1 \$ 7,000.00		* \$ 3,275.78	\$ 55,370.78
			S1 \$ 3,295.00			
SHELDON	V \$ 35,818.14	ST \$ 36,814.27	L1 \$ 5,100.00	* \$ 67,998.36	* \$ 787.15	
		NJ \$ 8,182.60	L2 \$ 3,060.00		*** \$ 237.46	
		SH \$ 112,616.24	L3 \$ 867.00			
		HC \$ 30,987.80	L9 \$ 1,591.00			\$ 304,060.02
WARSAW		\$ 59,619.00		* \$ 5,209.00	* \$ 285.81	\$ 115,581.03
				** \$ 48,805.00	** \$ -	
					*** \$ 1,662.22	
WETHERSFIELD		G \$ 31,894.00				
		NJ \$ 18,733.00				
		B \$ 20,500.00				\$ 71,127.00
<b>TOTALS:</b>	\$ 343,667.38	\$1,253,128.91	\$49,588.00	\$636,132.01	\$16,695.37	\$ 2,299,211.67
			* = WATER	** = SEWER	*** = RECYCLING	

and be it

**FURTHER RESOLVED**, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this

December 12, 2017

Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$ 216,165.00	\$ 341,160.34	\$ 557,325.34
ATTICA	\$ 212,316.00	\$ 251,760.00	\$ 464,076.00
BENNINGTON	\$ 246,500.00	\$ 766,080.00	\$ 1,012,580.00
CASTILE	\$ 218,652.00	\$ 221,352.00	\$ 440,004.00
COVINGTON	\$ 201,626.00	\$ 335,443.00	\$ 537,069.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 176,546.00	\$ 274,152.00	\$ 450,698.00
GENESEE FALLS	\$ 125,103.00	\$ 261,814.00	\$ 386,917.00
JAVA	\$ 138,000.00	\$ 402,100.00	\$ 540,100.00
MIDDLEBURY	\$ 344,238.00	\$ 217,887.00	\$ 562,125.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 215,333.33	\$ 283,848.48	\$ 499,181.81
PIKE	\$ 188,953.00	\$ 319,424.00	\$ 508,377.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 380,075.00	\$ 360,923.00	\$ 740,998.00
WETHERSFIELD	\$ 33,220.00	\$ 44,900.00	\$ 78,120.00
<b>TOTALS:</b>	\$ 2,696,727.33	\$ 4,080,843.82	\$ 6,777,571.15

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

**#47**

**RESOLUTION NO. 17-546  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**LIFT THE 2018 EQUALIZATION TABLE AND ADOPT**

**BE IT RESOLVED**, That the 2018 Equalization Table, which was tabled on November 14, 2017, be lifted from the table; and be it

**FURTHER RESOLVED**, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2018 is hereby adopted as presented.

Regular Session



## 2018 EQUALIZATION TABLE

Advisory Equaliz Rates	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rates	% of Co. Tax to be paid by Each Town	Taxable Assessed Value
95.00%	ARCADE	220,931,282	232,559,244	0.100892180	220,924,932
100.00%	ATTICA	189,118,288	189,118,288	0.082046002	189,107,888
45.00%	BENNINGTON	115,625,768	256,946,151	0.111472057	115,609,239
100.00%	CASTILE	248,898,901	248,898,901	0.107980883	248,870,351
98.00%	COVINGTON	72,911,075	74,399,056	0.032276863	72,910,575
100.00%	EAGLE	65,694,410	65,694,410	0.028500489	65,682,110
100.00%	GAINESVILLE	101,655,968	101,655,968	0.044101847	101,655,968
100.00%	GENESEE FALLS	30,076,527	30,076,527	0.013048229	30,073,527
80.00%	JAVA	118,227,310	147,784,138	0.064113830	118,215,310
100.00%	MIDDLEBURY	122,044,040	122,044,040	0.052948892	122,036,640
100.00%	ORANGEVILLE	101,066,863	101,066,863	0.043846273	101,066,863
98.00%	PERRY	194,935,130	198,913,398	0.086295457	194,915,380
100.00%	PIKE	56,558,526	56,558,526	0.024537029	56,558,526
79.00%	SHELDON	136,427,511	172,693,052	0.074920171	136,408,411
100.00%	WARSAW	241,833,965	241,833,965	0.104915872	241,832,465
100.00%	WETHERSFIELD	64,784,928	64,784,928	0.028105925	64,778,628
	<b>TOTALS</b>	<b>2,080,790,492</b>	<b>2,305,027,455</b>	<b>1.000000000</b>	<b>2,080,646,813</b>

### FINANCE COMMITTEE

26-Oct-17	James Brick Jerry Davis Susan May John Copeland	Ellen Grant David Tallman Sandy King	Bryan Kehl Daniel Leuer Rebecca Ryan
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**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:**

**#48**

### RESOLUTION NO. 17-547 (December 12, 2017)

By Mr. Brick, Chairman of the Finance Committee:

### JANIS COOK REAPPOINTED WYOMING COUNTY BUDGET OFFICER

**BE IT RESOLVED**, That *Janis Cook*, 6 East Court Street, Warsaw NY 14569 be hereby reappointed as Wyoming County Budget Officer for a two (2) year term; effective January 1, 2018 through December 31, 2019.

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

**#49**

### RESOLUTION NO. 17-548 (December 12, 2017)

December 12, 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 for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

**#50**

**RESOLUTION NO. 17-549  
(December 12, 2017)**

By Mr. Brick, 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 April 1, 2017 through September 30, 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  
You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling thirty-eight thousand two hundred fifty dollars and twelve cents (\$38,250.12) to the sixteen (16) towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TOWNS</b>	<b>REVENUE SHARING DISTRIBUTED</b>
Arcade	\$4,614.12
Attica	\$4,169.58
Bennington	\$4,414.52
Castile	\$3,355.84
Covington	\$1,018.64
Eagle	\$1,263.51
Gainesville	\$1,120.46
Genesee Falls	\$265.46
Java	\$2,643.80
Middlebury	\$937.17
Orangeville	\$2,120.82
Perry	\$3,787.97
Pike	\$414.82
Sheldon	\$2,842.72
Warsaw	\$3,646.83
Wethersfield	\$1,633.86
<b>Grand Totals:</b>	<b>\$38,250.12</b>

Let this be your Warrant for Such Payment: **\$38,250.12** (thirty-eight thousand two hundred seventeen dollars and sixty-six cents) **IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 12<sup>th</sup> day of December, 2017.

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

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

**#51**

**RESOLUTION NO. 17-550**  
**(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY TRAVEL POLICY ADOPTED**

**BE IT RESOLVED**, That this Board of Supervisors hereby adopts, as amended, the Wyoming County Travel Policy; and be it

**FURTHER RESOLVED**, That the Wyoming County Travel Policy is hereby amended as follows:

**2.1.                    Same Day Travel Request Process:**

Delete "*employee*" and add the following language:

*"...All personnel representing Wyoming County at trainings, conferences and conventions..."*

**2.2.                    Overnight Travel Request Process:**

Delete "*employee*" and add the following language:

*"...All personnel representing Wyoming County at trainings, conferences and conventions..."*

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

**#52**

**RESOLUTION NO. 17-551**  
**(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**DATE SET FOR ANNUAL ORGANIZATIONAL MEETING**

**WHEREAS**, The Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution;

**BE IT RESOLVED**, That the *Annual Organizational Meeting* of the

December 12, 2017

Wyoming County Board of Supervisors will be set for ***Tuesday, January 2, 2018, at 2:00 PM***, in the Supervisors' Chambers located in the Wyoming County Government Center, 2<sup>nd</sup> Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

#53

**RESOLUTION NO. 17-552  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**DATE OF JANUARY 9, 2018 REGULAR SESSION CHANGED**

**WHEREAS**, The Rules of Procedure of the Board of Supervisors have been suspended by unanimous consent for the purpose recited in this resolution; now therefore

**BE IT RESOLVED**, That the Regular Session of the Wyoming County Board of Supervisors for the month of January 2018 will be held on ***Tuesday, January 16, 2018 at 2:30 PM*** in the Supervisors' Chambers located in the Wyoming County Government Center, 2<sup>nd</sup> Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

#54

**RESOLUTION NO. 17-553  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF  
UNDERSTANDING WITH CONTRACT AGENCIES FOR 2018**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Letters of Understanding with the following Contract Agencies for 2018:

<b>CONTRACT AGENCY</b>	<b>2018 EXPENDITURES</b>
Wyoming County Community Action	\$10,000.00
Wyoming County Chamber of Commerce (Tourism)	\$164,484.00
Wyoming County Business Education Council	\$4,300.00
Wyoming County Business Center (LDC)	\$60,000.00
Wyoming County Arts Council	\$11,432.00
Wyoming County Wildlife Federation	\$904.32
Wyoming County Soil & Water	\$157,900.65
Erie-Wyoming County Soil & Water	\$1,809.60
Wyoming County Fair Association	\$23,000.00
<b>TOTAL</b>	<b>\$433,830.57</b>

Contingent upon the availability of funds.

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

**#55**

**RESOLUTION NO. 17-554  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF  
AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF  
WYOMING COUNTY FOR THE YEAR 2018**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County, 36 Center Street, Warsaw, NY 14569 for the payment of County Appropriations in an amount not to exceed of three hundred ninety thousand four hundred dollars (\$390,400.00) to fund the Agricultural Department and 4-H Department. Effective January 1, 2018 through December 31, 2018. Contingent upon the availability of funds.

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

December 12, 2017

**RESOLUTION NO. 17-555  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RULES OF PROCEDURE AMENDED AND ADOPTED**

**BE IT RESOLVED**, That this Board of Supervisors hereby adopts, as its Rules of Procedure, the Rules of this Board as adopted April 12, 2011, as amended, and be it

**FURTHER RESOLVED**, That the Rules of Procedure are hereby amended as follows:

**Rule 2.**                      **Order of Business.**

Added the following language:

“...post to the county web site...”

**Rule. 11.**                      **11l. Compensation.**

Added the following:

“ *Salary Schedule C*”

**Rule 16.**                      **Committee No. 6: Planning.**

Added the following departments under Planning:

- i. *Wyoming County Water Resource Agency*
- j. *Wyoming County Agriculture & Business Center*
- k. *Countywide Zoning*

This Committee shall have charge of all matters relating to the above sub-headings.

**Carried: XXX    Ayes: 1471    Noes:    Absent:    Abstain:**

**#57**

**RESOLUTION NO. 17-556  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “S”, “F” 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 “S”:*****Buildings and Grounds (Co. Bldgs.)***

- Set the salary for the position of ***Secretary to the Superintendent of Buildings and Grounds (County Buildings), FT*** on Salary Schedule "S" at \$32,712.00 annually (which is an increase of \$1,500.00); effective date January 1, 2018.

***Public Defender***

- To correct the salary of the ***Assistant Public Defender, PT (4<sup>th</sup>)*** to \$17,772.00; effective June 30, 2017.

**Salary Schedule “F”:*****Office for the Aging***

- To increase ***Meal Site Manager*** wage from \$9.70 per hour to \$10.40 per hour due to minimum wage increase; effective December 31, 2017.

**Salary Schedule “G”:*****District Attorney***

- Amend the salary for the ***Domestic Violence Coordinator*** to reflect two (2) separate stipends as follows:
  - Violence Against Women Act (1167)
    - \$15,806.20 annually; effective January 1, 2017 through December 31, 2017.
    - \$16,134.54 annually; effective January 1, 2018 through December 31, 2018.
  - Office of Victim Services Grant (1166)
    - \$16,943.80 annually; effective October 1, 2017 through September 30, 2018.
- Reduce stipend plus corresponding fringes to ***Assistant Public Defender (2<sup>nd</sup>)*** to zero (0) from \$12,000.00 annually; effective July 1, 2017.
  - Funds were from ILS Distribution 5 (Resolution No. 15-174).
- Provide a stipend plus corresponding fringes to the ***Assistant Public Defender, PT (4<sup>th</sup>)*** at \$12,000.00 annually; effective July 1, 2017 through December 31, 2017.
  - Funds are provided through the ILS Distribution 5 (Resolution No. 15-174).

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

December 12, 2017

**RESOLUTION NO. 17-557  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-440 AMENDED**

**WHEREAS**, Resolution Number 17-440 entitled, “**SALARY SCHEDULES “F” AND “G” AMENDED,**” passed by this Board of Supervisors on October 10, 2017 and provided, in part, for the following:

**Salary Schedule “G”:**

***District Attorney’s Office***

- Set the salary of the ***Domestic Violence Coordinator*** within the Department of the District Attorney to reflect an annual salary of \$32,750.00; effective October 01, 2017.

now therefore,

**BE IT RESOLVED**, That Resolution Number 17-440 be hereby amended to remove the ***Domestic Violence Coordinator*** salary in the amount of \$32,750.00.

All else remains the same.

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

**#59**

**RESOLUTION NO. 17-558  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-303 AMENDED**

**WHEREAS**, Resolution Number 17-303 entitled, “**POSITIONS(S) APPROVED,**” passed by this Board of Supervisors on July 11, 2017 and provided, in part, for the creation of the following position:

***Public Defender***

- One (1) position of ***Assistant Public Defender, PT (4<sup>th</sup>)*** on Schedule “S” with an annual salary of \$17,772.00 for 25 hours per week to maintain Counsel at 1<sup>st</sup> Appearance; position available date of July 12, 2017.

Regular Session



now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-303* be hereby amended to reflect a position available date of June 30, 2017.

All else remains the same.

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

**#60**

**RESOLUTION NO. 17-559  
(December 12, 2017)**

By Mr. Brick, Chairman of the Finance Committee:

**TENTATIVE 2018 BUDGET FOR WYOMING COUNTY ADOPTED**

**BE IT RESOLVED**, That the tentative budget for the year 2018, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2018, which requires the raising by tax levy in the amount twenty-one million thirty-one thousand six hundred twenty-two dollars (\$21,031,622.00); and be it

**FURTHER RESOLVED**, That the said sum of twenty-one million thirty-one thousand six hundred twenty-two dollars (\$21,031,622.00) be hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation; and be it

**FURTHER RESOLVED**, That the several amounts specified in such budget in the column entitled “ADOPTED”, and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2018.

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

*Chairman Berwanger, T/Arcade asked if anyone wanted to comment on the budget hearing held at the end of November...*

*Supervisor Leuer, T/Middlebury was recognized and stated that County was able to stay below the two percent tax cap mandated by Governor Cuomo, which was the first time since its inception. He mentioned his concern about the removal of the property tax exemption at the federal level and the “waterfall”*

December 12, 2017

*effect that will have on the County and how hard that will be to keep property taxes low. He also thanked Budget Officer Cook for her hard work on the budget.*

*Chairman Berwanger agreed with Supervisor Leuer about the downward pressure that will be felt as a result of the proposed changes to tax deductions as he does not see the State picking up more the costs for programs that may be impacted.*

*Chairman Berwanger asked if any Supervisors oppose the presentation of Unanimous Consent Resolution Number 61. Hearing no objection, the resolution title was read.*

**UC #61**

**RESOLUTION NO. 17-560  
(December 12, 2017)**

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

**RESOLUTION NUMBER 17-446 RESCINDED**

**WHEREAS**, Resolution Number 17-446 entitled, “**APPROVES SALE OF PROPERTY**,” passed by this Board of Supervisors on October 10, 2017 and provides for the sale of property located at 15 North Main Street, NY 14525, Town of Castile; Tax Map #147.7-3-37 obtained pursuant to a Judgment of Foreclosure Index 48791 under Article 11 of the Real Property Tax Law to Douglas P Jones, 4603 Telegraph Road, Bliss, NY 14024 for \$1.00; now therefore

**BE IT RESOLVED**, That Resolution Number 17-446 be hereby rescinded in its entirety effective immediately.

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

*Chairman Berwanger recognized Supervisor Ryan, T/Warsaw. Supervisor Ryan brought attention to the flyer at last page of the board packet, inciting everyone to attend the “Memory Tree of Life Celebration” which will be held downstairs in the rotunda of the Government Center at 4:00 p.m. today.*

*Chairman Berwanger also noted that it is a bittersweet day as it marks the final meeting for Vanessa McCormick, T/Java. The Chairman thanked her for her service not only to her constituents in the Town of Java but also to the residents of Wyoming County.*

*His comments were acknowledged by Supervisor McCormick...*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:11 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>

Clerk to the Board

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