

PROCEEDINGS
OF THE
BOARD OF
SUPERVISORS

Volume I

WYOMING COUNTY
NEW YORK

2018

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 **2018**.

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

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



Wyoming County Board of Supervisors

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

Second row: **Daniel Leuer** (T/Middlebury); **John Copeland** (T/Wethersfield); **Brian Becker** (T/Sheldon); **James Brick** (T/Perry)

Third row: **James Wujcik** (County Attorney); **Michael Vasile** (T/Genesee Falls); **Keith Granger** (T/Castile); **Janis Cook** (Budget & Reimbursement Officer); **Lisa Perez** (Deputy Board Clerk)

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

Absent: **David Tallman** (T/Gainesville)

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2018 Supervisors for Wyoming County

<u>TOWN</u>	<u>SUPERVISOR</u>	<u>PHONE</u>
Arcade	A. DOUGLAS BERWANGER 6608 E. Arcade Rd., Arcade, NY 14009	492-3798 492-4685 Ofc.
Attica	BRYAN KEHL 9 Water St., Attica, NY 14011	591-2920
Bennington	ELLEN GRANT 134 Clinton St., Alden, NY 14004	937-9913 591-2157 Ofc.
Castile	KEITH GRANGER 31 E. Mill St., Castile, NY 14427	493-2233
Covington	JERRY DAVIS 7414 Court Rd., PO Box 445, Pavilion, NY 14525	584-3162
Eagle	BRETT HASTINGS 6032 Horton Rd., Bliss NY 14024	322-9257
Gainesville	DAVID TALLMAN 16 Beardsley Ave., PO Box 177 Silver Springs, NY 14427	492-5800
Genesee Falls	MICHAEL VASILE 6440 Pike St., PO Box 394, Portageville, NY 14536	468-5968
Java	ANGELA BRUNNER 1947 Chaffee Rd., Arcade, NY 14009	457-3152
Middlebury	DANIEL P. LEUER 712 Transit Rd., Wyoming, NY 14591	495-6804
Orangeville	SUSAN MAY 2916 Orangeville Ctr. Rd., Warsaw, NY 14569	786-5508 786-2883 Ofc.
Perry	JAMES R. BRICK 7618 Route 20A, Perry, NY 14530	237-2472 237-2241 Ofc.
Pike	SANDRA KING 4643 Safford Rd., Gainesville, NY 14066	493-5140
Sheldon	BRIAN BECKER 1514 Perry Rd., North Java, NY 14113	535-7644
Warsaw	REBECCA RYAN 172 W. Buffalo St., Warsaw, NY 14569	786-2523 786-2800 Ofc.
Wethersfield	JOHN F. COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

Wyoming County Board of Supervisors 2018 Standing Committees

***Effective January 1, 2018**

FINANCE COMMITTEE

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

AGRICULTURE COMMITTEE

Kehl, Brick, Hastings, Brunner, King, Becker, Copeland

AUDIT COMMITTEE

Granger, Davis, Grant, Vasile, King, Becker, Ryan

HUMAN RESOURCE COMMITTEE

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

HUMAN SERVICES COMMITTEE

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

PLANNING COMMITTEE

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

GREEN ENERGY COMMITTEE

May, Hastings, Granger, Brunner, Brick, Becker, Copeland

PUBLIC HEALTH COMMITTEE

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

PUBLIC SAFETY COMMITTEE

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

PUBLIC WORKS COMMITTEE

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

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

Officers for Wyoming County ~ 2018

US Congressman, 27 th District	Chris Collins	Williamsville
NYS Senator, 59 th District	Patrick M. Gallivan	Warsaw
NYS Assemblyman, 147 th District	David DiPietro	East Aurora
Republican Comm. Chairman	James Schlick	Darien
Democratic Comm. Chairman	Harold Bush	Gainesville
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Vice Chair	Rebecca Ryan	Warsaw
Board of Supervisors, Clerk	Cheryl Ketchum	Eagle
Animal Control Officer	Justa D. Goodell	Castile
Budget Officer/Reimbursements	Janis Cook	Warsaw
Civil Service Commission	Timothy Moran	Attica
	Margaret Dadd	Attica
	Thomas Dutton	Eagle
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	Neil Williams	Arcade
	Renee Hill	Attica
	Jennifer Prutsman-Pfeiffer	Darien Center
County Attorney	James Wujcik	Attica
County Clerk	Rhonda Pierce	Wethersfield
County Judge	Michael Mohun	Cowlesville
County Judge	Michael F. Griffith	Warsaw
District Attorney	Donald G. O'Geen	Warsaw
Election Commissioners	James Schlick (R)	Bennington
	Harold Bush (D)	Silver Springs
Fire & Building Code Officer	Donald Roberts	Pike
Fire & Emergency Mgmt. Director	Anthony Santoro	Attica
Health Dept. Commissioner	Gregory Collins, DO, MPH	Avon
Highway Superintendent	Todd Gadd	Cowlesville
Historian	Cynthia Amrhein	Perry
Hospital Administrator	Donald T. Eichenauer	Rush

Human Resource Director	Dan Farberman (2/2018)	Geneseo
Information Technology Director	Todd E. MacConnell	Warsaw
Mental Health Director	Kelly Dryja	Orangeville
Office for the Aging Director	Andrea Aldinger	Attica
Planning & Development Director	William Daly	Geneseo
Planning Board Chairman	Dana Grover	Perry
Probation Director	Joan Kibler	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	James Kirsch	Sheldon
Records Retention Director	Gail Royce	Warsaw
Sheriff	Gregory Rudolph	Attica
Social Services Commissioner	Kimberley Barber	Perry
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Treasurer	Cheryl Mayer	Pike
Veterans Services Director	Lisa Siemer-Harvey	Arcade
Weights & Measures Director	James Marley	Gainesville
Worker's Comp./Health Ins. Adm.	Dixie Perkins	Warsaw
Youth Bureau Director	Andrea Aldinger	Attica

**ANNUAL ORGANIZATIONAL MEETING
TUESDAY, JANUARY 2, 2018
2:00 PM**

The annual organizational meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Clerk to the Board, Cheryl Ketchum, called the meeting to order at 2:04 pm.

Clerk Ketchum invited Supervisors Tallman, T/Gainesville and Leuer, T/Middlebury to escort newly elected Town of Java Supervisor, Angela Brunner to her seat.

The Veteran leading the Pledge of Allegiance for the January 3, 2018 Organizational Board Meeting is:

Ronald H. Ashworth

Mr. Ashworth served in the United States Army during the Vietnam War. He answered the call to serve his country when he joined the United States Army in June of 1965 and completed Basic and Advance Individual Training at Fort Dix, N.J. He became qualified as an 11B Infantryman.

Mr. Ashworth completed "Jump School" at Ft. Benning, Georgia and was assigned duties with the 101st Airborne at Ft. Campbell, Kentucky. There he completed "*Search and Destroy*" training before being assigned duties overseas. Mr. Ashworth spent the next year in Vietnam, still with the 101st Airborne and assigned to the 1st of the 12th under the "*Big Red One*," the 1st Cavalry Division. He spent the year working in the Province of Ankey in Vietnam completing "*Search and Destroy*" missions. Mr. Ashworth's unit became the famous "*Anderson Platoon*" which became a documentary and training film. This documentary was used as the basis for the movie "*Platoon*" which won an Academy Award in 1967.

Mr. Ashworth returned to the United States in the spring of 1967 and was honorably discharged in Oakland, California on April 18th. For his valor and courageous service to his country, Mr. Ashworth was awarded the:

National Defense Service Medal
Air Medal
Parachutist Badge
Vietnam Service Medal
Vietnam Campaign Medal

January 2, 2018

Mr. Ashworth returned to the area and operated the Gulf Station in Arcade for two years. He then worked at the Borden Milk Plant in maintenance and steam heating until its closing and then as a machinist and lathe operator at Aronson's. He spent the next eight years working for Monroe Games as a warehouse supervisor before making a change in vocation to become a truck driver. He spent ten-years driving for R. Conley Trucking in Elma, thirteen- years driving for Pioneer Transport and two-years with Nathan's Delivery in Springville before retiring from the Teamsters Union Truck Drivers Local 375 with twenty-five years of experience.

Mr. Ashworth's service to his community includes being the Town Supervisor for the Town of Freedom, a member of VFW Post 374 in Arcade for 50 years, which included being its commander for many years. He's been a member of the Eagle Memorial Post in Bliss and a longtime member of the Arcade Overseas Veterans Club where he serves on its Board of Directors.

Mr. Ashworth has been married to his wife Sandy for over 50 years and they live in Sandusky.

The pledge was said by all.

Clerk Ketchum thanked Mr. Ashworth for his service and presented the customary Certificate of Appreciation to Mr. Ashworth and offered him an opportunity to address the Board of Supervisors.

Mr. Ashworth provided a very gracious thank you to the Board for the invitation to lead in the pledge.

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

- *Judge M. Griffith administered the oath of office to the 2018 Board of Supervisors.*

Clerk Ketchum then called for nominations for Temporary Chairman over today's proceedings. Supervisor Ryan, T/Warsaw nominated Supervisor Brick, T/Perry. Seconded by Supervisor May, T/Orangeville. As there were no other nominations Supervisor Hastings, T/Eagle moved that the nominations be closed, the motion was seconded by Supervisor Granger, T/Castile. A roll call vote was taken with the following results:

Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0);

Supervisor Brick was declared Temporary Chairman over today's proceedings.

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

Temporary Chairman Brick thanked his fellow Supervisors for the honor of presiding over today's proceedings as Temporary Chair. He then called for nominations for Chairman of the Board for the year 2018. Supervisor Hastings, T/Eagle nominated Supervisor Berwanger, T/Arcade; seconded by Supervisor May, T/Orangeville. As there were no further nominations Supervisor Davis, T/Covington moved that the nominations be closed; the motion was seconded by Supervisor Tallman, T/Gainesville. A roll call vote was taken with the following results:

Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0);

Temporary Chairman Brick declared Supervisor Berwanger, T/Arcade as Chairman of the Wyoming County Board of Supervisors for the year 2018.

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

Chairman Berwanger thanked Mr. Ashworth for his friendship and support over the years. Before moving on Chairman Berwanger called for a moment of silence in memory of Gary Van Slyke, a man he's known for 20 years and a longtime Dairy Farmer from Pike and friend of agriculture in Wyoming County who passed away suddenly last week. He described Mr. Van Slyke as the fabric of our existence we like to be cut from.

The Chairman called for nominations for Vice-Chairman of the Board. Supervisor Grant, T/Bennington nominated Supervisor Leuer, T/Middlebury. As there were no further nominations Supervisor Davis, T/Covington moved that the nominations be closed; the motion was seconded by Supervisor Becker, T/Sheldon. A roll call vote was taken with the following results:

Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0);

Supervisor Ryan, T/Warsaw was declared Vice-Chairman of the Wyoming County Board of Supervisors for the year 2018.

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

Chairman Berwanger called for nominations for Clerk to the Board for 2018. Supervisor May, T/Orangeville nominated Cheryl J. Ketchum. Seconded by Supervisor Ryan, T/Warsaw. As there were no further nominations, Supervisor Hastings, T/Eagle moved that nominations be closed. The motion was seconded by Supervisor Leuer, T/Middlebury. A roll call vote was taken with the following results:

Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0).

Cheryl J. Ketchum was declared Clerk to the Wyoming County Board of Supervisors for the year 2018.

- *Judge M. Griffith administered the oath of Office to Board Clerk, Cheryl Ketchum.*

Chairman Berwanger invited re-elected County Sheriff, Greg Rudolph to come forward and take his oath of office.

- *Judge M. Griffith administered the oath of Office to Sheriff, Greg Rudolph.*

Chairman Berwanger invited re-elected County Treasurer, Cheryl Mayer to come forward and take her oath of office.

- *Judge M. Griffith administered the oath of Office to County Treasurer, Cheryl Mayer.*

Chairman Berwanger invited re-elected County Clerk, Rhonda Pierce to come forward and take her oath of office.

- *Judge M. Griffith administered the oath of Office to County Clerk, Rhonda Pierce.*

Chairman Berwanger invited re-elected County Coroner, Michael Smith to come forward and take his oath of office.

- *Judge M. Griffith administered the oath of Office to County Coroner, Michael Smith.*

Chairman Berwanger invited re-appointed County Attorney, James Wujcik to come forward and take his oath of office.

- *Judge M. Griffith administered the oath of Office to County Attorney, James Wujcik.*

Chairman Berwanger invited re-appointed County Public Defender, Norman Effman to come forward and take his oath of office.

- *Judge M. Griffith administered the oath of Office to County Public Defender, Norman Effman.*

Introduction of Guests ~

- **Mark Rieman**, representing New York State Senator, Patrick Gallivan's Office.

2018 Committees Announced ~

**2/3 Majority
#1**

RESOLUTION NO. 18-001 (January 2, 2018)

Organizational Meeting

By the Chairman of the Finance Committee:

RULES OF PROCEDURE ADOPTED

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

Carried: XXX Ayes: 1471 Noes: Absent: Abstain:
Simple Majority
#2

RESOLUTION NO. 18-002 **(January 2, 2018)**

By the Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

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

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

REPUBLICAN DESIGNATION TO PUBLISH

We, the undersigned Republican members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2018:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election Notice	Daily News	Batavia, New York
Sheriff's Proclamation	Daily News	Batavia, New York
Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.	Daily News	Batavia, New York

January 2, 2018

Official Canvass

Country Courier Warsaw, New York

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

Country Courier Warsaw, New York

Signed this 3rd day of January 2018:s/ A.D. Berwangers/ Daniel Leuers/ Bryan Kehls/ Susan Mays/ Ellen Grants/ James Bricks/ Keith Grangers/ Sandra Kings/ Jerry Daviss/ Brian Beckers/ Brett Hastingss/ Rebecca Ryans/ David Tallmans/ John Copelands/ Michael Vasile**DEMOCRATIC DESIGNATION TO PUBLISH**

We, the undersigned Democratic members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2018:

Designation**Publication****Village of**

Election Notices

Perry Herald

Perry, New York

Sheriff's Proclamations

Perry Herald

Perry, New York

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

Perry Herald

Perry, New York

Official Canvass

Arcade Herald

Arcade, New York

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

Arcade Herald

Arcade, New York and

Signed this 3rd day of January 2018:s/ Angela Brunner

**RESOLUTION NO. 18-003
(January 2, 2018)**

By the Chairman of the Finance Committee:

3 COPIES OF ANNUAL REPORTS REQUESTED

BE IT RESOLVED, That the Public Officials of this County present at least three (3) copies of their annual report, in writing, to the Clerk of this Board not later than March 31, 2018, said annual reports to contain a financial summary of the department; and be it

FURTHER RESOLVED, That any supervisor may request any official to present an oral report in addition to a written report.

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

#4

**RESOLUTION NO. 18-004
(January 2, 2018)**

By the Chairman of the Finance Committee:

HIPAA OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the following HIPAA Officer Positions, for a term of one (1) year; effective January 1, 2018 through December 31, 2018.

Corporate Compliance Officer

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

Privacy Officer

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

IT Security Officer

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

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

January 2, 2018

Judge Griffith confirmed the validity of the oaths of office for the County Attorney and the Public Defender in light of the fact that the oaths were given prior to the approval of the following resolutions.

#5

**RESOLUTION NO. 18-005
(January 2, 2018)**

By the Chairman of the Human Resource Committee:

JAMES WUJCIK REAPPOINTED COUNTY ATTORNEY

BE IT RESOLVED, That *James Wujcik*, 11 Exchange St., Attica, NY 14011 be hereby reappointed County Attorney for the County of Wyoming for a term of two (2) years; effective January 1, 2018 through December 31, 2019.

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

#6

**RESOLUTION NO. 18-006
(January 2, 2018)**

By the Chairman of the Public Safety Committee:

NORMAN EFFMAN REAPPOINTED PUBLIC DEFENDER

BE IT RESOLVED, That *Norman Effman*, 18 Linwood Ave., Warsaw, NY 14569 be hereby reappointed Public Defender for the County of Wyoming for a term of two (2) years; effective January 1, 2018 through December 31, 2019.

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

**2018 Chairman's
State of the County Address
January 2, 2018**

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

Congratulations to the Supervisors who have been re-elected and to the newly

Organizational Meeting

elected Supervisor from the Town of Java, Angela Brunner. Welcome back Angela!!

The state of the county address, today, will focus on the good things that have occurred in Wyoming County Government in 2017 and what we are looking forward to in 2018.

First, after much discussion, questioning and hope, the \$20 million dollar grant, which was to be used to defease the debt incurred by the construction and renovations at the Wyoming County Community Health System complex finally arrived!! What a sweet day for Wyoming County! I want to thank WCCH CEO Don Eichenauer, WCCH CFO, Jack Ormond and County Treasurer Mayer. These three (3) individuals worked diligently to make sure the funding arrived. I want to also thank Lt. Governor Kathy Hochul and New York State Senator Patrick Gallivan for their help and assistance on making this grant opportunity a reality.

Next, Wyoming County finally was able to develop a budget which was under the State imposed Tax Cap. Many thanks to Budget Officer, Janis Cook, and her staff for their tireless efforts in monitoring and preparing the county budget all through the year. This year, of course, negotiations were settled with three (3) of the four (4) unions who comprise the county workforce. Agreements were reached and fair settlements were attained. CSEA, the largest membership in County Government, the Sheriff's Employees Association, which encompasses the County Jail Correction Officers, Dispatchers and Control Room Operators and the Deputy Sheriff's Association representing the Deputy Sheriff's assigned to road patrol. The 4th bargaining unit, a small group of Hospital Supervisory staff is scheduled to begin negotiations early this year.

I want to thank Dixie Perkins for her assistance and knowledge in negotiating these contracts. Her help is invaluable. I would also like to thank the employees who negotiated these contracts in good faith. It was a pleasure to work with all of you!

In the Sheriff's Office, the new control system has been installed in the county jail. The old system which was 25 years old has outlasted its time! The new system will allow for greater safety for Corrections Officers as well as inmates. Also in 2018, new kitchen equipment will be installed in the jail. The equipment is used to prepare meals for the 60-70 inmates and approximately 300 home delivered meals for our county senior citizens. This program is administered by the Wyoming County Office for the Aging. The kitchen equipment, as well as, the control room equipment has served this county well but have finally aged out. The kitchen equipment procurement was made possible through a grant sponsored by New York State Senator Patrick Gallivan.

January 2, 2018

To be included in the category of new equipment, the Wyoming County Buildings & Grounds department, working with the Budget Office and Clerk to the Board of Supervisors has entered into an energy performance contract with JW Danforth to upgrade *“everything that turns a meter,”* which includes cooling towers, boilers, electrical and lighting, in the Government Center, Courthouse, Public Safety Building and Public Health. These upgrades are expected to pay for themselves over a number of years based on greater efficiencies.

Another project being introduced at the hospital outlines lighting upgrades which were not included in the original renovations and reconstruction project and new MRI equipment complete with a new building is planned to be operational by April 1st.

Also in 2017, the Wyoming County Highway Superintendent worked diligently on rebuilding two (2) more county roads, Telegraph Road in the Towns of Eagle and Pike and Bixby Hill Road, which is new from Route 39 to the Cattaraugus County line in the Town of Arcade. These two (2) projects were funded through the \$12 million local bond last year which included Perry Road located in the Towns of Java and Sheldon and Exchange Street located in the Towns of Orangeville and Attica and Simmons Road in the Town of Perry in 2018. County Highway also had to attend to a major reconstruction project on French Road in the Town of Bennington where a large culvert washed out in an early summer rain event, along with the reconstruction of the bridge on Royce Road.

2017 marked the resignation of 10-year Commissioner of Social Services Department, David Rumsey who decided to take the Commissioner position in his home county of Genesee, 5 minutes from home as opposed to 30 minutes from home to Warsaw. We certainly wish him great success in his new position and thank him for an excellent find from Wyoming County, his successor, Kim Barber, a 30 year employee with the department in getting up to speed in her new responsibilities and wish her every bit of success, as well.

2017 also saw economic development success in Wyoming County with the Wyoming County Arts Initiative beginning to show signs of life. Originally targeted for the Village of Warsaw, the Arts initiative with the assistance from the Wyoming County Arts Council, Wyoming County Industrial Development Agency and the Wyoming County Chamber of Commerce and Tourism Agency has flourished in Perry coinciding with the art initiative and the opening of the Silver Lake Brewing Project, the East Hill Creamery and the renovation of the long vacant block of buildings which is being repurposed by Developer, Greg O’Connell.

In Warsaw the construction of the Grand View apartment complex is one of the

largest private developments in Wyoming County.

Moving on to 2018, let us start with the hospital. In 2017, Wyoming County signed an affiliation agreement with Erie County Medical Center, “ECMC.” This agreement provided our rural hospital with big city services beginning with emergency room doctors from UBMD, cardiac specialists, ear, nose and throat specialists, a new Medical Director, Dr. Mandip Panasar, who is also planning on opening a nephrology “kidney” clinic. We are also in the process of recruiting a neurologist and a surgeon to join Doctor Weisenberg. The Buffalo Bone and Joint Surgery, LLP practice led by Doctors Paul Mason and his associate Jim O’May who have begun full time hours at Wyoming County Community Hospital. Joining them is Wyoming County native, Dr. Lindsey Clark from Bennington, who also provides orthopedic services at the hospital! Under contract from ECMC is Chief Finance Officer, Jack Ormond, and soon to be hired a Human Resource Director from ECMC. The Human Resource Director will be contracted to provide Human Resource services to the hospital as well as the other departments in the County! CEO Don Eichenauer, Board of Managers President Rich Kosmerl and myself have spent a great deal of time working out the details of this affiliation!

As I mentioned before a new MRI department is scheduled to open April 1st. The Board of Supervisors has approved borrowing in the amount of \$3.5 million for equipment upgrades which have been put on hold for the past 5 years due to the poor financial condition of the hospital. Certainly the \$20 million grant helped with improving the bottom line.

Again, looking ahead, agriculture leads the economy in our county, our farmers continue to lead the state in agriculture productivity. We have residents who are fulfilling leadership positions in several agencies, which promote agriculture in our state. As a former Commissioner of Ag. & Markets shared with me, Wyoming County is cutting edge agriculture. Cornell Cooperative Extension welcomed a new Executive Director last year, Laura Fuller. We must recognize the success of the greatest youth program in the nation, 4-H. We continue to be impressed with the commitment and abilities of our youth as they work on their projects throughout the year and let’s not forget to recognize the staff at Extension for doing such a great job with our youth.

Economic Development, the Industrial Development Agency has been planning and working with the Marquart family for close to three (3) years on the Wyoming County Rail Initiative to construct a trans loading facility in Gainesville after negotiating with the railroad and state agency. Construction is set to begin this spring.

There is speculation that two (2) separate developers are going to build hotels in

Warsaw and Arcade. I know that Jim Pierce and Bill Daly are working tirelessly on those projects.

As a county it is important that we continue to support all businesses, large and small, for they make up a major section of employment in Wyoming County. We are fortunate to have a great team located in the Wyoming County Ag & Business Center for one stop to provide assistance from the Industrial Development Agency, Planning, Fire and Building Code Enforcement, Chamber of Commerce and Tourism, Business Education Council and the Agriculture Department of the USDA, Cornell's Quality Milk, Wyoming County Soil and Water and of course, Cornell Cooperative Extension of Wyoming County itself!

The Ag Center has worked out as this Board of Supervisors had envisioned. Also retiring late in 2017 is Wyoming County Soil and Water Conservation District's District Manager, Greg McKurth, after 30 years of service. Greg has always been very helpful to the farmers and landowners alike. We wish him well in retirement and wish his successor, Alan Fagan, great success, as well!!

In 2017, at the direction of Governor Cuomo Wyoming County began a discussion with all of the Towns and Villages in the County over shared municipal services. After several meetings, what we learned was that we already share several services throughout the county and we work very well together. Two (2) new initiatives that began in the county, starting in 2016, were Countywide Assessing and Countywide Zoning. Moving into 2018, we hope to plan another round of shared services meetings with our colleagues to explore additional opportunities to provide more shared services.

I would also like to take this opportunity to recognize a couple of one man departments, James Marley, Director of Weights and Measures and Justa Goodell, our Animal Control Officer who do a terrific job and provide specialized services that are often times unnoticed but are crucial to the success of county government.

The Board of Supervisors' Planning Committee has scheduled a planning session scheduled early in 2018 to explore the potential for a countywide electronics pickup day for early this spring. The objective is to provide county residents with a free opportunity to dispose of their tired electronic devices. Watch the local papers for more details...

The Board of Supervisors has appointed a new Veteran Services Director. Her name is Lisa Siemer-Harvey. She has been charged with providing whatever assistance our veterans in and around Wyoming County need. We wish Lisa well as she embarks upon her new responsibilities. Also many thanks to former Director Rick Perez for his help in the transition for Ms. Harvey from Assistant

Director to Director!

In closing, working together this Board has accomplished much in 2017 and there is more to be done in 2018. Over the past 25 years, the Board of Supervisors has been responsible for renovating or building new 23 county buildings, reconstructing 250 lane miles of county highway and maintained and operated one of the last county-owned hospitals in New York State. Many of the borrowings were not popular but the Board showed courage and moved forward and today we have something to show for it.

This Board is fortunate to have very hard working and competent department heads that operate their respective departments very efficiently giving the taxpayers their money's worth.

I want to thank the board for electing me Chairman. I am humbled by your support. Thank you all for joining us today and God bless Wyoming County!

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 2:51 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

January 2, 2018

REGULAR SESSION
(January 16, 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 2:30 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Merville J. Button

Merville J. Button was born into a large farm family in Middlesex, New York. He graduated high school in 1944 and was deferred from military service during WWII so he could work the family farm and continue producing food to help with the war movement. Mr. Button joined the United States Air Force on July 5, 1950, shortly after the start of the Korean War.

At 24 years old, he said goodbye to his farm life and headed to Lackland AFB located in Bexar County, Texas. Lackland is the sole location for U.S. Air Force enlisted basic military training. Because of the Korean War, training populations at Lackland soared to twenty-eight basic military training squadrons within the 3700th Military Training Wing. Temporary dormitories were erected to replace the tent cities that had been housing recruits.

After graduation from basic training, Airman Button was sent for additional training at Fort Warren Air Force Base, Wyoming. Located just west of Cheyenne, this is one of three strategic missile bases in the U.S. and is named in honor of Francis E. Warren in 1930. Airman Button was trained in Military Administration for two months, and on December 12, 1950, he was assigned to Fort Meyer, Virginia to work at the Pentagon.

While working at the Pentagon, he obtained top-secret clearance and worked hard from his stateside duty station to support the war. Mr. Button utilized all his administrative skills and in November of 1951 was transferred to Kusan Air Base located at Gunsan Airport on the west coast of the South Korean peninsula bordered by the Yellow Sea. While stationed there, he worked in the wing

headquarters on top-secret orders that came in regarding the Douglas B-26 Invader bomber and the North Koreans.

He enjoyed his job duties and served for fifteen months before being sent to Pope Air Force Base for discharge. Mr. Button was discharged on October 16, 1953 as a Staff Sergeant. For his valor and courageous service to his country, Mr. Button was awarded the:

United Nations Service Medal
 Korean Service Medal
 Korean Service Medal with Two Bronze Stars
 Good Conduct Medal
 Commendation Ribbon
 National Defense Service Medal

Using the GI Bill, Mr. Button attended college at Cornell University where he earned a Bachelor's Degree in Agricultural Economics. He spent eight years working as an animal nutritionist at the Beacon Milling Company and then moved to Wyoming County to work for the Cornell Cooperative Extension. He loved his job working closely with farmers on farm management and aiding them in passing farms from one generation to the next. Mr. Button considered a lot of his work as "human relations" and was employed there until his retirement in 1990.

Now as a retired veteran, Mr. Button enjoys working in his woodshop making furniture and bowls. He has been married to his wife Martha for 61 years and together they had four children, eleven grandchildren and one great grandchild, all of whom they are very proud of. They spend an extensive amount of time traveling all over the country to visit them.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation to Mr. Button and offered an opportunity to address the Board. At which Mr. Button stated that he is deeply honored to lead the pledge today. He also stated that he received much more than he was able to give. He said he was fortunate to work for Cornell Cooperative Extension for many years and it was a blessing he will never forget. Mr. Button went on to acknowledged the support the Board of Supervisors always provided to the Extension.

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

Communications ~

- ***None***

January 16, 2018

RESOLUTION NO. 18-007
(January 16, 2018)

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:

Mental Health			
From: 01.38.4324.4.41510 Educational Materials To: 01.38.4322.4.49999 Prior Years Reason: To cover JE reversal.	\$913.00	\$913.00	
From: 01.38.4220.4.41202 Printing 01.38.4220.4.41510 Educational Materials To: 01.38.4220.1.10001 Salaries Fixed SDI Reason: To cover salary overage due to increase & retro-pays.	\$500.00 120.00	\$620.00	
Mental Health Total			\$1,533.00

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

#2

RESOLUTION NO. 18-008
(January 16, 2018)

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:

Buildings & Grounds			
To: 01.34.1620.4.40805 Cleaning Svc – Private <i>w/ any funds available</i> Reason: To cover cost of cleaning the Public Safety Building and Government Center.	\$16,500.00	\$16,500.00	
Buildings & Grounds Total			\$16,500.00
Historian			
To: 01.46.7510.4.41202 Misc. Printing w/01.09.7510.2705 Gifts & Donations Reason: To cover increase in printing copy count that has gone up by 120 since beginning of the year plus color pages in Dec. issue.	\$266.18	\$266.18	
Historian Total			\$266.18

Regular Meeting

Highway			
To: 03.54.5130.2.23001 Motor Vehicles w/03.08.5130.2665 Sale of Equipment Reason: Sale of Equipment at auction to be used to purchase 2017 CAM trailer approved.	\$6,449.00	\$6,449.00	
Highway Total			\$6,449.00

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

**RESOLUTION NO. 18-009
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2018 accounts as follows:

Jail			
To: 01.37.3150.2.20701 Institutional Equipment 01.37.3150.4.40803 Building Supplies w/01.11.3150.3389 State Aid – Other <i>any funds available</i> Reason: To cover expenses relating to DASNY Grant for Jail Kitchen Upgrade.	\$100,000.00 20,000.00	\$100,000.00 20,000.00	
Jail Total			\$120,000.00

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,100,378.83** for the month of **December 2017**.

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

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #6. Hearing no objection resolution titles were read.

#4

**RESOLUTION NO. 18-010
(January 16, 2018)**

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

COUNTY CLERK ANNUAL MORTGAGE TAX RETENTION FEE

January 16, 2018

WHEREAS, Section 262 of the New York State Tax Law provides that the recording office of the County Clerk shall be entitled to recover necessary expenses for the purpose of the collection of mortgage taxes; and

WHEREAS, The County Clerk wishes to receive an annual expense of one hundred eighty-one thousand five hundred dollars (\$181,500.00); and

WHEREAS, The State Tax Commission has adopted a resolution stating, that if the allowance of a recording officer for expenses is certified by the County Board of Supervisors as a reasonable allowance, an allowance can be made; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby request the State Tax Commission allow the Wyoming County Clerk the sum of one hundred eighty-one thousand five hundred dollars (\$181,500.00) annually, April 2018 through March 2019, for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

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

#5

**RESOLUTION NO. 18-011
(January 16, 2018)**

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant acceptance award with the *Arts Council of Wyoming County*, 31 South Main Street, Perry, NY 14530 on behalf of the County Historian. Said grant to fund the countywide “*Treasure Hunt Through History*” tour in a minimum amount of one thousand dollars (\$1,000.00); effective January 1, 2018 through December 31, 2018.

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

#6

**RESOLUTION NO. 18-012
(January 16, 2018)**

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

Regular Meeting

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EDUCATIONAL RESOURCE ASSOCIATES 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 with ***Educational Resource Associates***, 1163 Pittsford-Victor Road, Suite 120, Pittsford, NY 14534 on behalf of Human Resource. Said contract to provide an Employee Assistance Program in an amount not to exceed eleven thousand six hundred sixty-one dollars (\$11,661.00), thirteen dollars (\$13.00) per employee, per year; effective January 1, 2018 through December 31, 2018.

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 #13. Hearing no objection resolution titles were read.

#7

**RESOLUTION NO. 18-013
(January 16, 2018)**

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

RESOLUTION NUMBER 17-509 AMENDED

WHEREAS, Resolution Number 17-509 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on December 12, 2017 and provided, in part, for the following contract:

- ***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.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-509*** be hereby amended to delete this contract in its entirety effective January 1, 2018. All else remains the same.

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

January 16, 2018

**RESOLUTION NO. 18-014
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
THE EAGLE INN 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 the *Eagle Inn*, 3192 Route 39, Bliss, NY 14024 on behalf of the Office for the Aging. Said contract to provide congregate meals to seniors sixty (60) years old and older in Wyoming County as needed; effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

#9

**RESOLUTION NO. 18-015
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE ALZHEIMER'S ASSOCIATION WESTERN NEW
YORK CHAPTER ON BEHALF OF THE OFFICE FOR THE AGING**

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 *Alzheimer's Association Western New York Chapter*, 2805 Wehrle Drive, Buffalo, NY 14221 on behalf of the Office for the Aging. Said funding to provide respite services to caregivers of individuals with Alzheimer's disease in a minimum amount of one hundred ten thousand seven hundred seventy-nine dollars (\$110,779.00) per year; effective January 1, 2018 through December 31, 2018.

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

**RESOLUTION NO. 18-016
(January 16, 2018)**

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

RESOLUTION NUMBER 16-501 AMENDED

WHEREAS, Resolution Number 16-501 entitled, **“CHAIRMAN/DIRECTOR OF AGING AND YOUTH AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING,”** passed by this Board of Supervisors on December 13, 2016 and provided, in part, for the following contract:

- **Doyle Medical Monitoring**, 792 Calkins Road, Rochester, NY 14623 for PERS services to seniors sixty (60) years old and older in Wyoming County. This contract also includes the fee for service individuals whose PERS units are provided through OFA. Fee for service is revenue for OFA in an approximate amount of \$17,500.00; effective January 1, 2017 through December 31, 2017.

Now therefore,

BE IT RESOLVED, That **Resolution Number 16-501** be hereby amended to extend the contract end date from December 31, 2017 to **February 28, 2018**.

All else remains the same.

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

**RESOLUTION NO. 18-017
(January 16, 2018)**

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

RESOLUTION NUMBER 17-511 AMENDED

WHEREAS, Resolution Number 17-511 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JAMES MCGUINNESS AND ASSOCIATES, INC. ON BEHALF OF THE YOUTH BUREAU,”** passed by this Board of Supervisors on December 12, 2017 for support of our

January 16, 2018

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; now therefore,

BE IT RESOLVED, That ***Resolution Number 17-511*** be hereby amended to correct the contract end date from December 31, 2018 to ***December 31, 2019***.

All else remains the same.

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

**RESOLUTION NO. 18-018
(January 16, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
CYNTHIA AND NICHOLAS BALTZ ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with ***Cynthia and Nicholas Baltz***, 681 Perry Road, Pavilion, NY 14525 on behalf of the Department of Social Services. Said contract to provide foster care services; effective December 28, 2017 through December 27, 2018 and will be paid through the State Welfare Management System. Cost will vary depending on eligibility and services provided.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-019
(January 16, 2018)**

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

RESOLUTION NUMBER 17-512 AMENDED

WHEREAS, Resolution Number 17-512 entitled,
**“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,”** passed by this Board of
 Supervisors on December 12, 2017 and provided, in part, for the following
 contract:

DAY CARE CONTRACTS ~

Contracts are variable amounts depending on services provided; effective
 January 1, 2018 through December 31, 2018:

- *Hnat, Ivy*

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-512* be hereby
 amended to correct the effective date of this contract from January 1, 2018 to
October 19, 2017.

All else remains the same.

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

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #14
 through #16. Hearing no objection resolution titles were read.*

#14

**RESOLUTION NO. 18-020
 (January 16, 2018)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE MENTAL HEALTH
 COMMUNITY SERVICES BOARD AND VARIOUS SUBCOMMITTEES**

BE IT RESOLVED, That the following members are hereby
 appointed/reappointed to the Mental Health Community Services Board and
 various Subcommittees as follows:

COMMUNITY SERVICES BOARD

Community at Large Member

Four (4) year term effective January 1, 2018 through December 31, 2021

- ***Kathy Blakeslee***, 684 Transit Road, Wyoming, NY 14591

January 16, 2018

Agency Representative***Four (4) year term effective January 1, 2018 through December 31, 2021***

- ***Kimberley Barber*** (Department of Social Services), 466 North Main Street, Warsaw NY 14569 (*replacing D. Rumsey*)

MR/DD SUBCOMMITTEECommunity at Large Member***Four (4) year term effective January 1, 2018 through December 31, 2021***

- ***Karen Duboy***, 3939 Wethersfield Road, Warsaw, NY 14569

Agency Representative Member***Four (4) year term effective January 1, 2018 through December 31, 2021***

- ***Karen Gustine***, (Associate Executive Director, Suburban Adult Services, Inc.), 960 West Maple Court, Elma, NY 14059

MENTAL HEALTH SUBCOMMITTEEAgency Representative Member***Four (4) year term effective January 1, 2018 through December 31, 2021***

- ***Angela Milillo***, (Wyoming County Office for the Aging), 8 Perry Avenue, Warsaw, NY 14569

Community At Large Member***Four (4) year term effective January 1, 2018 through December 31, 2021******Kathy Blakeslee***, 684 Transit Road, Wyoming, NY 14591**ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE**Agency Representative Member***Four (4) year term effective January 1, 2018 through December 31, 2021***

- ***Joan Kibler*** (Wyoming County Probation Department), 143 North Main Street, Warsaw, NY 14569
- ***Kimberley Barber*** (Department of Social Services), 466 North Main Street, Warsaw NY 14569 (*replacing D. Rumsey*)

Community at Large Member***Four (4) year term effective January 1, 2018 through December 31, 2021***

- ***Julianne Calvert***, 3198 Hermitage Road, Warsaw, NY 14569 (*replacing M. Conable*)

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****#15****RESOLUTION NO. 18-021****(January 16, 2018)****Regular Meeting**

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

RESOLUTION NUMBER 16-169 AMENDED

WHEREAS, Resolution Number 16-169 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on April 12, 2016 and provided, in part, for the following grant:

- ***New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention***, ESP Corning Tower, Room 1025, Albany, NY 12237 for the Livingston Wyoming Cancer Services Program:
 - Clinical services provider payments in a minimum amount of fifteen thousand dollars (\$15,000.00); effective April 1, 2016 through March 31, 2017
 - Infrastructure expense for the Livingston ~Wyoming Cancer Services Partnership as follows:

▪ 04/01/2016 ~ 03/31/2017	\$110,000.00
▪ 04/01/2017 ~ 03/31/2018	\$110,000.00
▪ 04/01/2018 ~ 09/30/2018	\$ 55,000.00

Now therefore,

BE IT RESOLVED, That ***Resolution Number 16-169*** be hereby amended to reduce funding as follows:

- | | |
|---------------------------|--------------|
| ▪ 04/01/2017 ~ 03/31/2018 | \$104,500.00 |
| ▪ 04/01/2018 ~ 09/30/2018 | \$ 52,250.00 |

All else remains the same.

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

RESOLUTION NO. 18-022 (January 16, 2018)

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

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT FOR THE YEAR 2018

January 16, 2018

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 Contracts and Agreements for the year 2018 on behalf of the County Health Department. All amounts reflect amounts not to exceed:

ACM Laboratories Per Price List
 Clinical Laboratory Testing Services (MWHS) Based on volume
 January 1, 2018 through December 31, 2018 Not to exceed amount budgeted

Microbac Laboratories Per Price List
 Environmental Laboratory (Water Testing Services) Based on volume
 January 1, 2018 through December 31, 2018 Not to exceed amount budgeted

Erie County Public Health Laboratory Per Price List
 Environmental Laboratory (Water Testing Services) Based on volume
 January 1, 2018 through December 31, 2018 Not to exceed amount budgeted

Susan Schell, RD \$47.00/Hour
 Registered Dietician Services Based on Volume
 January 1, 2018 through December 31, 2018 Not to exceed amount budgeted

County of Monroe Per Price List
 Medical Examiner Services Based on Usage
 January 1, 2018 through December 31, 2018

WCJW Based on Usage
 Radio Advertising Not to exceed amount budgeted
 January 1, 2018 through December 31, 2018

Clark Patterson Lee Based on Usage
 Professional Engineering Services Not to exceed amount budgeted
 January 1, 2018 through December 31, 2018

Chatfield Engineers, P.C. Based on Usage
 Professional Engineering Services Not to exceed amount budgeted
 January 1, 2018 through December 31, 2018

Kara Eastwood, MD \$5,000.00 Annually
 Medical Director Services
 January 1, 2018 through December 31, 2018

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

Chairman Berwanger, T/Arcade announced that Supervisor Ryan, T/Warsaw would be presenting the joint resolution on behalf of both the Public Health Committee and the Planning Committee. He also asked if any Supervisor had any comments concerning this joint resolution. He stated that this is a good program and hopes that Wyoming County will have access to some of the funding, as there are areas in Wyoming County that could use it...

Joint Resolution

#17

**RESOLUTION NO. 18-023
(January 16, 2018)**

By Ms. Ryan, Chairman of the Public Health Committee and Mr. Leuer,
Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A NOTIFICATION OF COUNTY
INTENT TO PARTICIPATE IN THE SEPTIC SYSTEM REPLACEMENT
PROGRAM IN ORDER TO RECEIVE FUNDING FROM THE NEW
YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION AND NEW YORK STATE ENVIRONMENTAL
FACILITIES CORPORATION**

WHEREAS, The Chairman of this Board is authorized to sign a Notification of County intent to Participate in the Septic System Replacement Program with the New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12210 on behalf of Public Health; and

WHEREAS, Said funding is part of the Clean Water Infrastructure Act of 2017 “State Septic System Replacement Fund” multi-year program; and

WHEREAS, The County of Wyoming has two priority geographic areas, Java Lake and Silver Lake, along with sensitive primary or principal groundwater aquifers, allowing the County to participate in this grant opportunity; and

WHEREAS, Selected property owners within the identified priority geographic areas, with failing septic systems, may receive a grant from the Septic System Replacement Fund to reimburse said owners up to 50% of the eligible costs incurred for septic system replacement projects up to \$10,000; now therefore

BE IT RESOLVED, The Chairman of this Board is authorized to sign a Notification of County Intent to Participate in the Septic System Replacement

January 16, 2018

Program with the New York State Department of Conservation in order to receive funding from the New York State Environmental Facilities Corporation.

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

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #18 and #19. Hearing no objection resolution titles were read.

#18

**RESOLUTION NO. 18-024
(January 16, 2018)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH E. M. SYSTEMS, INC. ON BEHALF OF EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *E. M. Systems, Inc.*, 4043 Maple Road, Suite 211, Amherst, NY 14226-1054 on behalf of Emergency Services. Said contract is for software support and a maintenance agreement of CAD, AVL and mobile data system software in the amount not to exceed twenty-two thousand fifty dollars (\$22,050.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

#19

**RESOLUTION NO. 18-025
(January 16, 2018)**

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE PUBLIC DEFENDER'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 the following contracts on behalf of the Public Defender's Office:

- **Wyoming County Attica Legal Aid Bureau, Inc.**, 18 Linwood Avenue, Warsaw, New York 14569 to provide legal counsel for state mandated Indigent Parolee Program in an amount not to exceed one hundred eighty-six thousand dollars (\$186,000.00); effective January 1, 2018 through December 31, 2018.
- **Wyoming County Attica Legal Aid Bureau, Inc.**, 18 Linwood Avenue, Warsaw, NY 14569 for the Alternatives to Incarceration Program in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2018 through December 31, 2018.
- **Wyoming County Attica Legal Aid Bureau, Inc.**, 18 Linwood Avenue, Warsaw, NY 14569 to provide a part-time secretary to the Wyoming County Public Defender's Office in an amount not to exceed fifteen thousand dollars (\$15,000.00) per year, plus an additional stipend from the Indigent Legal Services contract in the amount of one thousand two hundred eighty-six dollars (\$1,286.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #20 through #24. Hearing no objection resolution titles were read.

#20

**RESOLUTION NO. 18-026
(January 16, 2018)**

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

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

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

- **U & S Services**, 95 Stark Street, Tonawanda, NY 14150 for HVAC control and preventive maintenance at the Department of Social Services, Jail, Courthouse and Health Department in an amount not to exceed eight thousand five hundred sixty-five dollars (\$8,565.00); effective January 1, 2018 through December 31, 2018.

January 16, 2018

- **Waste Management of New York, LLC**, 10860 Olean Road, Chaffee, NY 14030 for garbage collection at:
 - Public Safety ~ \$2,880.00
 - Public Health ~ \$1,440.00
 - Department of Social Services ~ \$ 960.00
 - Ag and Business Center ~ \$1,440.00

For a total contract amount not to exceed six thousand seven hundred twenty dollars (\$6,720.00); effective January 23, 2018 through January 22, 2019.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #21

**RESOLUTION NO. 18-027
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
BERGMANN ASSOCIATES, INC. ON BEHALF OF
COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign Supplemental No. 1 with ***Bergmann Associates, Inc.***, 280 East Broad Street, Suite 200, Rochester, NY 14604 on behalf of County Highway. Said contract is for CR #02 Broughton Road Highway Preventative Maintenance, Town of Gainesville; PIN #4761.09 in an amount not to exceed forty thousand dollars (\$40,000.00); effective January 3, 2018 through project completion.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #22

**RESOLUTION NO. 18-028
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
KEELER CONSTRUCTION COMPANY, INC. ON BEHALF OF
COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Keeler Construction Company, Inc.***, 13519 West Lee Road, Albion, NY 14411 on behalf of County Highway. Said contract is for CR #02 Broughton Road Highway Preventative Maintenance, Town of Gainesville; PIN #4761.09 in an amount not to exceed four hundred thirty-eight thousand one hundred ninety-four dollars and fifty-five cents (\$438,194.55.00); effective January 3, 2018 through project completion.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-029
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN EMERGENCY 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 emergency contracts on behalf of County Highway for the demolition of property located at 15 North Main Street, Castile, NY 14427:

- ***Sessler Environmental Services, LLC***, 30 Vantage Point Drive, Suite 4, Rochester, NY 14624 for building demolition in an amount not to exceed twenty-eight thousand seven hundred fifty dollars (\$28,750.00); effective December 14, 2017 through completion of project.
- ***Waste Management***, P.O. Box 13648, Philadelphia, PA 19101 for the removal of demolition materials in an amount not to exceed sixty-five dollars (\$65.00) per ton with approximately ninety (90) tons to be removed; effective December 13, 2017 through completion of project.

Contingent upon the availability of funds.

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

January 16, 2018

**RESOLUTION NO. 18-030
(January 16, 2018)**

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

RESOLUTION NUMBER 17-158 RESCINDED

WHEREAS, Resolution Number 17-158 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE DORMITORY AUTHORITY STATE OF NEW YORK (DASNY) ON BEHALF OF COUNTY HIGHWAY**,” passed by this Board of Supervisors on March 14, 2017 and provides grant funding for the safety improvements to the intersection of Couriers and Genesee Roads under the State and Municipal Facilities Program (SAM) in a minimum amount of seventy-five thousand dollars (\$75,000.00); effective March 14, 2017 through completion of the project;

BE IT RESOLVED, That *Resolution Number 17-158* be hereby rescinded in its entirety effective March 17, 2017 as a duplicate of Resolution Number 17-530.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #25 through #35. Hearing no objection resolution titles were read.

#25

**RESOLUTION NO. 18-031
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2018 DENTAL INSURANCE
RATES ON BEHALF OF THE COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of the Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign dental insurance rates with Univera Healthcare, 205 Park Club Lane, Buffalo, NY 14221 for County employees; effective March 1, 2018 to February 28, 2019:

- **Dental Select / High Option:**
 - o Single \$35.06
 - o Employee/Spouse \$63.46
 - o Employee/Child(ren) \$72.88
 - o Family \$100.62
- **Dental Select / Low Option:**
 - o Single \$22.74
 - o Employee/Spouse \$44.06
 - o Employee/Child(ren) \$51.98
 - o Family \$73.34

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#26

**RESOLUTION NO. 18-032
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-322 AMENDED

WHEREAS, *Resolution Number 17-322* entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2018 INSURANCE RATES ON BEHALF OF CURRENT AND RETIRED COUNTY EMPLOYEES**,” passed by this Board of Supervisors on August 15, 2017 and provides 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; now therefore,

BE IT RESOLVED, That *Resolution Number 17-322* be hereby amended to remove “*Alliance of WNY*” effective January 1, 2018.

All else remains the same.

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

**RESOLUTION NO. 18-033
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

January 16, 2018

SALARY SCHEDULES “S”, “D” 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”:

County Attorney

- Remove stipend for the ***County Attorney*** (Assigned Council) in the amount of \$3,079.00.00 from Salary Schedule S; effective immediately.

Salary Schedule “D”:

County Attorney

- Add stipend for the ***County Attorney*** (Assigned Council) in the amount of \$3,079.00 to Salary Schedule D; effective immediately.

Salary Schedule “G”:

Emergency Services

- Adjust salary of ***Emergency Preparedness Coord.*** (Wyo. Co.) to \$50,373.00; effective January 1, 2018 to reflect COLA adjustments for 2016, 2017 and 2018.

Public Defender

- Reduce stipend plus corresponding fringe to ***Assistant Public Defender (3rd)*** from \$14,000.00 annually to \$10,000.00 annually, effective January 1, 2018 through December 31, 2019.
- Provide stipend and corresponding fringe to ***Assistant Public Defender (1st)*** at \$2,500.00 Said amount to be annual, effective January 1, 2018 through December 31, 2019.
 - Funds provided through Second Counsel at First Appearance Grant from the NYS Indigent Legal Services. (*Resolution No. 17-489*)

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#28

RESOLUTION NO. 18-034 (January 16, 2018)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

Regular Meeting

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

CREATED:

Emergency Services

- One (1) position of ***Administrative Assistant*** (Temporary) on Schedule S at an annual salary of \$39,293.00 with benefits; position available date of February 1, 2018 to March 22, 2018,

CREATED:

Social Services

- One (1) position of ***Caseworker*** (Per Diem) (Temporary) on CSEA Schedule A Grade 12 (\$21.26 - \$24.35/hr., includes 10%) with only those benefits mandated by law for a period of six months beginning January 2, 2018 through July 2, 2018.

CREATED:

Treasurer

- One (1) position of ***Sr. Clerk***, (Temporary) up to 1.00 FTE on CSEA Schedule A Grade 4 (\$16.04 - \$17.65/hr.) with only those benefits mandated by law for a period of six (6) months beginning December 5, 2017 through June 5, 2018.

CREATED:

Health Department

- One (1) position of ***Public Health Educator*** on CSEA Schedule A, Grade 15A (\$22.76 - \$26.54/hr.); position available date of January 17, 2018.

ABOLISHED:

Health Department

- One (1) position of ***Public Health Nurse*** (position code #121.197), on Schedule G; effective date December 30, 2017.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#29

**RESOLUTION NO. 18-035
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**INVESTMENT POLICY FOR WYOMING COUNTY ADOPTED
CHAIRMAN AUTHORIZED TO SIGN CUSTODIAL AGREEMENTS**

January 16, 2018

TO MAINTAIN PLEDGED SECURITIES

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

INVESTMENT POLICY FOR WYOMING COUNTY

I. SCOPE

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

II. OBJECTIVES

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

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

III. DELEGATION OF AUTHORITY

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

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wyoming to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment

program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County of Wyoming to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

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

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

VII. DESIGNATION OF DEPOSITARIES

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

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

VIII. COLLATERALIZING OF DEPOSITS

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

1. By a pledge of "eligible securities" with and aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to

exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

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

IX. SAFEKEEPING AND COLLATERALIZATION

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

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

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

X. PERMITTED INVESTMENTS

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

following types of investments:

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

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

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

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

XII. PURCHASE OF INVESTMENTS

January 16, 2018

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

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board. All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Wyoming by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

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

APPENDIX A

Schedule of Eligible Securities

Regular Meeting

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

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

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

January 16, 2018

**RESOLUTION NO. 18-036
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE OF
NEW YORK STATE TO EXEMPT COUNTY TUITION
“CHARGEBACK” OBLIGATIONS FOR THE FASHION INSTITUTE
OF TECHNOLOGY**

WHEREAS, The counties of New York State are obligated under New York Education Law to provide funds to community colleges outside their jurisdiction in the form of "chargebacks" representing reimbursement of tuition for students attending outside their county of residence; and

WHEREAS, Wyoming County in 2015 and 2016 has been obligated to budget for and provide reimbursements in the amount of \$1,658,732.94 and \$1,806,860.79 respectively and more is contemplated for year 2017 which is estimated at \$2,025,691.52; and

WHEREAS, The Fashion Institute of Technology received “chargeback” payments from Wyoming County taxpayers in the amount \$21,406.40 from January 1, 2010 through December 31, 2016; and

WHEREAS, The Fashion Institute of Technology uniquely receives “chargeback” payments not only for its two-year Associate Degree program, but its Bachelor Degree as well as its Master Degree programs; and

WHEREAS, The expenses involved with these special focused programs and geographic location greatly influence the host expenses that greatly exceed the local educational costs faced by Wyoming and other community colleges; and

WHEREAS, Current efforts suggesting reforms of the “chargeback” policies need to address New York State's direct financial relationship with Fashion Institute of Technology and its burdensome cost obligations to Wyoming and other counties that require exception; and

WHEREAS, Pursuant to New York State Education Law, funding for SUNY community colleges is derived one-third (1/3) from New York State, one-third (1/3) from the sponsoring county and one-third (1/3) from student tuition and charges; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors, again, be on record as urgently requesting state intervention, reform and changes in the "chargeback" program, its policies and obligations; and be it

FURTHER RESOLVED, That the "chargeback" financial obligations imposed on Wyoming County and New York State's other counties be exempted and discontinued with all existing obligations for this Education Law be assumed for Fashion Institute of Technology by the State of New York; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the State of New York to meet its statutory obligation of funding one-third (1/3) of the amount of operating costs for community colleges in accordance with New York State Education Law by providing its one- third (1/3) share; 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, as well as the College President Association and all others deemed necessary and proper.

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

RESOLUTION NO. 18-037
(January 16, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-542 AMENDED

WHEREAS, *Resolution Number 17-542* entitled, “CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH LUMSDEN AND MCCORMICK, LLP ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM”, passed by this Board of Supervisors on December 12, 2017 and provides for the following contract:

- ***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

January 16, 2018

(\$135,000.00) per year; effective January 1, 2017 through December 31, 2020;

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-542* be hereby amended to correct the contract term to *January 1, 2018 through December 31, 2020 for a total contract amount of \$135,000.00 for the three-year period.*

All else remains the same.

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

**RESOLUTION NO. 18-038
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
CAMPUS CONSTRUCTION MANAGEMENT GROUP, INC. 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 *Campus Construction Management Group, Inc.*, 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 on behalf of the Wyoming County Community Health System. Said contract is for construction management services for the MRI addition and renovation project in an amount not to exceed forty-five thousand, five hundred dollars (\$45,500.00); effective December 19, 2017 through completion of project. Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-039
(January 16, 2018)**

Regular Meeting

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT WITH LAUREN LOSS, M.D. 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 ***Lauren Loss, M.D.***, 19 Brookwood Road, Pittsford, NY 14534 on behalf of the Wyoming County Community Health System. Said contract to provide Neurology services in an amount not to exceed two hundred thirty thousand dollars (\$230,000.00); effective January 16, 2018 and upon the completion of credentialing and obtaining malpractice insurance through January 15, 2019.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-040
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-326 AMENDED

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

Salary Schedule “G”:

Office for the Aging

- Funds (*stipend plus corresponding fringes*) provided through Alzheimer’s Disease Caregiver Support Initiative Grant contract through Catholic Charities of Buffalo. Amounts to be paid annually effective January 1, 2016 through December 31, 2020 to current employees for additional assigned duties only for the duration of the grant:

January 16, 2018

- Director of Aging and Youth \$2,000.00
- Deputy Director of Aging \$5,000.00
- Senior Clerk \$3,000.00
- Account Clerk \$3,000.00
- Transportation Coordinator \$3,000.00; and

WHEREAS, That Resolution Number 16-326 was previously amended by ***Resolution Number 17-036*** passed by this Board of Supervisors of January 17, 2017 and provides for amendments to reflect the revisions to the Alzheimer's Disease Caregiver Support Initiative Grant as follows:

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

BE IT RESOLVED, That ***Resolution Number 16-326***, as previously amended by ***Resolution Number 17-036***, be hereby further amended to change the expiration date of all Alzheimer's Disease Caregiver Support Initiative Grant stipends from December 31, 2020 to ***December 31, 2017***. All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#35

RESOLUTION NO. 18-041
(January 16, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-553 AMENDED

WHEREAS, Resolution Number 17-533 entitled, “**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2018**,” passed by this Board of Supervisors

Regular Meeting

on December 12, 2017 and provided for the signing of Letters of Understanding with Contract Agencies for 2018, in part, as follows:

- **Wyoming County Chamber of Commerce (Tourism) ~ \$164,484.00**

Now therefore,

BE IT RESOLVED, That **Resolution Number 17-553** be hereby amended to correct the 2018 expenditure for the Wyoming County Chamber of Commerce (Tourism) from \$164,484.00 to **\$40,984.00**.

All else remains the same.

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

Chairman Berwanger noted that resolution #36 is a non-consent resolution, which means it did not come out of the Committee with unanimous consent. There was a request by Mr. Brick, T/Perry, to withdraw resolution #36 in order to conduct further research before acting upon it. Hearing no objection, Chairman Berwanger, T/Arcade concurred. Non-consent resolution #36 is withdrawn.

*Non Consent
#36*

**RESOLUTION NO. 18-XXX
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, that the following positions are hereby created, amended, extended reauthorized, abolished and/or reclassified in the following Wyoming County Departments:

**CREATED
Treasurer**

- One (1) position of **Principal Account Clerk** on CSEA Schedule A Grade 14 (\$19.86 - \$22.93/hr.); position available date is January 17, 2018.

Carried: Ayes: Noes: Absent: Abstain:

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 2:52 PM with a rap on his desk.

January 16, 2018

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

REGULAR SESSION
(February 13, 2018)
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:

Mark J. Siemer

Mr. Siemer graduated from Attica High School in 1983 and headed west. After spending time in California working with his dad, he joined the United States Air Force on June 3, 1985 and headed to basic training at Lackland Air Force Base, San Antonio, Texas. Lackland Air Force Base provides basic military training for Air Force recruits and lays claim to the Inter-American Air Forces Academy, the Defense Language Institute English Language Center and the Wilford Hall Medical Center, which is the Air Force's largest medical facility. Mr. Siemer finished basic training and received orders to report for specialty training at the 82nd Training Wing, 361st Training Squadron, Aberdeen Proving Ground, Maryland in September of 1985. Mr. Siemer graduated top of his class.

Receiving his first set of orders as a *Metals Technology Specialist*, Mr. Siemer was stationed at the National Air Station, Keflavik, Iceland in November of 1985. The National Air Station is located on the Reykjanes Peninsula on the southwest portion of the island. Built during World War II by the United States Army as part of its mission to maintain the defense of Iceland and secure northern Atlantic air routes, it served to ferry personnel, equipment and supplies to Europe. Mr. Siemer enjoyed the Icelandic culture and spent his free time exploring the area. He was the only machinist for the base and found his job enjoyable.

In November of 1986, Mr. Siemer received orders to relocate to Randolph Air Force Base in Texas. This base is named after Captain William M. Randolph, a native Austin, who was part of the committee of officers organized to select a name for this new installation. While serving on this committee, Captain

Randolph died in an aircraft accident and a fellow committee member suggested it be named after Randolph. Today, this base serves as headquarters for the Air Education and Training Command and Air Force personnel.

In 1989, Mr. Siemer requested to be cross-trained as a *Historian Specialist* and was excited to relocate to Kirtland Air Force Base, Albuquerque, New Mexico. This base was named after Colonel Roy C. Kirtland who learned to fly in 1911 in one of the first Wright airplanes at Dayton, Ohio. Mr. Siemer spent a year documenting history and enjoying the New Mexico landscape before being transferred back to Keflavik Air Force Base in May of 1990 to finish out his military carrier. Mr. Siemer was honorably discharged in May of 1991. For his valor and service to his country, Mr. Siemer received the:

Air Force Accommodation Medal
 Air Force Achievement Medal
 NCO PME Graduate Ribbon
 Small Arms Expert Marksmanship Ribbon
 Air Force Overseas Short Tour Ribbon
 Air Force Training Ribbon
 Air Force Longevity Service Award
 National Defense Service Medal
 Air Force Outstanding Unit Award

Mr. Siemer spent time traveling around the United States and doing many interesting jobs before deciding to attend college at the Rochester Institute of Technology for Engineering. Mr. Siemer graduated in 2006 and spent time in India and China on engineering projects. In 2010, he married his wife Karen and together they are building a house in Strykersville, which he assisted in designing, is building himself and hopes to occupy this summer. Mr. Siemer and his wife have two dogs, Tucker and Georgia.

The pledge was said by all.

Chairman Berwanger invited Town of Sheldon Supervisor, B. Becker to join him in the presentation of the customary certificate of appreciation to Mr. Siemer and an opportunity to address the Board. At which time, Mr. Siemer thanked the Board for the invitation and offered that Wyoming County is a great County and New York State is a great state and the military is a great opportunity for young adults...

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

Communications ~

Regular Meeting

- **Assemblyman DiPietro** ~ Letter dated January 29, 2018 regarding receipt of resolution 18-036 adopted by the Board of Supervisors on January 16, 2018 which urges the Governor and State Legislature to exempt County Tuition “Chargeback” obligations for the Fashion Institute of Technology.

#1

**RESOLUTION NO. 18-042
(February 13, 2018)**

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:

Tourism			
To: 01.42.6420.4.40901 Bed Tax-Tourism w/01.02.1000.1113 Occupancy Revenue Reason: Adjust 2017 budget to match actual payments.	\$9,574.35	\$9,574.35	
Tourism Total			\$9,574.35
Weights & Measurers			
To: 01.43.6610.1.10001 Salaries S/D/I 01.43.6610.1.10701 Accrued Vacation 01.43.6610.8.82001 Disability 01.43.6610.8.83001 FICA 01.43.6610.8.85001 Medicare-FICA w/01.03.6610.1289 Other Department Income 01.11.6610.3089 Other State Aid Reason: To cover overage due to retro salary increases for 2017.	\$2,267.00 128.65 8.82 148.99 34.58	\$2,415.00 173.04	
Weights & Measurers Total			\$2,588.04
Public Defender			
To: 01.32.1171.4.40902 Legal Services w/01.11.1171.3089 Other State Aid – IPP Reason: To cover grant expenses for 2017.	\$1,400.00	\$1,400.00	
Public Defender Total			\$1,400.00
Assigned Counsel			
To: 01.34.1421.4.42314 Family Court 01.34.1421.4.42315 Criminal Court w/01.11.1421.308905 State Aid Sec 606 Reason: To cover 2017 Assigned Counsel expenses with state reimbursed funds.	\$5,000.00 12,000.00	\$17,000.00	
Assigned Counsel Total			\$17,000.00
Highway			
To: 01.52.9901.9.99001 County Road Fund w/ <i>any funds available</i> Reason: To cover the contracted costs of the house demolition in the Village of Castile.	\$39,280.65	\$39,280.65	
Highway Total			\$39,280.65

February 13, 2018

Coroner			
To: 01.32.1185.4.40927 Monroe Co. Medical Examiner <i>w/any funds available</i>	\$11,561.00	\$11,561.00	
Reason: To cover the increase in cases in 2017 and 2017 lab invoice.			
Coroner Total			\$11,561.00

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

Prior to the roll call vote of resolution office #2, Finance Committee Chair J. Brick, T/Perry asked that the Appropriation for the Board of Elections be withdrawn at this time.

#2

RESOLUTION NO. 18-043
(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2018 accounts as follows:

Snowmobile Federation			
To: 01.47.7989.4.40918 Snowmobile w/01.11.7989.3317 Snowmobile Revenue	\$20,907.00	\$20,907.00	
Reason: Adjust 2018 budget to match grant letter.			
Snowmobile Federation Total			\$20,907.00
All Departments			
To: 01.31.1010.4.40111 Legislative	\$565.83		
01.32.1165.4.40111 District Attorney	725.83		
01.33.1231.4.40111 Cnty Reimbursement	292.91		
01.33.1325.4.40111 Treasurer	1,883.32		
01.33.1355.4.40111 Assessment Dept	1,204.57		
01.34.1410.4.40111 County Clerk	1,344.57		
01.34.1411.4.40111 Motor Vehicle	605.83		
01.34.1431.4.40111 Human Resources	818.74		
01.34.1450.4.40111 Elections	545.83		
01.34.1460.4.40111 Records Management	102.58		
01.34.1620.4.40111 County Buildings	712.29		
01.34.1680.4.40111 Data Processing	2,161.05		
01.36.2960.4.40111 Educ Phys Handcpd	252.91		
01.37.3110.4.40111 Sheriff	2,530.40		
01.37.3140.4.40111 Probation	878.74		
01.37.3141.4.40111 Correctional Alt	126.46		
01.37.3150.4.40111 Jail	1,384.57		
01.37.3510.4.40111 Animal Control	146.46		

Regular Meeting

01.37.3620.4.40111 Building Codes	565.83		
01.37.3640.4.40111 Emergency Servs/911	1,344.57		
01.38.4010.4.40111 Public Health	2,210.40		
01.38.4035.4.40111 Family Health/Plan.	778.74		
01.38.4059.4.40111 Early Intervention	232.91		
01.38.4323.4.40111 Mental Health	918.74		
01.39.6010.4.40111 Social Services Admin	3,423.32		
01.42.6421.4.40111 Planning & Develop.	485.83		
01.43.6510.4.40111 Veterans Service	312.91		
01.43.6610.4.40111 Consumer Affairs	93.23		
01.44.6772.4.40111 Office For The Aging	1,324.57		
01.45.7310.4.40111 Youth Bureau	465.83		
01.46.7510.4.40111 Historian	166.46		
01.48.8021.4.40111 Zoning	126.46		
<i>w/ any funds available</i>		\$28,732.69	
Reason: To cover cost of new Cyber Security Insurance Policy.			
All Departments Total			\$28,732.69
Board of Supervisors			
To: 01.31.1010.4.40301 Prof. Svc. Contract	\$10,000.00		
<i>w/any funds available</i>		\$10,000.00	
Reason: To cover the cost of the Lumsden & McCormick CPA contract.			
Board of Supervisors Total			\$10,000.00
Board of Elections			
To: 01.34.1450.89001 County Insurance	\$19,132.32		
01.34.1450.89002 HRA Account	5,000.00		
01.34.1450.89003 HRA Administrative	84.00		
Exp		\$24,216.32	
<i>w/any funds available</i>			
Reason: To provide 2018 health insurance coverage for Commissioner J. Schlick which was unbudgeted.			
Board of Elections Total			\$24,216.32
Mental Health			
To: 01.38.4323.4.42497 SPC Grant	\$100.67		
w/01.03.4323.1289 MH-CCS Other Dept. Income		\$100.67	
Reason: To roll over underspent grant for final spending in 2018.			
Mental Health Total			\$100.67
Public Health			
To: 01.38.4035.4.41706 Medical & Safety Supplies	\$3,376.00		
w/01.11.4035.3489 COLA State Aid		\$3,376.00	
Reason: For unanticipated COLA award for NYSDOH Title X Family Planning for the period 01/01/18-03/31/18.			
Public Health Total			\$3,376.00
District Attorney Total			
To: 01.32.1163.4.42306 DA Seized Assets	\$5,500.00		
w/01.07.1163.2626 Forfeiture of Crime		\$5,500.00	
Reason: To purchase recording equipment for law enforcement office.			
To: 01.32.1161.4.41361 Traffic Diversion Prg.	\$10,000.00		

w/01.07.1161.2610 Traffic Diversion Prg. Reason: To purchase equipment, provide training and extra-targeted patrols for law enforcement offices within the county.		\$10,000.00	
To: 01.32.1165.4.41010 Office Supplies w/01.12.1165.4389 Byrne JAG Grant Reason: For the purchase of recording equipment.	\$5,282.00	\$5,282.00	
District Attorney Total			\$20,782.00
Sheriff			
To: 01.37.3110.4.40301 w/any funds available Reason: For updating policies and procedures.	\$38,000.00	\$38,000.00	
Sheriff Total			\$38,000.00
Stop DWI			
To: 01.37.3315.4.41315 DWI Special Prgs w/01.12.3315.4389 Fed. Aid-DWI Crackdn Reason: Appropriate funds from DWI Crackdown Grant.	\$10,000.00	\$10,000.00	
Stop DWI Total			\$10,000.00
Emergency Services			
To: 01.37.3645.2.20401G Misc. Equipment 01.37.3645.2.20201H Computer Equip 01.37.3645.2.20201I Computer Equipment 01.37.3645.4.40301I Profess. Serv. Cont. w/01.12.3645.43890G Federal Aid HSG2015 01.12.3645.43890H Federal Aid HSG2016 01.12.3645.43890 I Federal Aid HSG2017 Reason: To rollover unspent grant funds from 2015, 2016 and 2017 budget years.	\$1,020.59 1,753.29 15,439.00 \$37,046.00	\$1,020.59 1,753.29 52,485.00	
To: 12.61.3020.2.20101Telecom,T/BennTower w/12.11.3020.3397 State Aid Capital Project Reason: For unspent grant funds from SF16.	\$474,197.00	\$474,197.00	
Emergency Services Total			\$529,455.88

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,562,153.04** for the month of **January 2018**.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

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. 18-044
(February 13, 2018)
Regular Meeting

WHEREAS, It is the understanding of this Board of Supervisors that prior to the enactment of the Home Rule Request preparatory to the enactment of such state legislation, it is necessary that such proposed legislation be reviewed and assigned the appropriate Senate and Assembly Introductory bill numbers, and that thereafter an appropriate Home Rule Request or Home Rule Message, be adopted and transmitted by this Board of Supervisors to the New York State Legislature; now therefore,

BE IT RESOLVED, That this Board of Supervisors of Wyoming County do hereby respectfully request the New York State Legislature to consider enactment of appropriate legislation to enable the County of Wyoming to impose and collect taxes on mortgages on real property in Wyoming County in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law, such legislation to authorize that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and/or the debt service for any capital projects for Wyoming County; and be it

FURTHER RESOLVED, That following review and introduction of said legislation in the Senate and Assembly of the State of New York, this County Board of Supervisors respectfully requests that the necessary information and forms be forwarded to this Board of Supervisors in order that an appropriate Home Rule Request can be acted upon by this body; and be it

FURTHER RESOLVED, that certified copies of the Resolution be forwarded by the Clerk of this Board of Supervisors to Senator Patrick Gallivan, Assembly Speaker Carl E. Heastie, Assemblyman David DiPietro, the Clerk of the Assembly and the Clerk of the Senate, with a request that those representatives in the State Legislature take the appropriate and necessary steps to process the legislation as requested herein; now therefore,

BE IT RESOLVED, That this Resolution shall take effect immediately.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #10. Hearing no objection resolution titles were read.

**RESOLUTION NO. 18-046
(February 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH RESPONSE 4 HELP 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 ***Response 4 Help***, 43 Oswego Street, Baldwinsville, NY 13027 on behalf of the Office for the Aging. Said contract to provide Personal Emergency Response System (PERS) services on an as needed basis; effective February 1, 2018 through December 31, 2020 Contingent upon the availability of funds.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#6

**RESOLUTION NO. 18-047
(February 13, 2018)**

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

RESOLUTION NUMBER 18-015 AMENDED

WHEREAS, Resolution Number 18-015 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE ALZHEIMER’S ASSOCIATION WESTERN NEW YORK CHAPTER ON BEHALF OF THE OFFICE FOR THE AGING**,” was passed by this Board of Supervisors on January 16, 2018 to provide funding for respite services to caregivers of individuals with Alzheimer’s disease in a minimum amount of one hundred ten thousand seven hundred seventy-nine dollars (\$110,779.00) per year; effective January 1, 2018 through December 31, 2018; now therefore,

BE IT RESOLVED, That ***Resolution Number 18-015*** be hereby amended to correct the maximum funding amount to ninety-five thousand dollars (\$95,000.00) per year. All else remains the same.

February 13, 2018

Regular Meeting

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

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. A
YEAR 2018**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of February 2018, a proposed local law entitled, “Local Law Introductory No. A Year 2018, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 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 13th day of March, 2018 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

INTRODUCTORY LOCAL LAW NO. A - YEAR 2018

**County of Wyoming, Providing Salaries for Certain County Officers
for the year 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 ***Commissioner of Social Services*** shall be increased by **\$2,500.00** for a new annual salary of **\$69,000.00**.

Section 2. All salaries set forth in Sections 1 through 10 above shall be effective as of ***January 1, 2018***.

Section 3. 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 4. This Local Law is subject to permissive referendum.

February 13, 2018

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

**WHEREAS, Resolution Number 17-513 entitled,
“CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF
THE DEPARTMENT OF SOCIAL SERVICES FOR THE YEAR 2018”**
was passed by this Board of Supervisors on December 12, 2017 and provided, in
part, for the following contract:

- Now therefore,

All else remains the same.

#11

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

Regular Meeting

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Mental Health Community Services Board and various Subcommittees as follows:

Community Services Board

Supervisor Member

One (1) year term effective January 1, 2018 through December 31, 2018

- ***Rebecca Ryan*** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 (*reappointment*)

Mental Health Subcommittee

Supervisor Member

One (1) year term effective January 1, 2018 through December 31, 2018

- ***Rebecca Ryan*** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 (*reappointment*)

Agency Representative

To fill a vacant four (4) year term effective February 13, 2018 through December 31, 2019

- ***Lisa Harvey***, (Veteran Services), 26 Linwood Avenue, Suite 2, Warsaw, NY 14569 (*replacing R. Perez*)
- ***Peter Hoffmeister***, (Warsaw Village Police), 67 West Buffalo Street, Suite B, Warsaw, NY 14569 (*replacing D. Rumsey*)

Alcohol & Substance Abuse Subcommittee

Agency Representative

Four (4) year term January 1, 2018 through December 3, 2021

- ***Justin Chernogorec, SP4***, (US Army Civil Operations Specialist), 6070 Michigan Road, #11, Arcade, NY 14009 (*reappointment*)

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#12

**RESOLUTION NO. 18-053
 (February 13, 2018)**

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**

February 13, 2018

**SUPPORT THE TREATMENT AND TRANSITION SERVICES TO
INDIVIDUALS WITH SUBSTANCE USE DISORDERS (SUD) WHO
ARE INCARCERATED IN COUNTY JAILS**

WHEREAS, The state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

WHEREAS, There remains a significant gap in the treatment and support in the continuum of care being developed by the state and that is the local jail; and

WHEREAS, The link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails. Alcohol and drugs are implicated in roughly eighty (80) percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public-order offenses; and

WHEREAS, Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

WHEREAS, In NYS, the counties bear the overwhelming portion of the financial burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

WHEREAS, A dedicated State funding stream to counties is desperately needed to provide SUD treatment 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, Counties are requesting funding of \$12.8 million annually to the LGUs to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization; 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 and transition of incarcerated individuals with substance use disorders in our county jails.

February 13, 2018

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

RESOLUTION NO. 18-056
(February 13, 2018)

RESOLUTION NUMBER 17-252 AMENDED

- **New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention**, ESP Corning Tower, Room 1025, Albany, NY 12237 on behalf of the Livingston Wyoming Cancer Services Program:
 - Contract Number C028846 for clinical services payments in the following *maximum* amounts:

▪ April 1, 2017 through March 31, 2018	\$9,799.00
▪ April 1, 2018 through September 30, 2018	<u>\$4,500.00</u>
	<u>\$14,299.00</u>

BE IT RESOLVED, That *Resolution Number 17-252* be hereby amended to correct the maximum funding amount for April 1, 2017 through September 30, 2018 from \$14,299.00 to ***\$19,535.00***. All else remains the same.

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

**RESOLUTION NO. 18-057
(February 13, 2018)**

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

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

BE IT RESOLVED, That *Rebecca Ryan* (T/Warsaw), 172 West Buffalo Street, Warsaw, New York 14569 be hereby reappointed as a Supervisor Member to the Wyoming County Board of Health for a one (1) year term; effective January 1, 2018 through December 31, 2018.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

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

#17

**RESOLUTION NO. 18-058
(February 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WYOMING COUNTY SOIL AND WATER CONSERVATION
DISTRICT FOR AGRICULTURE DISTRICT REVIEWS**

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 Soil and Water Conservation District, 36 Center Street, Suite D, Warsaw, NY 14569 to provide agriculture district reviews for the County of Wyoming in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

February 13, 2018

RESOLUTION NO. 18-059
(February 13, 2018)

By Mr. Kehl, Chairman of the Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
ADVISORY COMMITTEE**

BE IT RESOLVED, That ***John Copeland*** (T/Wethersfield), 5888 Sheppard Road, Bliss, NY 14024 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as a Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018; and be it

FURTHER RESOLVED, That ***Bryan Kehl*** (T/Attica), 914 Route 98, Attica, NY 14011 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as the Supervisor Member/Alternate for a term of one (1) year; effective January 1, 2018 through December 31, 2018.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#19

RESOLUTION NO. 18-060
(February 13, 2018)

By Mr. Kehl, Chairman of the Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
WYOMING COUNTY SOIL AND WATER CONSERVATION
DISTRICT BOARD**

BE IT RESOLVED, That **Angela Brunner** (T/Java), 1947 Chaffee Road, Arcade, NY 14009 is hereby appointed as a Supervisor Member to the Wyoming County Soil and Water Conservation District Board for a one (1) year term; effective January 1, 2018 through December 31, 2018; and be it

FURTHER RESOLVED, That *James Brick* (T/Perry), 7618 Route 20A, Perry, NY 14530 is hereby reappointed as a Supervisor Member to the

#20

By Mr. Kehl, Chairman of the Agriculture Committee:

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

BE IT RESOLVED, That ***James Brick*** (T/Perry), 7618 Route 20A, Perry, NY 14530 is hereby reappointed to the Cornell Cooperative Extension of Wyoming County Board of Directors as the Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

There was a motion by Mr. Davis, T/Covington, to combine resolutions #21 through #29. Hearing no objection resolution titles were read.

#21

RESOLUTION NO. 18-062
(February 13, 2018)

By Mr. Davis, Vice-Chairman of the Planning Committee:

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

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

February 13, 2018

#22

By Mr. Davis, Vice-Chairman of the Planning Committee:

BE IT RESOLVED, That ***Rebecca Ryan*** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Chamber of Commerce Board of Directors as the Board of Supervisors Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

#23

By Mr. Davis, Vice-Chairman of the Planning Committee:

BE IT RESOLVED, That the following members are hereby reappointed to the Wyoming County Water Resource Agency Board of Directors for one (1) year terms; effective January 1, 2018 through December 31, 2018:

- **James Brick** (T/Perry), 7618 Route 20A, Perry, NY 14530
- **Daniel Leuer** (T/Middlebury), 712 Transit Road, Wyoming, NY 14591
- **Cheryl Ketchum** (T/Eagle), 7409 Centerville Road, Bliss, NY 14024
- **Sandra King**, (T/Pike) 4643 Safford Road, Gainesville NY 14066

February 13, 2018

FURTHER RESOLVED, That ***A. Douglas Berwanger*** (T/Arcade), Chairman of the Wyoming County Board of Supervisors, 6608 East Arcade Road, Arcade, NY 14009 be hereby appointed as a member to the Wyoming County Industrial Development Agency Board of Directors for a one (1) year term; effective January 1, 2018 through December 31, 2018.

[illegible]

#28

RESOLUTION NO. 18-069
(February 13, 2018)

By Mr. Davis, Vice-Chairman of the Planning Committee:

REBECCA RYAN REAPPOINTED TO THE ARTS COUNCIL FOR WYOMING COUNTY BOARD OF DIRECTORS

BE IT RESOLVED, That ***Rebecca Ryan*** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby appointed to the Arts Council Board of Directors as the Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

#29

RESOLUTION NO. 18-070
(February 13, 2018)

By Mr. Davis, Vice-Chairman of the Planning Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE BUSINESS EDUCATION COUNCIL

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

February 13, 2018

January 1, 2018 through December 31, 2018; and be it

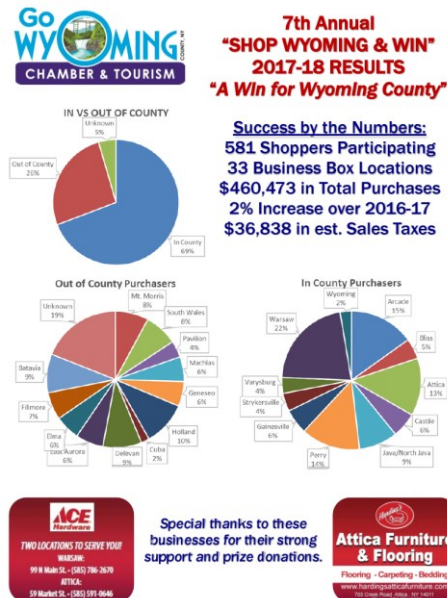
FURTHER RESOLVED, That **Keith Granger** (T/Castile), 31 East Mill Street, Castile, NY 14427 be hereby appointed to the Business Education Council as the Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

At the conclusion of the roll call vote of resolutions numbered 21 through 29, Chairman Berwanger invited Supervisor Davis, T/Covington to the podium to introduce Wyoming County Chamber of Commerce President and CEO, Scott Gardner to make a few presentations.

PRESENTATION ~

- Wyoming County Chamber of Commerce
 - 7th Annual “Shop Wyoming & Win”



SHOP WYOMING & WIN CONTEST DRAWING ~

- Wyoming County Chamber of Commerce

Regular Meeting



MEDIA RELEASE

Contact: Scott Gardner, President & CEO
 Email: sgardner@wycochamber.org
 Phone: 585-786-0307

For Immediate Release
 Date: February 14, 2018

Another Record Year for 7th Wyoming County Chamber & Tourism's "Shop Wyoming and Win" Buy Local Promotion

(Warsaw, NY) – Three lucky individuals were selected on Tuesday, February 13, 2018, as winners of the Chamber's "Shop Wyoming and Win" annual Buy Local promotion. This year's winners are: Eugene Esaiko from Perry won the Char-Broil gas/charcoal Grill donated by Ace Hardware of Attica and Warsaw; Zachary and Crystal Marsh from Castile won the Rocker Recliner donated by Harding's Attica Furniture and Flooring in Attica; and Bob and Louise Irving from Perry won the \$100 Wyoming County Visa Gift Card.

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

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

"The prizes are made possible with the strong support of two county businesses. We thank Ace Hardware of Attica and Warsaw for the generous donation of the Char-Broil gas grill, and sincerely thank Harding's Attica Furniture and Flooring for donating the Rocker Recliner," concluded Gardner. "These two businesses were generous participants and we hope that shoppers will stop in to support these outstanding local family run small businesses."

This year marks the seventh time the Chamber has sponsored the holiday promotion as part of the Wyoming County Chamber of Commerce's buy local program. After weeks of planning and delivering the entry boxes to 33 small businesses all over the county, the contest kicked off on "Black Friday" 2017.

Participants were required to save their receipts from purchases made in Wyoming County between "Black Friday," November 24, 2017 and Christmas Eve, December 24, 2017. They then submitted the receipts by mail, in-person, or in drop boxes by the deadline of January 12, 2018. For every \$50 worth of purchases made in Wyoming County, the participants were eligible for one entry in the drawing. Another record was set with 581 participants and total purchases at \$460,473, up over last year. Shoppers turned in sales receipts, which brought in estimated sales taxes of \$36,838 during the 31-day promotional period.

For more information or to become a member, please call 585-786-0307 or visit the website at www.wycochamber.org.

#

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #30 through #34. Resolution number 35 has been withdrawn. Hearing no objection resolution titles were read.

#30

RESOLUTION NO. 18-071 (February 13, 2018)

By Mrs. May, Vice-Chairman of the Public Safety Committee:
 February 13, 2018

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY**

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 ***New York State Division of Criminal Justice Services***, 80 South Swan Street, Albany, NY on behalf of the District Attorney. Said grant to fund recording equipment in a minimum amount of five thousand two hundred eighty-two dollars (\$5,282.00); effective January 1, 2018 through December 31, 2018.

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

#31

RESOLUTION NO. 18-072
(February 13, 2018)

By Mrs. May, Vice-Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EM SYSTEMS, INC. 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 ***EM Systems, Inc.***, 4043 Maple Road, Suite 211, Amherst, NY 14226 on behalf of the Sheriff's Department. Said contract to provide annual maintenance for the LEMS Record Management System (RMS) and Sex Offender Program Software in an amount not to exceed twelve thousand six hundred dollars (\$12,600.00); effective January 1, 2018 through December 31, 2018. Contingent upon the availability of funds.

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

#32

RESOLUTION NO. 18-073
(February 13, 2018)

By Mrs. May, Vice-Chairman of the Public Safety Committee:

**APPROVING SOLE SOURCE PROCUREMENT FOR THE WYOMING
COUNTY SHERIFF'S DEPARTMENT AND AUTHORIZING THE
CHAIRMAN TO SIGN A CONTRACT WITH DAIGLE LAW GROUP,
LLP ON BEHALF OF THE SHERIFF'S DEPARTMENT**

WHEREAS, The Wyoming County Sheriff has identified the need to procure certain services essential to review, evaluate and develop comprehensive police policies, procedures and accreditation methods for the Sheriff's Department; and

WHEREAS, The Wyoming County Sheriff's Department has considered possible entities to review, evaluate and develop these comprehensive police policies, procedures and accreditation methods and has determined that there is an insufficient number of entities capable of offering an "equal" product; and

WHEREAS, The Wyoming County Sheriff's Department has received and retained on file, a letter from the Daigle Law Group, LLP indicating that there are only two other companies in the country that provide policy manual development but neither do so utilizing the methodology of working with the department to ensure its operational needs are met; and

WHEREAS, That based upon the above, the Wyoming County Sheriff's Department has determined that the Daigle Law Group, LLP qualifies for sole source status; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes sole source status for the Daigle Law Group, LLP pursuant to the Wyoming County Purchasing Policy authorized by Resolution Number 16-359 and adopted by this Board of Supervisors on December 13, 2016 and no other solicitation of written proposals or quotations shall be required; and be it

FURTHER RESOLVED, That any contract arising from the sole source provider described above shall be subject to the approval of the County Attorney pursuant to this Resolution and further subject to the availability of funds; and be it

FURTHER RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b), is hereby authorized and directed to sign a contract with ***Daigle Law Group, LLC***, PO Box 123, Southington, CT 06489 to review, evaluate and develop comprehensive police policies, procedures and accreditation methods in an amount not to exceed thirty-eight thousand dollars (\$38,000.00); effective January 1, 2018 through the completion of the project.

February 13, 2018

- [illegible]

RESOLUTION NO. 18-
(February 13, 2018)

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

CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH SINCLAIR
BROADCAST GROUP INC. ON BEHALF OF EMERGENCY
SERVICES

Carried: Ayes: Noes: Absent: Abstain:

February 13, 2018

There was a motion by Mr. Davis, T/Covington, to combine resolutions #36 through #39. Hearing no objection resolution titles were read.

#36

**RESOLUTION NO. 18-076
(February 13, 2018)**

By Mrs. May, Vice-Chairman of the Public Safety 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 *Replacement of Simmons Road Bridge over Little Beards Creek, Town of Perry, Wyoming County, P.I.N. 4WY0.02; BIN 3320060* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of *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 construction work for the Project or portions thereof; and be it

FURTHER RESOLVED, That the sum of ***\$103,000.00*** 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

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 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

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, That this resolution incorporated Resolution Number 11-284 passed by this Board of Supervisors on September 13, 2011.

Regular Meeting

RESOLUTION NO. 18-078
(February 13, 2018)

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

RESOLUTION NUMBER 16-184 AMENDED

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

WHEREAS, That Resolution Number 16-184 was previously amended by this Board of Supervisors on January 17, 2017 by ***Resolution Number 17-026*** to extend ***only*** the 2016 pavement marking bid pricing with ***Zebra Paint Striping***, 7590 Airport Road, Hornell, NY 14843 through the 2017 construction season per the contract extension clause in the 2016 bid award; now therefore,

BE IT RESOLVED, That ***Resolution Number 16-184***, as previously amended by ***Resolution Number 17-026***, be hereby further amended to extend ***only*** the 2016 pavement marking bid pricing with ***Zebra Paint Striping***, 7590 Airport Road, Hornell, NY 14843 through the 2018 construction season per the contract extension clause in the 2016 bid award. All else remains the same.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#39

RESOLUTION NO. 18-079
(February 13, 2018)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LABELLA ASSOCIATES ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***LaBella Associates***, 300 State Street, Suite 201, Rochester, NY 14614 on behalf of County Highway. Said contract is for preventative maintenance on nine (9) bridges:

February 13, 2018

PIN 4WY0.01; BINs 3319440, 3321620, 3320100, 3320130, 3320200, 3320330, 3320250, 3369540, 3369830 for PE/Design and ROW in an amount not to exceed one hundred seventeen thousand dollars (\$117,000.00); effective through contract completion.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

There was a motion by Mr. Brick, T/Perry, to combine resolutions #40 through #61. Hearing no objection resolution titles were read.

#40

RESOLUTION NO. 18-080
(February 13, 2018)

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 cases 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, The 2018-2019 Governor's Executive Budget proposes a simple and equitable solution to this problem, matching the state judgment interest rate with current federal interest rate; now therefore,

BE IT RESOLVED, The Wyoming County Board of Supervisors calls on the Senate and the Assembly to support and pass this needed rate change in the proposed 2018-2019 Executive State Budget to ensure a county's decision to appeal can be made by legal merit and not predetermined by interest rate 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.

#41

RESOLUTION NO. 18-081
(February 13, 2018)

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

February 13, 2018

property tax cap, a temporary two-year property tax freeze and rebate check program and two separate 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

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, Many of these state mandated programs are very comprehensive and generous to their recipients compared to what other states provide and often are among the most expensive in the country in total dollars, as well as, per beneficiary; and

WHEREAS, 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 revenues 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 lower them from today's levels; 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 historic and sustainable reductions in county property taxes and establish 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, 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 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: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#42

RESOLUTION NO. 18-082
(February 13, 2018)

February 13, 2018

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
RENEW THEIR COMMITMENT TO FULLY FUND THE STATE
SHARE OF COMMUNITY COLLEGE COSTS AND TO FULLY FUND
THE COSTS OF FIT CHARGEBACKS FOR STUDENTS WORKING
TOWARD BACHELORS AND MASTERS DEGREES**

WHEREAS, Under state law, funding for community colleges is to be provided through state aid, a county sponsor contribution and student tuition and fees; and

WHEREAS, The establishment and continued operation of a statewide community college system was based on a commitment to ongoing State aid funding of at least one-third of community college operating costs; and

WHEREAS, The State funding amount has declined over the years below the historic one-third commitment; and

WHEREAS, The Legislature and Governor have been providing modest increases in state aid the last few years, but that commitment remains far below the intended one-third commitment; and

WHEREAS, This year the Governor's Executive 2018-19 State Budget proposal cuts funding to Community Colleges by \$24.4 million or five percent (5%) under last year's funding; and

WHEREAS, Section 6305 of the State Education Law requires the state to reimburse counties for Fashion Institute of Technology chargebacks, but the state

has not provided the necessary appropriations to comply with this state law requirement; and

WHEREAS, Counties are currently being charged back for students attending FIT for bachelors and master's degrees, which was not the intent of the community college chargeback funding requirement; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to make continued state investment in community college operating costs a priority; and be it

FURTHER RESOLVED, The state should restore the full funding of FIT chargebacks to counties related to all educational instruction provided after

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:	1499	Noes:	Absent:	62 (Middlebury)	Abstain:
						<u>38 (Wethersfield)</u>	
						100 Total	

#43

RESOLUTION NO. 18-083
(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND NEW YORK STATE
LEGISLATURE TO ENACT LEGISLATION TO ELIMINATE THE
"DARK STORE THEORY" IN NEW YORK STATE REAL PROPERTY
TAX LAW AS A WAY TO REDUCE PROPERTY ASSESSMENTS IN
TAX CERTIORARI PROCEEDINGS**

WHEREAS, New York State Real Property Tax Law Section 305 requires all assessor's in New York State to assess real property at a uniform percentage of value in each assessing unit; and

WHEREAS, Owners of real property in New York State are to be assessed on the basis of the building as it existed on the taxable status date; and

WHEREAS, Assessors in New York State are required to assess property as it is being used ("*Value in Use*") on March 1st of each year; and

WHEREAS, Assessors, when valuing property, utilize all three approaches to value:

- * The Cost Approach,
- * The Income Approach, and
- * Sales; and

WHEREAS, The best indicator of value is the sale of a similar use comparable property; and

WHEREAS, The "*Dark Store Theory*" relies on the use of shuttered,

February 13, 2018

WHEREAS, Several recent court decisions in varying judicial districts have adopted the "*Dark Store Theory*" in their decisions; and

WHEREAS, The potential loss of real estate value and related tax revenue may run into the hundreds of millions of dollars statewide; and

WHEREAS, The lost real estate tax revenue will be shifted and redistributed to all other taxpayers in each affected taxing jurisdiction throughout New York State; and

WHEREAS, The States of Michigan, Indiana and Texas have all experienced a similar destruction to their tax base by way of "*The Dark Store Theory*" being used; and

WHEREAS, The loss and shifting of tax revenue has led to the reduction of essential municipal services in other states, and

WHEREAS, Heavily impacted states across the nation are advancing Similar legislation; 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 enact legislation that mandates sound appraisal theory in the valuation of real property for taxation purposes in the New York State Real Property Tax Law that eliminates the *"Dark Store Theory"* as an argument to lower property value in 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: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

#44

RESOLUTION NO. 18-084
(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

Regular Meeting

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO
REJECT THE GOVERNOR'S BUDGET PROPOSAL THAT ALLOWS THE
EXECUTIVE BRANCH TO MAKE ADMINISTRATIVE BUDGET CUTS TO
LOCAL ASSISTANCE PROGRAMS IF CERTAIN FINANCIAL
THRESHOLDS ARE BREACHED AT ANY TIME DURING THE STATE
FISCAL YEAR**

WHEREAS, Governor Cuomo has proposed in his 2018-19 Budget Recommendation that the Executive Branch be granted additional budget authority to administratively make state budget cuts to local assistance programs at any time during the fiscal year if certain fiscal thresholds are breached; and

WHEREAS, The two thresholds include:

- A reduction of more than \$ 850 million in federal Medicaid funding; or a reduction in federal financial participation or other Federal aid in funding to New York State that affects the State Operating Funds financial plan by \$850 million or more, exclusive of any cuts to Medicaid; or
- The State's revenue estimates fall \$500 million or more short of projected in the adopted Financial Plan at any point during the fiscal year; and

WHEREAS, If either fiscal threshold is triggered the Executive Branch is tasked with unilaterally: 1) developing across the board funding cuts with limited state legislative review under the federal trigger, and 2) under the revenue trigger enact cuts of up to three percent across the board to local assistance funding with no state legislative review; and

WHEREAS, Defining if a threshold is triggered rests entirely with the Governor under this proposal; and

WHEREAS, Under the federal trigger, without a clear definition, one could conclude that the trigger has already occurred based on federal budget actions that have already cut nearly \$2 billion in federal funding to New York that supports children's health insurance programs, Medicaid disproportionate share payments for hospitals and special payments to health insurers under the Affordable Care Act that funds the State's Essential Health Plan — all of which require an act of Congress to reverse; and

WHEREAS, Under the state revenue trigger, over the last two years the state has lowered its revenue projections six times for a total \$4.2 billion; and

WHEREAS, Given this recent history it appears the expanded Executive budget authority to enact cuts administratively seeks mainly to bypass

WHEREAS, Providing blanket authority to the Executive to effectively implement midyear budget cuts to local governments and others for expenses that may have already been incurred will require local taxpayers to absorb through higher costs or lost services with virtually no stakeholder input; and

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the New York State Legislature to reject the Governor's request to expand his budget authority to make significant funding cuts administratively at any time; and be it

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

Regular Meeting

WHEREAS, Counties have long used shared services and functional consolidation as a primary tool in improving local government efficiency; and

WHEREAS, Over the last several years the State has endorsed a variety of shared services initiatives to encourage more consolidation and service sharing at the local level; and

WHEREAS, Since 2011, the State has enacted a series of laws requiring local governments to reduce property tax increases and find new opportunities to share services and reduce costs at the local level; and

WHEREAS, These laws included the property tax cap enacted in 2011, the Government Efficiency Program enacted in 2014, and the County-Wide Shared Services Initiative enacted in 2017; and

WHEREAS, In 2015, 48 counties submitted Government Efficiency Plans with annual savings at more than \$290 million for a three-year total of \$882 million from 1,303 different projects; and

WHEREAS, In the 2017-18 State Budget, the County-Wide Shared Services Initiative called for county leaders to take the lead in convening and developing new shared services and consolidation proposals designed to reduce the burden of local property taxes; and

WHEREAS, As part of this law, 34 counties submitted 389 proposals that identified \$208 million in projected savings in 2018, \$75 million in 2019 and \$76.1 million in 2020; and

WHEREAS, In 2018, remaining counties will convene county-wide shared service panels in compliance with the law; and

WHEREAS, In 2018, Governor Andrew M. Cuomo proposed that state funding for local government performance aid will now be conditional on the continuation of shared services panels; and

WHEREAS, Counties are committed to the pursuit of achieving greater efficiencies through shared services and are concerned about overly prescriptive state mandates that intrude upon local home rule authority guaranteed under the state constitution; and

WHEREAS, These state-enacted laws requiring counties and local governments to reduce costs do not recognize the state's role in driving up local costs, including the programs it mandates counties to deliver and fund, and the policies and regulations that it requires all local governments and school districts

#46

Regular Meeting

Protection Act of 1992, which restricts sports gambling and sports gambling operations to four states (Nevada, Oregon, Delaware, and Montana); and

WHEREAS, In early 2018 the Supreme Court could strike down existing federal law and in turn all 50 states may regulate sports gambling in the near future; and

WHEREAS, Already New York State Legislators are drafting bills in anticipation of this federal change, in order to legalize and control how sports betting can operate in New York; and

WHEREAS, If New York State allows for and regulates sports gaming, they must recognize and utilize local gaming facilities already in place, serving local residents, and providing local jobs and revenue such as OTB's, racinos, horse and harness tracks and casinos; now therefore,

BE IT RESOLVED, If sports gaming is legalized in New York, the Wyoming County Board of Supervisors calls on the State to distribute an equitable percentage of income and gaming revenues to local governments and to use preexisting gaming facilities in order to retain revenue locally, keep and create local jobs, and to ensure needed local government revenue; 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: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#47

RESOLUTION NO. 18-087
(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION COMMENDING THE STATE'S EFFORTS TO
 IMPROVE CYBER SECURITY FOR ELECTION SYSTEMS, AND
 CALLING FOR EXPANDING THOSE EFFORTS TO INCLUDE ALL
 COUNTY INFORMATION SYSTEMS**

WHEREAS, In New York State, counties are responsible for

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managing election operations, which includes maintaining voting machines, voter databases, and all of the processes that go into holding federal, state, and local elections each year; and

WHEREAS, As the 2016 elections approached, it became increasingly clear that bad actors were trying to hack into the information systems and databases maintained by boards of elections across the United States of America, including in New York; and

WHEREAS, The New York State Cyber Security Council, the New York State Police, Homeland Security, and the State Board of Elections encouraged counties to bolster security over their election IT systems to ensure that systems had not been compromised; and

WHEREAS, In his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo proposed a four-pronged approach to further strengthen cyber protections for New York's elections infrastructure that includes creating an election support center, developing an elections cyber security support toolkit, providing cyber risk vulnerability assessments and support for local boards of elections, and requiring counties to report data breaches to state authorities; and

WHEREAS, All county IT systems, including but not limited to election systems, are more vulnerable than ever to bad actors trying to infiltrate, access, and hold hostage the wide range of data managed by counties; and

WHEREAS, County governments maintain IT systems that house a range of sensitive personal information; and

WHEREAS, County governments maintain the voter database, sensitive personal information, and even DMV-related personal information; and

WHEREAS, The threat to our counties is real and constitutes a cyber-emergency based on recent attacks by cybercriminals; and

WHEREAS, Counties continue to use best efforts to secure and shield our systems, but often do not have the resources necessary to properly perform risk assessments to protect our IT infrastructure; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the state to extend their support of board of election risk assessment exercises to other county information systems, and provide access to either through grants from an additional pool of state funding, from the State Board of Elections, the Department of Homeland Security, or from another appropriate

state agency; 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, New York State Board of Elections, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#48

RESOLUTION NO. 18-088
(February 13, 2018)

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, Health insurance costs are among the fastest growing costs for local governments across the state; and

WHEREAS, To address this challenge, counties are reviewing options to create municipal health insurance consortiums to jointly self-fund their health plans with other local governments at a significantly lower cost for taxpayers; and

WHEREAS, These plans would reduce costs for taxpayers and increase flexibility while ensuring quality coverage for counties, municipalities, and local government employees; and

WHEREAS, Many local governments across the state would like to become part of their 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, Governor Andrew M. Cuomo is strongly encouraging local governments to pool resources, share services, and consolidate operations to improve efficiency and reduce costs to taxpayers; and

February 13, 2018

WHEREAS, Current State Insurance Law §§ 4237-a and 3231 prohibits local governments with fewer than 100 employees from purchasing stop-loss insurance policies; and

WHEREAS, Counties have on numerous occasions asked the state to review its current legal and regulatory requirements that allow counties to establish shared health insurance risk pools to help lower costs for local governments; and

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 make it easier to form municipal health insurance consortiums and allow these consortiums to include local governments with fewer than 100 employees to purchase stop-loss health insurance policies; and be it

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

Regular Meeting

**RESOLUTION URGING 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, As part of this legislation, the State of New York shares with local governments, including 16 counties in Western New York, a portion of the 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 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; and

WHEREAS, The Seneca Nation and the State of New York have elected to attempt to resolve this issue through arbitration, a process which can take months or even years; 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 reach an agreement to avoid catastrophic harm to public safety and public services; and be it

February 13, 2018

[illegible]

Regular Meeting

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
 100 Total

#51

**RESOLUTION NO. 18-091
 (February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C”, “S” AND “D” AMENDED

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

Salary Schedule “C”:

Wyoming County Community Health System

- Set the annual salary for the position of ***Laboratory Services Director*** under Laboratory at \$82,500.00; position available date February 12, 2018.

Salary Schedule “S”:

Human Resources

- Set the annual salary for the position of ***Payroll Specialist, FT*** (position code #021.535) at \$43,000.00; position available date February 12, 2018

Emergency Services

- Set the annual salary for the position of ***Administrative Assistant*** (Emer Serv) under Civil Defense at \$38,000.00; effective date March 5, 2018.

Salary Schedule “D”:

Human Resource

- Set the annual salary for the position of ***Human Resource Director*** at \$150,000.00; effective February 13, 2018.

Veterans Services

- Set the annual salary for the position of ***Director of Veterans Services*** at \$42,000.00; effective December 21, 2017.
 - After six (6) months of full-time work and contingent upon satisfactory performance and meeting pre-established goals, Director Harvey is eligible for an increase of \$1,000.00.
 - After completing another six (6) months off full-time work and contingent upon satisfactory performance and meeting pre-established goals Director Harvey is eligible for an

February 13, 2018

#52

WHEREAS, Resolution Number 16-088 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on February 9, 2016 and provides, in part, for the following contract:

- Now therefore,

#54

By Mr. Brick, Chairman of the Finance Committee:

WHEREAS, Resolution Number 17-431 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on October 10, 2017 and provided, in part, for the following contract:

- Regular Meeting

BE IT RESOLVED, That *Resolution Number 17-431* be hereby amended to rescind this contract in its entirety effective December 1, 2017.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

RESOLUTION NO. 18-095
(February 13, 2018)

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LUMSDEN AND MCCORMICK CERTIFIED PUBLIC ACCOUNTANTS
ON BEHALF OF THE BOARD OF SUPERVISORS**

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 Lumsden and McCormick Certified Public Accountants, Cyclorama Building, 369 Franklin Street, Buffalo, NY 14202 on behalf of the Board of Supervisors. Said contract to analyze and make recommendations on Wyoming County's internal controls in an amount not to exceed ten thousand dollars (\$10,000.00); effective January 1, 2018 through December 31, 2018. Contingent upon the availability of funds.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

RESOLUTION NO. 18-096
(February 13, 2018)

February 13, 2018

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

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

Member

One (1) year term effective January 1, 2018 through December 31, 2018

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

Alternate Member

One (1) year term effective January 1, 2018 through December 31, 2018

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#57

**RESOLUTION NO. 18-097
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**BRYAN KEHL REAPPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That ***Bryan Kehl***, 914 Route 98, Attica, NY 14011 be hereby reappointed to the Wyoming County Community Hospital Board of Managers as a Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#58

**RESOLUTION NO. 18-098
(February 13, 2018)**

Regular Meeting

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 #106.-2-54.112 ~ Town of Wethersfield
LOCATION:	4150 Poplar Tree Road
OWNER:	Wyoming County IDA - Drasgow
	36 Center Street
	Suite D
	Warsaw, NY 14569
ORIGINAL BILL:	\$6,355.60
CORRECTED BILL:	\$167.06
CREDIT:	\$6,188.54
REASON:	Unlawful Entry
AUTHORITY:	RPTL §550.7(a) <i>“an entry on the taxable portion of the assessment roll or the tax roll, or both, of the assessed valuation of real property which, except for the provisions of section four hundred ninety of this chapter, is wholly exempt from taxation.”</i>

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

#59

RESOLUTION NO. 18-099 (February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF PERRY APPROVED

February 13, 2018

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 #88.20-2-20 ~ Town of Perry
LOCATION:	21 Olin Avenue
OWNER:	Luckybrook Homes, LLC 300 International Drive Suite 100 Buffalo, NY 14211
ORIGINAL BILL:	\$2,431.47
CORRECTED BILL:	\$1,124.44
CREDIT:	\$1,307.03
REASON:	Clerical Error
AUTHORITY:	RPTL §550.2(h) <i>“an incorrect entry on a tax roll of a relieved school tax or relieved village tax which has been previously paid.”</i>

Carried: XXX	Ayes: 1499	Noes:	Absent: 62 (Middlebury)	Abstain:
			<u>38 (Wethersfield)</u>	
			100 Total	

#60

RESOLUTION NO. 18-100
(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

AMENDED:

Veterans Services

- One (1) position of ***Assistant Director of Veterans Services, PT*** (.80 FTE) at 25 hrs. per week (position code #004.369) to increase the position to full time (1.00 FTE) at 35 hrs. per week; effective immediately.

CREATED:***Highway***

- One (1) position of ***Motor Equipment Operator (Seasonal)*** for a period not to exceed twenty-six weeks, 40 hours per week at a rate of \$13.50/hr. (no CDL), \$14.50/hr. (with CDL) plus \$0.25 for each previous season worked with no other benefits except those mandated by law; position available date is February 14, 2018.

CREATED:***Human Resources***

- One (1) position of ***Payroll Specialist (Temp)*** and place on Schedule S with a salary of \$42,551.00/yr.; position available date is February 12, 2018.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#61

RESOLUTION NO. 18-101
(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR TO SIGN SENATE BILL
 2122A (O'MARA)/ASSEMBLY BILL 1841A (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

February 13, 2018

counterproductive to the state's economic development and job creation goals; and

WHEREAS, The quantity change factor calculation as implemented under the state's property tax cap also fails to include the full impact that payment in lieu of tax (PILOT) exclusion agreements have on the property tax base and the need for public services; and

WHEREAS, There are approximately 4,600 active PILOT IDA projects with an average investment of \$18 million, therefore these pilot arrangements can significantly impact some taxing jurisdictions; and

WHEREAS, In June 2017, both chambers of the New York State Legislature unanimously 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; and

WHEREAS, Governor Andrew M. Cuomo vetoed this legislation in December 2017; now therefore,

BE IT RESOLVED, The Wyoming County Board of Supervisors urges the Governor to sign *S.2122A (O'Mara)/A.1841A (Morelle)* thereby amending the General Municipal Law to require property subject to a PILOT to be included in the Tax Base Growth Factor; and be it

FURTHER RESOLVED, The passage of this legislation is necessary for local governments to continue to provide a high level of services to their 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: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

Prior to the roll call vote for resolutions office number 41 – 62, Chairman Berwanger explained the reason for the unusually large number of resolutions is that counties are asked to support resolutions coming out of the Winter and Fall NYSAC conferences. Finance Committee is supporting several of those resolutions from the 01/29/18 – 02/01/18 Conference held at the Desmond Hotel in Albany...

Prior to the roll call vote of Non-consent resolution number 62, Chairman Berwanger recognized Supervisor Becker, T/Sheldon to speak on behalf of the passage of this resolution.

Supervisor Becker expressed his support in favor of passing the resolution as he recalled the reason years ago for not collecting sales tax on merchandise purchased over the “world wide web” was to give vendors an opportunity to become established. Today, it is apparent that these sales are taking away from the “brick and mortar” stores in favor of being able to shop from the comfort of your own home.

In Supervisor Leuer’s, T/Middlebury absence, Chairman Berwanger explained that Supervisor Leuer was the lone no vote on this resolution in the Finance Committee as he reminded committee members that the state does not have jurisdiction over interstate commerce, the federal government does. Therefore the state cannot regulate interstate commerce. There is no legislation the state could enact to change NYS Sales tax collections relative to interstate commerce.

Chairman Berwanger expressed that he agrees with Supervisor Becker and would therefore be voting in favor of its passage.

Chairman Berwanger called on Budget Officer Cook to share the dollar amount collected in sales tax and how it impacts the county’s overall budget.

***Non-Consent
#62***

RESOLUTION NO. 18-102 (February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION URGING THE STATE TO ENACT LEGISLATION TO ENSURE A FAIR AND LEVEL PLAYING FIELD FOR ALL RETAILERS BY ADDRESSING SHORTFALLS IN INTERNET SALES TAX COLLECTION PRACTICES

WHEREAS, The State has identified significant loopholes in certain Internet-based sales tax collection practices and the State estimates that more than \$300 million annually in state and local sales taxes are not being collected; and

WHEREAS, The Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus;

February 13, 2018

WHEREAS, Internet-based sales transactions through marketplace providers is estimated to be growing at annual rates of 15 percent; and

WHEREAS, Enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and

WHEREAS, A more efficient, modern, and fairer system of collecting sales tax owed under state law will provide critically important revenues for counties, towns, cities, villages and some school districts, and help local governments keep property taxes lower; and

WHEREAS, Providing an easy to use platform for large, highly experienced Internet transaction facilitators to collect sales tax on behalf of their participating vendors will create a fairer and more balanced marketplace for local "bricks and mortar" New York based retailers, as well as New York based online vendors; and

WHEREAS, These improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses; now therefore,

BE IT RESOLVED, The New York State Association of Counties (NYSAC) calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a level playing field for retailers; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total


Before the meeting was adjourned, Chairman Berwanger called on WCCH CEO, D. Eichenauer to make a presentation over the financial status of the largest department in the county. Before CEO Eichenauer begins, Dr. Paul

Mason, Board Certified Orthopaedic Surgeon with Buffalo Orthopaedic Group was introduced to Supervisors and attendees.

Wyoming County Community Hospital Board of Supervisors Meeting February 13, 2018

by Don Eichenauer



			
Operating Statement			
	<u>2017</u>	<u>2016</u>	<u>2015</u>
	unaudited		
Total Operating Revenue	55,746,000	53,440,000	55,091,000
Total Expenses	57,698,000	57,268,000	57,368,000
Operating Income - (Loss)	(1,952,000)	(3,828,000)	(2,277,000)
Non Operating Revenue	<u>18,812,000</u>	<u>1,742,000</u>	<u>2,374,000</u>
Net Income (Loss)	<u>16,860,000</u>	<u>(2,086,000)</u>	<u>96,637</u>

February 13, 2018



Revenue By Type

	Approx % of Revenue
Acute - Inpatient	15%
Emergency Room	6%
Outpatient Surgery	8%
Outpatient Radiology & Imaging	9%
Mental Health	7%
Clinics	6%
Nursing Facility	28%

Additional revenue is in other Outpatient areas as well as Government and other Grants



Skilled Nursing Facility

Census – 2017	132.7	96.2%
Quality Ratings	Continued 5 star rating in Quality	
Case Mix	Has Risen from under 1 to 1.19	

Latest Quarter Press-Ganey Patient Satisfaction Replies Overall Response

Acute - Inpatient		Ambulatory Surgery		Emergency Department	
Patient Responses -	83	Patient Responses -	62	Patient Responses -	191
Very Poor	0.2%	Very Poor	0.0%	Very Poor	3.2%
Poor	0.9%	Poor	0.0%	Poor	2.4%
Fair	4.0%	Fair	0.5%	Fair	7.1%
Good	33.6%	Good	15.6%	Good	21.5%
Very Good	61.4%	Very Good	83.9%	Very Good	65.9%



Lindsey Clark, MD
Board Certified
Orthopedic Surgeon
with USMD Orthopedics
505-786-7907



Kyle Coffey, PA
Physician Assistant
with USMD Orthopedics
505-786-7907



Kim Danner, NP
Certified Nurse Midwife
505-786-7907



Gregory D'Annunzio, MD
with USMD
Emergency Medicine
786-260-3600



Mark Davis, MD
Urologist with Western
New York Urology
Associates, LLC
505-786-4575



Albert Bales, DO
Cardiologist with
US Medicine
505-786-6567



Patrick Salays, MD
Board Certified OB/GYN



Kim Hink, NP
Certified Nurse Midwife
505-786-7907



John C. Kargin, MD
Board Certified
Orthopedic Surgeon with
Buffalo Orthopedic Group
505-786-7907



Alexander Ljupcic, DO
with USMD
Emergency Medicine
786-260-3600



John J. Lefebvre, FRC-C
Physician Assistant with
Buffalo Orthopedic Group
505-786-7907



Paul J. Mason, MD
Board Certified
Orthopedic Surgeon with
Buffalo Orthopedic Group
505-786-7907



PJ Nguyen, MD
Board Certified
OB/GYN
505-786-6567



Frank Cohen, MD
General Surgeon



Kevin A. O'Connell, MD
Eye, Nose, Throat
and Allergy
505-786-7555



Jim O'May, FRC-C
Physician Assistant with
Buffalo Orthopedic Group
505-786-7907



Maundy Pannone, MS, MD, MSN
with USMD
Emergency Medicine
786-260-3600



Ronald Wittenberg, DO
General Surgeon
505-786-7907



Margaret Wright, FRC-C
Certified Physician
Assistant with
Prostate Center
505-786-7907



Paul H. Young, MD
Radiologist with
St. Lawrence Radiology
Associates
505-786-4575



ECMC Relationship Continues to Grow

- ED providers through UBMD
- Medical Director through ECMC
- Director of Finance and Revenue through ECMC
- ENT through UB relationship
- New surgeon through University of Buffalo Surgeons
- Nephrology clinic soon to open
- Assistance in the laboratory
- Family practice growth plans



Challenges

- Continued uncertainty/changes in Medicare and Medicaid payment models
- Difficulty of health insurance company payment requirements and physician credentialing
- Definition of observation status patients by Medicare and Insurance Companies
- Competition from larger healthcare entities
- Staff shortages in certain key areas
- Aging faculties in Lab and OR's
- Continuing need for physicians
- Ability to make community aware of progress

Prior to the adjourning the meeting, Supervisor Hastings, T/Eagle asked for an opportunity to address the Supervisors. He offered a thank you on behalf of

Max Crystal, Keuka College Intern to the many individuals that helped make his internship a positive one...

Supervisor Grant, T/Bennington requested an opportunity to formally introduce the Director of Veterans Services, Lisa Siemer-Harvey.

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

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

February 13, 2018

REGULAR SESSION
(March 13, 2018)
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 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Jane Keenan-Gaedeke

Jane Keenan-Gaedeke grew up in Castile, New York. During her senior year in High School, her family moved to Canaseraga to rebuild an old grainery into a house. After graduating from Canaseraga Central in 1975, she joined the United States Air Force. Ms. Keenan-Gaedeke began basic training at Lackland Air Force Base on October 6, 1975.

Lackland is a United States Air Force base located in Bexar County, Texas and is under the jurisdiction of the 802d Mission Support Group, Air Education and Training Command (AETC) and an enclave of the city of San Antonio. It is the only entry processing station for Air Force enlisted Basic Military Training (BMT).

After graduating from basic training, Ms. Keenan-Gaedeke was stationed at Altus Air Force Base in Oklahoma where she received on the job training to become a *Vehicle Operator and Dispatcher*. Altus Air Force Base served as a scrap yard for hundreds of World War II era military aircraft. In 1945, the famous B-17F "Memphis Belle" was discovered at Altus awaiting disposal. The aircraft was saved and transferred to the city of Memphis, Tennessee, where it was displayed until 2005, when it was relocated to the National Museum of the United States Air Force at Wright-Patterson AFB in Ohio. The Altus Air Force Base sat idle for only a few years and with onset of the Korean War in June of 1950, it created the need for more men to fly and service aircraft. During the early years of the conflict, many World War II airfields were examined for reactivation. On August 1, 1953, Altus Air Force Base was reactivated as a training base for transport aircraft.

Ms. Keenan-Gaedeke also spent two months deployed to Rhenish Air Force Base where she transported flight crews to and from their planes. Ms. Keenan-Gaedeke enjoyed her job and the state of Oklahoma.

Ms. Keenan-Gaedeke was released from active duty in October of 1979. For her service to her country, Ms. Keenan-Gaedeke earned the:

Air Force Good Conduct Medal
Air Force Longevity Service Award

After her military service, Ms. Keenan-Gaedeke spent time in North and South Carolina with her mother and sister. She was a police dispatcher for a time and then worked as a picture framer until she decided to relocate to her home town of Castile, New York in 1985 where she went into business for herself as a general contractor.

Ms. Keenan-Gaedeke met her husband in the late 80's and married in 1994. They moved to Perry in 1993 and have four cats, all rescued from orchards and barns in and around Perry. She is active in the community and enjoys hiking and outdoor activities in the area.

Ms. Keenan-Gaedeke was recently hired as the Assistant Director for Veteran Services of Wyoming County. She is excited to learn all there is to know about Veteran Services and act as a community liaison in Perry and surrounding areas. Her friendly face and "can do" attitude will compliment all the recent changes to the Veteran Service Office.

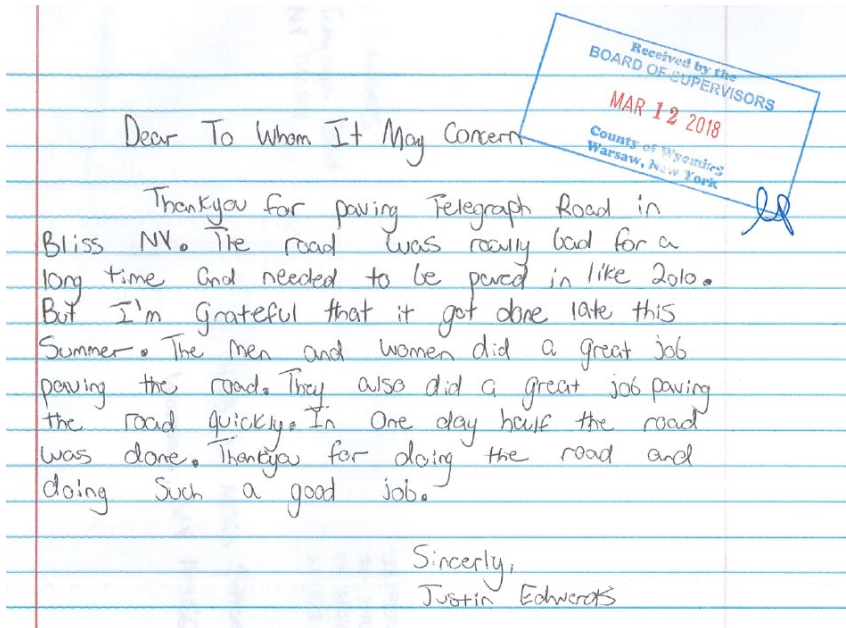
The pledge was said by all.

Chairman Berwanger invited Town of Perry Supervisor, J. Brick to join him in the presentation of the customary certificate of appreciation to Ms. Keenan-Gaedeke and an opportunity to address the Board. At which time, Ms. Gaedeke thanked the Board for the opportunity to serve veterans...

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

Communications ~

Clerk Ketchum explained that there are four (4) pieces of communications. One of which was just received and with the Chairman's permission would be read in its entirety.



- 02/16/18 Correspondence from *NYSAC Executive Director Stephen J. Acquario* acknowledging receipt of Resolution No. 18-036.
- 02/21/18 Correspondence from *Assemblyman David DiPietro* and 02/16/18 Correspondence from *NYSAC Executive Director Stephen J. Acquario*, both acknowledging receipt of various resolutions from the NYSAC Conference.

Open Public Hearing ~

- “Local Law No. 2, Year 2018 (Introductory A, Year 2018) Entitled, **“A Local Law Providing Salaries for Certain County Officers for the Year 2018”**

It was at this moment, Finance Committee Chair, Supervisor Brick, T/Perry requested to postpone the Public Hearing and consideration of Local Law Introductory A to the April 10, 2018 regular monthly meeting of the Wyoming County Board of Supervisors...

#1

RESOLUTION NO. 18-103 (March 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

Regular Meeting

FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2018 accounts as follows:

Public Health			
From: 01.38.4011.4.40502 Leasing To: 01.38.4011.2.23001 Motor Vehicles Reason: Transfer budgeted grant funds into the capital account for vehicle purchase rather than lease.	\$13,300.00	\$13,300.00	
Public Health Total			\$13,300.00
Emergency Services			
From: 01.37.3645.2.202011 Telecomm. Equipment To: 01.37.3645.4.414101 Software Reason: Software purchase.	\$15,439.00	\$15,439.00	
Emergency Services Total			\$15,439.00

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

RESOLUTION NO. 18-104 (March 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2018 accounts as follows:

Real Property Tax Services			
To: 01.33.1355.1.10601 Unused Benefit Time <i>w/any funds available</i> Reason: In order to pay under budgeted Unused Benefit Time due to salary changes after budget submission.	\$238.60	\$238.60	
Real Property Tax Services Total			\$238.60
Social Services			
To: 01.39.6010.4.40805 Cleaning Private <i>w/any funds available</i> Reason: To cover the cost of weekly rug cleaning that was omitted from the 2018 budget in error.	\$3,000.00	\$3,000.00	
Social Services Total			\$3,000.00
Mental Health			
To: 01.38.4220.4.40932 Youth Contracts – MH w/01.03.4220.1289 Other Dept. Income Reason: Receipt of the You(th) Decide Grant.	\$13,048.50	\$13,048.50	
Mental Health Total			\$13,048.50

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Public Health			
To: 01.38.4011.2.23001 Motor Vehicles <i>w/any funds available</i> Reason: For vehicle purchase. \$13,300.00 approved & budgeted from NYSDOH DWE grant. Remaining \$5,681.00 is anticipated to be covered with 2018 Performance Incentive Award funds from NYSDOH.	\$5,681.00	\$5,681.00	
To: 01.38.4010.4.42440 Child Safety Seat <i>w/01.12.4010.448912 Child Safety Seat</i> Reason: Appropriate remaining funds from CPS grant (CFDA #20.616 Resolution 17-344, total grant award \$3,500.00).	\$2,333.33	\$2,333.33	
Public Health Total			\$8,014.33
District Attorney			
To: 01.32.1165.4.40301 Professional Services <i>w/01.03.1165.1289 Other Departmental Income</i> Reason: Appropriate DCJS SACP GLOW partnering funds received at the end of 2017 for video production services to promote <i>"Start By Believing"</i> video.	\$500.00	\$500.00	
District Attorney Total			\$500.00
Public Defender			
To: 01.32.1170.4.42493 ILS D3 <i>w/01.11.1170.302501 ILS D3</i> Reason: D-3 for reallocation of monies to fund new phone system, VOIP, computers and printers and PD office.	\$22,325.62	\$22,325.62	
To: 01.32.1170.4.42495 ILS QICR <i>w/01.11.1170.302504 ILS QICR</i> Reason: QICR to fund the investigator position until Second QICR contract is in place.	\$51,154.08	\$51,154.08	
Public Defender Total			\$73,479.70

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

RESOLUTION NO. 18-105 (March 13, 2018)

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:

Hospital Fund			
To: 02.56.4510.1.10101 Full Time CSEA 02.56.4510.4.42501 Hospital Contractual <i>w/02.03.4510.163501 Hospital IGT</i> Reason: To cover 2017 expenses.	\$129,354.00 \$2,888,851.00		
Hospital Fund Total			\$3,018,205.00

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

Regular Meeting

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,783,958.87** for the month of **February 2018**.

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

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #8. Hearing no objection resolution titles were read.

#4

**RESOLUTION NO. 18-106
(March 13, 2018)**

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 lacking in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, The Scaffold Law has caused a dramatic increase in construction costs due to higher 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 law suits 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

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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 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 New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 18-107
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE STATE TO INCREASE THE
SALARY CAP FOR RETIRED PUBLIC EMPLOYEES SEEKING**

Regular Meeting

COUNTY EMPLOYMENT

WHEREAS, Under current state law a retired public employee may earn up to \$30,000 if retained/rehired to a state or local government position without this salary impacting their retirement benefits; and

WHEREAS, Any retired public employee salary amount over \$30,000 will result in a decrease in pension payments for the employee; and

WHEREAS, The \$30,000 cap was set in 2007, with the intent of minimizing misuse, while at the same time providing enough incentive for employees with broad experience and institutional knowledge to be retained in a government service capacity; and

WHEREAS, This cap has not been adjusted since 2007 and has eroded in value to inflation over the last decade; and

WHEREAS, Every county has unique challenges when hiring for certain skilled or knowledge based positions due to each county having different populations, economics, and demographics; and

WHEREAS, County governments are being asked to provide more services with less funding, a goal that becomes more difficult when those that best understand local government service needs are retiring and their continued connection to public service in a limited fashion is being deterred by state policies; and

WHEREAS, In 2017 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and the legislature to enact legislation supporting an increase in this earnings rate as part of their 2018-19 state budget negotiations; 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. 18-108
(March 13, 2018)

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

**RESOLUTION URGING NEW YORK STATE TO FULLY FUND
EARLY VOTING OPERATIONS**

WHEREAS, Under state law, counties in New York State manage, operate, and fund elections in New York State; and

WHEREAS, In his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo has proposed requiring every county to offer residents early voting opportunities through at least one early voting poll site during the 12 days leading up to Election Day; and

WHEREAS, The proposal will require counties to offer at least eight hours on weekdays and five hours on weekends to cast early ballots; and

WHEREAS, Counties must have one early voting poll site for every 50,000 residents, at a location determined by the bipartisan county board of elections, and subject to standards of accessibility and convenience; and

WHEREAS, County boards of elections will designate at least five polling places in each county, geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot; and

WHEREAS, These proposals will significantly increase costs to county boards of elections for staffing and securing early voting locations, printing and counting additional ballots, and meeting other legal elections requirements associated with maintaining polling stations over an extended period of time (rather than one day); and

WHEREAS, Under New York State law, counties have the authority to pass elections costs on to their municipal counterparts, which is done by more than half of counties; and

WHEREAS, The cost of early voting has been estimated at \$6.4 million per year; and

WHEREAS, The state-imposed property tax cap makes it difficult for

local governments to absorb new costs of any kind; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to fund all costs associated with early voting; and be it

FURTHER RESOLVED, That the state consider removing the requirement unless they are able to fully fund; 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. 18-109
(March 13, 2018)**

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

**RESOLUTION IN SUPPORT OF NEW YORK STATE SENATE BILL
S.07624 AND NEW YORK STATE ASSEMBLY BILL A.09792,
AMENDING THE TAX LAW RELATING TO AUTHORIZING THE
COUNTY OF WYOMING TO IMPOSE A COUNTY RECORDING TAX
ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL
PROPERTY, IN RELATION TO THE EXPIRATION THEREOF**

WHEREAS, A precedent has been set in previous legislation, which was signed into law that includes a specific date when the law expires. This bill specifically states that Chapter 185 of the Laws of 2005, amending the tax law relating to authorizing the county of Wyoming to impose a county recording tax on obligations secured by a mortgage on real property, as amended by chapter 182 of the laws of 2016, shall expire December 01, 2018; and

WHEREAS, Senate Bill S.07624 and Assembly Bill A.09792 have been introduced into the New York State Senate and Assembly respectively to amend the tax law in relation to the expiration thereof; and

WHEREAS, Pursuant to Article IX of the Constitution of the State of New York it is necessary for this legislature to enact a Home Rule Request for the passage of said legislation; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors
March 13, 2018

hereby approves and encourages the adoption and passage of said Senate Bill S.07624 and Assembly Bill A.09792 entitled “***An Act to amend chapter 185 of the laws of 2005, amending the tax law relating to authorizing the County of Wyoming to impose a county recording tax on obligations secured by a mortgage on real property, in relation to the expiration thereof,***” and hereby declares that a necessity exists for the passage of such bills in that the local legislative body of the County of Wyoming does not have the power to enact such legislation by local law; and

BE IT FURTHER RESOLVED, That a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

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

**RESOLUTION NO. 18-110
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
PEOPLESYSTEMS, INC. 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 with ***PeopleSystems, Inc.***, P.O. Box 4816, Syracuse, NY 13221 on behalf of Human Resource. Said contract to provide an unemployment insurance services in an amount not to exceed three thousand two hundred ten dollars (\$3,210.00) annually; effective January 1, 2017 and will automatically renew from year to year until written notice is received from either party.

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 #9 through #19. Hearing no objection resolution titles were read.

#9

**RESOLUTION NO. 18-111
(March 13, 2018)**

Regular Meeting

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

CHAIRMAN AUTHORIZED TO SIGN THE GLOW INFRASTRUCTURE FUNDING MEMORANDUM OF UNDERSTANDING ON BEHALF OF WYOMING COUNTY COMMUNITY ACTION

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the ***GLOW Infrastructure Funding Memorandum of Understanding*** on behalf of Wyoming County Community Action. Said memorandum of understanding defines each partner's roles and responsibilities in the New York State Career Center System and ensures compliance as required by 20 CFR Part 678; effective upon approval from the New York State Department of Labor.

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

**RESOLUTION NO. 18-112
(March 13, 2018)**

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

**ROBERT MOLISANI APPOINTED TO THE
GLOW WORKFORCE DEVELOPMENT BOARD**

BE IT RESOLVED, That ***Robert Molisani***, Caledonia Mumford Central School District Superintendent, 99 North Street, Caledonia, NY 14423 be hereby appointed to the GLOW Workforce Development Board as a ***Local Education Entity Representative*** for an indefinite term effective March 13, 2018.

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

**RESOLUTION NO. 18-113
(March 13, 2018)**

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

RESOLUTION NUMBER 13-152 AMENDED

WHEREAS, Resolution Number 13-152 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF THE OFFICE FOR THE**

March 13, 2018

AGING,” passed by this Board of Supervisors on April 9, 2013 and authorized awarding a bid and signing contracts with ***Frontier Food Service***, PO Box 903, West Seneca NY 14224 for food service in an amount not to exceed \$5.09/congregate meals and home delivered meals; effective April 1, 2013 through March 31, 2018; now therefore,

BE IT RESOLVED, That ***Resolution Number 13-152*** be hereby amended to increase the cost to \$5.20 per congregate meals and home delivered meals due to the minimum wage increase; effective January 1, 2018. All else remains the same.

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

**RESOLUTION NO. 18-114
(March 13, 2018)**

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 THE 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 the Wyoming Office for the Aging. Said grant to provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low-income subsidy program in a minimum amount of thirteen thousand two hundred sixty-two dollars (\$13,262.00); effective September 30, 2017 through September 29, 2018.

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

**RESOLUTION NO. 18-115
(March 13, 2018)**

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

RESOLUTION NUMBER 18-014 AMENDED

WHEREAS, Resolution Number 18-014 entitled, “**CHAIRMAN**

Regular Meeting

AUTHORIZED TO SIGN A CONTRACT WITH EAGLE INN ON BEHALF OF THE OFFICE FOR THE AGING,” passed by this Board of Supervisors on January 16, 2018 to provide congregate meals to seniors sixty (60) years old and older in Wyoming County as needed; effective January 16, 2018 through December 31, 2018; now therefore,

BE IT RESOLVED, That *Resolution Number 18-014* be hereby amended to correct the contracting party name to *KBAR Eagle Inn*.

All else remains the same.

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

**RESOLUTION NO. 18-116
(March 13, 2018)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE STATE LEGISLATURE TO WORK WITH NEW YORK'S
CONGRESSIONAL DELEGATION TO ENSURE ANY
CONGRESSIONAL EFFORTS TO PASS THE FAMILY FIRST
PREVENTION SERVICES ACT ENSURES ESSENTIAL FISCAL
RESOURCES ARE MAINTAINED TO SUPPORT FAMILIES IN NEED**

WHEREAS, The Family First Prevention Services Act, was considered in a prior Congress, but was not enacted; and

WHEREAS, There is a desire again to enact this legislation; and

WHEREAS, The legislation for is well intentioned in that it would for the first time allow federal Title IV-E reimbursement some preventive services to help children at risk of neglect or abuse; and

WHEREAS, The federal legislation also proposed extensive new reporting and information system requirements, eliminated federal funding for currently authorized services, imposed restrictive administrative and implementation barriers, put in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and

WHEREAS, Should this federal legislation advance, New York's Office of Children and Family Services estimates that New York State and its counties could lose up to \$250 million annually in currently available federal

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funds for child welfare; and

WHEREAS, The counties of New York fund a sizable percentage of these child welfare services with locally raised property taxes and other revenues; and

WHEREAS, New York State and its counties have provided prevention services for this population without any federal matching funds for decades and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and

WHEREAS, Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent letters to United States Senators' Charles E. Schumer and Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and

WHEREAS, Some of specific amendments requested included expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding not to exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to Families with Dependent Children (AFDC) delinking; and placement settings for 16-17-year-olds; and

WHEREAS, The loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to work closely with New York's Congressional Delegation to amend and improve the Family First Prevention Services Act so that early adopter states are not penalized by strict maintenance-of-effort provisions, that current federal reimbursement streams be maintained, and sufficient flexibility be provided to meet the unique circumstances in different states; 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:

Regular Meeting

**RESOLUTION NO. 18-117
(March 13, 2018)**

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 included 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, Counties have extremely limited options to control foster care costs and placements due to the orders of judges and the growing substance abuse epidemics that are ravishing many communities across the state, forcing placements outside of the home as parents, and/or children struggle with beating their addiction; and

WHEREAS, Addressing the current 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

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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 cut equaled 74 percent of the allowable property tax cap growth for the 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 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: #16

**RESOLUTION NO. 18-118
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE STATE TO PAY FOR ANY
REQUIRED INCREASES IN COST TO THE CHILD PROTECTIVE
SERVICE PROGRAM**

WHEREAS, In 2017 the State Legislature passed a bill attempting to set a workload standards cap of no more than fifteen active cases per month per full time child protective services worker; and

WHEREAS, This bill was appropriately vetoed by the Governor, stating the bill was deficient due to applying a one-size-fits all approach across the State and perhaps more importantly, this bill was passed outside the State Budget process and allocated no funding to Counties for this potentially enormous increase in costs; and

WHEREAS, Child protective services are paid for by our county

governments; and

WHEREAS, Every county has unique challenges providing this service such as geography, population, economics, and demographics that make one statewide case-cap standard illogical; and

WHEREAS, Due to the fact that each county has unique challenges, it is the county themselves and the county DSS commissioners that are best situated to understand and manage caseload assignments; and

WHEREAS, A one-size fits all standard of case-caps does not address the increased costs that this cap would cause, nor recognize case severity and oversight needs, along with each case worker's experience and skill level; and

WHEREAS, Counties cannot meet any new state unfunded mandates while maintaining the state-imposed property tax cap; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the Legislature to abstain from passing these types of caseworker cap bills without covering 100 percent of the costs to support these new positions; and be it

FURTHER RESOLVED, That the 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: #17

**RESOLUTION NO. 18-119
(March 13, 2018)**

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

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WHEREAS, In 2013, the state implemented a State Fiscal Agent administrative model 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, Problems continue to arise 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 lacks follow through by providers when insurers request additional documentation; and

WHEREAS, Prior to the state fiscal agent, counties were able to work directly with 3rd party insurance providers and families to maximize insurance payments; and

WHEREAS, Counties realized more payments from 3 party payers prior to the state fiscal agents reducing the county and state share of this cost; 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 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. Medicaid should be billed in the 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 should be the case; 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 State of New York 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, 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 and the State Fiscal Agent 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 the state and county public health programs when current benefits are eliminated or modified; and be it

FURTHER RESOLVED, The New York State Bureau of Early Intervention should develop an 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. 18-120
(March 13, 2018)

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

**RESOLUTION URGING THE GOVERNOR AND STATE
LEGISLATURE TO TAKE OVER THE FISCAL RESPONSIBILITY
FOR COSTS ASSOCIATED WITH STUDENTS RECEIVING
PRESCHOOL SPECIAL EDUCATION SERVICES IN INTEGRATED
UNIVERSAL PREKINDERGARTEN PROGRAM CLASSROOMS**

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, Permanent state law requires counties to pay 30.5 percent of preschool special education costs, but each year the Governor and Legislature disregard this statutory threshold in annual appropriation bills and require counties to pay 40.5 percent of costs associated with preschool special education; 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, A Special Class in an Integrated Setting (SCIS) often within a universal prekindergarten classroom is most consistent with federal and State law that requires preschool students with disabilities to be educated in the least restrictive environment; and

WHEREAS, Research has consistently shown that integrated classrooms provide numerous positive outcomes for special education students; and

WHEREAS, Such classrooms plainly highlight the inconsistencies of a bifurcated system that fully supports "mainstream" students with State funding while requiring counties to partially fund preschool special education students; and

WHEREAS, The increased placement of preschool special education students in integrated universal prekindergarten programs has added further strain on 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 take over the fiscal responsibility for costs associated with students receiving

preschool special education services in integrated universal prekindergarten program classrooms, thereby fully funding all students being served in the same setting, encouraging further utilization of integrated settings, and providing relief to county 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: #19

**RESOLUTION NO. 18-121
(March 13, 2018)**

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, The Governor continues to prioritize finding solutions for the homeless and affordable housing problems across the state; and

WHEREAS, While this commitment by the Governor is welcomed, there are still significant shortfalls in affordable housing and state and federal financial resources in many communities regarding emergency shelter; 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 first place is the best way to keep families safe and secure; and

WHEREAS, Significant state funding cuts in a wide array of social

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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 reduce homelessness in the first instance; 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 up front; 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 codes officials; and

WHEREAS, These increased state inspections are steering emergency shelter policy toward higher cost shelter options that do not currently exist in most counties in sufficient numbers, if at all; 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, however counties believe this initiative must be compliant with mental hygiene law; 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 provide more fiscal assistance to counties to meet new inspection demands and to help counties fund more services that can prevent homelessness in the first instance; and be it

FURTHER RESOLVED, Counties are seeking more clarity and 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 Office for Temporary Disability Assistance, 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 Mrs. Ryan, T/Warsaw, to combine resolutions #20 through #25. Hearing no objection resolution titles were read.

#20

RESOLUTION NO. 18-122 (March 13, 2018)

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

DEVELOPMENTAL DISABILITIES AWARENESS MONTH PROCLAIMED

WHEREAS, Nationwide, approximately 5 million people have developmental disabilities; and

WHEREAS, People with developmental disabilities share the desire to achieve personal success through education, meaningful work, family and

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community ties; and

WHEREAS, People with developmental disabilities deserve equal opportunities to enjoy, participate in and contribute to their local communities alongside their neighbors without disabilities; and

WHEREAS, Wyoming County is committed to recognizing that every person, regardless of perceived ability, has valuable strengths, infinite capacity to learn and make decisions, and the capability to make important contributions to their communities if given opportunities to do so; and

WHEREAS, Wyoming County is therefore committed to encouraging communities and other support structures to promote higher expectations and self-determination for individuals with disabilities; and

WHEREAS, Wyoming County is proud of the achievements and contributions of its citizens who have developmental disabilities and encourages continued progress toward empowerment in every aspect of community life, work, relationships, spirituality, and recreation; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors, do hereby proclaim March 2018 as **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** in Wyoming County and urges all Citizens to give full support to efforts towards enabling people with developmental disabilities to live full and productive lives of inclusion in our communities.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #21

**RESOLUTION NO. 18-123
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK COUNCIL ON
PROBLEM GAMBLING ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York Council on Problem Gambling*, 100 Great Oaks Boulevard, Albany, NY 12203 on behalf of Mental Health. Said grant to fund underage gambling prevention in a minimum amount of thirteen thousand forty-eight dollars and fifty cents (\$13,048.50); effective March 1, 2018 through

October 31, 2018.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#22

**RESOLUTION NO. 18-124
(March 13, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO
AWARD BID AND SIGN A CONTRACT WITH MCCLURG
CHEVROLET BUICK, INC. ON BEHALF OF THE
COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and 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 a contract with McClurg Chevrolet Buick, Inc., 16 Parker Lane, Perry, NY 14530 on behalf of County Health Department. Said contract is for the purchase of one (1) 2018 Chevrolet Malibu, LS in an amount not to exceed eighteen thousand nine hundred eighty-one dollars (\$18,981.00); effective through delivery of vehicle no later than March 30, 2018.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-125
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND
SUBSTANCE ABUSE SERVICES AND THE GOVERNOR TO PROVIDE
STATE FUNDING TO SUPPORT THE TREATMENT AND
TRANSITION SERVICES TO INDIVIDUALS WITH SUBSTANCE USE
DISORDERS (SUD) WHO ARE INCARCERATED IN COUNTY JAILS**

WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

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WHEREAS, The state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

WHEREAS; There remains a significant gap in the treatment and support in the continuum of care being developed by the state and that is available in local jails; and

WHEREAS, Individuals who suffer from SUD's frequently come into contact with the criminal justice system; and

WHEREAS, The link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails; and

WHEREAS, Alcohol and drugs are implicated in roughly 80 percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public order offenses; and

WHEREAS, According to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, that surveyed County Sheriffs indicated that of the individuals detained in their jail on drug-related charges, 68 percent had been in their jail before; and

WHEREAS, Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

WHEREAS, Just over 50% of New York State localities report that they have no funding for SUD treatment services in their jails; and

WHEREAS, In NYS, counties bear the sole burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

WHEREAS, 51 percent of jails have no funding for substance use disorder treatment services despite strong evidence that these services reduce crime, save money, and save lives and 53 percent of jails do not have the capacity to directly transition addicted inmates to community treatment programs upon re-entry; and

WHEREAS, A New England Journal of Medicine study found that in the first two weeks after release, former inmates with an opioid use disorder were 12.7 times more likely than other individuals to die of an overdose; and

WHEREAS, A comprehensive re-entry plan is critically important to minimizing the possibility of drug use, overdose and recidivism and that for those jails that do have some treatment services, those services are far outpaced by the escalating need for them; and

WHEREAS, The benefits of providing effective SUD services in the jail setting have proven significant where they occur and a handful of localities in New York State have been able to support a level of service through local funding are reaping significant benefits; and

WHEREAS, In Albany County, the jail-based Sheriffs Heroin Addiction Recovery Program (SHARP) provides SUD treatment during incarceration and support services after release, resulting in a 28% reduction in recidivism rate; and

WHEREAS, New York State's own analysis of the costs and benefits of jail-based SUD treatment found that communities realize a savings of \$2,846.00 per person served and that there are 13 fewer victimizations per 100 people served; and

WHEREAS, In the property tax cap era, a dedicated State funding stream to counties is desperately needed to provide SUD treatment 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, Counties are requesting funding of \$12.8 million annually to the LGU's to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization; 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 and transition of incarcerated individuals with substance use disorders in our county jails; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the Office of Alcoholism and Substance Abuse Services, the New York State Association of Counties and all others deemed necessary and proper.

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

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**RESOLUTION NO. 18-126
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH
AND THE GOVERNOR TO ENSURE LONG TERM VIABILITY TO
OMH FUNDED HOUSING PROGRAMS FOR INDIVIDUALS WITH
SERIOUS MENTAL ILLNESS THROUGH SUPPORT OF THE
"BRING IT HOME" INITIATIVE**

WHEREAS, Safe and affordable housing with supports is an essential component of recovery for many people with serious mental illness; and

WHEREAS, The OMH funded housing system currently serves approximately 40,000 individuals with serious psychiatric disabilities, who often have significant medical conditions and substance use disorders; and

WHEREAS, The OMH community based housing programs include several levels of care including, Community Residences (CRs), Apartment Treatment Programs (Treatment Apartments), Supported Scatter-Site Housing (Supported Housing), Community Residence — Single Room Occupancy (CR-SRO), and Supported Single Room Occupancy (SP-SRO); and

WHEREAS, These OMH Housing program models were developed over 30 years ago in the late 1970's and early 1980's and the requirements for the services and the staff needed to provide the services reflect the needs of clients at that time; and

WHEREAS, These programs are expected and required to serve the clients with the highest and most challenging psychiatric needs, manage the health and mental health for many clients with a co-occurring substance use disorder, and manage complicated medication regimens to treat their behavioral and other co-morbid chronic conditions such as heart disease, diabetes, high blood pressure, high cholesterol and pulmonary disease; and

WHEREAS, The program models originally were not created to serve these clients and the state has consistently failed to provide adequate funding to effectively support services to those with the highest needs; and

WHEREAS, For example, the Community Residences and Supported Single Room Occupancy (SP-SRO's) programs have received a total increase of

just 10% over the last 27 years — less than 3 tenths of a percent per year; and

WHEREAS, The licensed Community Residence program — the highest level of care in the state outside of a hospital - is struggling under minimal staff levels that were developed in 1984, when clients had much fewer and less challenging needs; and

WHEREAS, The County Directors of Community Services (DCSs) are responsible for operation of the Assisted Outpatient Treatment (AOT) programs in their counties which is the court-ordered outpatient treatment which includes ensuring safe and appropriate housing; and

WHEREAS, DCSs throughout the state report significant waiting lists for housing and it is becoming increasingly more difficult to find an OMH housing bed that both offers the high level of services needed and that is staffed appropriately to safely serve the population; and

WHEREAS, The insufficient housing reimbursement is further reducing capacity and cutting access to care as housing providers will be left no choice but to close a portion of their existing housing beds which will cut off access to this vital resource for AOT and other high-needs clients; and

WHEREAS, Decades without an adequate rate increases for OMH Housing has pushed housing providers to their tipping point where they will be forced to take down critically needed housing beds which will create a crisis situation; and

WHEREAS, The new supportive housing units the state has promised to develop will be funded at a much higher rate than the exact same existing units; and

WHEREAS, Housing is the single most significant social determinant to health outcome and if individuals cannot be housed safely, all other state investment in their recovery will be undermined; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the Office of Mental Health to support the "Bring it Home" campaign's request for \$125 million in funding to preserve the long-term viability of the existing 40,000 units of OMH Housing and ensure New Yorkers with serious mental illness and other complex conditions have access to the housing they deserve; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward

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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:
#25

RESOLUTION NO. 18-127
(March 13, 2018)

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

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 and other areas of the state, 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 fiscal 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 reject the proposed funding pools and restore the proposed 20% reduction in funds and 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:
Joint Resolution
#26

RESOLUTION NO. 18-128
(March 13, 2018)

By Ms. Ryan, Chairman of the Public Health Committee and Mr. Copeland, Chairman of the Public Safety Committee:

**RESOLUTION SUPPORTING CONTINUED PRIORITIZATION OF
HEROIN AND OPIOID ABUSE PREVENTION AS A TOP PUBLIC
SAFETY, PUBLIC HEALTH, AND MENTAL HEALTH FOCUS IN NEW
YORK STATE FOR 2018**

WHEREAS, Communities across the nation and New York State are seeing a dramatic increase in the use of heroin and opioid abuse; and

WHEREAS, In 2016, according to the United States Department of Health and Human Services, health care professionals dispense more than 650,000 prescriptions and 3,900 people initiate nonmedical use of prescription opioids for the first time; and

WHEREAS, Opioid and heroin addiction often starts from the dependence of such painkillers as Oxycodone, OxyContin and Percocet; and

WHEREAS, As this epidemic has grown, it has become increasingly clear that the addiction does not discriminate: it can happen in any household, in any family, in any neighborhood, and in any community; and

WHEREAS, The addiction, abuse, and illegal use of heroin and opioids has an impact on many areas of county government ranging from public

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safety, public health, mental health, and corrections; and

WHEREAS, When prescription opioids become too expensive and difficult to obtain, opioid addicted individuals often turn to heroin, which is more readily available and much cheaper to obtain; and

WHEREAS, Opioid and heroin addictions have reached crisis proportions and the Federal Government, New York State and counties across the state have created programs designed to combat the illegal use of these drugs; and

WHEREAS, In order to help monitor this growing problem, in 2013 the State instituted the Internet System for Tracking Over-Prescribing (ISTOP) and the Prescription Drug Monitoring Program (PDMP) to prevent prescription opioid abuse by tracking the prescribing and dispensing of controlled prescription drugs to patients; and

WHEREAS, In 2014, Attorney General Schneiderman established the Community Overdoses Prevention (COP) program that gives eligible law enforcement agencies funding for access to naloxone, which is also known as Narcan; and

WHEREAS, By leveraging \$5 million of funds appropriated from crime seizure monies through the 2014/15 Enacted State Budget, the Attorney General provided funding to offset the cost of a "naloxone kit" for every sworn officer in the state; and

WHEREAS, The 2016/17 and 2017/18 Enacted Budgets included collectively over \$500 million to provide funding for constructing and rehabilitating facilities, expanding support and treatment services, providing aid to localities, and providing preventative services; and

WHEREAS, Counties across the nation under the leadership of the National Association of Counties (NACo) have joined together to create a joint National Taskforce, which Erie County Executive Mark Poloncarz served on, and provided the information directly to all the counties across New York State; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors thanks the National Association of Counties, the Governor and the State Legislature for making heroin and opioid abuse a top public safety, public health, and mental health priority and urges them to continue to do so until the epidemic is defeated; and be it

FURTHER RESOLVED, County officials support increased funding to be included in the final 2018-19 state budget to support the Office of Alcohol and Substance Abuse Services (OASAS) to enhance prevention, treatment and recovery programs, residential service opportunities, and public awareness and education activities; 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:

*After passage of resolutions #20 through #26, Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to present the **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** proclamation. Supervisor Ryan then recognized the following ARC Representatives:*

- *Martin Miskell/Exec. Director;*
- *Cheryl Englert/Board President;*
- *Wally Gee/Self Advocacy Group Vice Pres.*
- *Lisa Irwin/Self Advocate*
- *Mari Miller/Public Relations (Foundation Member)*
- *Susanne Johnson/Public Relations*
- *Jeff Thomas/Public Relations (Senior Staff);*
- *Marcy VanZandt/Board Member*
- *Eric Parker/Board Member*
- *Mike Fitch/Strategic Development (Senior Staff)*

The proclamation was read and presented to ARC representatives ...

A few of the representatives took the opportunity to thank the Board of Supervisors for their continued support...

There was a motion by Mr. Kehl T/Attica, to combine resolutions #27 through #29. Hearing no objection resolution titles were read.

#27

RESOLUTION NO. 18-129 (March 13, 2018)

By Mr. Kehl, Chairman of the Agriculture Committee:

March 13, 2018

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE DEPARTMENT OF
AGRICULTURE AND MARKETS ON BEHALF OF
ANIMAL CONTROL**

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 *New York State Department of Agriculture and Markets*, 10B Airline Drive, Albany, NY 12235 on behalf of Animal Control. Said grant to fund capital infrastructural improvements to the Animal Shelter in a minimum amount of one hundred thousand dollars (\$100,000.00); effective two (2) years from the date of execution.

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

**RESOLUTION NO. 18-130
(March 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION TO SUPPORT FUNDING FOR FARMLAND
PRESERVATION AND AGRICULTURE LOCAL ASSISTANCE
PROGRAMS**

WHEREAS, The agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our state and beyond; and

WHEREAS, The agricultural sector, farms and related food system are major economic engines in New York State; and

WHEREAS, The enacted 2017/2018 budget allocated \$20 million to farmland protection and \$32,899,000 to agriculture local assistance programs; and

WHEREAS, The Governor's 2018/19 proposed budget, released on January 16, 2018, allocated \$20 million to farmland preservation and \$21,421,000 to agriculture local assistance programs; and

WHEREAS, New York's farmland protection and agriculture assistance programs help sustain this vital industry; and

WHEREAS, While funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be

continued in future years; and

WHEREAS, More than 30 percent of the farmers in New York State, who cultivate two million acres of land, are 65 years of age or older; and

WHEREAS, Research shows that over 60 percent of these senior farmers do not have a young farmer working alongside them to help manage their business; and

WHEREAS, Farmland in transition is most vulnerable to being sold out of farming; and

WHEREAS, Access to affordable land suitable to starting a new farm operation is the number one barrier that new and beginning farmers face when trying to get started; and

WHEREAS, There were 30 percent fewer young farmers in New York in 2012 than in 2002; and

WHEREAS, Farmland protection is an important contributor to successful farmland transition and affordable farmland access; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at \$20 million and agriculture local assistance programs at \$32,899,000 in the FY 2018/19 budget; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the State of New York to fund a Farmland for a New Generation Program, which would help to ensure that the two million acres expected to be transferred over the next decade stays in farming by creating a centralized statewide resource center, website and first point of contact, while also building regional capacity within New York to assist with farmland access and transfer; 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 Agriculture and Markets, the New York State Association of Counties and all others deemed necessary and proper.

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

March 13, 2018

**RESOLUTION NO. 18-131
(March 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WYOMING COUNTY SOIL AND WATER CONSERVATION
DISTRICT FOR AGRICULTURE DISTRICT REVIEWS**

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 Soil and Water Conservation District, 36 Center Street, Suite D, Warsaw, NY 14569 to provide agriculture district reviews for the County of Wyoming in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

4-H Public Speaking Presentations ~

Holly Harwood, Cornell Cooperative Extension 4-H Community Educator introduced the following presenters...

- *Kyle Carpenter ~ Town of Attica*
 - “How to Tap a Maple Tree”
- *Ashton Wilcox ~ Town of Sheldon*
 - “How to Show a Calf”

Presentation ~

- *Pioneer FFA named 2017 Chapter of the Year by the New York State Agricultural Society* at its 186th annual meeting held on January 4, 2018.
 - Officers of the FFA chapter *presented* a power point presentation of their accomplishments that led to the above mentioned designation...

Presentation ~

- *Paul Harvey Video*
 - God made a farmer...

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #30 through #39 and respectfully requested that the Boards' Rules of Procedure rule #27 Division of Questions, be invoked in order for a separate vote to be taken on resolution number #40. Hearing no objection resolution titles were read.

#30

RESOLUTION NO. 18-132

(March 13, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR GLOW REGION 2018 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, in January of 2017 the GLOW Committee issued a Request for Proposals for professional services to hazardous waste service providers to conduct household hazardous waste collection days; and

WHEREAS, On May 24, 2017, the GLOW Committee adopted Resolution No. 17-03 recommending Environmental Enterprises, Inc. as the contractor responsible for collection, transportation and disposal of unwanted and/or unusable household hazardous waste from GLOW region residents, and;

WHEREAS, The term of this contract was for one year, with a possible second year extension at the same pricing and a possible third year extension with pricing to be renegotiated; and

WHEREAS, The GLOW Committee desires to exercise the first extension option in 2018; and

WHEREAS, The GLOW Committee desires to hold this collection on September 15, 2018, at the Wyoming County Highway Facility, 4328 Route 19 South, Silver Springs, NY 14550; and

WHEREAS, The GLOW Region Solid Waste Management Committee will apply for funding from the New York State Department of Environmental Conservation (NYSDEC) for a Household Hazardous Waste Collection Project in 2019 in the amount of forty thousand dollars (\$40,000.00); now therefore,

BE IT RESOLVED, That upon approval of the contract by the County Attorney, and on behalf of the GLOW Region Solid Waste Management Committee, the Chairman of the Wyoming County Board of Supervisors is

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authorized to sign the contract with Environmental Enterprises, Inc., as the contractor for the GLOW Region 2018 Household Hazardous Waste Collection Program in an amount not to exceed twenty five thousand dollars (\$25,000.00), the source of funds being GLOW County contributions and anticipated state revenues appropriated from the NYSDEC.

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

**RESOLUTION NO. 18-133
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION IN SUPPORT OF NEW YORK STATE SENATE BILL
S.7000 AND NEW YORK STATE ASSEMBLY BILL A.8846 TO AMEND
COUNTY LAW IN RELATION TO ALLOWING WYOMING COUNTY
TO PARTICIPATE IN THE FOREIGN-TRADE ZONE PROGRAM**

WHEREAS, Subdivision 17 of Section 224 of the County Law, as amended by Chapter 651 of the Laws of 1985 provides that the County of Erie may make application to the Foreign-Trade Zone Board established by the act of Congress, approved June 18, 1934 and entitled, *“An act to provide for the establishment, operation and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes”*; and

WHEREAS, Said act grants Erie County the privilege, subject to the approval of such application, to establish, operate and maintain foreign-trade zone or zones within such county, pursuant to the provisions of such act and includes the location of sub-zones in the counties of Monroe, Cattaraugus and Chautauqua; and

WHEREAS, Senate Bill S.7000 and Assembly Bill A.8846 have been introduced into the New York State Senate and Assembly respectively to amend Section 1, Subdivision 17 of section 224 of the County Law, as amended by Chapter 651 of the law of 1985, to allow a sub-zone to be located in Wyoming County; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves and encourages the adoption and passage of said Senate Bill S.7000 and Assembly Bill A.8846 entitled *“An Act to amend the County Law, in relation to allowing Wyoming County to participate in the Foreign-Trade Zone Program”*.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

Local Law

#32

**RESOLUTION NO. 18-134
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. B
YEAR 2018**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of March, 2018, a proposed local law entitled, “Local Law Introductory No. B Year 2018, **“A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM IN WYOMING COUNTY,”** and

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

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the ***10th day of April, 2018 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.***

INTRODUCTORY LOCAL LAW NO. B - YEAR 2018

A Local Law Amending Local Law No. 1 of the Year 2017 entitled “***A Local Law Establishing a Sustainable Energy Loan Program in the County of Wyoming***”.

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

Section 1. Section 1 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 1. TITLE. This Local Law shall be known as the “Energize NY Benefit Financing Program” and shall read as follows:

Section 2. Section 2 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

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SECTION 2. LEGISLATIVE FINDINGS, INTENT AND PURPOSE, AUTHORITY.

a. It is the policy of both the County and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County Board of Supervisors finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewal energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County, pursuant to the municipal agreement to be entered into between the County and EIC pursuant to Article 5-G of the New York General Municipal Law (the “Municipal Agreement”) to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this Local Law and fulfilling an important public purpose.

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

Section 3. Section 3 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 3. DEFINITIONS.

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

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

County. Wyoming County, State of New York.

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

levied on the real property and collected in the same manner and same form as the County taxes.

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

Energy Efficiency Improvement. Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weatherstripping, air sealing, insulation and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority not including lighting measures or household appliances that are not permanently fixed to real property.

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

Renewable Energy System. An energy generating system for the generation of electric or thermal energy, to be used primarily as such property, except when the Qualified Property Owner is a commercial entity in which case the system may be used for other properties in addition to the subject property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

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

Section 4. Section 4 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 4. ESTABLISHMENT OF AN ENERGIZE NY
BENEFIT FINANCING PROGRAM.**

March 13, 2018

- a. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may provide funds to Qualified Property Owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.
- b. For funds provided to a Qualified Property Owner which is a commercial entity, not-for-profit organization, or entity other than an individual, EIC shall have the authority to impose requirements on the maximum amount of funds to be provided, which may consider factors, including, but not limited to, the property value, projected savings, project cost and existing indebtedness secured by such property.
- c. For financing made to a Qualified Property Owner who is an individual, the funds provided shall not exceed the lesser of: (i) ten percent (10%) of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or (ii) the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

Section 5. Section 5 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 5. PROCEDURES FOR ELIGIBILITY

- a. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County offices.
- b. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in Section 6 of this Local Law. EIC may also request further information from the property owner where necessary to aid in its determination.
- c. If a positive determination on an application is made by EIC acting on behalf of the County, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under Section 7 of this Local Law; provided that in

no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

Section 6. Section 6 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 6. APPLICATION CRITERIA.

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

- i. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective based on guidelines issued by the Authority;
- ii. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding.
- iii. The amount financed under the Energize NY Benefit Financing Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- iv. Sufficient funds are available from EIC to provide financing to the property owner;
- v. The property owner is current in payments on any existing mortgage;
- vi. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three (3) years; and
- vii. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

Section 7. Section 7 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

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SECTION 7. OPT-IN, ENERGIZE NY FINANCE AGREEMENT.

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

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

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

Section 8. Section 9 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 9. TERMS AND CONDITIONS OF REPAYMENT.

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

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

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

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

d. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program as set forth in Article 5-L of the General Municipal Law and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

Section 9. Section 10 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 10. VERIFICATION AND REPORT.

a. EIC shall be responsible for verifying and reporting to the County on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such Program.

b. The County shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

Section 10. Effective Date.

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

DATED at Warsaw, New York

March 13, 2018 (Introduced)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

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

**RESOLUTION NO. 18-135
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE ENERGY RESEARCH AND
DEVELOPMENT AUTHORITY (NYSERDA) ON BEHALF OF
PLANNING AND DEVELOPMENT**

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 *New York State Energy Research and Development Authority (NYSERDA)*, Clean Energy Communities Program, 17 Columbus Circle,

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Albany, NY 12203 on behalf of Planning and Development. Said grant to fund a solar array in a minimum amount of one hundred fifty thousand dollars (\$150,000.00); effective through September 30, 2019.

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

**RESOLUTION NO. 18-136
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION NUMBER 17-254 AMENDED

WHEREAS, Resolution Number 17-254 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON BEHALF OF PLANNING AND DEVELOPMENT,**” passed by this Board of Supervisors on June 13, 2017 and authorized sign a grant acceptance award with the New York State Department of Environmental Conservation, Office of Climate Change, 625 Broadway, Albany, NY 12210 on behalf of Planning and Development. Said funding is for the construction of an Electric Vehicle Charging Station (EVCS) in the Village of Warsaw in a minimum amount of fourteen thousand sixteen dollar (\$14,016.00); effective November 1, 2016 through October 31, 2018; now therefore,

BE IT RESOLVED, That *Resolution Number 17-254* be hereby amended to correct the minimum amount of fourteen thousand sixteen dollar (\$14,016.00) to twelve thousand nine hundred thirty-one thousand and sixty-six cents (\$12,931.66).

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #35

**RESOLUTION NO. 18-137
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION CALLING FOR AMENDMENTS TO THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT

**AND URGING THE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION TO EXPEDITE THE PROMULGATION OF
RELATED REGULATIONS**

WHEREAS, The New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

WHEREAS, The Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, While the Act intended to place the burden of electronics recycling on the manufacturers of electronic devices, the Act failed to stipulate adequate education requirements to inform the public of the process by which they could recycle their electronics with the manufacturers; and

WHEREAS, The Act created a ban on disposal of electronic waste in landfills, effective January 2015, which resulted in a growing number of waste stream planning units throughout New York's counties bearing more of the fiscal responsibility for continued e-scrap collection in their communities; and

WHEREAS, The Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, Once manufacturers have met their performance standard (goal), which, in many cases, is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to cash-strapped local governments; and

WHEREAS, While the NYS Department of Environmental Conservation (DEC) indicates there are no longer performance goals, some manufacturers continue to dodge their legal responsibility to accept electronic waste; and

WHEREAS, The Act empowers the DEC to promulgate regulations that could address many of the shortcomings in the law, and, in 2016, the DEC began the rulemaking process by holding preliminary workshops and accepting comments via email; and

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WHEREAS, The issue is exacerbated by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

WHEREAS, This has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; and

WHEREAS, the Fiscal Year 2016-17 appropriation for the Environmental Protection Fund assists municipalities by making \$3 million available to reimburse up to 50 percent of expenses incurred for the collection/recycling of e-waste; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to create a more stable and comprehensive manufacturer-implemented electronics recycling infrastructure; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls on state lawmakers to help alleviate the financial and administrative burden on municipalities who are dealing with these electronics by continuing to fund the reimbursement of expenses incurred collecting and recycling e-waste; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls on state lawmakers to implement actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of changes to the Act that will provide for year-round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations that help alleviate the immediate financial pressures faced by local governments; 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. 18-138
(March 13, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION OPPOSING THE REPEAL OF NET NEUTRALITY AND
URGING THE GOVERNOR AND LEGISLATURE TO ENSURE NET
NEUTRALITY PROTECTIONS FOR NEW YORKERS**

WHEREAS, In 2015, the Federal Communications Commission (FCC) adopted historic Net Neutrality rules to allow Americans to share and access information on the internet without having content sped up, slowed down, or blocked by internet service providers; and

WHEREAS, In December 2017, the FCC voted to dismantle the Net Neutrality rules, thereby threatening the free exchange of information, enabling price-gouging, and stifling innovation; and

WHEREAS, The FCC's ruling may hurt the competitiveness of small, rural businesses in New York State, which rely on the internet to reach their customers and cannot afford to pay premiums to speed up the delivery of their content; and

WHEREAS, Eliminating net neutrality will further harm broadband competition and raise prices in rural areas, which are already unserved or underserved; and

WHEREAS, New York Attorney General Eric T. Schneiderman, in recognition of the impact the FCC's decision has on New York customers, announced that he will lead a multistate lawsuit to stop the rollback of net neutrality; and

WHEREAS, Senator Carlucci and Assembly member Fahy introduced legislation (57183/A8882) that, if adopted, would direct New York's Public Service Commission (PSC) to establish a process for internet service providers (ISPs) to certify that they follow net neutrality principles and require New York State agencies, public authorities and municipalities to contract with only ISPs certified by the PSC to follow net neutrality principles; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Assembly to work to reverse the FCC's repeal of net neutrality and pass legislation to ensure that net neutrality protections remain in place in New York State; 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, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #37

**RESOLUTION NO. 18-139
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION SUPPORTING INVESTMENTS IN SHOVEL-READY/MARKET-READY SITES TO MAKE NEW YORK MORE COMPETITIVE FOR ECONOMIC DEVELOPMENT PROJECTS

WHEREAS, New York State has the opportunity to compete for large-scale, job-creating projects with other sites around the globe; and

WHEREAS, The "time to market" for an economic development project is longer in New York State than most competing areas; and

WHEREAS, Economic development sites lack access to necessary infrastructure, be it water, sewer, roads, or utilities, as compared to other competing sites; and

WHEREAS, New York State has shown success with attracting large-scale economic development projects in the past; and

WHEREAS, Programs used to be available to support critical investments attracting large-scale transformative projects; and

WHEREAS, Reactivating and funding a Build Now/Shovel-Ready Certification Program would incentivize planning and developing market-ready sites across New York State; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports New York State investing \$50 million in the Market-Ready Site Program, which will expedite the timeline for project completion and attract future investments to 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
Regular Meeting

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:**
#38

RESOLUTION NO. 18-140
(March 13, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING LEGISLATION GIVING INDUSTRIAL
DEVELOPMENT AGENCIES (IDAS) THE ABILITY TO PROVIDE
LOANS AND GRANTS TO STIMULATE ECONOMIC INVESTMENT
AND JOB CREATION IN NEW YORK STATE**

WHEREAS, New York State faces a pending budget crisis and a potential \$4 billion deficit; and

WHEREAS, Economic development is the main priority to broaden our tax base, create jobs, and attract future investment; and

WHEREAS, IDAs used to be able to reinvest their revenues in the communities they serve through loans and grants; and

WHEREAS, Restrictive legislation passed in 2008 prevents IDAs from providing loans, grants, or civic activity bonds; and

WHEREAS, The 2008 legislation had a negative impact on New York State by limiting capital that could be invested to develop infrastructure, create jobs, provide early stage seed funding, create workforce development programs, and increase downtown revitalization; and

WHEREAS, Several IDAs have reserves that could be directly invested in local communities to stimulate economic growth; and

WHEREAS, IDAs worked collaboratively with the Office of State Comptroller (OSC) on groundbreaking legislation in 2016 to improve reporting, transparency and accountability; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports legislation authorizing IDAs to use the funds they have to provide loans and grants within their regions to create jobs, leverage private investment, and improve the economic climate and quality of life across New York State; 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, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#39

**RESOLUTION NO. 18-141
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION SUPPORTING THE CREATION OF AN INDUSTRY-SPONSORED PAINT STEWARDSHIP PROGRAM TO REDUCE THE COSTLY BURDEN FACED BY LOCAL GOVERNMENTS WHEN COLLECTING AND DISPOSING OF POST-CONSUMER PAINT

WHEREAS, New York State residents purchase over 39.2 million gallons of paint annually and nearly 4 million gallons of it go unused and will need recycling; and

WHEREAS, Even though paint is highly recoverable, reusable, and recyclable, most leftover latex paint ends up in landfills; and

WHEREAS, Oil-based paint is considered hazardous waste, and is the most expensive product for household hazardous waste (HHW) programs to manage, costing local governments across the country up to 50 percent of their total HHW budgets; and

WHEREAS, Options to drop off unused paint at point-of-purchase locations are limited and as a result instead of being properly disposed of through periodic household hazardous waste collections, unused paint ends up being tossed in the trash or washed down the drain; and

WHEREAS, Other states across the country have successfully implemented paint stewardship programs. Oregon has collected and recycled over 1 million gallons of paint since its program was implemented in 2010, and in California over 350 new collection locations are now accepting paint for recycling; and

WHEREAS, The implementation of a state-wide industry-sponsored paint stewardship program in New York State would greatly reduce this burden on local governments to collect and manage the disposal of paint and could potentially

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save counties millions of dollars annually. Additionally, paint recycling produces new jobs within New York State; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to create an industry-sponsored paint stewardship program to reduce burdens on local governments when collecting and disposing of post-consumer paint; 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 Environmental Conservation, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
Non-Consent
#40

RESOLUTION NO. 18-142
(March 13, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION TO AMEND SECTION 224 OF THE NEW YORK STATE
COUNTY LAW TO CLARIFY COUNTIES MAY APPROPRIATE
FUNDS TOWARDS THE DEVELOPMENT, MAINTENANCE, OR
MANAGEMENT OF AFFORDABLE HOUSING**

WHEREAS, Section 224 of the New York State County Law provides the option for a county to appropriate and contract for public benefit services, and specifically to contract with non-profit organizations and other corporations, associations and agencies within the county for the purposes listed in Section 224; and

WHEREAS, The list of objects and purposes for these optional appropriations and contracts for public benefit services does not explicitly include the development, maintenance, or management of affordable housing; and

WHEREAS, Counties in the state of New York are permitted to spend Federal and state funds provided to them for the purposes of developing, maintaining, or managing affordable housing and to contract with other organizations to carry out these purposes; and

WHEREAS, Some counties have found due to their specific resident needs and demographics, the federal and state governments offer an inadequate

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BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and State Legislature to amend Section 224 of the New York State County Law to clarify that Tompkins County may have the option to use their own funds if they seek to add to the federal and state funding for affordable housing; and be it

Carried: XXX **Ayes:** 1207 **Noes:** 172 (Arcade) **Absent:** **Abstain:**
 19 (Genesee Falls)
 201 (Warsaw)
 392 Total

#41

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

WHEREAS, Many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, deaf and hard of hearing victims, LGBTQ victims, tribal victims, elder victims, victims

with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others. The entire community has a role to play; and

WHEREAS, Involving survivors helps victim service providers and criminal justice professionals understand the culture, values, and expectations of under and unserved victims who seek assistance and justice. Engaging victims' communities and learning from leaders about their unique needs helps service providers foster a supportive and culturally relevant atmosphere in which victims seek help and healing; and

WHEREAS, Incorporating communities' existing experts and trusted sources of support into efforts to fully serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime. Victims know best how to direct and manage their own lives, and true recovery from crime will incorporate a victim's cultural, religious, economic, social, and personal interests; and

WHEREAS, With the full weight of their community and victim service providers behind them, survivors will feel empowered to face their grief, loss, fear, anger, and shame, without fear of judgment and will feel understood and worthy of support; and

WHEREAS, Wyoming County is hereby dedicated to building partnerships with trusted sources of support, including community leaders, religious groups, schools, and other agencies to better reach and serve all victims of crime, no matter their community; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim the week of April 8-14, 2018, as **CRIME VICTIMS' RIGHTS WEEK** in Wyoming County.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #42

**RESOLUTION NO. 18-144
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE INDIGENT
LEGAL SERVICES ON BEHALF OF THE
PUBLIC DEFENDER'S OFFICE**

March 13, 2018

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 Indigent Legal Services*, 90 South Swan Street, Albany, NY on behalf of the Public Defender's Office. Said grant is ***Distribution Number 8*** in a minimum amount of one two thousand one hundred twenty dollars (\$102,120.00); effective January 1, 2018 through December 31, 2020.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #43

**RESOLUTION NO. 18-145
(March 13, 2018)**

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

RESOLUTION NUMBER 14-088 AMENDED

WHEREAS, Resolution Number 14-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATIONS AND ACCEPTANCES AWARD WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE**,” passed by this Board of Supervisors on February 11, 2014 and provides in part, for the following contract:

- **2013 ILSF Distribution** Contract Number C000356 in a minimum amount of fifty-one thousand sixty dollars (\$51,060.00) (\$17,020.00 per year); effective June 1, 2013 to May 31, 2016. ***Distribution #3***; and

WHEREAS, Resolution Number 14-088 was previously amended by this Board of Supervisors on April 12, 2016 by ***Resolution Number 16-182*** to extend the contract end date of the 2013 ILSF Distribution Contract Number C000356 for Distribution #3 from May 31, 2016 to ***December 31, 2018***; and

WHEREAS, That Resolution Number 14-088 as previously amended by Resolution Number 16-182 was further amended by this Board of Supervisors on September 13, 2016 by ***Resolution Number 16-349*** to correct the contract end date from December 31, 2018 to ***December 31, 2017***; now therefore,

BE IT RESOLVED, Resolution Number 14-088 as previously amended by Resolution Number 16-182 and Resolution Number 16-349 be hereby further amended to extend the contract end date to ***December 31, 2018***.

All else remains the same.

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

#44

**RESOLUTION NO. 18-146
(March 13, 2018)**

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

RESOLUTION NUMBER 13-403 AMENDED

WHEREAS, Resolution Number 13-403 entitled, “**CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE**,” passed by this Board of Supervisors on December 10, 2013 and provides, in part, for the following contract:

- ***Upstate Quality Improvement and Caseload Reduction*** Contract C000656 for a full time Investigator in a minimum amount of \$192,758.00 over three (3) years; effective February 1, 2014 through January 31, 2017 as follows:
 - Year 1 ~ \$65,468.00
 - Year 2 ~ \$63,130.00
 - Year 3 ~ \$64,160.00

\$192,758.00

and;

WHEREAS, That Resolution Number 13-403 was previously amended by this Board of Supervisors on July 8, 2014 by ***Resolution Number 14-251*** to reduce the Upstate Quality Improvement and Caseload Reduction Contract C000656 in the amount of \$192,758.00 over three (3) years to \$192,458.00 as follows:

- Year 1 ~ \$65,168.00
 - Year 2 ~ \$63,130.00
 - Year 3 ~ \$64,160.00
- \$192,458.00**

and;

WHEREAS, That Resolution Number 13-403 as previously amended by Resolution Number 14-251 was further amended by this Board of Supervisors on December 13, 2016 by ***Resolution Number 16-516*** to correct the original contract dates from February 1, 2014 through January 31, 2017 to ***January 1, 2014 through December 31, 2016*** and also to also extend the

March 13, 2018

contract end date to **December 31, 2017**; now therefore,

BE IT RESOLVED, That Resolution Number 13-403, as previously amended by Resolution Number 14-251 and Resolution Number 16-516 be hereby further amended to extend the contract end date through **December 31, 2018**.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #45

**RESOLUTION NO. 18-147
(March 13, 2018)**

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

RESOLUTION NUMBER 16-515 AMENDED

WHEREAS, Resolution Number 16-515 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH WYOMING COUNTY ATTICA LEGAL AID ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE FOR THE YEAR 2017**,” passed by this Board of Supervisors on December 13, 2016 and provides, in part, for the following contract:

- **Indigent Parolee Program** in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 1, 2017 through December 31, 2017.

Now therefore,

BE IT RESOLVED, That **Resolution Number 16-515** be hereby amended to correct the amount of the contract from one hundred eighty thousand dollars (\$180,000.00) to one hundred eighty-three thousand eight hundred twenty-three dollars and forty-four cents (\$183,823.44).

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #46

**RESOLUTION NO. 18-148
(March 13, 2018)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
SERVICES, OFFICE OF INTEROPERABLE COMMUNICATIONS, TO
MORE EQUITABLY AND EFFICIENTLY RELEASE THE
INTEROPERABLE EMERGENCY COMMUNICATION FUNDS
AUTHORIZED**

WHEREAS, The funding mechanism that counties use to help operate, maintain, and upgrade 9-1-1 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes; and

WHEREAS, Unfortunately and unlike other states, too much funding is diverted by New York State for non-9-1-1 purposes, resulting in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement the next generation of 9-1-1 technology required under federal law; and

WHEREAS, Under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the state interoperable communications grants (SICG) program, administered by the division of homeland security; and

WHEREAS, To our understanding a total of \$150 million has been authorized for county 9-1-1 purposes, but only \$20 million has been released (\$20 million for PSAPs over the two years, while \$45 million for authorized purposes from the SFY 2016-17 Budget under a new formula based methodology, while identified, has not been made available to draw down yet); and

WHEREAS, The goal of upgraded 9-1-1 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering; and

WHEREAS, Upgraded systems will be able to better pinpoint an emergency caller that may be in a remote area of the state or in a skyscraper in one of our cities. Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors

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calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized so far and to ensure that future authorizations are released in full in the budget year they are appropriated; and be it

FURTHER RESOLVED, Releasing these funding obligations on a regular schedule will provide certainty and build continuity as we upgrade and maintain existing systems and prepare for NextGen 9-1-1 development and implementation at the county level; 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, 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: #47

**RESOLUTION NO. 18-149
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE GOVERNOR AND THE STATE
LEGISLATURE TO PROVIDE FUNDING FOR THE STATE MANDATE
PERTAINING TO INMATE SUPERVISION/DRUG OVERDOSE
PRECAUTIONS AT COUNTY OPERATED CORRECTIONAL
FACILITIES**

WHEREAS, State law requires that each county in New York "maintain a county jail," under County Law; Section 217, which further requires that within each county "the sheriff ... shall have custody of the county jail" and that they "receive and safely keep in the county jail of his county each person lawfully committed to his custody;" and

WHEREAS, This is the case in each county, except for New York City and Westchester, where a separate Department of Corrections has been established to manage their jails; and

WHEREAS, All local corrections institutions in New York State are overseen by a constitutionally-created Commission on Correction (SCOC) charged with "visiting and inspecting or causing to be visited and inspected by members of its staff, all institutions used for the detention of sane adults charged

with or convicted of crime"; and

WHEREAS, In a local correctional facility, the sheriff's office is responsible for ensuring the safety, health, and security of all individuals who are committed to the custody of the sheriff; and

WHEREAS, In 2016 the SCOC Chairman issued a memorandum requiring inmate supervision for drug and alcohol overdose prevention immediately following intake of an individual to the jail suspected of being under the influence of drugs or alcohol; and

WHEREAS, While this practice is helpful to ensure safety, health, and security, without the proper funding, manpower and training for correction officers it is hard to implement appropriately; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to support the efficient and satisfactory implementation of this dedicated supervision by providing funding necessary to accommodate the increase in financial burden placed on taxpayers by mandating this dedicated supervision; 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 Chairman of the State Commission of Corrections, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #48

**RESOLUTION NO. 18-150
(March 13, 2018)**

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 THAT ARE SET AND CONTROLLED BY THE STATE**

WHEREAS, On December 24, 2015, the 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

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judges' salaries at \$193,000 in 2016 and approximately \$207,000 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, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, Historically, for over 50 years, the state has fully funded all district attorney salary increases that they imposed on the counties; and

WHEREAS, The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase; and

WHEREAS, In 2016 and 2017 the State Legislature enacted separate \$150 billion State Budgets but did not include state funding for the \$1.6 million in costs for the increase in District Attorney 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, The Governor and State Legislature have recognized lowering property taxes is the main priority to ensure a healthy Upstate New York Economy; and

WHEREAS, For some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016 and 2017; and

WHEREAS, In 2018, this annual unfunded mandate will increase significantly as Judicial salaries, and the D.A. Salary tied to them, will be required to increase approximately \$10,000 more; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to fully fund this mandated salary increase as part of the 2018-19 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; 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: #49

**RESOLUTION NO. 18-151
(March 13, 2018)**

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 1.0 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

WHEREAS, This is causing a financial and personnel strain on local correctional facilities; and

WHEREAS, 5.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after in 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 and it is important to implement policies that require the state to be responsible for the costs of detaining state parole violators; now therefore,

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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 1.0 days or reimburse counties for temporary detainment of parole violators; 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. 18-152
(March 13, 2018)**

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

**RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE
PROBATION AND ALTERNATIVE TO INCARCERATION IN NEW
YORK STATE TO PROTECT THE PUBLIC AND REDUCE RELIANCE
ON PRISONS, JAILS AND DETENTION**

WHEREAS, County probation departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, It is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2017, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, At the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

WHEREAS, The New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public; now therefore,

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BE IT RESOLVED, That the Wyoming County Board of Supervisors supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

In response to *Raise the Age* legislation:

- Raise the minimum age that a youth can be charged as a juvenile delinquent from seven to twelve years old.
- Increase the maximum time frame for diversion services from four to six months for juvenile delinquents.
- Mandate that the state's evidence- based criteria should account for existing local best programs.
- Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
- Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence based programming associated with Raise the Age legislation.
- Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment; 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, Deputy Secretary for Public Safety Letizia Tagliaferro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #51

**RESOLUTION NO. 18-153
(March 13, 2018)**

By Mr. Copeland, Chairman of the Public Safety 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 DEVELOP A COMPREHENSIVE TRANSITION AND WAIVER PROCESS AS

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**COUNTIES AND NEW YORK CITY BEGIN IMPLEMENTING THE
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 as long as they remain within the state imposed property tax cap; 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 a significant recalibration of the treatment of impacted youth and their families in the court, juvenile justice and educational systems; and

WHEREAS, The human services based models will require the need for enhanced 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 public safety, probation and county legal departments; and

WHEREAS, There are significant changes required under the law to the criminal justice system for youth requiring a fundamental realignment of 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 release of draft guidelines for the construction of specialized secure detention facilities were released in December 2017, with the expectation they will become final in February 2018; and

WHEREAS, Counties are to have secured and/or built new specialized secure detention facility beds by October 1, 2018, a mere eight months from the effective date of the final regulation; and

WHEREAS, While counties are working diligently with the State on these construction plans, the draft regulations do not provide for any streamlining of state procurement laws and rules nor provide for advanced state funding of capital costs; and

WHEREAS, The draft regulations include provisions that will likely increase the length of time necessary to build these facilities and make them fully operational by requiring state certification and approval of requests for proposals and change orders; and

WHEREAS, The draft regulations related to specialized secure detention facility construction and operations include waiver provisions that may help facilitate construction or rehabilitation of existing facilities, counties remain highly concerned over the ability to satisfy all state law procurement requirements while meeting the implementation deadlines of the new law; and

WHEREAS, Beyond the need for counties to show that they have built their own specialized secure detention beds, or secured bed availability through other counties, many regions of the state continue to struggle with ensuring they 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 open; and

WHEREAS, The Governor's Office and state agencies continue strong outreach efforts on the new law in coordination with county officials and others that will implement the law, but process and other implementation concerns of counties remain; 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 decouple the requirement

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that counties adhere to the property tax cap in order to be eligible for full state reimbursement related to new costs incurred by the law; 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 make the capital investment to ensure there is sufficient provider capacity and detention space in all areas of the state, including:

- Providing counties access to idle or unoccupied state facilities that could potentially meet the new requirements of the law;
- Allowing the use of design-build construction methods; and
- Financing construction costs up front through the State Dormitory Authority, or other state mechanism, to accelerate approvals, lower borrowing costs and potentially increase the pool of minority and women owned businesses that could respond to contract offerings; 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 adolescence 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, Counties strongly encourage state agencies and the judicial branch to continue to work with counties on solidifying 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, Counties 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:

*Chairman Berwanger invited Supervisor Copeland, T/Wethersfield to the podium for the presentation of **Crime Victims' Rights Week** proclamation. In turn, Supervisor Copeland invited Wyoming County Sheriff Rudolph to join him, read the proclamation and accept the proclamation on behalf of the law enforcement agencies of Wyoming County.*

There was a motion by Mr. Davis, T/Covington, to combine resolutions #52 through #60. Hearing no objection resolution titles were read.

#52

**RESOLUTION NO. 18-154
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
NOMAD ENTERPRISES, LLC 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 the **NOMAD Enterprises LLC**, 7963 Old State Road, Pavilion, NY 14525 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract to provide lawn mowing services at the Animal Shelter, Health Department, Department of Social Services, Fire Training Center, Wethersfield Tower, Record Retention Center and Pioneer Cabin in an amount not to exceed eight thousand one hundred sixty dollars (\$8,160.00); effective seasonally from April 1, 2018 through November 30, 2021. Contingent upon the availability of funds.

March 13, 2018

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****#53**

**RESOLUTION NO. 18-155
(March 13, 2018)**

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:

- ***New York State Department of Transportation***, 50 Wolf Road, Albany, NY 12232 for SLA Supp #3 for CR 02 Broughton Road Highway Preventative Maintenance, Town of Gainesville, PIN 4761.09; for PE/Design, ROW and Construction in an amount not to exceed five hundred seventy-five thousand six hundred ninety-three dollars (\$575,693.00); effective through July 27, 2026.
- ***LaBella Associates***, 300 State Street, Suite 201, Rochester, NY 14614 for Liberty Street, Town of Warsaw for PE/Design in an amount not to exceed twenty thousand dollars (\$20,000.00); effective through contract completion.
- ***Bergmann Associates***, 280 East Broad Street, Suite 200, Rochester, NY 14604 for PE #02 Simmons Road Bridge over Little Beards Creek, BIN 3320060; PIN 4WY0.02, Town of Perry for PE/Design and ROW in an amount not to exceed \$175,000.00 effective through contract completion.
- ***Popli Design Group***, 555 Penbrook Drive, Penfield, NY 14526 for Supp #1 for BE #14 – Schad Road Bridge over Red Brook, BIN 3319660; PIN 4BNY.14, Town of Bennington, for CI/CS in an amount not to exceed ninety thousand dollars (\$90,000.00); effective through contract completion.

Contingent upon the availability of funds.

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****#54**

**RESOLUTION NO. 18-156
(March 13, 2018)**

Regular Meeting

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

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT FOR
DISPOSITION OF EXCESS PERSONAL PROPERTY WITH THE
NEW YORK STATE THRUWAY AUTHORITY ON BEHALF OF
COUNTY HIGHWAY**

WHEREAS, The New York State Thruway Authority is statutorily responsible for financing, constructing, reconstructing, improving, developing, maintaining and operating a 570-mile superhighway system known as the Thruway; and

WHEREAS, In accordance with the *New York Bridge Project* for the replacement of the Tappan Zee Bridge with the Governor Mario M. Cuomo Bridge, the New York State Authority has excess personal property that the Authority no longer has a use for, including the Tappan Zee Bridge deck panels; and

WHEREAS, The County of Wyoming is desirous of obtaining some of these deck panels; and

WHEREAS, On July 17, 2017, at Meeting No. 728, the Authority's Board adopted Resolution Number 6144 authorizing the Authority to dispose to the County of Wyoming the deck panels for one dollar (\$1.00) and subject to certain other terms and conditions; and

WHEREAS, The County of Wyoming would like to accept these deck panels for such amount and subject to said other terms and conditions; now therefore,

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an Agreement for Disposition of Excess Personal Property with the *New York State Thruway*, 200 Southern Boulevard, Albany, NY 12209 on behalf of County Highway; effective through delivery date of July 1, 2018.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #55

**RESOLUTION NO. 18-157
(March 13, 2018)**

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A

March 13, 2018

**CONTRACT WITH KISTNER CONCRETE PRODUCTS, INC. ON
BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Kistner Concrete Products, Inc.***, 5550 Hinman Road, Lockport, NY 14094 on behalf of County Highway. Said contract is for a precast box culvert for JA #22 Bridge, Beaver Meadow Road over Beaver Meadow Creek in an amount not to exceed forty-eight thousand nine hundred seventy-five dollars (\$48,975.00); effective through delivery of product.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#56

**RESOLUTION NO. 18-158
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH XYLEM
DEWATERING SOLUTIONS, INC. (D/B/A GODWIN PUMPS OF
AMERICA, INC.) ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Xylem Dewatering Solutions, Inc.***, (d/b/a/ Godwin Pumps of America, Inc.), 84 Floodgate Road, Bridgeport, NY 08014-1001 on behalf of County Highway. Said contract is for the purchase of a Godwin CS200M Dri-Prime Pump with accessories in an amount not to exceed seventy thousand dollars (\$70,000.00); effective February 13, 2018 through delivery of pump. *(GS-07F-102GA)*

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#57

**RESOLUTION NO. 18-159
(March 13, 2018)**

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

**RESOLUTION URGING ENACTMENT OF LEGISLATION TO
ASSURE EFFECTIVE CONTROL OF WILDLIFE POPULATIONS AT
AIRPORTS AND SURROUNDING AREAS**

WHEREAS, Wildlife populations can pose a threat to aviation operations in and around airports and, in some instances, has caused significant damage to aircraft and lengthy flight delays; and

WHEREAS, Airports employ best humane practices to keep wildlife populations at bay by building fences, walls, storm water ponds, and using pulsating lights; and

WHEREAS, Despite these efforts, deer, birds and other wildlife still make their way onto runways, tarmacs and into flight paths; and

WHEREAS, According to FAA data, more than 1,000 deer have been hit by airplanes across the country in the past two decades, causing millions of dollars in aircraft damage, major delays at airports and injuries to pilots and passengers; and

WHEREAS, Controlling wildlife populations around airports is critical to ensuring the safety of travelers and aircraft crews; and

WHEREAS, The NYS Department of Environmental Conservation recognizes that wildlife population reduction is necessary at airports and other public facilities and issues permits to authorized persons to use certain firearms and techniques to remove deer and other wildlife that pose a threat from these properties; and

WHEREAS, Some previously permitted wildlife management methods are now being restricted with the potential for negative impacts on the safety of airport operations, making it more difficult for airports to effectively keep the runways and facilities clear of animal obstructions and interference and safe for aircraft and passengers; and

WHEREAS, Legislation introduced, S6853/A8646, will make it clear that certain successful wildlife management techniques remain available by permit in a strictly controlled manner; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports this legislation to authorize government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control wildlife populations in areas surrounding airports to assure safety for pilots, passengers and flight crews; and be it

March 13, 2018

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: #58

**RESOLUTION NO. 18-160
(March 13, 2018)**

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

**RESOLUTION URGING ENACTMENT OF LEGISLATION TO
INCREASE THE CHIPS BIDDING THRESHOLD**

WHEREAS, Regular incremental raises in the competitive bidding threshold for highway projects are necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; and

WHEREAS, Under current law, the local assistance funds allocated for local street or highway projects under the Consolidated Local Street and Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and work forces or by competitively-bid contracts; and

WHEREAS, When the estimate for the contract work exceeds \$250,000 the work must be performed by contract let by competitive bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

WHEREAS, The last increase in the competitive bidding threshold was in 2011 to bring the threshold up from \$100,000 to the current \$250,000 level; and

WHEREAS, Legislation has been introduced in both houses of the State Legislature to increase the amount of the current cost threshold from \$250,000 to \$500,000 over which local highway and bridge construction work under the CHIPS program must be contracted through a competitive bid; and

WHEREAS, Under the legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the

mandatory competitive bid process; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisor supports S.6928/A.8808 to enact an increase in the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than \$500,000, allowing more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local 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: #59

**RESOLUTION NO. 18-161
(March 13, 2018)**

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

**RESOLUTION URGING INCREASING AND CONSOLIDATING
LOCAL ROAD, BRIDGE AND CULVERT FUNDING DISTRIBUTED
THROUGH CHIPS**

WHEREAS, Funding for the Consolidated Local Streets and Highway Improvement Program (CHIPS) and enhanced State assistance to local governments through BRIDGE NY, PAVE NY and Extreme Winter Recovery initiatives in the latest state budget is helping counties to meet the overwhelming needs of the locally-owned transportation systems; and

WHEREAS, While this additional funding is most welcomed and already being put to good use, locally-owned roads and bridges account for eighty-seven percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and counties still struggle to raise enough funding for the maintenance and replacement of this vast system of aging and ailing infrastructure; and

WHEREAS, Studies show that half of local road pavements are rated fair or poor; and

WHEREAS, New York State Comptroller Thomas P. DiNapoli reports that 20.7% of bridges in New York are functionally obsolete and 12.8% are
March 13, 2018

structurally deficient and the cost to repair all of these bridges is \$27.4 billion dollars with local bridges more likely to be structurally deficient than state-owned bridges; and

WHEREAS, Programs designed to direct state funding directly to local transportation infrastructure needs such as CHIPS, PAVE NY, BRIDGE NY and Extreme Winter Recovery are undoubtedly helping to improve the conditions of New York's roads, bridges and culverts as more of these critical projects are being funded each year; and

WHEREAS, With the state seeking hundreds of millions of additional dollars to address the critical and deserving needs of the NYC transit system, the state's commitment to MTA-NYSDOT capital plan parity will mean the historical expectation of a comparable increase in funding to address the unmet needs of state and local transportation infrastructure; and

WHEREAS, CHIPS is the financial lifeblood of any local highway department, distributing vital and reoccurring state funding through a formula to every local government in the state yet the 2017-2018 State Budget holds the base level for CHIPS at \$438M for the fifth year in a row; and

WHEREAS, A safe and efficient statewide integrated transportation system is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors commends Governor Cuomo and the New York State Legislature for recent budget actions enacted to enhance state investments in local roads, bridges and culverts, and urges that the state assistance to local highway departments continues at increasing levels and that the state's commitment to MTA-NYSDOT parity be further honored; and be it

FURTHER RESOLVED, That state elected officials continue to partner with local governments and agree to increase CHIPS funding and consider consolidating Extreme Winter Recovery funds if available and PAVE NY into the CHIPS funding base in the future, the total of which to be distributed through the CHIPS formula, thus building on a program that provides a fair distribution of funds to every municipality in the state and maximizes flexibility for local highway departments to direct this funding to priority maintenance, pavement preservation, and bridge and culvert rehabilitation projects where it is needed most; 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:
#60

RESOLUTION NO. 18-162
(March 13, 2018)

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

**RESOLUTION URGING THAT AIRPORT CAPITAL FUNDING
PROGRAMS BE MADE PERMANENT IN THE STATE BUDGET**

WHEREAS, Airports play a critical role in New York State's economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and critical emergency response for all of New York's local and regional communities and for the nation; and

WHEREAS, Airports are economic engines fueling growth in the communities they serve; and

WHEREAS, According to data from the New York State Department of Transportation and updated figures from the Port Authority of NY-NJ, the aviation industry contributes over \$72 billion in annual economic activity in New York State and more than 500,000 NY based jobs in aviation or aviation-related industries, generates \$25 billion in payroll and well over \$6 billion in state and local tax revenue annually; and

WHEREAS, In 2016 Governor Andrew Cuomo initiated a \$200 million state investment to revitalize New York State airports and subsequent enacted budgets have included increased funding for the Aviation Capital Grant Program that helps the state realize the full potential of its airports and aviation industries; and

WHEREAS, The Competition to Revitalize Upstate Airports has thus far awarded four airports approximately \$40 million each to fund projects that enhance safety, improve operations and access, reduce environmental impact, create better passenger experiences and leverage private investments; and

March 13, 2018

WHEREAS, The Competition is expected to make the final award to one additional airport in upstate New York, exhausting the Competition funding and leaving a majority of airports in need of state assistance, even accounting for recent increases in the Aviation Capital Grant Program annual appropriations; and

WHEREAS, While this funding is welcomed and will be used for airport infrastructure and critical safety enhancements and business and economic development projects, creating and sustaining construction and aviation-related jobs, the level of state financial commitment falls short of what is needed by the large number of remaining airports in New York, many of which are owned by counties and other local governments; and

WHEREAS, New York has no dedicated funding source or permanent state capital program for airports and must rely on annual appropriations in the state budget for funding critical airport projects; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby commend Governor Cuomo and the Legislature for the state's financial commitments to New York airports that will help fund critical airport infrastructure rehabilitation, improvement, and expansion projects; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and the Legislature to provide recurring and reliable funding for the maintenance and development of all the State's airports through a reauthorization and new round of funding for the Competition to Revitalize Upstate Airports initiative and making permanent and increasing funding for the Aviation Capital Grant Program; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #61 through #65. Hearing no objection resolution titles were read.

#61

**RESOLUTION NO. 18-163
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:
Regular Meeting

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ESRI, INC.
ON BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **ESRI, Inc.**, 380 New York Street, Redland, CA 92373 on behalf of Information Technology. Said contract is for ESRI GIS software in an amount not to exceed nine thousand five hundred dollars (\$9,500.00) annually; effective June 15, 2018 through June 14, 2019. *NYS Contract PM67345*

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #62

**RESOLUTION NO. 18-164
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “S”, “D” 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”:

County Clerk

- Set the annual salary of the ***Deputy County Clerk*** at \$40,800.00; effective date March 5, 2018.

Office for the Aging

- Set the annual salary of the ***Deputy Director of Aging*** at \$44,500.00; effective date February 26, 2018.

Salary Schedule “D”:

Office for the Aging

- Set the annual salary of the ***Director of Aging and Youth*** at \$65,505.00; effective date March 5, 2018.

Salary Schedule “G”:

Office for the Aging

NAVIGATOR PROGRAM GRANT

- The annual stipend of \$1,000.00 for the ***Deputy Director of Aging*** on Salary Schedule “G” for additional duties associated with the

March 13, 2018

Navigator Program Grant; expires February 11, 2018.

- Place the title of ***Fiscal Officer I*** on Salary Schedule “G” and set an annual stipend of \$1,000.00 for additional duties associated with the Navigator Program Grant; effective March 14, 2018 through September 30, 2018.

ALZHEIMER’S DISEASE CAREGIVER SUPPORT INITIATIVE GRANT

- Set an annual stipend of \$2,000.00 for the ***Director of Aging and Youth*** for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.
- Set an annual stipend of \$2,000.00 for the ***Deputy Director of Aging*** for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.
- Place the title of ***Case Manager*** on Salary Schedule “G” and set an annual stipend of \$2,500.00 for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.
- Place the title of ***Fiscal Officer I*** on Salary Schedule “G” and set an annual stipend of \$3,000.00 for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #63

RESOLUTION NO. 18-165 (March 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION EXEMPTING THE YORK WATER TOWER FROM COUNTY REAL PROPERTY TAXES

WHEREAS, Real Property Tax Law §406 provides for a system of real property taxation exemption for certain water towers; and

WHEREAS, The Board of Supervisors for the County of Wyoming

Regular Meeting

believes it to be in the best interest of the County to allow for said exemption; now therefore,

BE IT RESOLVED, That real property located at n/s/n/ Peoria Road in the Town of Covington, Wyoming County, New York and more particularly described as a portion of Tax Map No. 13.-1-6.111 is hereby exempt from all County real property taxes; effective March 1, 2018.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #64

**RESOLUTION NO. 18-166
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-038 AMENDED

WHEREAS, Resolution Number 18-038 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CAMPUS CONSTRUCTION MANAGEMENT GROUP, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on January 16, 2018 to sign a contract with *Campus Construction Management Group, Inc.*, 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 on behalf of the Wyoming County Community Health System. Said contract is for construction management services for the MRI addition and renovation project in an amount not to exceed forty-five thousand, five hundred dollars (\$45,500.00); effective December 19, 2017 through completion of project; now therefore,

BE IT RESOLVED, That *Resolution Number 18-038* be hereby amended to increase the contract amount by fifteen thousand one hundred sixty-six dollars (\$15,166.00) for a total amount not to exceed sixty thousand six hundred sixty-six dollars (\$60,666.00) and extend the expiration date from substantially completed by April 1, 2018 to April 30, 2018.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #65

**RESOLUTION NO. 18-167
(March 13, 2018)**

March 13, 2018

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:

ABOLISHED:

Office for the Aging

- One (1) position of ***Senior Clerk*** (position code #001.222) on CSEA Schedule A, Grade 4 (\$16.36 - \$18.00/hr.); effective date March 14, 2018.

CREATED:

Office for the Aging

- One (1) position of ***Aging Services Aide*** (1.00 FTE) on CSEA Schedule A, Grade 2 (\$15.58 - \$17.01/hr.); position available date of March 14, 2018.
- One (1) position of ***Aging Services Specialist*** (1.00 FTE) on CSEA Schedule A, Grade 8 (\$17.93 - \$20.74/hr.); position available date of March 14, 2018.
- One (1) position of ***Fiscal Officer I*** (1.00 FTE) on Schedule “S” with an annual salary of \$36,138.00; position available date of March 14, 2018.
 - After six (6) months of full time work and contingent upon satisfactory performance and meeting pre-established goals, the employee is eligible for an increase of \$1,000.00.

CREATED:

District Attorney

- One (1) position of ***Legal Intern*** (.5 FTE) in the amount of \$22.00 per hour not to exceed \$3,000.00 annually for up to eight (8) weeks with only those benefits mandated by law; position available date of August 6, 2018.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

**Local Law
#66**

**RESOLUTION NO. 18-
(March 13, 2018)**

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

Regular Meeting

LOCAL LAW NO. 2 (INTRODUCTORY A, YEAR 2018) ~ YEAR 2018,
“A Local Law Providing Salaries for Certain County Officers for the Year 2018” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 13th day of February, 2018, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2018, entitled, *“A Local Law Providing Salaries for Certain County Officers for the Year 2018”*; and

WHEREAS, In accordance with the provisions of Resolution No. 18-050 there was a public hearing held by this Board of Supervisors on this 13th day of March, 2018, 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 desk of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore,

BE IT ENACTED, That Local Law 2, Year 2018, County of Wyoming, New York, as presented to this Board on the 13th day of February 2018 is hereby adopted, in its original form, as follows:

LOCAL LAW NO. 2 - YEAR 2018
Providing Salaries for Certain County Officers for the Year 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 ***Commissioner of Social Services*** shall be increased by ***\$2,500.00*** for a new annual salary of ***\$69,000.00***.

Section 2. All salaries set forth in Sections 1 through 10 above shall be effective as of ***January 1, 2018***.

Section 3. 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 4. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York

March 13, 2018

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February 13, 2018 (Introduced)

March 13, 2018 (Adopted)

Cheryl J. Ketchum,^{CMC}

Clerk to the Board

Carried:

Ayes:

Noes:

Absent:

Abstain:

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:43 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum,^{CMC}

Clerk to the Board

REGULAR SESSION
(April 10, 2018)
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 2:32 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Grover "Gus" Freeman Miller, Jr.

Mr. Grover Freeman Miller, Jr., known as "*Gus*" to friends and family, graduated from Avon High School in 1961 and helped his dad until entering the Army on February 27, 1962. He did not know what he wanted to do in the Army until he met with a recruiter and saw a poster of Army men jumping out of planes. He told his dad, "*That is what I'm going to do!*"

Mr. Miller reported for *basic training* at Fort Gordon, Georgia. During the Vietnam War, this fort was home to Camp Crocket, an area of the post conducting nine-week *advance airborne infantry training courses* for soldiers' being assigned to airborne units in Vietnam.

After basic training, Mr. Miller stayed at Fort Gordon to complete *leadership and advance infantry training* before receiving orders for *jump school* at Fort Benning, Georgia. Fort Benning is named after Henry L. Benning, a brigadier general in the Confederate States Army during the Civil War.

Mr. Miller then received his first duty station assignment to Mainz-Gonsenheim, Germany 505 Airborne Battle Group. This later became the 2nd Battalion 509th, which was the only airborne unit in all of Europe.

Early in 1963, Mr. Miller was asked to join *Operation Davy Crocket*, a top-secret nuclear tactical weapons system operation named after American soldier, Congressman and folk hero Davy Crocket. The *Davy Crocket* was a nuclear recoilless gun used for firing the M-388 nuclear projectile and was one of the smallest nuclear weapons systems ever built. Mr. Miller set behind two steel

doors, always at the ready as the only airborne unit in Europe. During an alert, the *Davy Crocket* team would be rushed out into the woods until the danger was over. Two years ago, the government admitted that if the *Davy Crocket* had ever been fired, they would have blown themselves up.

Mr. Miller was honorably discharge on March 1, 1965 as a Specialist E-4. For his valor and courageous service to his country, Mr. Miller was awarded the:

Pistol Sharpshooter Badge
Rifle M-1 Sharpshooter Badge
Parachutist Badge

Mr. Miller returned to the Western New York area and worked in a few supply warehouses supporting local grocers. He even owned a bar at one time. After moving around quite a bit, he finally settled in Perry and enjoys living in the downtown area but is looking to move to a more rural setting.

Mr. Miller is retired and volunteers at various Veteran organizations. He has three grown children and six grandchildren, all of whom live locally.

Chairman Berwanger invited Town of Perry Supervisor, Jim Brick to join him in the presentation of the customary certificate of appreciation to Mr. Miller and an opportunity to address the Board. At which time, Mr. Miller thanked the Board for the opportunity to lead the pledge and also stated it was an honor to serve his country.

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

Communications ~

Clerk Ketchum explained that there are four (4) pieces of communications and with the Chairman's permission would like to read the text message from A. Schwartz in its entirety.

- 03/19/18 Correspondence from *Assemblyman David DiPietro* acknowledging receipt of Resolution Number 18-109 (Recording Tax)
- 03/22/18 Correspondence from *Assemblyman David DiPietro* acknowledging receipt of various NYSAC resolution
- 03/23/18 Correspondence from *NYSAC Executive Director Stephen J. Acquario* acknowledging receipt of various NYSAC resolutions
- Text message to Chairman Berwanger from A. Schwartz, T/Arcade regarding School Resource Officers in all Wyoming County Schools

Chairman Berwanger commented on the School Resource Officer, the Board is waiting on the fallout from the state budget to see what type of funding might be available. The Public Safety Committee met with Sheriff Rudolph and

Undersheriff Linder two months ago to talk about the necessity for SRO's following the Parkland, Fla. Shootings regarding SRO's in all of the schools within Wyoming County. The Public Safety Committee invited School Superintendents, Chiefs of Police from the Villages and the District Attorney to a meeting to talk about this need. As a result of this meeting a letter was drafted, signed by all of the parties and sent to the Governor, Lt. Governor, Senator Gallivan, Senator Flannigan, the Majority Leader of the Assembly, Joseph Morelle asking for consideration in this year's budget. There is nothing right now that is included. But whether it is included or not, at some point the thinking is here that Wyoming County is small enough and the Board of Supervisors are committed to working with the Sheriff to make sure every school in the county will have a School Resource Officer going forward.

At this time Chairman Berwanger invited Wyo. Co. Sheriff, G. Rudolph to add his comments.

Sheriff Rudolph continued with expressing his appreciation for the continued support provided by the Public Safety Committee on this issue. He said that the School Resource Officer is so much more than a gun in a school! They are a confidant to the kids, they are someone the kids can relate to and somebody the staff can relate to. We are not only committed to having an SRO in the School but having trained SRO's in the school. School Resource Officer is not just a title it is a career within a career. Our SRO, Deputy Carrasquillo has been to SRO School and Active Shooter School. Recently he graduated from DARE and let's not forget there's a drug epidemic going on aside from the blatant safety issues. The Wyoming County Sheriff's office is committed to providing this service to the schools.

Letchworth Central School has committed to a full time Resource Officer effective April 1st. Deputy Carrasquillo has been filling that void. The last couple of years Letchworth and Attica have split an SRO officer with 20 hours each. Deputy Carrasquillo has been assigned to Letchworth full time while the Sheriff's office has another Deputy providing coverage to Attica's position for the remainder of the school year.

Chairman Berwanger thanked Sheriff Rudolph on behalf of Public Safety Chairman, J. Copeland, T/Wethersfield and the entire Board of Supervisors and reinforced that they are committed to making this happen.

Open Public Hearing ~

- “Local Law No. 1, Year 2018 (Introductory B, Year 2018) Entitled, **“A Local Law Amending Local Law No. 1 of the Year 2017 Entitled Energize NY Benefit Financing Program Law of the County of Wyoming”**

April 10, 2018

- “Local Law No. 2, Year 2018 (Introductory A, Year 2018) Entitled, ***“A Local Law Providing Salaries for Certain County Officers for the Year 2018”***

#1

**RESOLUTION NO. 18-168
(April 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2018 accounts as follows:

Buildings & Grounds (Co. Bldgs.)			
From: 01.37.3150.4.40803 Bldg. Supplies Repair To: 01.37.3150.2.20701 Capital – Institutional Equipment Reason: To cover cost of kitchen equipment upgrades in jail.	\$14,078.00	\$14,078.00	
Buildings & Grounds (Co. Bldgs.) Total			\$14,078.00
Stop DWI			
From: 01.37.3315.2.20501 Law Enf. Supplies To: 01.37.3315.4.42101 Law Enf. Supplies Reason: For equipment to be purchased by the four (4) Police Departments.	\$14,000.00	\$14,000.00	
Stop DWI Total			\$14,000.00

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

**RESOLUTION NO. 18-169
(April 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2018 accounts as follows:

Treasurer			
To: 01.33.1325.1.10202 Temporary 01.33.1325.8.83001 FICA 01.33.1325.8.85001 Medicare <i>w/any funds available</i> Reason: To cover temporary position approved by the Finance Committee on December 5, 2017.	\$4,650.00 290.00 70.00	\$5,010.00	
Treasurer Total			\$5,010.00
Historian			
To: 01.46.7510.4.42404 Grant Expense w/01.03.7510.128901 Other Dept. Grant Reason: For the <i>Treasurer Hunt Through History Tour</i> .	\$1,000.00	\$1,000.00	
Historian Total			\$1,000.00
County Clerk			
To: 01.34.1410.1.10601 Unused Benefit Time <i>w/any funds available</i> Reason: To pay unbudgeted unused benefit time.	\$519.54	\$519.54	
County Clerk Total			\$519.54
Public Health			
To: 01.38.4010.4.40802 Cont. Bldg. Repair PRIVATE <i>w/any funds available</i> Reason: Appropriate 2018 portion of gutter expense as project was not completed in 2017 as was anticipated. H & H quote was \$18,960.00 less cost of materials (\$5,688.00) paid in 2017 for balance \$13,272.00. It is anticipated that the HD will receive the Year 6 Performance Incentive Award, which will cover this expense.	\$13,272.00	\$13,272.00	
Public Health Total			\$13,272.00
Sheriff			
To: 01.37.3112.4.40009K Cellphone 2016 01.37.3112.4.40016K Internet Svc 2016 01.37.3112.4.40009L Cellphone 2017 01.37.3112.4.40016L Internet Svc 2017 w/01.12.3112.43890K Homeland Security 2016 01.12.3112.43890L Homeland Security 2017 Reason: To cover expenses relating to Homeland Security Grant.	\$600.00 8,977.98 1,198.63 16,301.37	\$9,577.98 17,500.00	
Sheriff Total			\$27,077.98

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$1,963,353.14** for the month of **March 2018**.

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

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #7. Hearing no objection resolution titles were read.

#3

RESOLUTION NO. 18-170
(April 10, 2018)
April 10, 2018

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and County Labor Attorney is hereby authorized and directed to sign a *Memorandum of Understanding* by and between the Civil Service Employee’s Association and the County of Wyoming amending the current 2016-2020 Collective Bargaining Agreement to allow for the following:

- Upgrade the LABORATORY TECHNICIAN positions in the WCCH Schedule due to the challenges in Laboratory Technician recruitment as follows:
 - Move the *Senior Med Tech* classification from Grade 18A to Grade 18C
 - Move the *Lead Med Tech* classification from Grade 18A to 18C
 - Move the *Med Tech* classification form 15B to 18C

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #4

**RESOLUTION NO. 18-171
(April 10, 2018)**

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

CANCER SCREENING LEAVE POLICY ADOPTED

BE IT RESOLVED, That the Wyoming County Board of Supervisors has approved the *Cancer Screening Leave Policy* for Wyoming County Employees per the amendment of Civil Service Law §159-b and the repeal of Civil Service Law §159-c; effective March 18, 2018 and annexed hereto.

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

WYOMING COUNTY
ADMINISTRATIVE POLICY AND PROCEDURE

Title: Cancer Screening Leave

Policy #: TBD

Effective Date: March 18, 2018

Review Date: _____

By: _____

Periodic Review By: _____

Date: _____

Supersedes Policy #: Cancer Screening Leave/Wyoming County BOS Resolution No. 15-277

Dated: March 18, 2018

Departments Affected: All

References: CSL §159-b (Repeal of CSL §159-c)

Prepared/Sponsored By (print title, name, and initial): Director of Human Resource, Dan Farberman

Senior Management Review and Approval By (print title, name, and initial): _____

Chairman of the Board/Approval By/Date: A.D. Berwanger

CANCER SCREENING LEAVE

POLICY: All Wyoming County employees, in a benefited position, are eligible for up to four hours of paid leave annually for the screening of all cancers as required by the amended New York State Civil Service Law Section 159-b This leave will *not* be deducted from an employee's earned benefit accruals. This leave time cannot be accumulated from year to year.

This leave may be used for the following:

- ALL cancer screening scheduled during the employees' regular work hours;
- Subsequent follow-up consultations in connection with such screenings such as blood work or other laboratory tests for the detection of cancer; and
- Travel time to and from such appointments.

EMPLOYEE PROCEDURES: Employees must comply with the following procedures to be eligible for such leave:

1. Make an advance request for time off from work, pursuant to departmental procedures, and receive approval of the request.
2. Notify the department head/manager in writing that the leave is for a cancer screening appointment/procedure.
3. At the discretion of the department head, provide proof of the cancer screening appointment/procedure.
 - i. Such proof may include:

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- a. A doctor's statement;
- b. A receipt showing the services provided; or
- c. Similar documentation specifically referencing the cancer screening appointment/procedure.

If the leave extends beyond four hours, other and additional accrued benefit time must be applied.

DEPARTMENT HEAD PROCEDURES: The department head is responsible for the following:

1. Posting this policy where other employee notices are posted.
2. Reviewing documentation of cancer screening leave requests to determine if it supports the request before authorizing the payment for such leave.
3. Requests for leave may be approved before proof is provided, however payment may not be authorized, until proof is received.
4. Maintaining confidentiality of documentation received in support of cancer screening leaves.

#5

RESOLUTION NO. 18-172
(April 10, 2018)

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*, as amended and 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: _____

Periodic Review By: _____

Date: _____

Supersedes Policy #: _____

Dated: _____

Departments Affected: All

Regular Meeting

References:

Prepared/Sponsored By (*print title, name, and initial*): Director of Human Resources

Senior Management Review and Approval By/Date (*print title, name, and initial*): Director of Human Resources

Chairman of the Board/Approval By/Date: _____

WCCHS or Department Medical Director Approval/Date: N/A

Board of Supervisors Approval Date: _____

WYOMING COUNTY
TITLE VI PLAN

Prepared by
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.

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, sub recipients, 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 the 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

Regular Meeting

Attn: Director of Human Resources
 Thomson Hall, 338 North Main Street, Warsaw, New York 14569
 585-786-8830, Ex 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:

Highway Department:	Planning & Development
Highway Superintendent	Director of Planning & Development

Buildings & Grounds	Fire & Buildings Codes
Supt. of Buildings & Grounds	Code Enforcement Officer

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.

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- 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

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 Organization _____
Address _____ City _____ Zip _____
Telephone _____

How were you discriminated against?

Where did the alleged discrimination occur?

Date/s and times discrimination occurred?

First time _____
 Section time _____
 Third time _____

Were there any other witnesses to the discrimination?

Name	Title	Work Telephone	Home Telephone

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

April 10, 2018

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 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:

Regular Meeting

*"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 **NYS DOT**.*

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 US. 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:

A. D. Berwanger, Chairman, Board of Supervisors

Dated:

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

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_____, 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, 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 the Director of Human Resources. Contact information is as follows:

Wyoming County Human Resource Department
Attn: Director of Human Resources
Thompson Hall
338 North Main Street, Warsaw NY 14569
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

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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

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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

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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, Castile	3.43	n/a		
2	East Lake Rd (Perry Rd)	Gainesville	0.59	A	B C D E	
3	West Lake Rd	Castile, 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	Castile	0.51	A	B C D E F	
4	Hermitage Rd	Wethersfield, Warsaw	6.65	n/a		
5	Church Rd	Bennington	4.78	n/a		
6	Middle Reservation Rd	Perry, Castile	8.11	n/a		
6	Borden Ave	Perry	0.27	A	B C D	
7	Saltvale 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	

42	Attica Gulf Rd	Attica	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	Almeter Rd	Orangeville	0.62	n/a	
50	Water St	Pike	0.83	A	B
53	Starr Rd	Covington	1.77	n/a	
55	Glen Iris Rd	Genesee Falls	0.5	n/a	
57	Mote 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		Attica	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

# road count	road name	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
1	Buffalo Rd, Warsaw	at Rt. 19	A B	fail fail							10.7% 31.0%
2	Broughton Rd, Silver Springs	at Rt 19A	A B	fail fail			3.7% 2.8%			2"	none
2	East Lake Rd, Silver Springs	at Rt 19A at Silver Springs Rd at North Main St	A B C D E F	fail fail pass fail fail fail	46"	11.3%	3.2%	25.0%	1-1/2"	none	
3	West Park Rd, Castile	at Washington St at Jefferson Rd at Rt 39	A B C D E F	fail fail fail fail fail fail			4.1% 5.5% 7.2% 8.4% 13.0% ok...8.8%	11.9% 5.5% 7.2% ok...6.3% ok...9.6%		none none none none none none	16.6%

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		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	
			A	fail			3.3%					
7	Main St, Wyoming	at Rt. 19	B	fail			8.5%					10.6%
			C	fail			8.6%					12.2%
			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		15.5%
			H	fail								
			I	fail					2"	none		

			J	fail		16.1%		1-1/4"		17.7%																																																										
24	East Koy Rd, Pike	at Rt 19	A	fail			6.7%		2"																																																											
			B	fail			7.3%		1-1/2"																																																											
30	Oatka Rd, Perry	at village park	A	not applicable																																																																
		at Chestnut St.	B	fail		3.9%		10.1%		none																																																										
		at Buckland Ave.	C	fail		2.8%			1-1/4"	none																																																										
			D	fail		3.6%			2"	none																																																										
		at North Federal St.	E	fail		11.4%	4.0%		3/4"	none																																																										
			F	fail		15.9%	5.3%		1/2"	none																																																										
			G	fail			4.5%		1/2"	none																																																										
30	Oatka Rd, Perry	at South Federal St	H	fail					1"	none																																																										
		I	fail	42"						none																																																										
		J	fail		8.5%	3.5%			1"	11.7%																																																										
		K	fail		8.8%	7.2%				11.8%																																																										
# county road	road name	intersection	location	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																																																										
											A	fail		10.8%	5.2%					14.3%	31	Exchange St, Attica	at Rt 238	B	fail		11.0%	2.7%				15.9%			at village park	C	not applicable											D	not applicable								32	Wethersfield Rd, North Java	at Rt 78	A	not applicable			curb cut into grass, no sidewalk				
		A	fail		10.8%	5.2%					14.3%																																																									
		31	Exchange St, Attica	at Rt 238	B	fail		11.0%	2.7%				15.9%																																																							
		at village park	C	not applicable																																																																
			D	not applicable																																																																
32	Wethersfield Rd, North Java	at Rt 78	A	not applicable			curb cut into grass, no sidewalk																																																													
			B	fail		11.6%	3.3%			none																																																										

43	Silver Springs Rd, Silver Springs	at East Lake Rd	A	fail		10.2%	3.1%					
			B	fail	46"			8.4%			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"	none	11.6%
			B	fail		9.2%	4.3%			2-1/2"	none	
		at Exchange St	C	fail			3.1%			1/2"	none	
			D	fail			2.5%			3/4"	none	
59	Bixby Hill Rd, Arcade	at Rt 39	A	fail						3/4"	none	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	
3	Revision	All	
4	Revision:	All	

#6

RESOLUTION NO. 18-173
(April 10, 2018)

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

2018 UNITED WAY CAMPAIGN SUPPORTED

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

WHEREAS, The United Way has a 2018 campaign goal of one hundred fifty thousand dollars (\$150,000.00) for these much needed services to County residents; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2018 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the issues we face and no single solution. However, great things happen when we **“LIVE UNITED”!**

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#7

RESOLUTION NO. 18-174
(April 10, 2018)

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

MARGARET DADD APPOINTED TO THE CIVIL SERVICE COMMISSION

Regular Meeting

BE IT RESOLVED, That *Margaret Dadd*, 166 Main Street, Attica, NY 14011 is hereby appointed to the Civil Service Commission as a Civil Service Commissioner to fill an unexpired vacant term (*Sandra Dominessy*) and serve a successive six (6) year statutory term; effective through May 31, 2024 according to Civil Service Law §15.1; and be it

FURTHER RESOLVED, That the Commissioner will be compensated at the rate of one hundred twenty-five dollars (\$125.00) per meeting and with only those benefits mandated by law.

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

Supervisor Tallman, T/Gainesville was invited to the podium to present the 2018 United Way Proclamation. Supervisor Tallman, T/Gainesville invited Director Aldinger and CEO Eichenauer to join him.

Andrea Aldinger said a few words regarding support of United Way campaign.

This year's Campaign Chair, D. Eichenauer was introduced and offered encouragement to all to support the campaign.

Before moving on Chairman Berwanger welcomed the new Human Resource Director, Dan Farberman from Geneseo...

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #8 through #12. Hearing no objection resolution titles were read.

#8

RESOLUTION NO. 18-175

(April 10, 2018)

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

CHAIRMAN TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE P2 COLLABORATIVE OF WNY, D/B/A POPULATION HEALTH COLLABORATIVE ON BEHALF OF THE OFFICE FOR THE AGING

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney are authorized to sign a grant application and acceptance award with the *P2 Collaborative of WNY, d/b/a Population Health Collaborative*, 355 Harlem Road, Building C, 2nd Floor, West Seneca, New York 14224 on behalf of Office for the Aging. Said funding is for the Aging Mastery Program in a *maximum* amount of thirty thousand dollars (\$30,000.00) per year; effective May 15, 2018 through May 15, 2020.

April 10, 2018

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

#9

**RESOLUTION NO. 18-176
(April 10, 2018)**

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

RESOLUTION NUMBER 13-152 AMENDED

WHEREAS, Resolution Number 13-152 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on April 9, 2013 and authorized awarding a bid and signing contracts with *Frontier Food Service*, P.O. Box 903, West Seneca NY 14224 for food service in an amount not to exceed \$5.09 per congregate meals and home delivered meals; effective April 1, 2013 through March 31, 2018; and

WHEREAS, That Resolution Number 13-152 was previously amended by this Board of Supervisors on March 13, 2018 by *Resolution Number 18-113* to increase the cost of congregate meals and home delivered meals to \$5.20 each due to the minimum wage increase effective January 1, 2018; now therefore,

BE IT RESOLVED, That Resolution Number 13-152, as previously amended by Resolution Number 18-113, be hereby further amended to extend the contract end date through *May 31, 2018*.

All else remains the same.

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

#10

**RESOLUTION NO. 18-177
(April 10, 2018)**

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:

Youth Representatives

One (1) year term; effective January 1, 2018 through December 31, 2018

- Alyssa Wright, 2234 Route 98, Attica, NY 14011 (*replacing Brieanna Omans*)
- Alexis Wright, 2234 Route 98, Attica, NY 14011

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

RESOLUTION NO. 18-178 (April 10, 2018)

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

CHAIRMAN/DIRECTOR OF AGING AND YOUTH AUTHORIZED TO SIGN A CONTRACT WITH NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF EARLY INTERVENTION ON BEHALF OF THE YOUTH BUREAU

BE IT RESOLVED, That the Chairman of this Board and the Director of Aging and Youth, 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 *New York State Department of Health, Bureau of Early Intervention*, Empire State Plaza, Corning Tower, Room 287, Albany, NY on behalf of the Youth Bureau. Said contract to provide coordination of early intervention services; effective April 1, 2018 through March 31, 2023. (*Revenue Contract*)

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

RESOLUTION NO. 18-179 (April 10, 2018)

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

CHILD ABUSE AND NEGLECT PREVENTION MONTH PROCLAIMED

WHEREAS, Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

WHEREAS, Every child is entitled to be loved, cared for, nurtured and secure, and to be free from verbal abuse, sexual abuse, emotional and physical

April 10, 2018

abuse and neglect; and

WHEREAS, Wyoming County faces a continuing need to support community-based programs to prevent child abuse and neglect; and

WHEREAS, It is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe nurturing childhood; and

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain assistance they need; and

WHEREAS, Our County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

WHEREAS, Wyoming County residents celebrate children, this county's greatest resource and the community leaders of tomorrow; now therefore,

BE IT RESOLVED; That the Board of Supervisors do hereby proclaim the Month of April 2018 as **CHILD ABUSE AND NEGLECT PREVENTION MONTH** in Wyoming County, and commend this observance to the citizens of this county.

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

Supervisor Grant, T/Bennington was invited to the podium to present the Child Abuse and Neglect Prevention Month Proclamation. Supervisor Grant, T/Bennington invited Commissioner Barber to join her.

Commissioner Barber started by recognizing her staff, many of whom joined her at the podium, for their hard work and dedication to the children they serve. Commissioner Barber thanked the Board for the proclamation and the continued support.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #13 through #18. Hearing no objection resolution titles were read.

#13

**RESOLUTION NO. 18-180
(April 10, 2018)**

Regular Meeting

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

RESOLUTION NUMBER 17-384 AMENDED

WHEREAS, Resolution Number 17-384 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF MENTAL HEALTH**” was passed by this Board of Supervisors on October 10, 2017 and provided, in part, for the following contract:

- ***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.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-384*** be hereby amended to reflect an increase in funding in the amount of six thousand three hundred dollars (\$6,300.00) for a new total contract amount of four hundred twelve thousand four hundred seventy-eight dollars (\$412,478.00).

All else remains the same.

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

RESOLUTION NO. 18-181 (April 10, 2018)

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

ALCOHOL AWARENESS MONTH PROCLAIMED

WHEREAS, behavioral health is an essential part of health and one’s overall wellness; and

WHEREAS, Prevention of mental and substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

WHEREAS, Preventing and overcoming mental and substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

April 10, 2018

WHEREAS, Alcohol-related issues, including underage and binge drinking, impaired driving, and alcoholism, pose a significant challenge to communities and negatively affect the lives of our citizens; and

WHEREAS, Alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, Effective prevention programs reduce risk factors and strengthen protective measures that support youth in making educated decisions about alcohol use; and

WHEREAS, A supportive family environment is associated with lowered rates of alcohol use for adolescents; and

WHEREAS, Residents, parents, government agencies, public and private institutions, businesses and schools across Wyoming County are called to support efforts that provide early education about alcoholism and addiction and through these efforts, we can promote opportunities for recovery for those in our community who are facing challenges with alcohol use and abuse and join together to support healthy lifestyles for all; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors, do hereby proclaim April 2018 as **ALCOHOL AWARENESS MONTH** in Wyoming County.

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

**RESOLUTION NO. 18-182
(April 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH CATHOLIC MEDICAL PARTNERS ON
BEHALF OF MENTAL HEALTH**

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 *Catholic Medical Partners*, 144 Genesee Street, 6th Floor, Buffalo, NY 14203 on behalf of Mental Health. Said funding is for educational prevention services in a minimum amount of twenty thousand dollars (\$20,000.00) per year; effective April 1, 2018 through March 31, 2019.

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

**RESOLUTION NO. 18-183
(April 10, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS 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 *Toshiba Business Solutions*, 150 Metro Park, Rochester, NY 14623 on behalf of the County Health Department. Said contract for the purchase of a Toshiba e-STUDIO 4505AC copier from the Erie 1 BOCES High Speed Network Digital Printers Bid in an amount not to exceed three thousand nine hundred fourteen dollars (\$3,914.00) plus per image charges of \$.0047 for black and \$.0405 for color. Said contract subject to a five percent (5%) annual increase for per copy charges. Funds budgeted and reimbursed from approved New York State Department of Health ATUPA grant.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#17

**RESOLUTION NO. 18-184
(April 10, 2018)**

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

RESOLUTION NUMBER 17-284 AMENDED

WHEREAS, Resolution Number 17-284 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN SUB AGREEMENT WITH LIVINGSTON COUNTY HEALTH DEPARTMENT ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on July 11, 2017 and authorized and directed to sign a Sub-Agreement with the *Livingston County Health Department*, 2 Murray Hill Drive, Mount Morris, NY 14510 for reimbursement of Livingston Wyoming Cancer Services Program activities in a *maximum* amount of thirty-three thousand three hundred ninety-three dollars

April 10, 2018

(\$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; now therefore,

BE IT RESOLVED, That **Resolution Number 17-284**, be hereby amended as follows:

- Increase total reimbursable amount by a maximum of seventeen thousand one hundred ninety-two dollars (\$17,192.00) for a total contract amount of *fifty thousand five hundred eighty-five dollars (\$50,585.00)*
- Extend the contract expiration date from March 31, 2018 to **September 30, 2018**.

All else remains the same.

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

**RESOLUTION NO. 18-185
(April 10, 2018)**

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 – BUREAU OF
IMMUNIZATION 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***, Bureau of Immunization, Corning Tower, ESP, Albany, NY on behalf of the County Health Department. Said grant to provide funding for the Immunization Action Plan in a minimum amount of thirty-one thousand fifty dollars (\$31,050.00); effective April 1, 2018 through March 30, 2023.

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

Supervisor Ryan, T/Warsaw was invited to the podium to present the Alcohol Awareness Month Proclamation. Supervisor Ryan invited Community Services Director, Kelly Dryja to join her.

Director Dryja thanked the Board of Supervisors for their continued support and for the proclamation.

#19

RESOLUTION NO. 18-186
(April 10, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING NEW YORK STATE SENATE BILL
S.3292 AND NEW YORK STATE ASSEMBLY BILL A.3907 TO CREATE
THE SAFE WATER INFRASTRUCTURE ACTION PLAN (SWAP)**

WHEREAS, Current funding for water and sewer infrastructure addresses capital projects for the upgrading and/or replacement of this critical infrastructure but it does not address the increasing operating and maintenance expenses associated with these systems; and

WHEREAS, Much of the municipal water, sanitary sewer and stormwater collection infrastructure in Wyoming County is aging resulting in additional maintenance to address ongoing water transmission failure, sewer line collapse and the ongoing public health and safety concerns associated with these failures; and

WHEREAS, Many of our communities cannot absorb the financial burden placed on them as a result of the increased maintenance costs associated these infrastructure failures; and

WHEREAS, A permanent source of funding for our water and sewer infrastructure, one the addresses operation and maintenance activities, is needed to assist our municipalities with the increasing costs; and

WHEREAS, The *Safe Water Infrastructure Action Plan* will provide the municipalities in Wyoming County a reliable funding source to maintain their potable water, sanitary sewer and stormwater systems; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports New York State Senate Bill S3292 and New York State Assembly Bill A3907 to develop a dedicated funding program to distribute funds annually to municipalities to ensure the integrity and reliance of municipal potable water, sanitary sewer and stormwater infrastructure; 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

April 10, 2018

Senator Patrick Gallivan, New York State Assemblyman David DiPietro 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 #20 through #26. Hearing no objection resolution titles were read.

#20

**RESOLUTION NO. 18-187
(April 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BIDS
AND SIGN VARIOUS CONTRACTS ON BEHALF OF THE SHERIFF’S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to accept the following New York State Office of General Services Vehicle Marketplace bids and sign contracts on behalf of the Sheriff’s Department as follows:

- **Van Bortel Ford**, 71 Marsh Road, East Rochester, NY 14445
 - Mini-bid #18030082 for four (4) 2018 Ford Police Interceptor sedans in an amount not to exceed one hundred three thousand five hundred nineteen dollars and twenty cents (\$103,519.20); effective April 1, 2018 through delivery of vehicles.
- **Delacy Ford**, 3061 Transit Road, Elma, NY 14059
 - Mini-bid #18030081 for one (1) 2018 Ford Explorer Utility in an amount not to exceed twenty-eight thousand six hundred sixty-eight dollars (\$28,668.00); effective April 1, 2018 through delivery of vehicle.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#21

**RESOLUTION NO. 18-188
(April 10, 2018)**

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 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 the *New York State Governor's Traffic Safety Committee*, 6 Empire State Plaza, Albany, NY 12228 on behalf of the Sheriff's Department. Said grant to fund patrols dedicated to selective traffic enforcement details in a minimum amount of ten thousand one hundred twenty-eight dollars (\$10,128.00); effective October 1, 2017 through September 30, 2018.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#22

**RESOLUTION NO. 18-189
(April 10, 2018)**

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

**RESOLUTION CALLING FOR STATE FUNDING OF A SCHOOL
RESOURCE OFFICER FOR EVERY ELEMENTARY AND
SECONDARY SCHOOL IN NEW YORK STATE**

WHEREAS, Our children are deserving of the best protection possible when they are away from their homes and in the care and custody of our educational institutions; and

WHEREAS, We are, unfortunately, in an era where children in schools have too often become a target for evil persons wishing to cause mayhem and terror; and

WHEREAS, Chief among the things that can be done quickly to increase the safety of our children and their schools is to provide an armed police presence in the schools; and

WHEREAS, Due to budget constraints, tax caps and limited sources of revenue, it is beyond the fiscal capability of many school districts and other local government entities to fund the placing of an armed police officer in every school; and

WHEREAS, The current threat to the safety of our children in their

April 10, 2018

schools is a public safety emergency requiring a statewide response by our state government, with its multiple revenue sources, to address this emergency; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby support the New York State Sheriffs' Association in its call for the state funding of an armed school resource officer in every elementary and secondary school in New York State; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors does hereby call upon the New York State Legislature and the Governor to include in the 2018 Annual State Budget funding for that purpose; 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 Sheriffs' Association, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 18-190
(April 10, 2018)**

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

RESOLUTION NUMBER 13-137 AMENDED

WHEREAS, Resolution Number 13-137 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF THE COUNTY JAIL**”, passed by this April 9, 2013 for food service in an amount not to exceed \$2.77 per meal for breakfast and \$2.96 per meal for lunch and dinner; effective April 1, 2013 through March 31, 2018; now therefore,

BE IT RESOLVED, That Resolution Number 13-137 be hereby amended to extend the contract end date through *May 31, 2018*. All else remains the same.

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

**RESOLUTION NO. 18-191
(April 10, 2018)**

Regular Meeting

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
ACCEPTANCE AWARDS 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 various grant acceptance awards on behalf of Emergency Services as follows:

- ***New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications***, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, New York, 12242
 - ***Statewide Interoperable Communications Grant*** for improvements in a minimum amount of four hundred seventy-three thousand three hundred fifty-five dollars (\$473,355.00); effective January 1, 2018 through December 31, 2019.
 - There are no matching funds for this grant.
 - ***2017-2018 Public Safety Answering Points (PSAP) Operations Grant Program*** in a minimum amount of one hundred twenty-six thousand three hundred forty-nine dollars (\$126,349.00); effective January 1, 2018 through December 31, 2018.
 - There are no matching funds for this grant.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #25

**RESOLUTION NO. 18-192
(April 10, 2018)**

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

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

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 ***AutoMon, LLC***, 10450 North 74th Street, Suite 210, Scottsdale, AZ 85258 on behalf of Wyoming County Probation. Said contract is for software maintenance in an amount not to exceed six thousand three hundred eighty-seven dollars and sixty-eight cents

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(\$6,387.68); effective June 19, 2018 through June 18, 2019.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#26

**RESOLUTION NO. 18-193
(April 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION
OF CRIMINAL JUSTICE SERVICES ~ OFFICE OF PROBATION AND
CORRECTIONAL ALTERNATIVES ON BEHALF OF WYOMING
COUNTY PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Division of Criminal Justice Services ~ Office of Probation and Correctional Alternatives*, Alfred E .Smith Building, 80 South Swan Street, Albany, NY 12210 on behalf of the Wyoming County Probation. Said funding is for the Alternatives to Incarceration Programs; effective July 1, 2018 through June 30, 2019 in minimum amounts as follows:

- ***Data Day Program*** \$6,592.95
- ***Community Service*** \$5,380.90
- ***Pre-Trial Release*** \$5,381.28

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #27 through #34. Hearing no objection resolution titles were read.

#27

**RESOLUTION NO. 18-194
(April 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH KEY POWER SYSTEMS, INC. ON BEHALF OF
BUILDINGS AND GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Key Power Systems, Inc.***, 953 Creek Road, Route 98, Attica, NY 14011 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract to provide preventative maintenance for county emergency generators in an amount not to exceed ten thousand eight hundred five dollars (\$10,805.00); effective June 1, 2018 through May 31, 2019.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-195
(April 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH NEW WAVE ENERGY CORP. 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 ***New Wave Energy Corp.***, 434 Delaware Avenue, Buffalo, NY 14202 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract to provide gas supply to County Buildings at a rate not to exceed .336 per therm; earliest effective date of July 04, 2018 (based on meter read dates) through latest expiration date of July 19, 2021(based on beginning meter read dates in 2018).

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-196
(April 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH CONSTELLATION ENERGY CORP. ON BEHALF
OF BUILDINGS AND GROUNDS (CO. BLDGS.)**

April 10, 2018

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 ***Constellation Energy Corp.***, 1221 Lamar Street, Suite 750, Houston, TX 77010 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract to provide electric supply to County Buildings at a rate not to exceed .04376 per kWh; effective August 1, 2018 through August 24, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #30

**RESOLUTION NO. 18-197
(April 10, 2018)**

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

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE
FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE -AID
ELIGIBLE COSTS OF A FEDERAL-AID AND/OR STATE-AID
TRANSPORTATION PROJECT SUPPLEMENT #2 AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, SPONSOR WILL DESIGN, LET AND CONSTRUCT THE "PROJECT".

WHEREAS, A Project for the replacement of ***Schad Road Bridge over Red Brook Creek, Town of Bennington, Wyoming County, P.I.N. 4BNY.14; BIN 3319660*** (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of PE/design and ROW and Construction.

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

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of PE/design and ROW work for the Project or portions thereof; and

it is further

RESOLVED, That the Board of Supervisors hereby agrees that the 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 **\$1,052,616.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, That the County of Wyoming hereby agrees that the construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within three (3) years of commencing construction; and it is further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and 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: 1599 Noes: Absent: Abstain: #31

RESOLUTION NO. 18-198
(April 10, 2018)

April 10, 2018

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:

- ***Union Concrete and Construction Corp.***, P.O. Box 410, 105 Center Street, West Seneca, NY 14224 for Schad Road Bridge Replacement in the Town of Bennington in a total amount not to exceed seven hundred ninety-seven thousand five hundred fifty-one dollars (\$797,551.00); effective April 10, 2018 through project completion.
- ***Eastman Tree Service***, 3203 Smallwood Road, Warsaw, NY 14569 for tree removal as specified in an amount not to exceed one hundred dollars (\$100.00) per hour for a total contract amount not to exceed ten thousand dollars (\$10,000.00); effective February 1, 2018 through project completion.
- ***WYCO Construction, Inc.***, 4608 Liberty Street Road, Warsaw, NY 14569 for Jetter Vac Truck Service to clean out culvert pipes in an amount not to exceed one hundred eighty dollars (\$180.00) per hours for a total contract amount not to exceed twelve thousand dollars (\$12,000.00); effective April 10, 2018 through project completion.

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

**RESOLUTION NO. 18-199
(April 10, 2018)**

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

ANNUAL HIGHWAY MATERIAL BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective April 2, 2018 through April 1, 2019, all ties were awarded by lot at the ***March 29, 2018*** Public Works Committee, and be it

FURTHER RESOLVED, That the County of Wyoming reserves the right to allow all municipalities within the County to purchase any goods or

services at the prices stated herein pursuant to section 103 of the General Municipal Law.

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

**RESOLUTION NO. 18-200
(April 10, 2018)**

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

RESOLUTION NUMBER 18-155 AMENDED

WHEREAS, Resolution Number 18-155 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY**”, passed by this March 13, 2018 and provided in part for the following contract:

- *New York State Department of Transportation*, 50 Wolf Road, Albany, NY 12232 for SLA Supp #3 for CR 02 Broughton Road Highway Preventative Maintenance, Town of Gainesville, PIN 4761.09; for PE/Design, ROW and Construction in an amount not to exceed five hundred seventy-five thousand six hundred ninety-three dollars (\$575,693.00); effective through July 27, 2026.

Now, therefore

BE IT RESOLVED, That Resolution Number 18-155 be hereby amended to delete this contract in its entirety effective March 13, 2018. All else remains the same.

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

**RESOLUTION NO. 18-201
(April 10, 2018)**

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

April 10, 2018

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 and Construction.

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 **\$575,693.00** 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:

Prior to the roll call vote of resolutions numbered 27 through 34 Chairman Berwanger invited Superintendent of Buildings & Grounds, D. Rogers to provide comments on resolutions numbered 28 & 29 as they are for contracts with energy providers. Chairman Berwanger also asked Supt. Rogers to explain the recent reverse energy auction.

Supt. Rogers thanked the Chairman and explained that the auction was held right here in the Supervisors' chambers. The auction was held live on-line and projected on the big screen behind the Chairman's desk. There were several gas and electric providers that participated and the total results will save Wyoming County tax payers over \$330,000 over the next three years...

There was a motion by Mr. Brick, T/Perry, to combine resolutions #35 through #41. Hearing no objection resolution titles were read.

#35

RESOLUTION NO. 18-202 (April 10, 2018)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES "S" 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":

Veterans Services

- Set the salary of the ***Assistant Director of Veteran Services*** on Salary Schedule "S" at \$35,000.00 annually; effective February 9, 2018.

Social Services

- Set the salary of the ***Dir. of Children & Family Services*** (position code 144.360) on Salary Schedule "S" at \$54,000.00 annually; effective February 12, 2018.

Salary Schedule "G":

Public Health

- Set the salary for the position of ***Student Aide (Seasonal) – Temporary*** on Salary Schedule "G" at \$11.00 per hour with an additional \$0.25 per hour for each previous season worked; effective date April 10, 2017.
 - Salary and fringe expenses associated with this position are

April 10, 2018

reimbursed by Article 6 State Aid and New York State
Department of Health Drinking Water Enhancement Grant.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#36

RESOLUTION NO. 18-203
(April 10, 2018)

By Mr. Brick, Chairman of the Finance Committee:

WYOMING COUNTY INVESTMENT POLICY APPROVED

BE IT RESOLVED, That the Wyoming County Board of Supervisors has approved the *Wyoming County Investment Policy*, as amended and annexed hereto; effective immediately.

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

INVESTMENT POLICY FOR WYOMING COUNTY

I. SCOPE

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

II. OBJECTIVES

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

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

III. DELEGATION OF AUTHORITY

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

subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wyoming to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived.

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

V. DIVERSIFICATION

It is the policy of the County of Wyoming to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

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

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

VII. DESIGNATION OF DEPOSITARIES

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

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

VIII. COLLATERALIZING OF DEPOSITS

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

1. By a pledge of "eligible securities" with and aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

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

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of

the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

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

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

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

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of

Wyoming. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listings shall be evaluated at least annually.

The County may, in its discretion, authorize a bank designated for the deposit of County funds to arrange for the redeposit of such funds in one or more banking institutions, for the account of the County, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).

XII. PURCHASE OF INVESTMENTS

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

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

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

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

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

Regular Meeting

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

APPENDIX A

Schedule of Eligible Securities

- i. Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- ii. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.
- iii. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- iv. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.
- v. Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- vi. Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- vii. Obligations of counties, cities and other government entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- viii. Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- ix. Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

- x. Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- xi. Zero coupon obligations of the United States government marketed as "Treasury strips".

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

#37

RESOLUTION NO. 18-204
(April 10, 2018)

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:

- **Dale L. Deahn, MD**, 401 Main Street, Arcade, NY 14009 to utilize the electronic medical record system as related to necessary clinic treatment of patients in an amount not to exceed eight thousand four hundred dollars (\$8,400.00) per year plus the reasonable difference between vendor estimated costs and actual costs for those services; effective January 1, 2018 through December 31, 2020.
- **Dale L. Deahn, MD**, 401 Main Street, Arcade, NY 14009 to sublet approximately five hundred (500) square feet of office space for use as a hospital clinic for OBGYN/Midwife care services in an amount not to exceed ten thousand dollars (\$10,000.00) per year; effective December 1, 2017 through December 31, 2018.

Regular Meeting

- ***Sarah Schafer, ANP***, 20 Wyoming Street, Warsaw, NY 14569 to provide nurse practitioner services for Workplace Health in an amount not to exceed sixty dollars (\$60.00) per hour and six thousand dollars (\$6,000.00) per year; effective April 1, 2018 through March 30, 2023.
- ***The Nurse Connection Staffing***, 1 Computer Drive South, Albany, NY 12205 for temporary RN, LPN and CNA agency staffing, in an amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective January 1, 2018 through December 31, 2020.
- ***Morrison Community Living***, 400 Northridge Road, Suite 600, Atlanta, GA 30350 to operate and manage food and food services operations, WCCHS to control the purchase of food and other services directly, management fee not to exceed eighty-five thousand dollars (\$85,000.00) per year plus annual expenses of staff and other direct costs incurred not to exceed two million dollars (\$2,000,000.00) per year; effective May 1, 2018 through April 30, 2023.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
#38

RESOLUTION NO. 18-205
(April 10, 2018)

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 April 11, 2017 and provided in part for the following contract:

- ***Farkad Balaya, MD, PLLC***, 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216
 - For the professional medical services of one (1) or more qualified, board certified/eligible physicians specializing in OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services. Agreed upon periods of time will be scheduled and confirmed in writing or by email between the parties and will be paid in an amount not to exceed one hundred dollars (\$100.00)

April 10, 2018

per hour (on average); 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 extend the term of the contract from March 31, 2018 to ***March 31, 2019.***

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #39

**RESOLUTION NO. 18-206
(April 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-166 AMENDED

WHEREAS, Resolution Number 17-166 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this March 14, 2017 and provided in part for the following contract:

- ***Erie County Medical Center Corporation (ECMCC)***, 462 Grider Street, Buffalo, NY 14215 to provide identified administrative services in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year; effective March 1, 2017 through February 29, 2020.

Now, therefore

BE IT RESOLVED, That Resolution Number 17-166 be hereby amended as follows:

- Add services of the ***Director of Medical Staff Quality and Education*** (Exhibit A3) in an amount not to exceed ninety-five dollars (\$95.00) per hour for a total amount not to exceed seven thousand five hundred dollars (\$7,500.00) per year; effective March 1, 2018 through February 28, 2019.

All else remains the same.

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

RESOLUTION NO. 18-207
(April 10, 2018)

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:

ABOLISHED:

Human Resource

- One (1) position of ***HR Generalist*** (position code #023.565) placed on Salary Schedule “S” (salary to be determined); effective date is April 11, 2018.
- One (1) position of ***HR Assistant*** (position code #024.434) placed on Salary Schedule “S” (salary to be determined); effective date is April 11, 2018.

CREATED:

Human Resource

- One (1) position of ***Deputy HR Director*** placed on Salary Schedule “S” (salary to be determined); position available date is April 11, 2018.
- One (1) position of ***HR Clerk*** placed on Salary Schedule “S” (salary to be determined); position available date is April 11, 2018.

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

#41

RESOLUTION NO. 18-208
(April 10, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-489 AMENDED

WHEREAS, Resolution Number 17-489 entitled, “**SALARY SCHEDULES “D”, “G”, “S” AND “C” AMENDED**”, passed by this Board of Supervisors on November 14, 2017 and provided in part for the following:

April 10, 2018

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 October 11, 2017 through the appointment of a new Human Resource Director.

Now, therefore

BE IT RESOLVED, That Resolution Number 17-489 be hereby amended to extend the stipend for the Worker’s Compensation Program Administrator through ***June 1, 2018***.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
Non Consent
#42

RESOLUTION NO. 18-209
(April 10, 2018)

By Mr. Brick, Chairman of the Finance Committee:

CANCELLATION OF INTEREST AND PENALTIES

WHEREAS, Pursuant to the Real Property Tax Law §1182, the Board of Supervisors for Wyoming County may direct the cancellation of certain interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; and

WHEREAS, The following parcel of real property exists within the County of Wyoming, and has been identified and so designated by the Finance Committee: 213 Main Street East in the Village and Town of Arcade, New York, Tax Map No. 183.14-14-1-6; and

WHEREAS, Although all back taxes have been paid on said parcel, there remains an unpaid balance of \$622.96 representing unpaid penalties, interest, processing fee and additional lien interest; and

WHEREAS, The County of Wyoming has determined to cancel the amount of said unpaid penalties, interest, processing fee and additional lien interest; now therefore,

BE IT RESOLVED, That the Board of Supervisors for the County of Wyoming, in accordance with the Section 1182 of the Real Property Tax Law, hereby directs the cancellation of any and all interest, penalties or other charges imposed by law levied against the tax parcel located at 213 Main Street East in the Village and Town of Arcade, New York, Tax Map No. 183.14-14-1-6, assessed to Max D. Payne.

Carried: XXX Ayes: 902 Noes: 140 (Bennington) Absent: Abstain:
 19 (Genesee Falls)
 187 (Perry)
 48 (Pike)
 102 (Sheldon)
201 (Warsaw)
 697 Total

Public Hearing ~

- *Comment Period*

Chairman Berwanger asked Planning Committee Chair Leuer, T/Middlebury if Director of Planning and Development B. Daly could offer some explanation to Local Law #1.

Director Daly offered a brief explanation.

Supervisor Leuer, T/Middlebury also offered that another reason the local law is being considered is to provide another incentive as a clean energy community which provides additional opportunities for grants as a clean energy community.

Close Public Hearing ~

- *Motion to close the Public Hearing was made by Supervisor Grant, T/Bennington. Seconded by Supervisor Hastings, T/Eagle. Carried.*

***Local Law
#43***

**RESOLUTION NO. 18-210
(April 10, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

LOCAL LAW NO. 1 (INTRODUCTORY B, YEAR 2018) ~ YEAR 2018,
*“A Local Law Amending Local Law No. 1 of the Year 2017 Entitled
 Energize NY Benefit Financing Program Law of the County of Wyoming”*

ADOPTED

April 10, 2018

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 13th day of March, 2018, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2018, entitled, ***“A Local Law Amending Local Law No. 1 of Year 2017 Entitled Energize NY Benefit Financing Program Law of the County of Wyoming”***; and

WHEREAS, In accordance with the provisions of ***Resolution No. 18-134***, there was a public hearing held by this Board of Supervisors on this 10th day of April, 2018, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

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

BE IT ENACTED, That Local Law 1, Year 2018, County of Wyoming, New York, as presented to this Board on the 13th day of March 2018, is hereby adopted, as advertised, enacted and passed by this Board in its amended form as follows:

LOCAL LAW NO. 1 ~ YEAR 2018

“A Local Law Amending Local Law No. 1 of the Year 2017 Entitled Energize NY Benefit Financing Program Law of the County of Wyoming”

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

Section 1. Section 1 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 1. TITLE This Local Law shall be known as the ***“Energize NY Benefit Financing Program”*** and shall read as follows:

Section 2. Section 2 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 2. LEGISLATIVE FINDINGS, INTENT AND PURPOSE, AUTHORITY

a. It is the policy of both the County and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change,

and advance a clean energy economy. The County Board of Supervisors finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewal energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County, pursuant to the municipal agreement to be entered into between the County and EIC pursuant to Article 5-G of the New York General Municipal Law (the “Municipal Agreement”) to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this Local Law and fulfilling an important public purpose.

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

Section 3. Section 3 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 3. DEFINITIONS

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

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

County. Wyoming County, State of New York.

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

Energy Audit. A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real

property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

Energy Efficiency Improvement. Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weather stripping, air sealing, insulation and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority not including lighting measures or household appliances that are not permanently fixed to real property.

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

Renewable Energy System. An energy generating system for the generation of electric or thermal energy, to be used primarily as such property, except when the Qualified Property Owner is a commercial entity in which case the system may be used for other properties in addition to the subject property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

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

Section 4. Section 4 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 4. ESTABLISHMENT OF AN ENERGIZE NY BENEFIT FINANCING PROGRAM

a. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may provide funds to Qualified Property Owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of

Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.

b. For funds provided to a Qualified Property Owner which is a commercial entity, not-for-profit organization, or entity other than an individual, EIC shall have the authority to impose requirements on the maximum amount of funds to be provided, which may consider factors, including, but not limited to, the property value, projected savings, project cost and existing indebtedness secured by such property.

c. For financing made to a Qualified Property Owner who is an individual, the funds provided shall not exceed the lesser of: (i) ten percent (10%) of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or (ii) the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

Section 5. Section 5 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 5. PROCEDURES FOR ELIGIBILITY

a. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County offices.

b. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in Section 6 of this Local Law. EIC may also request further information from the property owner where necessary to aid in its determination.

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

Section 6. Section 6 of Local Law No. 1 of the Year 2017 is hereby

April 10, 2018

amended to read as follows:

SECTION 6. APPLICATION CRITERIA

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

- i. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective based on guidelines issued by the Authority;
- ii. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding.
- iii. The amount financed under the Energize NY Benefit Financing Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- iv. Sufficient funds are available from EIC to provide financing to the property owner;
- v. The property owner is current in payments on any existing mortgage;
- vi. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three (3) years; and
- vii. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

Section 7. Section 7 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 7. OPT-IN, ENERGIZE NY FINANCE AGREEMENT

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

Owner and EIC acting on behalf of the County (the “Energize NY Finance Agreement”).

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

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

Section 8. Section 9 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 9. TERMS AND CONDITIONS OF REPAYMENT

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

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

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

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

d. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program as set forth in Article 5-L of the General Municipal Law and shall run with the land. A transferee

of title to the benefited real property shall be required to pay any future installments, including interest thereon.

Section 9. Section 10 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

SECTION 10. VERIFICATION AND REPORT.

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

Section 10. Effective Date.

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

DATED at Warsaw, New York
 March 13, 2018 (Introduced)
 April 10, 2018 (Adopted)
 Cheryl J. Ketchum,^{CMC}
 Clerk to the Board

Carried: XXX	Ayes: 1599	Noes:	Absent:	Abstain:
				<i>Local Law</i>
				#44

RESOLUTION NO. 18-211

(April 10, 2018)

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

LOCAL LAW NO. 2 (INTRODUCTORY A, YEAR 2018) ~ YEAR 2018
“A Local Law Providing Salaries for Certain County Officers for the Year 2018” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 13th day of February, 2018, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2018, entitled, *“A Local Law Providing Salaries for Certain County Officers for the Year 2018”*; and

WHEREAS, In accordance with the provisions of *Resolution No. 18-*

050, there was a public hearing scheduled by this Board of Supervisors on the 13th day of March, 2018, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, On the 13th day of March, the public hearing for said Local Law was deferred until the **10th day of April, 2018** and after due notices of said hearing having been posted and published according to the law and said resolution; and

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

BE IT ENACTED, That Local Law 1, Year 2018, County of Wyoming, New York, as presented to this Board on the 13th day of February 2018, is hereby adopted, as advertised, enacted and passed by this Board in its **amended form** as follows:

LOCAL LAW NO. 2 ~ YEAR 2018

“A Local Law Providing Salaries for Certain County Officers for the Year 2018”

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

- Section 1. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$2,500.00*** for a new annual salary of ***\$69,000.00***.
- Section 2. The salary set forth in Section 1 above shall be effective as of ***January 1, 2018***.
- Section 3. 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 4. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York
February 13, 2018 (Introduced)
April 10, 2018 (Adopted)
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

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

April 10, 2018

RESOLUTION NO. 18-212
(April 10, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION IN SUPPORT OF WYOMING COUNTY APPLYING
FOR MEMBERSHIP IN THE ENERGY IMPROVEMENT
CORPORATION (EIC)**

WHEREAS, The Wyoming County Board of Supervisors has passed a local law entitled, “Local Law No. 1, Year 2018, *“A Local Law Amending Local Law No. 1 of the Year 2017 Entitled Energize NY Benefit Financing Program Law of the County of Wyoming”*”; and

WHEREAS, Wyoming County wishes to apply for membership as a participating municipality in the Energy Improvement Corporation (EIC) a local development corporation duly formed under Section 1411 of the Not-for-Profit Corporation Law of the State of New York, for the purpose of promoting, facilitating and financing energy audits and renewable energy system feasibility studies, energy efficiency improvements and alternative or renewable energy generating systems on properties within its Participating Municipalities, thereby promoting the public good by reducing greenhouse gas emissions, mitigating the effect of global climate change and lessening the burdens of government; and

WHEREAS, Wyoming County has established by Local Law, pursuant to Article 5-L of the General Municipal Law of the State of New York, a sustainable energy loan program for the issuance of financing to the owners of real property located within Wyoming County to finance Energy Improvements and have authorized EIC to act on behalf of Wyoming County to carry out the Program through, among other things, the issuance of financing to property owners within Wyoming County, and have met the minimum criteria established by EIC to be admitted as a Participating Municipality; and

WHEREAS, Wyoming County received the Clean Energy Communities designation and Energize NY Finance is one of the Ten High Impact Actions the County achieved toward that designation by being admitted as a Participating Municipality in EIC; now, therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors supports becoming a member of EIC and authorizes the application for membership by signing the EIC Municipal Agreement; and be it

FURTHER RESOLVED, That a letter from the Chairman of the Board of Supervisors requesting membership to the EIC be sent with the EIC Municipal Agreement and a copy of the newly enacted Local Law To Establish a Sustainable Energy Loan Program to EIC; and be it

FURTHER RESOLVED, That the Chairman of the Board of Supervisors will be the Wyoming County representative to the EIC; and be it

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

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

Before adjourning the meeting Chairman Berwanger announced that in keeping with Wyoming County's reputation as a leader in dairy production and agriculture throughout New York State, last week we were contacted by the New York State Association of Counties and they asked if we would be able to facilitate a webinar regarding the dairy crisis facing the nation.

So tomorrow at 11:00 AM Chairman Berwanger will be moderating a panel which will talk about the crisis and the experts recruited to be part of the panel are Kate Hemstreet, from our local USDA. She's the Executive Director for the Wyoming County office, Jodi Smith, who is the Dairy Policy & Economist for Upstate Niagara Milk Cooperative, Mark Merrill, who is the Vice President of Commercial lending, primarily ag. lending at the Bank of Castile and Jim Youngers, who is a farmer from Wyoming County. The event will take place at the Ag. Center in the conference room on the second floor and will be streamed through the NYSAC network. So if you wish to tune in you can pick it up on the webinar or you are welcome to come over and watch it live. Once again, Wyoming County's reputation is recognized throughout the state.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:20 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

April 10, 2018

REGULAR SESSION
(May 8, 2018)
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 D. Tallman, T/Gainesville and B. Becker, T/Sheldon. 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:

Charles Schoonover

Mr. Charles Schoonover graduated from York Central School in 1986 and in the fall attended Corning Community College focusing on criminal justice. In December of 1987, he enlisted in the United States Army and completed 13 weeks of basic training at Fort Hood, Missouri. After Basic, he was assigned to Fort Huachuca in Arizona for counter intelligence training. This 22-week duty assignment taught Mr. Schoonover undercover and investigation procedures and counter espionage. Fort Huachuca was established on March 3, 1877 and from 1913 to 1933, was the base for the "Buffalo Soldiers" of the 10th Cavalry Regiment.

Mr. Schoonover was then assigned to Fort Bragg, North Carolina where his job was to train special units such as Delta Force and Foreign Service officers for embassy duty counter intelligence. He often performed on a level very similar to the secret service agency. Fort Bragg is named for Confederate General Braxton Bragg and is the largest military installation in the world (by population) with more than 50,000 active duty personnel.

In 1990, Mr. Schoonover was assigned overseas during the Gulf War, first known as Desert Shield and later called Desert Storm. Mr. Schoonover was assigned to 18th Airborne Corps and his job was to gather all information from behind enemy lines. This intelligence gathering helped with military maneuvers and laser guided smart bombs. His team was responsible for verifying the accuracy of information received before transmitted for future actions.

During the 100-hour ground war in Iraq (Desert Storm), Mr. Schoonover gathered information on all armed forces, tanks and electronics intelligence, passing that information to the Sensitive Compartmented Information Facility known as SCIF. He also worked at the Dhahran Air Base in Saudi Arabia vetting people for security clearance.

Mr. Schoonover was honorably discharged in May of 1991. For his valor and courageous service to his country, Mr. Schoonover was awarded the:

M16 Sharp Shooter Badge
 Service Ribbon
 Good Conduct Medal
 Army Lapel Button
 Southwest Asia Service Medal with two Bronze Stars
 Achievement Medal
 Commendation Medal
 National Defense Service Medal

Mr. Schoonover then returned home to family in Warsaw, went back to college at Genesee Community College and received an Associate's Degree in Criminal Justice in 1992.

Mr. Schoonover has worked in many different fields, from restaurant management to being a Federal Mine Safety and Health Administration Inspector for 7 years. Currently he is part of Rochester Custom Storage Systems that specializes in warehouse facilities.

Mr. Schoonover lives in the town of Gainesville and has four children. He spends his free time with the Vietnam Veterans Legacy Motorcycle Club helping people who struggle every day. He is very proud of the emblem that represents the club -- a soldier kneeling in black and red.

The pledge was said by all.

Mr. Schoonover thanked the Board for their hard work and in being asked to lead the pledge...

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

PRESENTATION ~

- *Leonard Connelly / Town of Arcade*
 - Named to the New York State Senate 2018 Veterans' Hall of Fame
 - Senator Patrick Gallivan ♦ May 15, 2018

May 8, 2018

VOICE OF DEMOCRACY PRESENTATION ~

- *Introduced by M. Relyea of the VFW Hendershott Maness Post 374 of Arcade to introduce*
 - Erin Beyers ~ Pioneer Central High School Senior

American History: Our Hope Erin Byers
for The Future

Hendershott Maness Post #374
Arcade, NY

There's a famous old saying that, "history repeats itself." Time and time again, this has proven to be true. Historical patterns seem to come around in cycles, fading in and out of generations as the context changes. One pattern prevalent in every era of American history is persistence through challenges.

In the 1700s, Americans persevered while oppressed by a monarchy imposing unjust treatments on them. In the 1800s, the issue of slavery was brought to center stage as African Americans were struggling to be seen as human. In the 1900s, American women succeeded in their fight for equality with the 19th Amendment to the Constitution, which finally granted them the right to vote.

These scenarios put Americans in the face of oppression, unjust treatment, or conflict; but in true American fashion, our fellow citizens fought back and defeated their adversary. Historically, Americans have made great strides of progress in times of oppression. The American spirit drives citizens to thrive when pressured, and the outcomes have been groundbreaking. Looking back, we can learn from this trend. Americans have never been cowardly, we have always stood our ground and fought for a more perfect union. Today, there are countless new problems Americans must face. Whether domestic or foreign; local or national; personal or public; every single one of these issues matter. By being able to understand our past- and use it to move forward- none of these issues are un-conquerable. Looking towards the future, we need to take the ever-present American spirit, and use it to oppose whatever obstacle stands in our way.

Think of the colonists at the outbreak of the American Revolution. Lining up for battle against the world's strongest military was no easy feat. The men and women who fought in the

Revolution lived every day fearful of what the next would bring. Though America had yet to establish itself as a real country, the American spirit lay within every single member of the original 13 colonies. Their determination and relentlessness eventually tired the British, and inspired the founding fathers to synthesize perhaps the greatest democratic document in all of history: The United States Constitution.

Now, think of the slaves in the 1800s. Disheartened with their lowly status in society and unfair treatment, they stood up for their rights as Americans. Though it was made clear that they were the inferior race, they fought for equality, and achieved it many years later with the 13th Amendment. Their belief in fairness and opportunity has impacted this country in countless ways, and since then, African Americans have used their voices to maintain equality and continue the fight for what's right.

Look to the women of American history- of no time period in particular- just every single one. Their never-ending fight for rights and equality proves to be one of the most groundbreaking and influential movements of all time. Helping with every war, demanding just treatment of immigrants, defending minorities in times of need, feeding and providing for families: American women are the backbone to everything American. Their drive and intelligence has put us on the moon, discovered cures for diseases, ran for President, and much more. American women, even when oppressed, refuse to give up.

All three groups are examples of Americans who've faced oppression or unfairness, and used it as a motive to thrive. No matter what challenge you are facing- from a minor family feud to fighting for your rights- it can be conquered. Yes, history repeats itself. And as Americans, we all have the choice to ignore history and refuse to learn from it, or understand its lessons and patterns, and use them to achieve greatness- like we always do.

Chairman Berwanger thanked Ms. Beyers and presented her with a Certificate of Recognition.

May 8, 2018

Before moving on, Chairman Berwanger recognized two more individuals...

Norm Uhteg, Erin's Grandfather, from the Erie County Town of Sardinia and Ron Ashworth who accompanied Mr. Connelly to today's meeting and was recognized by the Chairman as the individual that nominated him to Senator Gallivan as a potential candidate.

PRESENTATION ~

- *Beaver Hollow Chief Operating Officer, K. Egan & Higher Ground Rep. K. Weppner*

Ms. Egan provided an overview of the veterans' mental and physical programs proudly offered at Beaver Hollow in partnership with organizations such as Higher Ground.

A PowerPoint presentation was shared with attendees by Ms. Weppner.

COMMUNICATIONS ~

- *04-20-18 Correspondence from NYSAC Executive Director Stephen J. Acquario acknowledging receipt of Resolution No. 18-189.*
- *04-23-18 Correspondence from Assemblyman David DiPietro acknowledging receipt of Resolution Nos. 18-186 and 18-189.*

#1

**RESOLUTION NO. 18-213
(May 8, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2018 accounts as follows:

County Clerk			
From: 01.34.1410.8.89001 Medical/Hosp. To: 01.34.1410.4.41010 Office Supplies Reason: To cover the cost of Acid Free Record Storage Cartons (Boxes).	\$4,950.00	\$4,950.00	
County Clerk Total			\$4,950.00
Sheriff			
From: 01.37.3110.2.23001 Vehicles To: 01.37.3110.4.40509 Change Over Expenses Reason: To cover the cost of detailing and installing light bar and equipment on new patrol vehicles.	\$25,000.00	\$25,000.00	
Sheriff Total			\$25,000.00

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
 195 Total

#2

**RESOLUTION NO. 18-214
 (May 8, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2018 accounts as follows:

Board of Elections			
To: 01.34.1450.8.89001 County Insurance 01.34.1450.8.89002 HRA Account 01.34.1450.8.89003 HRA Administrative Exp <i>w/any funds available</i> Reason: To provide health insurance for the year 2018 for Commission J Schlick which was unbudgeted.	\$19,132.32 5,000.00 84.00	\$24,216.32	
Board of Elections Total			\$24,216.32
Mental Health			
To: 01.38.4322.4.42408 Sheltered Workshop w/01.11.4322.3490 MH ARC State Aid Reason: To accept and distribute COLA increase received from OMH.	\$1,877.00	\$1,877.00	
To: 01.38.4323.4.42409 Thrift Store-CSS 01.38.4323.4.42411 PAO 01.38.4323.4.42420 Social Club w/01.11.4323.3490 MH CSS State Aid Reason: To accept and distribute COLA increase received from OMH.	\$1,240.00 2,922.00 1,848.00	\$6,010.00	
To: 01.38.4325.4.42409 Advocacy 01.38.4325.4.42414 Respite 01.38.4325.4.42419 Drop-IN/Warm line 01.38.4325.4.42441 Misc. MH Programs 01.38.4325.4.42445 Crisis Trans. Housing 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42468 Transportation w/01.11.4325.3490 Mental Health State Aid Reason: To accept and distribute COLA increase received from OMH.	\$4,068.00 332.00 1,925.00 2,304.00 1,375.00 4,064.00 2,041.00	\$16,109.00	
Mental Health Total			\$23,996.00

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
 195 Total

May 8, 2018

There was a motion by Mrs. King, T/Pike, to combine resolutions #3 and #4. Hearing no objection resolution titles were read.

RESOLUTION NO. 18-215
(May 8, 2018)

RESOLUTION NUMBER 12-157 AMENDED

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; and

WHEREAS, That Resolution Number 12-157, as previously amended by Resolution Number 14-233 and Resolution Number 16-329, was further amended by this Board of Supervisors on December 12, 2017 by ***Resolution Number 17-503***, to extend the contract through March 31, 2018; now therefore,

BE IT RESOLVED, That Resolution Number 12-157, as previously

#4

RESOLUTION NO. 18-216
(May 8, 2018)

By Mrs. King, Vice-Chairman of the Human Resources Committee:

RESOLUTION NUMBER 18-170 AMENDED

- Upgrade the LABORATORY TECHNICIAN positions in the WCCH Schedule due to the challenges in Laboratory Technician recruitment as follows:
 - Move the **Senior Med Tech** classification from Grade 18A to Grade 18C
 - Move the **Lead Med Tech** classification from Grade 18A to 18C
 - Move the **Med Tech** classification from 15B to 18C

Now therefore,

BE IT RESOLVED, That *Resolution Number 18-170* be hereby amended to correct the upgrades to the LABORATORY TECHNICIAN positions; effective March 25, 2018 as follows:

- Lead Med Tech position title is corrected to **Chief Med Tech** and the classification is corrected from Grade 18A to **18B**
- Correct the Med Tech classification from 18C to **18A**

All else remains the same.

May 8, 2018

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #9. Hearing no objection resolution titles were read.

#5

RESOLUTION NO. 18-217
(May 8, 2018)

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

ARMED FORCES WEEK PROCLAIMED

WHEREAS, We recognize all the brave men and women of our Armed Forces for their honor, courage, devotion to duty and their personal sacrifices for our freedom; and

WHEREAS, We hold a deep respect for all Veterans and active duty personnel of our Armed Forces, Army, Navy, Marines, Air Force and Coast Guard, who have and continue to protect and defend our Constitution, our flag and our freedom; and

WHEREAS, We pause to recognize their sacrifices and at times giving their last full measure to sustain our way of life; and

WHEREAS, We give thanks to all our Veterans and active duty Armed Forces men and women for their most precious gift to us -- our freedom; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 6th through May 12th, 2018 as "**ARMED FORCES WEEK**" in Wyoming County.

Carried: XXX **Ayes:** 1404 **Noes:** **Absent:** 93 (Gainesville) **Abstain:**

102 (Sheldon)

195 Total

#6

RESOLUTION NO. 18-218
(May 8, 2018)

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

Regular Meeting

COMMUNITY ACTION MONTH PROCLAIMED

WHEREAS, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law and for more than 50 years, they have provided much needed services and opportunities to millions of individuals and families with low incomes; and

WHEREAS, Community Action for Wyoming County is committed to abate poverty, advance self-sufficiency, and affirm the dignity of individuals and families; and

WHEREAS, Community Action for Wyoming County seeks to improve the quality of life of all the people served by focusing on their needs and encouraging them to realize their goals and to become self-sufficient; and

WHEREAS, In collaboration with its partners, Community Action strengthens local community capacity in employment, education, housing, income management, health, nutrition, energy, and general emergency assistance; and

WHEREAS, Community Action, through Angel Action in Wyoming County and in collaboration with many partners, over 800 volunteers, monetary contributions and greater than one-million dollars of donated goods, assists the working poor and those “falling through the cracks”; and

WHEREAS, In 2002, Community Action for Wyoming County launched New York State Community Action Angels, also known as “Angel Action” and has since, with support from the Department of State embedded the circle of giving philosophy in volunteerism, volunteer coordination and capacity building throughout Community Action Agencies and Office for New Americans across New York State; and

WHEREAS, Three thousand nine-hundred and ninety-five unduplicated county families received help; and

WHEREAS, Eight thousand nine-hundred and fifty-five unduplicated county individuals received services; and

WHEREAS, Through the provision of innovative and cost-effective programs designed to meet the changing and specific needs of individuals, Community Action for Wyoming County dollars funnel into all 16 county townships and benefit the local economy causing a ripple effect for economic sustainability and personal growth; now, therefore

BE IT RESOLVED, That it is with great pleasure that the Wyoming

May 8, 2018

#7

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

Regular Meeting

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF THE YOUTH BUREAU**

PRE-SCHOOL RELATED SERVICES

- ***Aurora Audiology***, 97 Hamburg Street, East Aurora, NY 14052
- ***Karen Brown***, 4588 Conway Road, East Bethany, NY 14054
- ***Erin Dressel***, 1087 Friedman Road, Attica, NY 14011
- ***Candy Hodnett***, 8049 Higgins Creek Road, Fillmore, NY 14735
- ***Chelsie Callan***, 31 Woodcrest Drive, Batavia, New York 14020
- ***Maria Czechowski***, 13939 Whitney Road, Holland, NY 14080
- ***Larissa Cox***, 4133 Centerline Road, Warsaw, NY 14569
- ***Terri Humberstone***, 7064 Standpipe Road, Perry, NY 14530
- ***Integrated Therapy Services of WNY, OT/PT/SLP, PLLC***, 25 Liberty Street, Batavia, NY 14020
- ***Kidstart***, 18 Main Street, Mt. Morris, NY 14510
- ***Learning Ladder Therapeutic Association, Inc.***, 10495 Manchester Road, Boston, NY 14025
- ***Letchworth Central School***, 5550 School Road, Gainesville, NY 14066
- ***League for the Handicapped, d/b/a The Children's League***, 393 North Street, Springville, NY 14141
- ***Pioneer Central School***, 12145 County Line Road, P.O. Box 579, Yorkshire, NY 14173
- ***Rainbow Preschool, The ARC of Orleans County***, 243 South Main Street, Suite 220, Albion, NY 14411

May 8, 2018

- **Jessica Scheidt**, 5957 Bauer Road, Warsaw, NY 14569 ~ **two contracts**
- **Sandra DeVoe**, 10725 Molasses Hill Road, Alexander, NY 14005
- **Southtowns Children's Associates**, 43 East Main Street, Springville, NY 14141
- **SLC Therapy of Western NY**, 5544 Main Street, 2nd Floor, Williamsville, NY 14221
- **Therapeutic Link for Children**, 6167 West Quaker Street, Orchard Park, NY 14127
- **Theresa Lehman**, 32 Mission Hill Drive, Brockport, NY 14420
- **Beth Wolcott**, 3675 St. Helena Street, Perry, NY 14530

Effective April 1, 2018 through June 30, 2021:

- **Elizabeth Fox**, 190 Wyoming Street, Warsaw, NY 14569

Effective September 1, 2018 through June 30, 2021:

- *Perry Central School*, 33 Watkins Avenue, Perry, NY 14530

PRE-SCHOOL SPECIAL EDUCATION SERVICES

Effective July 1, 2018 through June 30, 2021

- ***Cattaraugus-Allegany BOCES, Delevan Elementary***, 30 School Street, Delevan, NY 14042
- ***Kidstart***, 18 Main Street, Mt. Morris, NY 14510
- ***Letchworth Central School***, 5550 School Road, Gainesville, NY 14066
- ***League for the Handicapped, dba The Children's League***, 393 North Street, Springville, NY 14141
- ***Pioneer Central School***, 12145 County Line Road, P.O. Box 579, Yorkshire, NY 14173
- ***Rainbow Preschool, The ARC of Orleans County***, 243 South Main Street, Suite 220, Albion, NY 14411
- ***Therapeutic Link for Children***, 6167 West Quaker Street, Orchard Park, NY 14127

Effective April 1, 2018 through June 30, 2021:

- **Wyoming Central School**, 1225 Route 19, P.O. Box 244, Wyoming, NY 14591

Carried: XXX Ayes: 1404 Noes: **Absent: 93 (Gainesville) Abstain:**
102 (Sheldon)
195 Total

#9

RESOLUTION NO. 18-221

(May 8, 2018)

Regular Meeting

WHEREAS, The family, serving as the primary source of love, identity, self-esteem and support, is the very foundation of our community and our State; and

WHEREAS, Foster families, who open their homes and hearts and offer help to children whose families are in crisis, play a vital role helping children and families heal and reconnect and launching children into successful adulthood; and

WHEREAS, There are numerous individuals, public and private organizations whom work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care “system” is only as good as those who choose to be part of it; now therefore,

FURTHER RESOLVED, That the Board of Supervisors urge all citizens to come forward and do something positive that will help change a lifetime for children and youth in foster care.

At the conclusion of the roll call vote of resolutions #5 - #9 Chairman Berwanger invited Supervisor Grant to the podium to present four proclamations.

May 8, 2018

accept the Armed Forces Day proclamation in the absence of Director Harvey and she invited the veterans in the room to stand and join her for the reading at the podium.

Retired County Court Judge and IDA Chairman, Mark Dadd and Sheriff Rudolph came forward...

Asst. Director Gaedeke spoke briefly in acceptance of the proclamation in support of the Veterans Wyoming County serves.

The next proclamation to be presented was the Community Action Month Awareness Month proclamation.

Community Action Board members, Supervisor Davis, T/Covington and Supervisor Grant, T/Bennington will be certain to share the proclamation with the new Exec. Director...

Next, Commissioner of Social Services Barber was invited to join Supervisor Grant for the Foster Care Awareness Month proclamation...

Commissioner Barber reported that two (2) of the 40 children accounted for by the proclamation have since gone home reducing the number of Wyoming County children to 38!! She also thanked the Board for their continued support of the Foster Care program in Wyoming County.

And finally, Director Aldinger was invited to join Supervisor Grant for the presentation of the Older American's Month proclamation...

Director Aldinger offered a brief thank you for Wyoming County senior programs and proudly announced that while other counties maintain huge waiting lists for services. Wyoming County Supervisors have made it a priority to make sure funding is available for all seniors in need!!!

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #10 through #18. Hearing no objection resolution titles were read.

#10

**RESOLUTION NO. 18-222
(May 8, 2018)**

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

RESOLUTION NUMBER 17-462 AMENDED

WHEREAS, Resolution Number 17-462 entitled, “CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH,” passed by this Board of Supervisors on November 14, 2017 and provides 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; now therefore,

BE IT RESOLVED, That *Resolution Number 17-462* be hereby amended to reflect a 2018 COLA increase of one thousand six hundred thirteen dollars (\$1,613.00) for a new total contract amount of three hundred twenty-five thousand five hundred seventy-eight dollars (\$325,578.00).

All else remains the same.

Carried: XXX Ayes: 1404 Noes: **Absent:** 93 (Gainesville) **Abstain:**
102 (Sheldon)
195 Total

#11

RESOLUTION NO. 18-223
(May 8, 2018)

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

RESOLUTION NUMBER 17-464 AMENDED

WHEREAS, Resolution Number 17-464 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 14, 2017 and provides 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; now therefore,

BE IT RESOLVED, That ***Resolution Number 17-464*** be hereby amended to reflect a 2018 COLA increase of five hundred seventy-five dollars (\$575.00) for a new total contract amount of one hundred thirty thousand three hundred fifty-eight dollars (\$130,358.00).
All else remains the same.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

May 8, 2018

RESOLUTION NO. 18-224
(May 8, 2018)

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

RESOLUTION NUMBER 17-461 AMENDED

WHEREAS, Resolution Number 17-461 entitled, “CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MENTAL HEALTH ASSOCIATION OF ROCHESTER AND MONROE COUNTY ON BEHALF OF MENTAL HEALTH,” passed by this Board of Supervisors on November 14, 2017 and provides 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; now therefore,

BE IT RESOLVED, That *Resolution Number 17-461* be hereby amended to reflect a 2018 COLA increase of eight thousand three hundred forty-three dollars (\$8,343.00) for a new total contract amount of two hundred eighty six thousand seven hundred eighty-five dollars (\$286,785.00).

All else remains the same.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

#13

RESOLUTION NO. 18-225
(May 8, 2018)

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

RESOLUTION NUMBER 17-384 AMENDED

WHEREAS, Resolution Number 17-384 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF MENTAL HEALTH,” passed by this Board of Supervisors on October 10, 2017 and provides, in part, for the following contract:

- **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.

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-384* be hereby amended to reflect a 2018 COLA increase of one thousand eight hundred seventy-seven dollars (\$1,877.00) for a new total contract amount of fifty-one thousand six hundred sixty-four dollars (\$51,664.00).
All else remains the same.

Carried: XXX **Ayes:** 1404 **Noes:** **Absent:** 93 (Gainesville) **Abstain:**
102 (Sheldon)
195 Total

#14

RESOLUTION NO. 18-226
(May 8, 2018)

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

RESOLUTION NUMBER 17-465 AMENDED

WHEREAS, Resolution Number 17-465 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SPECTRUM HUMAN SERVICES ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on November 14, 2017 and provides 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; now therefore,

BE IT RESOLVED, That *Resolution Number 17-465* be hereby amended to reflect a 2018 COLA increase of two thousand eight hundred forty-seven dollars (\$2,847.00) for a new total contract amount of five hundred twenty-four thousand four hundred thirty-seven dollars (\$524,437.00).

All else remains the same.

Carried: XXX **Ayes:** 1404 **Noes:** **Absent:** 93 (Gainesville) **Abstain:**
102 (Sheldon)
195 Total

May 8, 2018

RESOLUTION NO. 18-227
(May 8, 2018)

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

MENTAL HEALTH AWARENESS MONTH PROCLAIMED

WHEREAS, Mental health is essential to everyone's overall health and well-being; and

WHEREAS, All Americans experience times of difficulty and stress in their lives; and

WHEREAS, Prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, There is a strong research that diet, exercise, sleep, and stress management can help all Americans protect their health and well-being; and

WHEREAS, Mental health conditions are real and prevalent in our nation; and

WHEREAS, With effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, Increased focus on the prevention of mental health conditions and substance use disorders among children and adolescents through screening and early intervention helps improve lives; and

WHEREAS, Greater trauma informed care and peer support services are needed to support and facilitate recovery; and

WHEREAS, The stigma against mental health conditions remains one of the greatest barriers; and

WHEREAS, Each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors

Regular Meeting

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-228
(May 8, 2018)

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A CONTRACT WITH NATIONAL MEDICAL SERVICES, INC., NMS
LABS, 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 ***National Medical Services, Inc., NMS Labs***, 3701 Welsh Road, Willow Grove, PA 19090 on behalf of the County Health Department. Said contract is for forensic laboratory services according to the negotiated fee schedule and in an amount dependent upon volume; effective June 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-229
(May 8, 2018)

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

WHEREAS, There are 203 registered nurses, licensed practical nurses and nurse practitioners working for Wyoming County; representing more than 20% of the workforce. Nursing professionals are employed at the Department of Social Services, Youth Bureau, Health Department and at the Wyoming

May 8, 2018

WHEREAS, Even as healthcare delivery transforms, and greater responsibilities are being placed on nursing professionals, nurses continue to demonstrate deep ongoing commitment to patient outcomes, safety and quality of care for their patients; and

WHEREAS, The American Nurses Association has named May 6 - 12, 2018 as National Nurses Week with the theme of “***WNY Nurses: Inspire, Innovate & Influence***”, in celebration of nurses’ accomplishments and dedicated efforts to improve our health care system, and with appreciation to nursing professionals, not just during this week, but at every opportunity throughout the year; now therefore,

NATIONAL NURSES WEEK

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-230
(May 8, 2018)

Regular Meeting

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

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- **Brenda Meyer** – *Acute / Nurse Educator (37 years)*
- **Margaret Ronan** – *Acute / Quality Assurance Specialist and Infection Preventionist (28 years)*

Supervisor Ryan, T/Warsaw thanked the nurses for their service and all that they do...

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #19 and #20. Hearing no objection resolution titles were read.

#19

RESOLUTION NO. 18-231 (May 8, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

TRAVEL AND TOURISM WEEK PROCLAIMED

WHEREAS, National Travel and Tourism Week is May 6-12, 2018. It is an annual tradition that was established by a Congressional Resolution in 1983 and first celebrated the following year. This nationwide week of events serves to champion the power of the travel and tourism industry; and

WHEREAS, Travel and tourism is one of America's largest industries, generating \$2.4 trillion in economic output, with \$1 trillion spent directly by domestic and international travelers; and

WHEREAS, According to the US Travel Association, tourism directly generated \$164.8 billion in tax revenue for local, state and federal governments. Travel and tourism is America's largest services export industry and is one of America's largest employers. Travel is among the top 10 industries and supported 15.6 million jobs, including 8.8 million directly in the travel industry and 7 million in other industries. One out of every nine jobs in the U.S. depends on travel and tourism. Each U.S. household would pay \$1,300 more in taxes without the tax revenue generated by the travel and tourism industry; and

WHEREAS, Tourism is critical to the economic health of Wyoming County. There are almost two-hundred tourism related businesses in Wyoming County. Travelers spend more than \$44 million annually in Wyoming County which generates \$21 million in labor income. Wyoming County sees a return of \$5.2 million in state and local sales tax, and the average savings per Wyoming County household from tourism generated taxes is \$338; and

WHEREAS, From the natural beauty of Letchworth State Park to the

WHEREAS, To recognize "Travel and Tourism Week" from May 6-12th, 2018 - a week to celebrate and support the almost two-hundred tourism related attractions and businesses that create jobs, boost the economy, and bring visitors to Wyoming County; and

WHEREAS, The Wyoming County Board of Supervisors wishes to recognize the importance of tourism as a critical industry in Wyoming County and urges all our citizens to join with us in this observance; now therefore,

BE IT RESOLVED, That May 6-12th, 2018 is hereby designated as **TRAVEL AND TOURISM WEEK** in Wyoming County in conjunction with the Wyoming County Chamber & Tourism, the State of New York, and the United States who have declared this as an important week in celebration and recognition of Travel and Tourism.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-232
(May 8, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

WHEREAS, National Economic Development Week is May 7-12, 2018, herein designated as a week of recognition created by the International Economic Development Council to celebrate the achievements of economic developers and economic development agencies; and

WHEREAS, The role of economic development is to stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, The Wyoming County Industrial Development Agency (WCIDA) is a public benefit corporation established in 1974 under New York State legislation and regulation. The agency is governed by a seven member volunteer Board of Directors who are appointed by the Wyoming County Board of Supervisors. The Executive Director/CEO manages daily operations along

May 8, 2018

WHEREAS, The WCIDA acts as a coordinating agency for a variety of corporate financing and incentive programs offered by local, regional, state and federal agencies. The WCIDA provides assistance to businesses should they choose to apply for such financing. Funding for WCIDA activities is provided through project fees charged to business participants, interest earned on investments, and grants, and may act as the official conduit for the funds; and

WHEREAS, The WCIDA works on behalf of Wyoming County as a resource for businesses within the county to encourage capital investment and expansion through cost saving incentives. The WCIDA welcomes new businesses from outside the county looking for new locations and opportunities to expand and create new employment within the county; and

WHEREAS, The Wyoming County IDA's mission is to encourage and increase private investment that creates new job opportunities, retains and stabilizes the existing employment base, and generates added tax revenues through increased economic activity in Wyoming County; and

WHEREAS, In a climate of continually emerging economic challenges, the Wyoming County IDA provides collaborative and visionary leadership in economic development that fosters retention, expansion, and creation of businesses and jobs; and

WHEREAS, The Wyoming County Board of Supervisors wishes to recognize the importance of economic development in Wyoming County and urges all our citizens to join with us in this observing this community celebration which supports the expansion of career opportunities and improving quality of life; now therefore,

BE IT RESOLVED, That May 7-12th, 2018 is hereby designated as **ECONOMIC DEVELOPMENT WEEK** in Wyoming County in conjunction with the International Economic Development Council and partners who have declared this as an important week in celebration and recognition of economic development in Wyoming County.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

Supervisor Leuer, T/Middlebury was invited to the podium to present the last two proclamations of the day. He also invited Eric Szucs, Director of Tourism and Marketing and Scott Gardner, President and CEO of the Wyo. Co. Chamber of Commerce to receive the Tourism Week proclamation. While Mr. Szucs and Mr. Gardner were making their way to the podium Supervisor Leuer gave accolades to the new Letchworth State Park map they participated in updating...

The resolution was read and presented to Mr. Szucs. In turn, Mr. Szucs thanked the Board of Supervisors and referenced a packet he had passed out to the Board for their reference of the statistics recited today...

Running a month long contest that encourages people to tell the Chamber why they love Wyoming County... The results of this contest will be used in future advertisements...

Next, Supervisor Leuer, T/Middlebury invited Jim Pierce, Exec. Director of the Wyoming County Industrial Development Agency and Board of Directors Chair, Mark Dadd to join him at the podium for the presentation of the Economic Development Week proclamation.

Director Pierce thanked the Board of Supervisors for their continued support and introduced Invest Buffalo Niagara plaque which will show up on social media somewhere...

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

#21

RESOLUTION NO. 18-233 (May 8, 2018)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE TOWN OF COVINGTON ON BEHALF OF THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the ***Town of Covington***, 584 Route 246, Pavilion, NY 14525 on behalf of the Sheriff's Department. Said contract is for additional enforcement of New York State Vehicle and Traffic Laws for Route 63 in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2018 through December 31, 2018.

May 8, 2018

Contingent upon the availability of funds.

Carried: XXX Ayes: 1404 Noes: **Absent:** 93 (Gainesville) **Abstain:**
102 (Sheldon)
195 Total

#22

RESOLUTION NO. 18-234
(May 8, 2018)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JAM IN THE VALLEY ON BEHALF OF THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Jam In The Valley***, 1629 Route 20A, Varysburg, NY 14167 on behalf of the Sheriff's Department. Said contract is for supplement law enforcement services for security and crowd control and in an amount not to exceed twenty-nine dollars and eleven cents (\$29.11) to ninety dollars and eighty-six cents (\$90.86) per hour, plus an additional five thousand dollars (\$5,000.00) to defray the County's Worker's Compensation expenses; effective July 4, 2018 through July 8, 2018. *(Revenue Contract)*

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

#23

RESOLUTION NO. 18-235
(May 8, 2018)

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

**WYOMING COUNTY VOIP NEXTGEN MISSION CRITICAL 911
TELEPHONY SYSTEM PROJECT COMPLETE**

BE IT RESOLVED, That the Wyoming County Board of Supervisors recognizes and accepts that the ***VOIP NextGen Mission Critical 911 Telephony System Project*** as bid out and awarded to ***Frontier Communications of America, Inc.***, on July 12, 2016 by Resolution Number 16-282 and funded in part by Resolution Number 16-300 as complete; and be it

#24

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors recognizes and accepts that the ***VHF Digital Capable Conventional Simulcast Radio System Project*** on state bid and awarded to ***Motorola Solutions, Inc.*** on July 12, 2016 by Resolution Number 16-283 and funded in part by Resolution Number 16-300 as complete; and be it

#25

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

BE IT RESOLVED, That the Chairman of this Board, pursuant to

May 8, 2018

#26

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

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 ***Pavilion Drainage Supply Co., Inc.***, P.O. Box 219, Pavilion, NY 14525 on behalf of County Highway. Said contract is for guide rails and installations; effective May 8, 2018 through completion of each project and in amounts not to exceed as follows:

- Contingent upon the availability of funds.

Regular Meeting

There was a motion by Mr. Brick, T/Perry, to combine resolutions #27 through #37. Hearing no objection resolution titles were read.

#27

**RESOLUTION NO. 18-239
(May 8, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH CATHEDRAL CORPORATION ON BEHALF OF
REAL PROPERTY TAX SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Cathedral Corporation*, 632 Ellsworth Road, Rome, NY 13441 on behalf of Real Property Tax Services. Said contract is for tax bill development, printing and finishing services in an amount not to exceed eleven thousand five hundred dollars (\$11,500.00); effective May 8, 2018 through January 30, 2019.
Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1404 **Noes:** **Absent:** 93 (Gainesville) **Abstain:**
102 (Sheldon)
195 Total

#28

**RESOLUTION NO. 18-240
(May 8, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C” AND “S” AMENDED

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

Salary Schedule “C”:

Wyoming County Community Health System

- Place two (2) positions of *RN Supervisor SNF* (Per Diem) under NURSING FACILITY ADMINISTRATION and set the salary at \$150.00 per four (4) hour shift; position available date is April 25, 2018.

May 8, 2018

- Increase the position of ***Animal Control Assistant, PT*** (.60 FTE) at 20 hours per week (position code #002.082) to full time (1.00 FTE) at 40 hours per week and set the salary at \$34,528.00 annually; effective date is May 9, 2018.

Carried: XXX Ayes: 1404 Noes: **Absent:** 93 (Gainesville) **Abstain:**
102 (Sheldon)
 195 Total

#29

RESOLUTION NO. 18-241
(May 8, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-204 AMENDED

WHEREAS, Resolution Number 18-204 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM”, passed by this Board of Supervisors on April 10, 2018 and provided in part for the following contract:

- **Dale L. Deahn, MD**, 401 Main Street, Arcade, NY 14009 to sublet approximately five hundred (500) square feet of office space for use as a hospital clinic for OBGYN/Midwife care services in an amount not to exceed ten thousand dollars (\$10,000.00) per year; effective December 1, 2017 through December 31, 2018.

Now therefore,

BE IT RESOLVED, That *Resolution Number 18-204* be hereby

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-242
(May 8, 2018)

RESOLUTION NUMBER 15-181 AMENDED

- **Insight Imaging**, 5775 Wayzata Blvd. Suite 400, Minneapolis MN 55416
 - Mobile MRI Equipment Lease Agreement. MRI services to be provided at the rate of \$222.60 per month up to 85 scans, \$112 per monthly for 86th scan and above. One-time payment of five thousand dollars (\$5,000.00) to be made by Insight Imaging to WCCHS to enhance the unit's entrance; effective date first patient is scanned with MRI unit for three (3) years with 1-year annual extensions thereafter.
 - Facilitation and staff operation of the leased MRI unit at the rate of \$87.40 per monthly scan 1 – 85, \$60.00 per monthly 86th scan and above. Plus physician and radiologist education one day per month in the amount of seven thousand six hundred eighty dollars (\$7,680.00) annually; effective date first patient is scanned with MRI unit for three (3) years with annual 1-year extensions.

BE IT RESOLVED, That *Resolution Number 15-181* be hereby amended as follows:

May 8, 2018

Carried:	XXX	Ayes:	1404	Noes:	Absent:	93 (Gainesville)	Abstain:
						<u>102</u> (Sheldon)	
						195 Total	

RESOLUTION NO. 18-243
(May 8, 2018)

RESOLUTION NUMBER 17-431 AMENDED

- **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.

Regular Meeting

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-244
(May 8, 2018)

RESOLUTION NUMBER 16-265 AMENDED

- ***Healthdirect Institutional Pharmacy Services, Inc. (HDIPS)***, 29 East Main Street, Gouverneur, NY 13642 to establish and maintain a pharmacy services system to provide residents of the nursing facility with prescription drugs and medications and other health related products and services in an amount not to exceed one hundred sixty thousand dollars (\$160,000.00) per year; effective June 1, 2016 through May 31, 2018.

BE IT RESOLVED, That *Resolution Number 16-265* be hereby amended as follows:

- Correct the original contract amount from \$160,000.00 annually to ***\$360,000.00*** annually.
- Extend the contract end date from May 31, 2018 to ***July 31, 2018*** in an amount not to exceed one hundred thousand dollars (\$100,000.00) for this period.

May 8, 2018

- **Eichenauer Group, LLC**, 35 Sylvan Knoll, Rush, NY 14543
 - To assist in operating, managing and supervising the Hospital in the name, for the account, and on behalf of the Hospital and Donald T. Eichenauer be hereby appointed to staff the position of CEO in an amount not to exceed twenty-five thousand two hundred forty-five dollars (\$25,245.00) per month for a total of three hundred two thousand nine hundred forty dollars (\$302,940.00) per year. Plus one thousand dollars (\$1,000.00) per month for the cost of computer, computer software and support, cell phone, professional organization memberships, dues and licensing and local business travel expenses; effective May 1, 2017 through April 30, 2018.

BE IT RESOLVED, That *Resolution Number 17-199* be hereby amended to extend the contract expiration date from April 30, 2018 to ***April 30, 2019***.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-247
(May 8, 2018)

By Mr. Brick, Chairman of the Finance Committee:

SEMI-ANNUAL MORTGAGE TAX REPORT PRESENTED

Mr. Brick, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 1, 2017 through March 31, 2018 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

May 8, 2018

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to **\$189,107.15** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$28,369.92	\$6,072.25	\$22,297.67
Attica	\$24,925.81	\$4,653.91	\$20,271.90
Bennington	\$28,937.79		\$28,937.79
Castile	\$15,302.50	\$987.33	\$13,451.70
Perry Village		\$863.47	
Covington	\$5,495.65		\$5,495.65
Eagle	\$4,469.26		\$4,469.26
Gainesville	\$7,297.21	\$237.90	\$6,282.09
Silver Springs Village		\$777.22	
Genesee Falls	\$1,716.57		\$1,716.57
Java	\$10,957.90		\$10,957.90
Middlebury	\$5,909.55	\$396.80	\$5,512.75
Orangeville	\$9,166.17		\$9,166.17
Perry	\$12,668.95	\$2,941.56	\$9,727.39
Pike	\$1,982.20		\$1,982.20
Sheldon	\$13,453.14		\$13,453.14
Warsaw	\$13,584.38	\$4,027.13	\$9,557.25
Wethersfield	\$4,870.15		\$4,870.15
Total:		\$20,957.57	\$168,149.58
Grand Totals:		\$189,107.15	

Let

This Be Your Warrant for Such Payment: **\$189,107.15** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8th day of May 2018.

s/**Cheryl J. Ketchum**, Clerk

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

#36

RESOLUTION NO. 18-248
(May 8, 2018)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created,

Regular Meeting

- One (1) position of **Public Health Technician (per diem)** on CSEA Schedule A Grade 12 plus 10% with no other benefits except those mandated by law (\$21.26 - \$24.35/hr.); position available date is May 8, 2018.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

RESOLUTION NO. 18-249
(May 8, 2018)

By Mr. Brick, Chairman of the Finance Committee:

WHEREAS, Resolution Number 18-034 entitled, “POSITION(S) APPROVED”, passed by this Board of Supervisors on January 16, 2018 and provided in part for the following position:

- One (1) position of **Caseworker** (Per Diem) (Temporary) on CSEA Schedule A Grade 12 (\$21.26 - \$24.35/hr., includes 10%) with only those benefits mandated by law for a period of six months beginning January 2, 2018 through July 2, 2018.

Now therefore,

BE IT RESOLVED, That *Resolution Number 18-034* be hereby amended to reflect a revision to the expiration date from July 2, 2018 to ***June 29, 2018***.

All else remains the same.

Carried: XXX Ayes: 1404 Noes: Absent: 93 (Gainesville) Abstain:
102 (Sheldon)
195 Total

May 8, 2018

Before adjourning the meeting the meeting, Chairman Berwanger congratulated Supervisor Vasile's new revelation on the haunting of his home in the hamlet of Portageville. Adding that it is worthy of the notoriety it has received as a Wyoming County Tourist attraction...

Also recognized was Supervisor Brick, T/Perry on completing 50 years of volunteer service to the Perry Center Fire Department.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 4:05 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

REGULAR SESSION
(June 12, 2018)
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 K. Granger, T/Castile. 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:

Kenneth H. Weber

Kenneth H. Weber graduated from Pavilion High School in 1940. After high school, Mr. Weber worked with his father contracting farm crops. In January of 1944, he was drafted into the Army Air Corps and was sent to the Southeast Air Corps Training Center where he became an aviation cadet. He chose to train and become a fighter pilot and was assigned to an anti-aircraft unit. Aviation cadets trained at Spence Army Airfield in Moultrie, Georgia. This airfield was named after Thomas Lewis Spence who died in an aircraft crash in France in 1918.

Aviation cadet training was intense with instruction in mechanics, physics, mathematics and science. Cadet Weber trained on PT-17's, VT-13's and AT-6's. Cadet Weber completed his training on January 6, 1944 and entered the European Theater as a Lieutenant in the 378th Fighter Squadron located in Liverpool England. Lieutenant Weber flew a P-47 Thunderbolt for the 362nd Fighter Group, flying two missions over the English Channel into France right after June 6th, 1944 -- D-Day. These flights escorted larger bombers like the B-17 and B-24.

Lieutenant Weber's Fighter Squadron was ordered to Rennes, France to conduct missions to the Brest Peninsula located off the coast of France to bomb German submarines. His next mission was at Etain Air Base in the northeast corner of France near the Belgium border. Lieutenant Weber flew over Germany in over ninety missions escorting B-17s and B-24s. He flew above the bombers in groups of a dozen or more P-47 Thunderbolts.

While the U.S., English and French pushed German troops out of France and back into German territory, Lieutenant Weber escorted his squadron dropping bombs on Berlin and Hamburg destroying factories, munitions and decimating the cities. The war in Europe ended on May 8, 1945 and is known as V-E Day due to the celebrations that erupted throughout Europe and the United States.

On August 10, 1945, Japan's Emperor Hirohito formally surrendered and the next day, First Lieutenant Weber was honorably discharged and made his way back to the United States to begin the next chapter of his life as a civilian. For his courageous service to his country and participation in the European Theater of Operations and air offensives over Europe, Northern France, Normandy, Rhineland, Central Europe and Ardennes, First Lieutenant Weber received the

Distinguished Flying Cross

Air Medal with 16 Oak Leaf Clusters

Presidential Unit Citation with 1 Oak Leaf Cluster

European African Middle Eastern Theater Campaign Ribbon

Mr. Weber married his wife Mary in December of 1945 and together they raised four children. He worked for Griffith Oil for 46 years and was an avid member of the 5-Point Rod and Gun Club in Pavilion. Mr. Weber and his wife have attended many Army/Air Force Corps reunions for the fighter pilots of all three squadrons of the Ninth Air Force travelling to Texas, Tennessee, Wisconsin and Florida.

The pledge was said by all.

Mr. Weber was very appreciative for being asked to lead the pledge and asked to remember the ones that didn't make it back...

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

Communications ~

- *None*

#1

RESOLUTION NO. 18-250 (June 12, 2018)

By Mr. Kehl, Chairman of the Agriculture Committee:

JUNE 2018 PROCLAIMED DAIRY MONTH IN WYOMING COUNTY

WHEREAS, The month of June as Dairy Month started out as

Regular Meeting

National Milk Month in 1937 as a way to promote drinking milk. It was initially created to stabilize the dairy demand when production was at a surplus, but has now developed into an annual tradition that celebrates the contributions the dairy industry has made to the world; and

WHEREAS, Dairy Month is a great way to start the summer with nutrient-rich dairy foods. From calcium to potassium, dairy products like milk contain nine essential nutrients which may help to better manage your weight, reduce your risk for high blood pressure, osteoporosis and certain cancers; and

WHEREAS, Whether it is protein to help build and repair muscle tissue of active bodies or Vitamin A to help maintain healthy skin, dairy products are a natural nutrient powerhouse; and

WHEREAS, Wyoming County is the leading milk producing county in New York State in terms of total milk production and cow numbers; and

WHEREAS, The average dairy farm in New York State is family owned and consists of 140 cows. Wyoming County farms produce an average of 23,815 pounds (or 2,769 gallons) of milk per cow per year, with a total Wyoming County milk production of 1.1 billion pounds (or 131.5 million gallons) with 47,500 milk cows; and

WHEREAS, The top three leading dairy counties in New York State are Wyoming, Cayuga and St. Lawrence; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim June 2018 to be **Dairy Month in Wyoming County** to honor our dairy farmers and the safe, wholesome products that they produce and encourage all our citizens to drink milk and enjoy other dairy foods to help strengthen our economy.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Chairman Berwanger invited Supervisor Kehl, T/Attica to the podium to read the proclamation and asked Wyoming County Dairy Princess, Ms. Danielle Herrick, to join him. Ms. Herrick is the daughter of William and Louise Herrick from the Town of Eagle.

Chairman Berwanger presented Ms. Herrick with a certificate of recognition for being this year's Dairy Princess and offered her an opportunity to address the board.

Ms. Herrick provided a brief background on how the dairy industry has

June 12, 2018

influenced her life. She thanked the board for their continued support of the dairy industry in Wyoming County especially in light of current milk prices and the farms that are struggling.

#2

**RESOLUTION NO. 18-251
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2018 accounts as follows:

Buildings & Grounds (Co. Bldgs.)			
From: 12.61.9950.9.99004 Inter Fund Transfers To: 12.61.1620.2.21024 Dog Control CIP Reason: To cover local share requirement of the NYS State funding for the Animal Companion Capital Fund Grant.	\$45,371.00	\$45,371.00	
Buildings & Grounds (Co. Bldgs.) Total			\$45,371.00

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #3

**RESOLUTION NO. 18-252
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2018 accounts as follows:

Mental Health			
To: 01.38.4326.4.42306 MH: Dwyer Wyoming Other w/01.11.4326.3490 MH: Dwyer Wyoming S/A Reason: To accommodate the increased aid on behalf of Veterans Services.	\$52,500.00	\$52,500.00	
Mental Health Total			\$52,500.00
Zoning			
To: 01.48.8021.2.20201 Computer Equipment Reason: Upgrade Zoning Dept. to handle GIS, website updates, mapping and data collection more efficiently.	\$1,830.74	\$1,830.74	
Zoning Total			\$1,830.74

Emergency Services			
To: 01.37.3020.4.41010 Misc. Office Supplies w/01.02.3020.1140 911 Surcharge Reason: To replace worn dispatcher chairs in 911 Center.	\$7,325.00	\$7,325.00	
Emergency Services Total			\$7,325.00
Buildings & Grounds (Co. Bldgs.)			
To: 12.61.1620.2.21024 Dog Control CIP w/12.11.1620.3089 State Aid Revenue Reason: To appropriate NYS State Funding for the Animal Companion Capital Fund Grant.	\$100,000.00	\$100,000.00	
Buildings & Grounds (Co. Bldgs.)Total			\$100,000.00

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Mr. Davis, T/Covington, Vice-Chairman of the Audit Committee, presented bills totaling **\$3,225,382.27** for the month of **May 2018**.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 and #5. Hearing no objection resolution titles were read.

#4

RESOLUTION NO. 18-253 (June 12, 2018)

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

CSEA HOSPITAL SUPERVISORY UNIT CONTRACT APPROVED

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves a bargaining unit agreement effective January 1, 2016 through December 31, 2020 with the ***Wyoming County Hospital Supervisory Unit #9250-01***, Wyoming County Local #861, Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO, subject to language clarification approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, are hereby authorized to execute the above mentioned agreements on behalf of the County of Wyoming; and be it

FURTHER RESOLVED, That this resolution shall become effective immediately, contingent on the ratification of said agreements by all parties.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
June 12, 2018

**RESOLUTION NO. 18-254
(June 12, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH INDEED,
INC. ON BEHALF OF THE HUMAN RESOURCE DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Indeed, Inc.*, 6433 Champion Grandview Way, Building 1, Austin, TX 78750 on behalf of Human Resource. Said contract is for online “pay-per-click” job posting/advertisements in an amount of one dollar (\$1.00) per click and a total not to exceed nine thousand dollars (\$9,000.00); effective April 19, 2018 through July 19, 2018. Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

There was a motion by Ms. Grant, T/Bennington to combine resolutions #6 through #12. Hearing no objection resolution titles were read.

#6

**RESOLUTION NO. 18-255
(June 12, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF
MENTAL HEALTH ON BEHALF OF 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 the *New York State Office of Mental Health*, 44 Holland Avenue, Albany, NY 12229-0001 on behalf of Veterans Services. Said grant to provide funding for “peer to peer” activities for veterans in a minimum amount of fifty-two thousand five hundred dollars (\$52,500.00) per year; effective July 1, 2018 to June 30, 2019.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

**RESOLUTION NO. 18-256
(June 12, 2018)**

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

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. C
YEAR 2018**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of June 2018, a proposed local law entitled, “Local Law Introductory No. C Year 2018, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 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 10th day of July, 2018 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.*

INTRODUCTORY LOCAL LAW NO. C - YEAR 2018

**County of Wyoming, Providing Salaries for Certain County Officers
for the year 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 ***Director of Veteran Services*** shall be increased by ***\$1,000.00*** for a new annual salary of ***\$43,000.00***.
- Section 2. All salaries set forth in Section 1 above shall be effective as of ***June 21, 2018***.
- Section 3. 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.

June 12, 2018

Section 4. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York

June 12, 2018 (Introduced)

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

RESOLUTION NO. 18-257

(June 12, 2018)

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

RESOLUTION NUMBER 16-014 AMENDED

WHEREAS, Resolution Number 16-014 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on January 19, 2016 and provided, in part, for the following contract:

- ***ILS Community Network IPA LLC***, 521 Fifth Avenue, 3rd Floor, New York, NY 10175 for contracted services for Home Delivered Meals for Managed Long Term Care Enrollees. Receivables are variable costs depending on need; effective January 1, 2016.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 16-014*** be hereby amended as follows:

- Authorize the Chairman to sign a Provider Agreement to discontinue Medicaid reimbursed transportation effective May 1, 2018.
- Include ***iCircle Services of the Finger Lakes, Inc. (iCircle)*** as a contracting party.

All else remains the same.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
#9

RESOLUTION NO. 18-258

(June 12, 2018)

Regular Meeting

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE 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 the *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 grant to provide 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-three dollars (\$38,333.00); effective January 1, 2018 to December 31, 2018.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #10

**RESOLUTION NO. 18-259
(June 12, 2018)**

By Ms. Grant, Chairman of the Human Services 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 the following *child day care services* contracts on behalf of the Department of Social Services; effective May 1, 2018 through December 31, 2018 and variable depending upon services provided:

- *Sprouting Minds Developmental Child Care*, 253 Main Street, East Aurora, NY 14053
- *Carol Monteleone*, 10 Highland Park, Batavia, NY 14020

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

June 12, 2018

**RESOLUTION NO. 18-260
(June 12, 2018)**

By Ms. Grant, Chairman of the Human Services 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 the following *foster care services* contracts on behalf of the Department of Social Services; effective July 1, 2018 through June 30, 2019:

- ***Berkshire Farm Center & Services for Youth***, 13640 State Route 22, Canaan, NY 12029 in an amount not to exceed ninety thousand six hundred seventy-three dollars and thirty cents (\$90,673.30.00) for one (1) child.
- ***Gustavus Adolphus–Lutheran Social Services***, 200 Gustavus Avenue, Jamestown, NY 14701 in an amount not to exceed one hundred eighty-one thousand five hundred eighty dollars and twenty cents (\$181,580.20) for three (3) children.
- ***Hillside Family of Agencies*** (including Hillside Children’s Center), 1183 Monroe Avenue, Rochester, NY 14620-1699 and the ***Snell Farm Children’s Center***, 7320 Snell Hill Road, Bath, NY 14810 in an amount not to exceed one million, eight hundred thirty-two thousand six hundred thirty-five dollars and eighty cents (\$1,832,635.80) for twenty-five (25) children in residential and therapeutic plus eight (8) children in regular foster care for a total of thirty-three (33) children in care.
- ***New Directions***, 6395 Old Niagara Road, Lockport, NY 14094-1499 in an amount not to exceed seven hundred fourteen thousand sixty dollars and forty-five cents (\$714,060.45) for seven (7) children.
- ***The William George Agency for Children’s Services, Inc.***, 380 Freeville Road, Freeville, NY 13068 in an amount not to exceed one hundred forty-two thousand seven hundred sixty-nine dollars and

seventy-five cents (\$142,769.75) for one (1) child.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
#12

RESOLUTION NO. 18-261
(June 12, 2018)

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A CONTRACT WITH LABORATORY CORPORATION OF
AMERICA HOLDINGS ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with *Laboratory Corporation of America Holdings*, 1440 York Court, Burlington, NC 27215 on behalf of the Department of Social Services. Said contract to provide DNA testing to prove paternity for child support purposes in an amount not to exceed six thousand dollars (\$6,000.00) per year; effective July 1, 2018 through June 30, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Chairman Berwanger, T/Arcade asked which Supervisor would present the joint resolution... Supervisor Grant, T/Bennington presented the resolution.

Joint Resolution
#13

RESOLUTION NO. 18-262
(June 12, 2018)

By Ms. Grant, Chairman of the Human Services Committee and Mr. Copeland, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH TRINITY SERVICES GROUP, INC. ON BEHALF
OF THE OFFICE FOR THE AGING AND THE COUNTY JAIL**

June 12, 2018

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 **Trinity Services, Group, Inc.**, 477 Commerce Boulevard, Oldsmar, FL 34677 on behalf of the Office for the Aging and the County Jail. Said contract to provide food services; effective June 1, 2018 through May 31, 2023 as follows:

- **Office for the Aging**
 - Home delivered meals at a cost of five dollars and thirteen cents (\$5.13) per meal
- **County Jail**
 - Two dollars and ninety-five cents (\$2.95) per meal when prison population is forty (40) inmates or more
 - Four dollars and sixty-four cents (\$4.64) per meal when prison population is under forty (40) inmates

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Chairman Berwanger, T/Arcade introduced his friend, Pat Standish, a very prominent person in the human services area and here today representing Wyoming County Community Action and Angel Action.

Ms. Standish thanked the Chairman and explained that the video the Chairman requested she present highlights the volunteers and the work that they have done for Angel Action. This program is now being replicated across New York State.

Presentation ~

- *Pat Standish ~ Angel Action Video*

Clerk Ketchum asked Chairman Berwanger to have Ms. Standish speak about the book that each of the Supervisors received a copy of today, “Believe in you...I do!”

Ms. Standish said that the need for this book is in large part due to the opioid epidemic and the “code of silence” children having to endure at home. This is the fifth book in the series, illustrated by Pat and written by her friend, Vinnie Taylor, President of Waveline Direct, LLC. Together they insure early childhood education for children and this book in particular was written to help open the doors of communication for children.

Below is an excerpt from “Believe in you...I do!”...

A letter from Pat & Vinnie to all who care for children...

If there was just one thing we could do for children, it would be to nurture their sense of dignity. Dignity is their birthright and their armor against the challenges of the world. It's the foundation for self-respect and self-love and sets them up for success. It holds the principle of doing and being anything they want in life. It allows them to focus on talents and not limitations, seeing themselves as entitled to respect, happiness and love. But even more important, dignity is the reason to BELIEVE in themselves. When reading this book along with a child, we ask you to do two things: First, have them draw a picture of their face on the activity page found in the book, and then look to see how they are feeling about themselves through the face of their drawing. Second, discuss their drawing, remembering that for all children there is an adult with whom they identify and from whom they gather strength. This is your moment, to acknowledge their value, to be the influence to walk with courage not fear, with pride not shame, with love not blame. To say to them, "I BELIEVE in you....do you?"

Chairman Berwanger thanked Ms. Standish and stated that she is a treasurer to Wyoming County!

#14

**RESOLUTION NO. 18-263
(June 12, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A GRANT APPLICATION AND ACCEPTANCE AWARD WITH
HEALTH RESEARCH, INC. ON BEHALF OF PUBLIC HEALTH**

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 ***Health Research, Inc.***, 150 Broadway, Suite 516, Riverview Center, Menand, NY 12204 on behalf of Public Health. Said grant to provide funding for the Public Health Emergency Preparedness Program in a minimum amount of fifty-two thousand ninety-six dollars (\$52,096.00); effective July 1, 2018 to June 30, 2019.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #15 and #16.

June 12, 2018

RESOLUTION NO. 18-264
(June 12, 2018)

By Mr. Kehl, Chairman of the Agriculture Committee:

**REVIEW OF AGRICULTURAL DISTRICT NO. 4 AND SET PUBLIC
HEARING**

WHEREAS, This Board is conducting a review of Agricultural District No. 5 located in the Towns of Arcade, Bennington, Java, Sheldon and a portion of Attica as authorized under Article 25AA of Agricultural Districts Law; and

WHEREAS, The review process was initiated with a 30-day review period and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports and recommendations regarding District No. 4; and

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

BE IT RESOLVED, That a Public Hearing will be held by the Board of Supervisors of Wyoming County, State of New York, at the Wyoming County Government Center in Warsaw, on the 10th day of July, 2018 at 2:30 PM regarding Wyoming County Agricultural District No. 4 located in the Towns of Towns of Arcade, Bennington, Java, Sheldon and a portion of Attica to consider the recommendations of the Agricultural and Farmland Protection Board and the County Planning Board; and be it

FURTHER RESOLVED, That copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board will be available for public review at:

- Wyoming County Planning & Development , 36 Center Street, Warsaw, NY
- Wyoming County Soil & Water, 36 Center Street, Warsaw, NY

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Regular Meeting

**RESOLUTION NO. 18-265
(June 12, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH PIONEER
FORESTRY, LLC (ERIC STAWITZKY) ON BEHALF OF WYOMING
COUNTY REFORESTATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign contracts with *Pioneer Forestry, LLC* (Eric Stawitzky), 4000 Skunk Hollow Road, Jamestown NY 14701 on behalf of Wyoming County Reforestation. Said contract is for the following services in accordance with the August 2011 Ten-Year Plan:

- ***Poplar Tree Road***
 - ***Completed Softwood Timber Sale***
 - Selection Harvest in Stand 6
 - In an amount not to exceed three thousand two hundred fifty dollars (\$3,250.00)
 - ***Completed Ash Only Timber Sale***
 - Portion of Stand 3 (5-7 acres) and Stand 6
 - In an amount not to exceed two thousand two hundred fifty dollars (\$2,250.00)
- ***Hobday Road***
 - ***Completed Ash Only Timber Sale***
 - Stands 7, 8 and 9
 - In an amount not to exceed two thousand dollars (\$2,000.00)

Total contract in an amount not to exceed seven thousand five hundred dollars (\$7,500.00) and effective for one hundred twenty days (120) from receipt of the signed agreement.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #17 and #18. Hearing no objection resolution titles were read.

June 12, 2018

RESOLUTION NO. 18-266
(June 12, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

COUNTYWIDE ZONING FEE SCHEDULE AMENDMENT APPROVED

BE IT RESOLVED, That the Wyoming County Board of Supervisors has approved the *Countywide Zoning Fee Schedule* as amended and annexed hereto; effective immediately.

Zoning Permit Fee Schedule 2017				
Fee Schedule				
Zoning permit	\$ 20.00	Up to 400 sq' plus .05 per/sq' above		
*AG Structures	\$ 20.00	See Footnote		
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 - Minor	\$ 25.00	Unless Specified in the Local Zoning Law		
Home Occupation - Major	\$ 150.00			
		Unless Specified in the Local Zoning Law		
*Exemption	Buildings that are exempt as stated within the New York State Uniform Fire Prevention and Building Code			

Fines – As stated within the Local Municipalities Local Land Use Law, Zoning Law or Property Maintenance Law.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
#18

RESOLUTION NO. 18-267
(June 12, 2018)

Regular Meeting

By Mr. Leuer, Chairman of the Planning Committee:

WYOMING COUNTY FAIR HOUSING PLAN APPROVED

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

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

WYOMING COUNTY FAIR HOUSING PLAN

I. INTRODUCTION

The County of Wyoming understands the importance of taking action to further fair housing in the community and is committed to meeting its responsibilities in this respect as a recipient of Federal Community Development Block Grant funds. To ensure that residents are aware of fair housing provisions under Federal and State law and of the processes and assistance available to obtain compliance with existing statutes, the County has developed this Fair Housing Plan. The Plan describes the procedures developed to further fair housing in the community.

II. AVAILABILITY OF INFORMATION

The Fair Housing Plan recognizes that public knowledge of fair housing provisions is the first step in expanding equal opportunity. Toward that end, the County has taken, or will take the following actions:

A. Appoint a Fair Housing Officer

The Facilities and Properties Manager for Community Action for Wyoming County will be designated the Fair Housing Officer. The Fair Housing Officer has the following responsibilities:

1. Maintain Federal and State fair housing information including brochures issued by the U. S. Department of Housing and Urban Development (HUD) and the New York State Division of Human Rights.
2. Record initial information regarding housing discrimination complaints on a standard form.
3. Forward copies of all complaints to and, as appropriate, consult with the Fair Housing/Equal Opportunity Division of the applicable HUD Office.
4. Hold an annual public meeting on Fair Housing and report the steps taken to address fair housing issues cited.

June 12, 2018

B. *Provide Information*

The County will make available, upon request, copies of applicable Federal and State laws which contain anti-discrimination provisions, including: Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Fair Housing Amendments Act of 1988 and the Human Rights Law (Executive Law, Article 15) of the State of New York.

C. *Promote Fair Housing Activities and Available Resources*

The County will designate the month of April as *Fair Housing Month* and will promote said designation through a Board of Supervisors proclamation.

The County will further promote fair housing and housing resources by posting Fair Housing posters in visible locations within key County and Community Action buildings.

III. DISCRIMINATION COMPLAINTS

The County will provide information and assistance to individuals who feel that they have been the victims of discrimination in regard to housing.

A. *Discriminatory Housing Practices*

For the purpose of this Plan, a discriminatory housing practice means an act that is unlawful under sections 804, 805, 806 or 818 of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended). Such discriminatory housing practices include discrimination in the sale or rental of housing, discrimination in the provision of brokerage services, or interference, coercion, or intimidation, as defined under the Act, on the basis of race, color, religion, national origin, sex, handicap or familial status.

B. *Receiving Complaints*

The Fair Housing Officer will record information on a standard form to ensure that a complete file is established. Following this, the Fair Housing Officer will then contact the Department of HUD and/or the New York State Division of Human Rights to review the particulars of the complaint and request guidance in the formal filing of the complaint in cases where the individual decides to use this method. Copies of all complaints will also be forwarded to the Fair Housing and Equal Opportunity Division of the HUD Office in Buffalo, New York. If the complainant decides to take his/her case directly to Federal Court, the County will consult with the County Bar Association on the appropriate

procedures to be followed and the procedure for securing affordable legal services if the individual is of low- or moderate-income.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #19 through #22. Hearing no objection resolution titles were read.

#19

RESOLUTION NO. 18-268
(June 12, 2018)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LETCHWORTH CENTRAL SCHOOL 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 ***Letchworth Central School***, 5550 School Road Gainesville, NY 14066 on behalf of the Sheriff's Department. Said contract to provide a School Resource Officer (SRO) for law enforcement and police services for eight (8) hours each day that school is in session; effective September 1, 2018 through June 30, 2019 in amounts not to exceed as follows:

- \$45.90 per hour from September 1, 2018 through December 31, 2018
- \$46.72 per hour from January 1, 2019 through June 30, 2019

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
#20

RESOLUTION NO. 18-269
(June 12, 2018)

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

RESOLUTION NUMBER 17-472 AMENDED

WHEREAS, Resolution Number 17-472 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE SHERIFF'S DEPARTMENT**,” passed by this Board of Supervisors on November 14, 2017 and provided, in part, for the following contract:

June 12, 2018

- **Letchworth Central School**, 5550 School Road Gainesville, NY 14066 for a School Resource Officer in an amount not to exceed as follows:
 - \$45.10 per hour from September 1, 2017 through December 31, 2017
 - \$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

Now therefore,

BE IT RESOLVED, That Resolution Number 17-472 be hereby amended to increase the number of days per week from two and one-half days (2.5) when school is in session to five (5) days when school is in session; effective April 1, 2018 through June 30, 2018.

All else remains the same.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #21

**RESOLUTION NO. 18-270
(June 12, 2018)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DORINE K. JENKINS 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 **Dorine K. Jenkins**, 2000 Kingsley Road, Wyoming, NY 14591 on behalf of Emergency Services. Said contract is for the leasing of a 75' x 75' section of land identified by SBL Number 61.-1-8 and located at 5228 Kelly Road in the Town of Middlebury to be used for a County owned, self-supporting one hundred foot (100') communications tower in an amount not to exceed three hundred dollars (\$300.00) per month; effective September 1, 2018 through August 31, 2023.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #22

**RESOLUTION NO. 18-271
(June 12, 2018)**

Regular Meeting

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, 2018 through June 30, 2019***:

Arcade	Gregory Landis	782 Geer Road, Arcade, NY 14009
Attica	Terry Snyder	37 Buffalo Street, Attica, NY 14011
Bennington*	Chester Zymowski, Jr	1931 Route 354, Attica, NY 14011
Bliss*	Trapper Sampson	6809 Centerville Road, Bliss, NY 14024
Castile*	William Dake	73 West Park Road, Castile, NY 14427
Cowlesville*	Jeff Anderson	361 Clinton Street, Cowlesville, NY 14037
Gainesville*	Brian Hill	4341 East Hillside Road, Bliss, NY 14024
Harris Corners*	Mark Keem	2563 Route 77, Strykersville, NY 14545
North Java	Joseph Syler	1911 Route 78, Java Center, NY 14082
Perry*	Larry Hopper	PO Box 243, Perry, NY 14530
Perry Center	James Brick	7618 Route 20A, Perry, NY 14530
Pike	Douglas Anderson	7728 Spencer Street, Gainesville, NY 14066
Sheldon	Richard Brzezicki, Jr.	3342 Dutch Hollow Road, Strykersville, NY 14145
Silver Springs	John Proper	80 Orchard St, POB 183, Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Road, Strykersville, NY 14145
Varysburg*	James Kelly	2757 Buffalo Road, 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: 1476 Noes: Absent: 123 (Castile) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #23 through #25. Hearing no objection resolution titles were read.

June 12, 2018

**RESOLUTION NO. 18-272
(June 12, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN ANY OR ALL OF THE
VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign *any or all* contracts with the following vendors for asphalt field density testing, as needed and based on price and availability, in an amount not to exceed fifteen thousand dollars (\$15,000.00) per contract year on behalf of County Highway; effective June 1, 2018 through December 31, 2018:

- *P~W Laboratories, Inc.*, 6544 Fremont Road, East Syracuse, NY 13057
- *Terracon Consultants – NY, Inc.*, 15 Marway Circle, Suite 2B, Rochester, NY 14624
- *W. A. Wilson, Inc.*, 5700 Maelou Drive, Building E, Hamburg, NY 14075

Contingent upon the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
#24

**RESOLUTION NO. 18-273
(June 12, 2018)**

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

**APPROVING SOLE SOURCE PROCUREMENT WITH THE MASON
COMPANY ON BEHALF OF BUILDINGS AND GROUNDS
(CO. BLDGS.)**

WHEREAS, Wyoming County Buildings and Grounds (Co. Bldgs.) has identified the need to procure certain one piece molded fiberglass base dog kennels for approved renovations at the Animal Shelter; and

WHEREAS, Buildings and Grounds has researched several possible entities to provide this product and has determined that there is are no other entities capable of offering an “equal” product; and

Regular Meeting

WHEREAS, Buildings and Grounds has received and retained on file a letter from the *Mason Company* indicating that they are the only provider of this particular one piece molded fiberglass base dog kennel; and

WHEREAS, Based upon the above, the Public Works Committee has determined that the *Mason Company* qualifies for sole source status; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes sole source status for the *Mason Company* pursuant to the Wyoming County Purchasing Policy authorized by Resolution Number 16-359 and adopted by this Board of Supervisors on December 13, 2016 and no other solicitation of written proposals or quotations shall be required; and be it

FURTHER RESOLVED, That pursuant to this Resolution, any contract arising from the sole source provider described above shall be subject to the approval of the County Attorney and the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #25

**RESOLUTION NO. 18-274
(June 12, 2018)**

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

**APPROVING SOLE SOURCE PROCUREMENT WITH POLYLAST ON
BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**

WHEREAS, Wyoming County Buildings and Grounds (Co. Bldgs.) has identified the need to procure specific antimicrobial flooring for approved renovations at the Animal Shelter; and

WHEREAS, Antimicrobial flooring contains an agent that inhibits the growth of damaging microorganisms while fighting the proliferation of pathogens, that humans and animals can encounter daily; and

WHEREAS, Buildings and Grounds has researched several possible entities to provide this product and has determined that there are no other entities capable of offering an “equal” product; and

WHEREAS, Buildings and Grounds has received and retained on file a letter from *Polylast* indicating that they are the only provider of this specific kind of antimicrobial flooring; and

June 12, 2018

WHEREAS, Based upon the above, the Public Works Committee has determined that ***Polylast*** qualifies for sole source status; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes sole source status for ***Polylast***, pursuant to the Wyoming County Purchasing Policy authorized by Resolution Number 16-359 and adopted by this Board of Supervisors on December 13, 2016 and no other solicitation of written proposals or quotations shall be required; and be it

FURTHER RESOLVED, That pursuant to this Resolution, any contract arising from the sole source provider described above shall be subject to the approval of the County Attorney and the availability of funds.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

There was a motion by Mr. Brick, T/Perry, to combine resolutions #26 through #35. Hearing no objection resolution titles were read.

#26

**RESOLUTION NO. 18-275
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**DISABILITY INSURANCE RATES WITH THE GUARDIAN LIFE
INSURANCE COMPANY OF AMERICA APPROVED**

BE IT RESOLVED, That rates for statutory New York State Disability Insurance coverage with ***The Guardian Life Insurance Company of America***, 400 Willowbrook, Suite 450, Fairport, NY 14450 for the following employees are hereby approved with rates effective July 1, 2018 to June 30, 2020:

- ***CSEA ~ General Group:***
 - \$16.46 per employee - per month
- ***County and Hospital Management:***
 - \$8.00 per employee - per month
- ***CSEA ~ WCCH Supervisory:***
 - \$5.75 per female - per month
 - \$2.60 per male - per month

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1476 **Noes:** **Absent:** 123 (Castile) **Abstain:**
#27

RESOLUTION NO. 18-276
(June 12, 2018)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-386 AMENDED

WHEREAS, Resolution Number 15-386 entitled, “**CHAIRMAN, COUNTY TREASURER AND DIRECTOR OF INFORMATION TECHNOLOGY AUTHORIZED TO SIGN A CONTRACT WITH ACS, A XEROX COMPANY, ON BEHALF OF ALL WYOMING COUNTY DEPARTMENTS**”, passed by this Board of Supervisors on October 13, 2015 and provided for an *Application Hosting and Technology Support Services* contract with ACS, a Xerox Company, for all Wyoming County Departments effective January 1, 2016 through December 31, 2020; now therefore,

BE IT RESOLVED, That *Resolution Number 15-386* be hereby amended as follows:

- Amend the contracting party from ACS, a XEROX Company to ***Conduent Government Systems, LLC, 12410 Milestone Center Drive, Germantown MD 20874***
- Add microfilm storage services to the *Application Hosting and Technology Support Services* contract for the Wyoming County Clerk’s Office in an amount not to exceed one thousand four hundred dollars (\$1,400.00) per year; effective November 7, 2017 through December 31, 2020 .

All else remains the same.

Carried: XXX **Ayes:** 1476 **Noes:** **Absent:** 123 (Castile) **Abstain:**
#28

RESOLUTION NO. 18-277
(June 12, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE DEPARTMENT OF**

June 12, 2018

**AGRICULTURE AND MARKETS ON BEHALF OF
ANIMAL CONTROL**

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 Department of Agriculture and Markets*, 10B Airline Drive, Albany, NY 12235 on behalf of Animal Control. Said grant to provide funding for the Wyoming County Companion Animal Control Capital Project which provides reimbursement for costs directly impacting the secure containment, health and adequate care of sheltered dogs in a minimum amount of one hundred thousand dollars (\$100,000.00) with a minimum local match of twenty-five percent (25%) for a total project cost of one hundred forty-five thousand three hundred seventy-one dollars (\$145,371.00); effective two (2) years from contract execution.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:
#29

**RESOLUTION NO. 18-278
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY TRAVEL AND EXPENSE GUIDELINES
AMENDMENT APPROVED**

BE IT RESOLVED, That this Board of Supervisors does hereby approve and adopt the amendment to Section 2.2 – Overnight Travel Request process on page 6 of the Travel and Expense Guidelines as attached hereto; effective immediately.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

- All personnel representing Wyoming County at trainings, conferences and conventions must obtain authorization for all travel prior to booking any travel arrangements.
- All requests must be documented on the Same Day Travel request Form, printed on mint green paper.
- For all Same Day Travel, the form must be signed by the employee's Department Head.
- Department Head will verify funding prior to approval of the Travel request.
- Approved Travel requests must be submitted with all claims for audit.
- Miscellaneous, incidental, expenses not covered on the travel request must be supported by original receipts and identified on the Expense Voucher.

2.2 Overnight Travel request process:

- All personnel representing Wyoming County at trainings, conferences and conventions must obtain authorization for all travel prior to booking any travel arrangements.
- All requests for travel must be documented on the Overnight Travel request Form, printed on hot pink paper.
- For all Overnight Travel, the form must be authorized by the employee's Department Head, Committee Chair and the Chairman of the Board after Home Committee approval.
- Department Head will verify funding prior to approval of the Travel request.
- Approved Travel requests must be submitted with all claims for audit.
- Miscellaneous, incidental, expenses not covered on the travel request must be supported by original receipts and identified on the Expense Voucher.
- *Travel dates should include departure date and return date in addition to the dates of the conference / convention to allow for commute expenses.*
 - *For example if the Conference/Training dates are April 8 through April 10 but you need to travel the day before and the day after, the Overnight Travel Authorization would be for April 7 through April 11.*

Note: The approval order may be amended should conditions warrant with the concurrence of the Department Head and Home Committee Chair *and submitted to the Home Committee for formal approval during the next Home Committee meeting (see Agenda Preparations Guide for template).*

3.0 Meals

3.1 Business Meal Expenses

Business meals are defined as meal expenses incurred by the individual traveler while in travel status.

- Business meal expenses will be paid or reimbursed for actual costs, not to exceed the per meal allowance.
- In all cases, original itemized receipts will be required for meal expense reimbursement.

3.2 Meal Spending Guidelines and Limits

Travelers will be reimbursed for actual documented meal expenses (i.e. itemized original receipts). These guidelines include taxes and gratuities, regardless of amount. When determining the allowance on a per meal basis, the guidelines are as follows:

Breakfast	\$ 8.00	(6 a.m. – 11 a.m.)	–
Lunch	\$10.00	(11 a.m. – 2 p.m.)	
Dinner	\$20.00	(4 p.m. – 10 p.m.)	

**RESOLUTION NO. 18-279
(June 12, 2018)**

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 October 1, 2017 through March 31, 2018 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

TO: Cheryl D. Mayer, County Treasurer of Wyoming County, New York You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling ***\$39,093.90 (thirty-nine thousand ninety-three dollars and ninety cents)*** to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$5,714.86
Attica	\$5,021.09
Bennington	\$5,829.26
Castile	\$3,082.55
Covington	\$1,107.05
Eagle	\$900.29
Gainesville	\$1,469.96
Genesee Falls	\$345.80
Java	\$2,207.37
Middlebury	\$1,190.42
Orangeville	\$1,846.44
Perry	\$2,552.04
Pike	\$399.30
Sheldon	\$2,710.01
Warsaw	\$2,736.45
Wethersfield	\$981.01
Grand Totals:	\$38,093.90

Regular Meeting

Let this be your Warrant for Such Payment: **\$39,093.90** (*thirty-nine thousand ninety-three dollars and ninety cents*). **IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 12th day of June, 2018.

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

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #31

RESOLUTION NO. 18-280
(June 12, 2018)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “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 “S”:

- Set the salary of ***Human Resource Clerk*** under HUMAN RESOURCE at \$25,480.00 annually; effective date is May 7, 2018.
- Set the salary of ***Deputy Human Resource Director*** under HUMAN RESOURCE at \$85,000.00 annually; effective date is May 29, 2018.

Salary Schedule “C”:

- Set the salaries for employees in the job titles covered by ***Salary Schedule C***, as attached in Column A; effective the first payroll on or after of January 1, 2018.
- Set the salaries for the employees in the job titles covered by ***Salary Schedule C***, as attached in Column B; effective June 17, 2018.
- Set the salaries for the employees in the job titles covered by ***Salary Schedule C***, as attached in Column C; effective September 2, 2018.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

June 12, 2018

WYOMING COUNTY SALARY PLAN SCHEDULE "C"
WYOMING COUNTY COMMUNITY HOSPITAL AND SKILLED NURSING FACILITY
Board of Managers Approved 05/22/2018
Board of Supervisors Approved xx/xx/xxxx

Official Civil Service Titles	Res. #	COLUMN A Effective first payroll on or after 1/1/2018		COLUMN B Effective 06/17/2018	COLUMN C Effective 9/2/2018
ACUTE QUALITY					
Quality and Risk Management Coordinator		60,000		63,000	
Quality Assurance Specialist/Infection Prevention		71,600		76,500	
ADMINISTRATION					
Administrative Assistant		51,000	Vacant		
Chief Operating Officer		106,802			
Executive Assistant		54,000		59,000	
ADULT DAY CARE (SNF)					
Program Director		65,000	Vacant		
Stipend for the Director of Nursing (Nursing Facility)		5,000	Annual		
Stipend for the Assistant Director of Nursing (Nursing Facility)		6,500	Annual		
BIOMEDICAL ENGINEERING					
Biomedical Supervisor		70,227			
EMERGENCY					
Director of Emergency Services		76,000		81,000	
FISCAL SERVICES					
Assistant Director of Finance		65,106			
Director of Reimbursement/Quality and SNF Rehabilitation		95,976			
Manager of Budget and Financial Analysis		76,000		90,000	
HOSPITAL INFORMATICS					
Healthcare Information Specialist		80,148			
Director of Utilization Review and Health Information Management		83,232			
IMAGING AND TESTING					
Director of Outpatient Services		79,070			
INFECTION CONTROL					
Director of Nurse Education and Infection Control		67,670	Vacant		
INFORMATION SYSTEMS					
Director of Healthcare Information Systems		74,146			
Stipend for the Director of Healthcare Information Systems		3,500	Annual		
On-call pay for Director of Healthcare Information Systems			See below		
Network Admin II		64,500		68,500	
On-call pay for Network Admin II			See below		
LABORATORY					
Laboratory Services Director		82,500	After successful completion of goals		86,500
MEDICAL DIRECTOR					
Administrative Secretary		38,178	Plus \$500 stipend on 06/17/2018 and \$500 stipend on 12/16/2018		

WYOMING COUNTY SALARY PLAN SCHEDULE "C"
WYOMING COUNTY COMMUNITY HOSPITAL AND SKILLED NURSING FACILITY
Board of Managers Approved 05/22/2018
Board of Supervisors Approved xx/xx/xxxx

Official Civil Service Titles	Res. #	Effective first payroll on or after 1/1/2018		Effective 06/17/2018	Effective 9/2/2018
MEDICAL SURGICAL UNIT/3RD FLOOR					
Director of Medical/Surgical, Intensive Care		75,000		79,500	
MENTAL HEALTH UNIT					
Director of Behavioral Health		74,848			
NURSING FACILITY ADMINISTRATION					
Administrative Secretary		39,999	Plus \$500 stipend on 06/17/2018 and \$500 stipend on 12/16/2018		
Assistant Administrator		58,157	Vacant		
Assistant Administrator/Director of Nursing		74,984	Vacant		
Assistant Director of Nursing (Nursing Facility)		78,550			
Director of Nursing (Nursing Facility)		79,591			
Director of SNF Education/Infection Preventionist		76,000	Vacant		
Nursing Facility Administrator		119,300			
RN Supervisor SNF (Per Diem) (9 positions)		\$150/4 hour shift			
NURSING ADMINISTRATION (ACUTE)					
Administrative Secretary		34,435	Plus \$500 stipend on 06/17/2018 and \$500 stipend on 12/16/2018		
Director of Nursing		95,880		101,500	
Nursing Supervisor Per Diem in the Nursing Service Office (5 positions)		\$150/4 hour shift			
OB CLINIC					
OBGYN Clinic Office Manager		43,281			
Clinic Office Manager		41,116		45,000	
OPERATING ROOM					
Director of Surgical Services & Maternity and Women's Health		85,508			
PATIENT ACCOUNTS					
Revenue Cycle/Business Office Manager		72,621			
PATIENT AND FAMILY SERVICES					
Clinical Documentation Improvement Coordinator		66,000			67,320
PHYSICAL THERAPY					
Director of Therapy Services Acute and Outpatient		90,613			
PLANT MAINTENANCE					
Director of Plant Operations		86,700	Vacant		
Maintenance Supervisor		62,424			
WORKPLACE HEALTH SERVICES					
Director of WPHS, Clinic Quality & Corporate Compliance		90,058			

WYOMING COUNTY SALARY PLAN SCHEDULE "C"
WYOMING COUNTY COMMUNITY HOSPITAL AND SKILLED NURSING FACILITY
Board of Managers Approved 05/22/2018
Board of Supervisors Approved xx/xx/xxxx

Official Civil Service Titles	Res. #	Effective first payroll on or after 1/1/2018		Effective 06/17/2018	Effective 9/2/2018
Information Systems On-Call Details					
Weekends:					
\$100 per shift beginning Fri. 5pm - Sat. 11:59pm					
\$100 per shift beginning Sun. 12:01am - Mon. 7am					
Weekdays:					
\$50 per shift each weekday shift beginning Mon. 5pm - Tues. 7am, Tues. 5pm - Wed. 7am, Thurs. 5pm to Fri. 7am					

**RESOLUTION NO. 18-281
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-166 AMENDED

WHEREAS, Resolution Number 17-166 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this Board of Supervisors on March 14, 2017 and provided in part for the following contract:

- ***Erie County Medical Center Corporation (ECMCC)***, 462 Grider Street, Buffalo, NY 14215 to provide identified administrative services in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year; effective March 1, 2017 through February 29, 2020.

And,

WHEREAS, That Resolution Number 17-166 was previously amended by ***Resolution Number 18-206*** by this Board of Supervisors on April 10, 2018 as follows:

- Add services of the ***Director of Medical Staff Quality and Education*** (Exhibit A3) in an amount not to exceed ninety-five dollars (\$95.00) per hour for a total amount not to exceed seven thousand five hundred dollars (\$7,500.00) per year; effective March 1, 2018 through February 28, 2019.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-166*** as previously amended by ***Resolution Number 18-206*** be hereby further amended as follows:

- Add services of the ***Assistant Director of Laboratory*** (Exhibit A-4) in an amount of sixty-seven dollars (\$67.00) per hour for a total amount not to exceed twenty thousand dollars (\$20,000.00) per year; effective January 2, 2018 through February 28, 2019.

All else remains the same.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Regular Meeting

**RESOLUTION NO. 18-282
(June 12, 2018)**

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 provided in part for the following contract:

- ***Eichenauer Group, LLC***, 35 Sylvan Knoll, Rush, NY 14543
 - To assist in operating, managing and supervising the Hospital in the name, for the account, and on behalf of the Hospital and Donald T. Eichenauer be hereby appointed to staff the position of CEO in an amount not to exceed twenty-five thousand two hundred forty-five dollars (\$25,245.00) per month for a total of three hundred two thousand nine hundred forty dollars (\$302,940.00) per year. Plus one thousand dollars (\$1,000.00) per month for the cost of computer, computer software and support, cell phone, professional organization memberships, dues and licensing and local business travel expenses; effective May 1, 2017 through April 30, 2018;

And,

WHEREAS, That Resolution Number 17-199 was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-246*** to extend the contract expiration date from April 30, 2018 to ***April 30, 2019***; now therefore,

BE IT RESOLVED, That Resolution Number 17-199 as previously amended by Resolution Number 18-246 be hereby further amended effective May 1, 2018 as follows:

- Fees for services of the CEO/Administrator will be set at three hundred twenty-five thousand dollars (\$325,000.00) per year.
- CEO/Administrator will assist and participate in the recruitment and onboarding of a replacement CEO/Administrator in contemplation of retirement.

June 12, 2018

- A fee of forty thousand dollars (\$40,000.00) will be paid upon completion.
- Provisions included for continuing consulting services on a full or part-time basis for a period of nine (9) months after retirement as CEO/Administrator at the current rate per hour.
- A provision for non-compete with WCHS by the CEO/Administrator has been added.

All else remains the same.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #34

**RESOLUTION NO. 18-283
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-493 AMENDED

WHEREAS, Resolution Number 17-493 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this Board of Supervisors on November 14, 2017 and provided in part for the following contract:

- **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; now therefore,

BE IT RESOLVED, That Resolution Number 17-493 be hereby amended as follows:

- Increase hours per week of *physician or nurse practitioner services* from sixty (60) hours to eighty (80) hours per week.
- Increase the contract amount to an amount not to exceed *six hundred eighty-two thousand two hundred ninety-three dollars (\$682,293.00)*
- Effective *June 1, 2018 through January 31, 2020.*

All else remains the same.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain: #35

**RESOLUTION NO. 18-284
(June 12, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created, amended, extended reassigned, abolished and/or reclassified in the following Wyoming County Departments:

CREATED:

Zoning Department

- One (1) position of ***Zoning Enforcement Officer Assistant***, PT and place on Schedule S at an annual salary of \$10,287.00, no other benefits except those mandated by law; position available is June 12, 2018.

CREATED:

Probation

- One (1) position of ***Probation Officer Trainee*** (Temp) on CSEA Schedule A Grade 13 (\$19.78 - \$22.75/hr.) no other benefits except those mandated by law; position available date is August 6, 2018 through a six (6) month medical leave of absence.

Carried: XXX Ayes: 1476 Noes: Absent: 123 (Castile) Abstain:

Before adjourning the meeting, Chairman Berwanger acknowledged Supervisor Ryan, T/Warsaw who brought everyone's attention to the Wheels & Wings flyer at the back of the board packet.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:23 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

June 12, 2018

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