

PROCEEDINGS  
OF THE  
BOARD OF  
SUPERVISORS

Volume II

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

## *Contents*

### **VOLUME I**

2018 Supervisors for Wyoming County.....	iv
2018 Board of Supervisors Standing Committees.....	v
Officers for Wyoming County.....	vi
January 2, Annual Organizational Meeting.....	1
January 16, Regular Session.....	14
February 13, Regular Session.....	49
March 13, Regular Session.....	116
April 10, Regular Session.....	203
May 8, Regular Session.....	290
June 12, Regular Session.....	329
Index.....	364

### **VOLUME II**

July 10, Regular Session.....	1
August 14, Regular Session.....	37
September 11, Regular Session.....	75
October 9, Regular Session.....	133
November 13, Regular Session.....	182
November 27, Special Session.....	298
December 11, Regular Session.....	310
Index.....	366



**REGULAR SESSION**  
**(July 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 except B. Hastings, T/Eagle; M. Vasile, T/Genesee Falls; D. Leuer, T/Middlebury and R. Ryan, T/Warsaw. 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 2:44 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Scott Dieter**

Mr. Scott Dieter grew up in Allegany County around the Wellsville area. Inspired by John F. Kennedy's speech "*Ask not what your country can do for you – ask what you can do for your country*", he enlisted in the United States Army at 16 years of age and 20 days after his 17<sup>th</sup> birthday arrived at Fort Dix, New Jersey for basic training.

Private Dieter spent ten-weeks training at the Quartermaster School in Fort Lee, Virginia where he completed the engineer supply and parts specialist course to provide all the supplies necessary to keep any command going.

Private Dieter was too young to go to Vietnam at age 17, which was his goal. His first assignment was to the United States Army Garrison Baumholder in Germany, also known as "The Rock". This base was a German training ground and facility under orders of Hitler that relocated nearly 4000 natives, 13 villages and 14 farms. Panzer tanks called "*iron horses*" roamed the hills and valleys. Private Dieter was with the 293<sup>rd</sup> Engineering Battalion as Quartermaster.

On his 18<sup>th</sup> birthday, Private Dieter volunteered for combat service in Vietnam. After 30 days of leave in New York State, he flew from California to Vietnam arriving at Bearcat Base Camp with the 15<sup>th</sup> Combat Engineers for placement.

Dong Tam Base Camp near the banks of the Me Kong River was the next stop for Private 1<sup>st</sup> Class Dieter. He was assigned to security patrol in a ¾-ton truck equipped with a 50-caliber machine gun, an M-79 Grenade Launcher and M-

July 10, 2018

16's. PFC Dieter carried a sawed off stock M-1A2 carbine 30 caliber. Still in Dong Tam and after months of security detail, he used his previous quartermaster experience in a lumber management office providing materials for bunkers and building projects when the 9<sup>th</sup> Infantry was deactivated. As a Specialist 5, Mr. Dieter was honorably discharged and sent to Fort Lewis, Washington to travel by plane from Seattle to Buffalo. For his valor and courageous service to his country, Mr. Dieter was awarded the:

National Defense Service Medal  
 Vietnam Campaign Medal 1960 Device  
 Marksman M-14  
 Army Accommodation with 2 Oak Leaf Clusters  
 Vietnam Service Medal  
 Certificate of Combat Service

On his return, Mr. Dieter married and was in Inactive Reserves until January of 1973. He worked for Mallory Industry, DeWitt and Leroy Industries before becoming a New York State Correctional Officer at 42 years of age. Mr. Dieter lives in the Town of Gainesville and has two grown children, Scott Jr. and Fawn, 7 grandchildren and 5 great grandchildren. Mr. Dieter enjoys his family and has always liked hunting, fishing and the outdoors.

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

*Chairman Berwanger presented the customary certificate of appreciation to Mr. Dieter and offered an opportunity to address the Board, which he politely declined.*

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

**Communications ~**

- None

**Open Public Hearings ~**

- *Agricultural District No. 4*
- *Local Law No. 3, Year 2018 (Introductory C, Year 2018) Entitled, “A Local Law Providing Salaries for Certain County Officers for the Year 2018”*

**Open Public Meeting #1 ~**

- *Countywide Shared Services Initiative*

#1

**RESOLUTION NO. 18-285  
 (July 10, 2018)**

Regular Meeting



**RESOLUTION NO. 18-286  
(July 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:

<b>Public Health</b>			
<b>To:</b> 01.38.4035.4.41111 Computer/Equipment w/01..09.4035.2705 Gifts and Donations <b>Reason:</b> To appropriate a donation to the Men's & Women's Health Clinic from Dr. Kara Eastwood to be used as deemed appropriate by clinic staff.	\$1,000.00	\$1,000.00	
<b>To:</b> 01.38.4189.1.10101 FT CSEA Contract w/01.10.4189.280113 Interfund Rev WCCH PHEP <b>Reason:</b> For additional revenue and salary expense for Wyo. Co. Emergency Preparedness Coordinator due to negotiated change in the cost share w/WCCHS.	\$4,507.00	\$4,507.00	
<b>Public Health Total</b>			<b>\$5,507.00</b>
<b>Human Resource</b>			
<b>To:</b> 01.34.1431.1.10001 Salaries Fixed S/D/I w/01.10.1431.2801 Interfund Rev HR w/ <i>any funds available</i> <b>Reason:</b> To amend the 2018 budget to include 2 new positions (Deputy HR Director and HR Clerk).	\$118,000.00	\$80,000.00 \$38,000.00	
<b>Human Resource Total</b>			<b>\$118,000.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.42404 Grant Expense w/01.03.7510.128901 Other Dept. Income Grant <b>Reason:</b> For <i>Treasurer Hunt Through History Tour</i> .	\$602.00	\$602.00	
<b>Historian Total</b>			<b>\$602.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4323.4.42497 Suicide Prevent Grant w/01.03.4323.1289 Other Dept. Rev. <b>Reason:</b> To accept and spend down the ½ year grant for the SPC coalition, specifically for planning.	\$1,500.00	\$1,500.00	
<b>To:</b> 01.38.4310.4.41801 Misc. Assess/Chg Oth Govt w/01.12.4310.4490 MH Fed, Salary Sharing <b>Reason:</b> For court ordered placements for mental illness treatment per Mental Hygiene Law §730.	\$35,000.00	\$35,000.00	
<b>Mental Health Total</b>			<b>\$ 36,500.00</b>
<b>Solid Waste</b>			
<b>To:</b> 01.48.8030.4.409151 Solid Waste Spec. Coll w/01.11.8030.3089 Other State Aid w/ <i>any funds available</i> <b>Reason:</b> Anticipated 50% reimbursement by NYS-DEC grant.	\$19,850.45	\$9,819.72 10,030.73	
<b>Solid Waste Total</b>			<b>\$19,850.45</b>

<b>Zoning</b>			
<b>To:</b> 01.48.8021.2.20201 Comp. Equipment 01.48.8021.4.41111 Comp. & Tech. 01.48.8021.4.41410 Software <i>w/any funds available</i> <b>Reason:</b> To upgrade the Zoning Department to handle GIS, website updates, mapping and data collection more efficiently.	\$1,121.25 389.99 319.50	\$1,830.74	
<b>Zoning Total</b>			<b>\$1,830.74</b>
<b>Planning &amp; Development</b>			
<b>To:</b> 01.42.6421.2.20401 Misc. Equipment w/01.11.6421.3089 State Aid <b>Reason:</b> To appropriate NYSEDA Clean Energy Communities Program Grant funds to install a solar array at the Wyo. Co. Highway Department.	\$150,000.00	\$150,000.00	
<b>Planning &amp; Development Total</b>			<b>\$150,000.00</b>
<b>Highway</b>			
<b>To:</b> 04.53.5112.4.40948 NYSDOT Project w/04.11.5112.308912 Other State Grants <b>Reason:</b> To use DASNY grant funds for intersection improvements per Res. #18-030 and #17-530.	\$75,000.00	\$75,000.00	
<b>Highway Total</b>			<b>\$75,000.00</b>

**Carried: XXX Ayes: 1266 Noes: Absent: 51 (Eagle) Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented a **corrected** total amount of **\$2,229,679.85** for the month of **May 2018** expenditures.

**Carried: XXX Ayes: 1266 Noes: Absent: 51 (Eagle) Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,647,449.20** for the month of **June 2018**.

**Carried: XXX Ayes: 1266 Noes: Absent: 51 (Eagle) Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

**RESOLUTION NO. 18-287**  
**(July 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE  
CSEA EMPLOYEE BENEFIT FUND 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 the ***CSEA Employee Benefit Fund***, One Lear Jet Lane, Suite 1, Latham, NY 12110-2395 on behalf of Human Resource. Said contract is for the *administration of the CSEA Vision Plan benefit* to all Wyoming County employees at no cost to the County; effective July 1, 2018 through December 31, 2020 in amounts as follows:

- ***Solstice Vision Plan ~ Single Coverage***
  - \$10.20 per month/per covered employee
- ***Solstice Vision Plan ~ Two Person Coverage***
  - \$20.40 per month/per covered employee
- ***Solstice Vision Plan ~ Family Coverage***
  - \$31.62 per month/per covered employee

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 and #5. Hearing no objection resolution titles were read.*

## #4

**RESOLUTION NO. 18-288**  
**(July 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH COORDINATED CARE SERVICES,  
INC. (CCSI) ON BEHALF OF THE YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this is hereby authorized and directed to sign a grant application and acceptance award with *Coordinated*

Regular Meeting

**Carried: XXX    Ayes: 1266    Noes:    Absent: 51 (Eagle)    Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

## #5

**RESOLUTION NO. 18-289**  
**(July 10, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH  
LUCKY DUCKY DAYCARE ON BEHALF OF THE  
DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and the 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 ***Lucky Ducky Daycare***, 4007 Pearl Street, Batavia, NY 14020 on behalf of the Department of Social Services. Said contract to provide *day care services* in a variable amount depending upon services provided; effective June 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

<b>Carried:</b> XXX	<b>Ayes:</b> 1266	<b>Noes:</b>	<b>Absent:</b> 51 (Eagle) 19 (Genesee Falls) 62 (Middlebury) <u>201</u> (Warsaw) 333 Total	<b>Abstain:</b>
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*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 through #9. Hearing no objection resolution titles were read.*

## #6

**RESOLUTION NO. 18-290**  
**(July 10, 2018)**

July 10, 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 the ***Suicide Prevention Center New York (SPC-NY)***, 150 Broadway, Menands, NY 12204 on behalf of Mental Health. Said grant to provide funding for *coalition planning purposes* in a minimum amount of one thousand five hundred dollars (\$1,500.00); effective July 1, 2018 through December 31, 2018.

## #7

By Ms. Grant, Vice-Chairman of the Public Health Committee:

**WHEREAS, Resolution Number 18-022 entitled, “CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT FOR THE YEAR 2018,”** passed by this Board of Supervisors on January 16, 2018 and provided, in part, for the following contract:

January 1, 2018 through December 31, 2018

Not to exceed amount budgeted

**BE IT RESOLVED**, That, due to acquisition of Chatfield Engineers, P.C. by the MRB Group, Engineering, Architecture and Surveying, D.P.S., ***Resolution Number 18-022*** be hereby amended to terminate the Chatfield Engineers, P.C. contract in its entirety; effective June 29, 2018.



## #8

## July 10, 2018

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

## #9

**RESOLUTION NO. 18-293**  
**(July 10, 2018)**

By Ms. Grant, Vice-Chairman of the Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE  
NEW YORK STATE DEPARTMENT OF HEALTH ON BEHALF OF  
THE COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED,** That the Chairman of this Board and the Commissioner of Health 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***, Corning Tower, Room 110, ESP, Albany, NY 12203 on behalf of the County Health Department. Said grant to fund the *Drinking Water Enhancement Program* deliverables in a minimum amount of one hundred twelve thousand five hundred ninety-six dollars (\$112,596.00) per year; effective April 1, 2018 through March 31, 2020.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

*Chairman Berwanger acknowledged Supervisor Brick, T/Perry who stated that he would be abstaining from the vote on resolution #10. Chairman Berwanger confirmed the abstention and requested that resolutions #10 and #11 be voted on separately.*

## #10

**RESOLUTION NO. 18-294**  
**(July 10, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

## AUTHORIZING THE BOARD OF SUPERVISORS TO ENDORSE THE APPLICATION FOR A FARMLAND PROTECTION

July 10, 2018

**WHEREAS**, Article 25-AAA of the New York State Agriculture and Markets Law provides for the development of county agricultural and farmland protection plans; and

**WHEREAS,** The Wyoming County Agricultural Development & Farmland Protection Plan recommended support of a Purchase of Development Rights (PDR) program to protect productive agricultural land in Wyoming County; and

**BE IT RESOLVED**, That the County of Wyoming endorses the application for a Farmland Protection Implementation Grant for approximately ***544 acres of the Silver Meadows Farm located in the Town of Castile, NY*** as recommended by the Wyoming County Agriculture and Farmland Protection Board on June 21, 2018 and per the County's participation in the New York State Purchase of Development Rights (PDR) Program.

*Chairman Berwanger invited Wyoming County Soil and Water District*

*Manager, Allen Fagan, to present the findings for Agricultural District No. 4. District Manager Fagan invited District Technician Stephen Dziak to join him for the presentation.*

*Technician Dziak presented the background and the department's findings to the board.*

*Chairman Berwanger confirmed with Technician Dziak the number of acres stated in the resolution that will be removed from the district.*

#### **Public Hearing/Agricultural District No. 4 ~**

*Chairman Berwanger inquired and Clerk Ketchum confirmed there were no official requests to speak at this public hearing.*

- *Comment Period*

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

*Motion to close the Public Hearing was made by Supervisor Kehl, T/Attica. Seconded by Supervisor Davis, T/Covington. Carried.*

**Public Hearing  
#12**

### **RESOLUTION NO. 18-296 (July 10, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

#### **FINDING TO MODIFY AGRICULTURAL DISTRICT NO. 4**

**WHEREAS**, This Board has conducted the review of Agricultural District Agricultural District No. 4 located in the Towns of Arcade, Bennington, Java, Sheldon and a portion of Attica; and

**WHEREAS**, The review process was initiated with a 30-day review process and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify District No. 4; and

**WHEREAS**, This Board has received these reports and their recommendation to modify the District and this Board has held the required Public Hearing; and

**WHEREAS**, This Board has reviewed the Review Plan and the Short

July 10, 2018

**WHEREAS,** This Board must make a finding whether the District should

**BE IT RESOLVED**, That this Board determines that no unique

**FURTHER RESOLVED,** That this Board does hereby make the finding

**FURTHER RESOLVED**, That the copies of the Review Plan including

**:XXX Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

## #13

**RESOLUTION NO. 18-297**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH**

**BE IT RESOLVED,** That the Chairman of this Board, pursuant to

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

## #14

**RESOLUTION NO. 18-298**  
**(July 10, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SINCLAIR  
TELEVISION GROUP, 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 ***Sinclair Television Group, Inc.***, 107006 Beaver Dam Road, Cockeysville, MD 21030 on behalf of Emergency Services. Said contract is for the *leasing of tower and building space for communications equipment* in an amount not to exceed one hundred seventy-five thousand twenty-six dollars and sixty-two cents (\$175,026.62); effective upon substantial completion of equipment installation through a ten (10) year term. Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

*There was a motion by Mr. Brick, T/Perry to withdrawn resolution #17 and combine resolutions #15, #16 and #18 through #30. Hearing no objection resolution titles were read.*

## #15

**RESOLUTION NO. 18-299**  
**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

## LOCATION AND TIME OF AUGUST 2018 REGULAR SESSION CHANGED

July 10, 2018

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

Regular Meeting



## 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 to provide Application Hosting and Technology Support Services for all Wyoming County Departments as follows:

- 2016 – in an amount not to exceed \$1,275,927.96, a 0% increase over 2015;
- 2017 – 1 1/4% increase over 2016
- 2018 – 1 1/2 % increase over 2017
- 2019 – 1 1/2 % increase over 2018
- 2020 – 1 1/2 % increase over 2019

effective January 1, 2016 through December 31, 2020. Contingent upon the availability of funds; and

**WHEREAS**, Resolution Number 15-386 was previously amended by this Board of Supervisors on June 12, 2018 by Resolution Number 18-276 to

- Amend the contracting party from ACS, a XEROX Company to ***Conduent Government Systems, LLC, 12410 Milestone Center Drive, Germantown MD 20874***; and
- 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;

Now therefore,

**BE IT RESOLVED**, That Resolution Number 15-386 as amended by 18-276 be hereby further amended.

All else remains the same.

<b>Carried:</b>	<b>Ayes:</b>	<b>Noes:</b>	<b>Absent:</b>	<b>Abstain:</b>
				<b>#18</b>

**RESOLUTION NO. 18-301  
(July 10, 2018)**

July 10, 2018

**WHEREAS**, Regulation number 315.4 of the New York State Office of the State Comptroller became effective on August 12, 2009. This regulation more clearly defines the process of reporting elected and appointed officials and adds additional requirements for both employers and officials. Among the requirements for employers are a more detailed Standard Work Day and Reporting Resolution, submission of the resolution to the Retirement System and certification that the resolution was publicly posted; now therefore

Title	Standard Work Day (Hrs/day)	Name	Social Security Number (Last 4 digits)	NYS Retirement Reg. #	Tier 1 (Check only if member is in Tier 1)	Term Begins/Ends	Record of Activities Result*	Not Submitted (Check only if Official did not submit their Record of Activities)
<b>Elected Officials</b>								
Supervisor	6	Brick, James	XXXX	XXXXXXXXXX		01/01/18-12/31/21	6.17	
Supervisor	6	Brunner, Angela	XXXX	XXXXXXXXXX		01/01/18-12/31/21	2.69	
Supervisor	6	Davis, Jerry	XXXX	XXXXXXXXXX		01/01/18-12/31/21	6.83	
Supervisor	6	Kehl, Bryan	XXXX	XXXXXXXXXX		01/01/18-12/31/19	4.69	
Supervisor	6	King, Sandra	XXXX	XXXXXXXXXX		01/01/18-12/31/19	2.69	
Supervisor	6	Leuer, Daniel	XXXX	XXXXXXXXXX		01/01/18-12/31/19	12.36	
Supervisor	6	Ryan, Rebecca	XXXX	XXXXXXXXXX		01/01/18-12/31/21	17.31	
Supervisor	6	Tallman, David	XXXX	XXXXXXXXXX		01/01/18-12/31/19	3.64	
Supervisor	6	Vasile, Michael	XXXX	XXXXXXXXXX		01/01/18-12/31/19		✓
County Clerk	7	Pierce, Rhonda	XXXX	XXXXXXXXXX		01/01/18-12/31/21	27.45	
County Treasurer	7	Mayer, Cheryl	XXXX	XXXXXXXXXX		01/01/18-12/31/21	22.86	
Public Defender	6	Effman, Norman	XXXX	XXXXXXXXXX		01/01/18-12/31/19	19.22	
Sheriff	8	Rudolph, Gregory	XXXX	XXXXXXXXXX		01/01/18-12/31/21	24.83	
Coroner	6	Smith, Michael	XXXX	XXXXXXXXXX		01/01/18-12/31/21	N/A	

Regular Meeting

**RESOLUTION NO. 18-302  
(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**VOLUNTARY CLEAN-UP AGREEMENT WITH THE NEW YORK  
STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
FOR LONG TERM MONITORING ACCORDING TO THE APPROVED  
SITE MANAGEMENT PLAN**

**WHEREAS**, The County of Wyoming on October 24, 2002 entered into a voluntary clean-up agreement with the New York State Department of Environmental Conservation to remediate the Wyoming County Fire Training Center property; and

**WHEREAS**, It has been determined that certain additional monies are necessary to cover the upcoming work over the next two years associated with long-term monitoring and reporting to the New York State Department of Environmental Conservation according to the approved site management plan (SMP); now therefore

**BE IT RESOLVED**, That the County is authorized to expend an additional eighteen thousand four hundred forty-five dollars (\$18,445.00) for the aforesaid monitoring and related services to be provided by **AECOM**, 257 West Genesee Street, Suite 400, Buffalo, NY 14202; effective through October 31, 2019.

**Carried: XXX    Ayes: 1266    Noes:    Absent: 51 (Eagle)    Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

**#20**

**RESOLUTION NO. 18-303  
(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL  
AGREEMENTS WITH THE TOWNS OF ORANGEVILLE AND  
WARSAW FOR COUNTYWIDE ASSESSING SERVICES**

July 10, 2018

**BE IT RESOLVED,** That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Inter-Municipal Agreements with the ***Towns Orangeville and Warsaw*** to participate in the *Countywide Assessing Services Program* per Real Property Tax Law §1537 and in accordance with the fee schedule negotiated by each municipality; effective September 1, 2018 through September 30, 2019.

## #21

**RESOLUTION NO. 18-304**  
**(July 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:

- **Pipeline Health Holdings, LLC**, 5600 North River Road, Suite 800, Rosemont, IL 60018 for remote pharmacy order verification services with 24-hour availability in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective upon completion of CPSI system integration estimated to be October 1, 2018.
- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669 to provide part time Pediatrician services and maternity/newborn call services in an amount not to exceed one hundred eighty-five

- Contingent upon the availability of funds.

## #22

**RESOLUTION NO. 18-305**  
**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

## RESOLUTION NUMBER 16-265 AMENDED

**WHEREAS, Resolution Number 16-265 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM”,** passed by this Board of Supervisors on June 14, 2016 and provided in part for the following contract:

- ***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.

And,

**WHEREAS,** That ***Resolution Number 16-265*** was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-244*** as follows:

July 10, 2018

- 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.

Now therefore,

**BE IT RESOLVED**, That Resolution Number 16-265 as previously amended by Resolution Number 18-244 be hereby further amended to extend the contract end date from July 31, 2018 through ***September 30, 2018*** in an amount not to exceed sixty thousand dollars (\$60,000.00) for this period.

All else remains the same.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

## #23

**RESOLUTION NO. 18-306**  
**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT  
AGREEMENT WITH SYDNEY DOMANOWSKI, DO 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 an employment agreement with *Sydney Domanowski, DO.*, 8866 Vermont Hill Road, Holland, NY 14080 on behalf of the Wyoming County Community Health System. Said contract to provide family practice and maternity services in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) plus a one-time fee of thirty-six thousand dollars (\$36,000.00); effective August 1, 2019 through July 31, 2022 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

## #24

**RESOLUTION NO. 18-307**  
**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

# RESOLUTION NUMBER 17-298 AMENDED

**WHEREAS**, Resolution Number 17-298 entitled, “**SCHEDULE P EMPLOYMENT CONTRACT APPROVED**”, passed by this Board of Supervisors on July 11, 2017 and provided for a one-year Employment Agreement (Schedule P) with ***Phuc T. Nguyen, M.D.***, 112 Endres Drive, Apt. 4, Syracuse, NY 13211 on behalf of the Wyoming County Community Health System. Said contract for a physician to provide OB/GYN services in an amount not to exceed two hundred forty thousand dollars (\$240,000.00) per year plus approved moving expenses; effective on or about July 15, 2017 through July 14, 2018 upon the completion of credentialing and obtaining malpractice insurance; now therefore

**BE IT RESOLVED**, That *Resolution Number 17-298* be hereby amended as follows:

- Change the address to ***123 North Main Street, Apt. 1, Warsaw, NY 14569***
- Amend the original effective of the contract from on or about July 15, 2017 to ***July 17, 2017***
- Extend the contract end date from July 14, 2018 through ***July 16, 2019***

All else remains the same.

<b>Carried:</b> XXX	<b>Ayes:</b> 1266	<b>Noes:</b>	<b>Absent:</b> 51 (Eagle) 19 (Genesee Falls) 62 (Middlebury) <u>201</u> (Warsaw) 333 Total	<b>Abstain:</b>
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July 10, 2018

**RESOLUTION NO. 18-308**  
**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY COMMUNITY HEALTH SYSTEM**  
**SALARY SCHEDULE “P” BENEFIT PACKAGE SUMMARY ADOPTED**

**BE IT RESOLVED**, That the Wyoming County Community Health System Salary Schedule “P” Benefit Package Summary attached hereto is adopted as presented.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total



## **SCHEDULE "P"**

### **WYOMING COMMUNITY HEALTH SYSTEM BENEFITS**

Applies to Physician and Mid-level employees who are considered to be exempt employees under the Fair Labor Standards Act.

#### **PAID TIME OFF (PTO)**

Paid time off will be granted at the beginning of each anniversary year to full-time employees as follows: 30 days for employees who work 5 days per week, 24 days for employees who work 4 days per week, and 18 days for employees who work 3 days per week. PTO includes vacation, holiday and sick days. PTO must be used during the anniversary year or it will be forfeited. Requests for planned time off must be pre-approved.

#### **HEALTH INSURANCE**

The current health plan for the County is a High Deductible Health Plan with a Health Reimbursement Account (HRA). The County will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited. Full-time employees will contribute 8% of the total premium for a Single Plan and 20% of the total premium for a Family Plan. Part-time employees will be entitled to a prorated County contribution to health insurance based on their percentage of approved FTE of 0.6 or higher. Premiums will be deducted over 24 pay periods per year on a pre-tax basis. Repudiation is not available.

#### **DENTAL INSURANCE**

The current dental insurance for the County offers two options – 1) High Option and 2) Low Option. The employee will pay the total premium and it will be deducted over 24 pay periods per year on a pre-tax basis.

#### **NEW YORK STATE RETIREMENT**

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

#### **DEFERRED COMPENSATION RETIREMENT PLAN 457**

All employees are eligible to participate in the voluntary supplemental retirement savings plan at any time. This program allows employees to save and invest a portion of their earnings toward retirement. Pre-tax contributions are automatically deducted from each pay check and deposited to your account.

#### **WORKERS COMPENSATION**

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

#### **DISABILITY INSURANCE**

Full time employees are covered under the enhanced Disability Insurance Plan for an injury or illness NOT arising out of or in the course of employment. The weekly benefit is 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Accrued PTO time must be exhausted prior to receiving benefits under this plan. These benefits are subject to the terms of the plan. This insurance coverage is provided at no cost to the employee. Part time employees are NOT eligible for statutory NYS Disability Insurance.

#### **CONTINUING MEDICAL EDUCATION (CME)**

Continuing medical education is available annually up to \$1,500 and one week or five days of additional paid time off each calendar year for full time employees; pro-rated for part time employment. Reimbursement will be paid upon successful completion/attendance and presentation of receipts. Unused CME benefits will not carry over from year to year. Benefits will be pro-rated in the first year of employment.

#### **DUES AND SUBSCRIPTIONS**

Professional membership dues and subscription requests will be reviewed and approved through the annual budget process.

July 10, 2018

**RECORD OF REVISION**

REV. #	DESCRIPTION OF CHANGE	PAGE #S / SECTION #S IMPACTED BY CHANGE(S)	DATE
0	Original issue	All	01/26/2016 BOM 02/09/2016 BOS
1	Revision-changed PTO granted on anniversary date; health & dental deductions to 24 pay period, removed health and dental carrier names	All	03/22/2016 BOM
2	Revision – changed PTO granted/used to anniversary date	All	04/26/2016 BOM 05/10/2016 BOS
3	Revision – amended health insurance language to include part-time employees	1	10/25/2016 BOM 11/08/2016 BOS
4	Defined PTO days earned based on days per week worked	1	06/26/2018 BOM 07/10/2018 BOS

#26

**RESOLUTION NO. 18-309  
(July 10, 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 salary of the position of ***Healthcare Information Specialist*** under **Hospital Informatics** at \$56,238.00 annually; position available date is June 17, 2018.
- Correct the Information Systems On-Call Details to include language in bold, italicized and underlined.
  - Weekends/**Holidays**:
    - \$100 per shift beginning Fri. 5 pm – Sat. 11:59 pm
    - \$100 per shift beginning Sun. 12:01 am – Mon. 7 am
  - Weekdays:
    - \$50 per shift each weekday shift beginning
      - Mon. 5 pm – Tues. 7 am
      - Tues. 5 pm – Wed. 7 am
      - **Wed. 5 pm – Thur. 7 am**
      - Thur. 5 pm – Fri. 7 am

**Salary Schedule “S”:**

## *Real Property Tax Services*

- Set the salary for the **RPTS Assessor** to \$65,000.00/annually for Countywide Assessing Services due to the addition of the Towns of Orangeville and Warsaw in the Assessment Program; effective September 1, 2018.

**Salary Schedule “D”:**

## Real Property Tax Services

- Set the stipend for the **Director of Real Property Tax Services** to \$10,273.00/annually (\$1.00/parcel) for Countywide Assessing Services due to the addition of the Towns of Orangeville and Warsaw in the Assessment Program; effective September 1, 2018.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

**#27**

**RESOLUTION NO. 18-310**  
**(July 10, 2018)**

**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-129 RESCINDED**

**WHEREAS, Resolution Number 18-129 entitled, “CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS ON BEHALF OF ANIMAL CONTROL,”** passed by this Board of Supervisors on March 13, 2018 to fund capital infrastructural improvements to the Animal Shelter in a minimum amount of one hundred thousand dollars (\$100,000.00); now therefore

**BE IT RESOLVED**, That ***Resolution Number 18-129*** be hereby rescinded in its entirety effective March 13, 2018 as a duplicate of Resolution Number 18-277 passed by this Board of Supervisors on June 12, 2018.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

July 10, 2018

**RESOLUTION NO. 18-311**  
**(July 10, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**TRANSFER AND APPROPRIATION POLICY APPROVED**

**BE IT RESOLVED**, That the Transfer and Appropriation Policy presented to this Board of Supervisors is hereby approved as presented and annexed hereto.

**Carried:** XXX    **Ayes:** 1266    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

**Wyoming County**  
**BUDGET POLICY**

<b>EFFECTIVE DATE:</b>  July 10, 2018  <b>DATE REVISED:</b>	<b>REVIEWED BY:</b> <b>(Individuals/Committees)</b>  07/03/18 Finance Committee	<b>DEPARTMENTS AFFECTED:</b>  All Departments WCCHS  <b>SUPERSEDES:</b>
<b>ADMINISTRATIVE APPROVAL:</b> J. Cook/Budget Officer	<b>PREPARED BY:</b>  J. Cook/Budget Officer	<b>REFERENCES:</b>

**TRANSFER AND APPROPRIATION POLICY**

**1. Policy Statement**

This policy is to control the addition and movement of funds within the adopted County Budget via transfer or appropriation.

**2. Reason for Policy**

Budgetary controls are intended to guard against expenditures that exceed appropriations. Since the budget is an estimate, situations will inevitably arise when it will be necessary to amend the budget through transfers and appropriations. This policy defines when the transfer or appropriation will

require Board approval. Appropriation accounts are used to control expenditures, keeping them within the authorized spending authority of the budget. Analysis of the accounts enables the Budget Officer to determine when the budget will have to be modified.

### 3. Who Should Read This Policy

Department heads, fiscal employees and anyone that modifies the budget.

### 4. Resources

*GASB Codification Sections 1700 and 2400*

### 5. Definitions

**Appropriation:** The *addition* of funds to increase department's adopted budget; unexpected expenses that can't be covered using the adopted budget.

**Budget Center:** Refers to the 3<sup>rd</sup> segment in an account line – 01.36.2960.4.4150. This is the expense account for the department.

**Fund:** Refers to the 1<sup>st</sup> segment in an account line – 01.36.2960.4.4150

- 01 – General Fund
- 03 – Highway Machinery
- 04 – Highway Road
- 05 – Workers Comp
- 12 – Building & Equipment Capital
- 17 – Highway Capital Project

**Journal Entry:** Records accounting adjustments, accruals, transfers and other transactions in the County's accounting system.

**Sub Accounts:** Refers to the 4<sup>th</sup> segment in an account line – 01.36.2960.4.41501

- .1 Personal Services
- .2 Capital
- .4 Contractual Expenses
- .6 Principal
- .7 Interest
- .8 Fringe Benefits
- .9 Interfund Transfers

**Transfer:** The *movement* of funds within the same sub account *without* an increase to the adopted budget.

### 6. The Policy

There are two ways to amend the county budget; a transfer or an appropriation.

**Appropriation:** The governing board must adopt by resolution via Home Committee then Finance Committee approval. The resolution must stipulate both the appropriation account(s) to be increased and financing source(s) to support the modification. All appropriations, after approval by the governing board, are journalized and posted to the appropriate general ledger and subsidiary accounts.

**Transfer:** The governing board is responsible for monitoring county expenditures to ensure they stay within total annual appropriations. The governing board has authorized the Budget Officer to approve budget transfers based on the following criteria:

- Transfers within the same fund and budget center:
  - Same sub-account requires approval by the Budget Officer only prior to the entry of the transaction by the Treasurer's Office.
  - Different sub-account **less than \$5,000**:
    - Transfers between .4 & .2 (Contractual/Equipment) require Budget Officer approval only prior to the entry of the transaction by the Treasurer's Office.
    - Transfers between .1 & .8 (Salary/Fringe) require Budget Officer approval only prior to the entry of the transaction by the Treasurer's Office.
    - Transfers between Contractual/Equipment & Salary/Fringe require governing board resolution via Home Committee then Finance Committee approval prior to the entry of the transaction by the Treasurer's Office
  - Different sub-account **\$5,000+** must be authorized by a governing board resolution via Home Committee then Finance Committee approval prior to the entry of the transaction by the Treasurer's Office.
- Transfers within the same fund between debt service budget centers of .6 principal and .7 interest require Budget Officer approval only prior to Treasurer's Office Entry.
- Transfers within the same fund between *interfund* (.9) budget centers or sub-accounts must be authorized by a governing board resolution via Home Committee then Finance Committee approval prior to the entry of the transaction by the Treasurer's Office.

**RESOLUTION NO. 18-312**  
**(July 10, 2018)**

**POSITION(S) APPROVED**

**RESOLUTION NO. 18-313**  
**(July 10, 2018)**

July 10, 2018

**PUBLIC DEFENDER TWO STORY ADDITION CAPITAL  
IMPROVEMENT PROJECT ESTABLISHED**

**WHEREAS**, The Wyoming County Public Works, Public Safety, and Finance Committees have identified the need to construct a two story addition to the Public Defender's Building located at 18 Linwood Avenue, Warsaw NY; and

**WHEREAS**, Project plans have been reviewed by the Public Defender, Code Enforcement Officer, Buildings and Grounds Officials and the Public Works and Finance Committees; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, on the recommendation of the above mentioned County Officials and Board of Supervisors Standing Committees hereby established the ***Public Defender Two Story Addition Building Capital Improvement Project*** in an amount not to exceed one hundred thousand dollars (\$100,000.00); and be it

**FURTHER RESOLVED**, That the County of Wyoming is fully committed to utilizing all grants and available low interest loans in the completion of the above project.

<b>Carried:</b> XXX	<b>Ayes:</b> 1266	<b>Noes:</b>	<b>Absent:</b> 51 (Eagle)	<b>Abstain:</b>
			19 (Genesee Falls)	
			62 (Middlebury)	
			<u>201</u> (Warsaw)	
			333 Total	

**Public Hearing/Local Law ~**

*Chairman Berwanger inquired and Clerk Ketchum confirmed there were no official requests to speak at this public hearing.*

- *Comment Period*

**Close Public Hearing ~**

*Motion to close the Public Hearing was made by Supervisor May, T/Orangeville. Seconded by Supervisor Becker, T/Sheldon. Carried.*

***Local Law  
#31***

**RESOLUTION NO. 18-314  
(July 10, 2018)**

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

Regular Meeting



LOCAL LAW NO. 3 (INTRODUCTORY C, YEAR 2018) ~ YEAR 2018,  
*“County of Wyoming, 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 12<sup>th</sup> day of June, 2018, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2018, entitled, *“County of Wyoming, Providing Salaries for Certain County Officers for the Year 2018”*; and

**WHEREAS,** In accordance with the provisions of Resolution No. 18-256 there was a public hearing held by this Board of Supervisors on this 10<sup>th</sup> day of July, 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 3, Year 2018, County of Wyoming, New York, as presented to this Board on the 12<sup>th</sup> day of June 2018, is hereby adopted, in its original form, as follows:

**LOCAL LAW NO. 3 - 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.

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

July 10, 2018

DATED at Warsaw, New York  
June 12, 2018 (Introduced)  
July 10, 2018 (Adopted)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

**Carried: XXX    Ayes: 1266    Noes:    Absent: 51 (Eagle)    Abstain:**  
19 (Genesee Falls)  
62 (Middlebury)  
201 (Warsaw)  
333 Total

### **Public Meeting #1 / Countywide Shared Services Initiative ~**

*Chairman Berwanger asked for input from Supervisors, the general public, towns and/or villages involved in the Shared Services Initiative for the County of Wyoming.*

- *Comment Period*

### **Close Public Meeting ~**

*The public meeting was closed by Chairman Berwanger.*

*Chairman Berwanger stated that the next meeting for this Initiative will be the first Tuesday in August, 2018 at 1:00 p.m. at the Ag Center and advised that these public meetings are necessary for Wyoming County and the towns and villages involved in the Governor's Shared Services Initiative.*

*The Chairman further stated that the plan has identified some savings that may help the County achieve reimbursement from the state.*

*Chairman Berwanger asked if any Supervisor objected to the presentation of Unanimous Consent Resolution #32. Hearing no objection resolution title was read.*

**UC#32**

### **RESOLUTION NO. 18-315 (July 10, 2018)**

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

### **RESOLUTION NUMBER 17-306 AMENDED**

**WHEREAS**, Resolution Number 17-306 entitled, “**COUNTYWIDE SHARED SERVICES PLAN FOR WYOMING COUNTY APPROVED**,” passed by this Board of Supervisors on July 11, 2017 to support New York State Governor Andrew Cuomo’s FY 2018 Enacted New York State Budget establishing a County-Wide Shared Services Initiative (CWSSI), designed to generate property tax savings by facilitating operational collaboration between local government efforts by the Wyoming County County-Wide Shared Services Initiative Panel in developing a County-Wide Shared Services Property Tax Savings Plan in order to save taxpayer dollars, engage the public and be eligible for state matching funds; now therefore

**BE IT RESOLVED**, That Resolution Number 17-306 be hereby amended to include additional savings potential in the amount of \$88,850.42 in the following areas:

***Potential Savings Undetermined:***

- Town & Village of Perry and the Perry Central School District Tennis Courts
- Tax Collection Software Update
- Emergency Services Shared Services
- County-wide Human Resource Support Services
- County-wide Zoning (participants: Gainesville, Eagle, Village of Silver Springs, Sheldon)
- Shared Ladder Truck
  - *Replacement within the Village of Perry Fire Department (V/Warsaw and V/Perry are currently the only owners of this type of equipment in the county)*

***Approximate Savings Potential:***

- May 12, 2018 County-wide Electronics Collection Event
  - *Potential savings to Towns and Villages \$19,850.42*
- County-wide Assessing
  - *Identified savings for the Town of Sheldon is \$25,000.00*
  - *Orangeville and Warsaw are new participants (potential savings undetermined)*
- The County Historian
  - *Village of Perry Library - Potential savings of \$44,000.00 or greater in cost avoidance for scanning and digitizing records.*

And be it,

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors, in its advisory capacity, according to the rules of the CWSSI, as adopted by the New York State Legislature, hereby approves the updated 2018

July 10, 2018

*Before adjourning the meeting, Chairman Berwanger reminded everyone that the August board meeting will be held at the Wyoming County Fair in Pike, NY at 2:00 p.m.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:16 PM with a rap on his desk.*

\*\*\*\*\*

*Cheryl J. Ketchum*

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

**REGULAR SESSION**  
**(August 14, 2018)**  
**Tuesday**  
**2:00 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Youth Building of the Wyoming County Fairgrounds, Pike, New York with all Supervisors present. Also present were Deputy County Attorney, Mark Dadd; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Lisa Perez.

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

**Acknowledgement of Colors ~**

- *By Dedicated Retired Veterans of Wyoming County*

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

**Robin Kruppa**

Mrs. Robin (Mitchell) Kruppa graduated from York Central School in 1987 and attended college at SUNY Alfred State. She worked in her field of study as a chemist at Sabin Metal Corporation in Scottsville, NY for a couple of years before deciding to join the United States Army. Mrs. Kruppa reasons were many, but among them were her respect for others that served before her and her desire to make some changes in her life that would include both travel and commitment.

Mrs. Kruppa's basic training started in 1994 at Fort Jackson, South Carolina and advanced individual training was completed at Fort Lee Virginia. Fort Jackson was created in 1917 as Camp Jackson as the U.S. entered World War I. In 1922, after the end of the Great War, Camp Jackson was shut down but was reactivated in 1940 as Fort Jackson for World War II. Expanding the fort became one of the largest construction projects ever undertaken in the Southeast.

Mrs. Kruppa married David Kruppa, a local man from Batavia, in December 1994 while on leave. She was stationed at Fort Campbell, Kentucky as a Supply Specialist in Attack Unit Headquarters, 2<sup>nd</sup> of 101<sup>st</sup> Airborne Division (Air Assault).

Mrs. Kruppa was honorably discharged in 1996 and remained in Clarksville, Tennessee until traveling back to this area in the year 2000. For her valor and courageous service to her country, Mrs. Kruppa was awarded the:

August 14, 2018

Army Service Ribbon  
 Marksman Badge M-16 Rifle  
 National Defense Service Medal  
 Army Good Conduct Medal

Mrs. Kruppa has spent most of her time raising four children whose current ages are 26, 20, 16 and 14. She was also busy teaching Sunday school and volunteering in Boy Scouts of America as Den Leader, Cub Master, Committee Chairman, Treasurer and Unit Commissioner. She has been a member of the American Legion since 1996 and has volunteered her time to the American Legion at the county level as Wyoming County Adjutant for six years. Mrs. Kruppa has also been the 8<sup>th</sup> District Wyoming County Chairman for Women Veterans and Rehabilitation and is a member of the American Legion Auxiliary.

Mrs. Kruppa has enjoyed working for the Perry Vets Club as their bookkeeper over the past year and is honored to be currently working with veterans as the Assistant Director for Wyoming County Veterans Services.

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

*Chairman Berwanger requested Supervisor Ryan, T/Warsaw to join him in the presentation of the customary certificate of appreciation to Mrs. Kruppa and an opportunity to address the Board. At which time, Mrs. Kruppa thanked the board and said what a wonderful opportunity it is to be here today and how proud she is that our country provides us the privilege to meet like this for any reason and is very happy to be here today.*

*Chairman Berwanger congratulated Mrs. Kupp on her new position with Wyoming County Veterans Services.*

*Chairman Berwanger then invited Supervisor Kehl, T/Attica to the microphone to present a certificate of appreciation the newly crowned 2018 Fair Queen, Carleigh Minor, who is from the Town of Gainesville.*

*Supervisor Kehl invited Ms. Minor to join him at the microphone. After reading the certificate, he presented it to Ms. Minor and provided her an opportunity to address the Board.*

*Ms. Minor said that she attends Letchworth Central School and was sponsored by American Rod Technology. This year, as Fair Queen, she intends on helping out her community as much as possible and hopes everyone enjoys the rest of the week at the Fair.*

#1

**RESOLUTION NO. 18-316**  
**(August 14, 2018)**  
 Regular Meeting

By Mr. Kehl, Chairman of the Agriculture Committee:

## **WYOMING COUNTY FAIR WEEK PROCLAIMED**

**WHEREAS**, The Wyoming County Fair will be held from August 11<sup>th</sup> through August 18<sup>th</sup>, 2018 in the Town of Pike, Wyoming County, New York; and

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

**WHEREAS**, The Fair's 2018 theme celebrates ***"Wyoming County Fair - A Family Tradition for 175 Years"***; and

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby proclaims the week of August 11<sup>th</sup> through August 18<sup>th</sup> in the year 2018 as **"WYOMING COUNTY FAIR WEEK"**; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors does hereby applaud the untiring efforts of the Wyoming County Fair Association and congratulates the Fair on its 175<sup>th</sup> anniversary.

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

*Chairman Berwanger then asked Wyoming County Fair General Superintendent Michael Roche to join Supervisor Kehl at the microphone for the reading of the Proclamation.*

*After reading the Proclamation, Supervisor Kehl presented the Proclamation to Supt. Roche who thanked the Board for their continued support and reminded all of the parade later in the evening.*

*Next, Chairman Berwanger requested that 4-H Youth Development Community Educator, Holly Harwood, join him at the microphone for a Chairman's Proclamation declaring 4-H Meat Animal Auction Day in Wyoming County in celebration of its 50<sup>th</sup> annual auction.*

August 14, 2018

*After reading the Proclamation, Ms. Harwood was provided an opportunity to address the board.*

*Ms. Harwood stated that the program is only successful because of the volunteers, the youth involved in the program and the people who participate as buyers. Several of the participants in the meat auction were present and recognized by Ms. Harwood. She also suggested that everyone take an opportunity to look at the booths around the meat cooler that highlight the last 50 years, and reminded all, if they are in the market for some top quality meat, to come to the auction tomorrow night, August 15<sup>th</sup>.*

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

- *County Sheriff, Greg Rudolph*
- *District Attorney, Donald O'Geen*
- *County Treasurer, Cheryl Mayer from the Town of Pike*
- *County Clerk, Rhonda Pierce from the Town of Wethersfield*
- *Retired Wyoming County Judge & Deputy County Attorney, Mark Dadd*

#### **Introduction of Guests ~**

- *New York State Senator ~ Patrick Gallivan*
- *New York State Assemblyman ~ David DiPietro*

*Chairman Berwanger introduced both Senator Gallivan and Assemblyman DiPietro.*

#### **Presentations ~**

##### **By New York State Senator Patrick Gallivan:**

##### **VETERAN** – *Distinguished Service*

- ***Army Air Corps Veteran Lt. Kenneth Weber***
  - Completion of 90 missions escorting B-17s and B-24s during World War II
    - Accompanied by Veterans Services Director Harvey and Supervisor Leuer, T/Middlebury

##### **LAW ENFORCEMENT** – *Combating DWI*

- ***Deputy Aaron Chase***
  - 4-years of Service
  - Drug Recognition Expert
  - 69 DWI Arrests
    - Accompanied by Wyoming County Sheriff Rudolph and Undersheriff Linder



- ***Sergeant Colin Reagan***
  - 12-years of Service
  - Drug Recognition Expert
  - 369 DWI Arrests
    - Accompanied by Wyoming County Sheriff Rudolph and Undersheriff Linder

#### VOLUNTEER FIREFIGHTERS – *Acts of Heroism*

- ***Perry Fire Department***
  - Saving the life of a young woman from a multiple unit structure fire, who was unconscious from smoke inhalation and suffered severe burns on her lower extremities.
    - Accompanied by Fire Chief Laraby, Fire and Emergency Management Director Santoro and County Fire Coordinator Streicher
- ***Bennington Volunteer Fire Company***
  - Saving the life of a three-year-old shot in the chest by providing exemplary medical care.
    - Accompanied by Fire Chief Brandon, Fire and Emergency Management Director Santoro and County Fire Coordinator Streicher

#### YOUTH – *Overcoming Adversity*

- ***Sam Cusmano***
  - Two-time Genesee Region League All-Star baseball pitcher finishing the past season 7-3 on the hill, three shutouts, an ERA of 3.06 and struck out 63 batters in 53 innings earning the Attica Blue Devils Genesee Region Division One Title even though diagnosed with Combined Hamartoma of the Retina and Retinal Pigment Epithelium (RPE), which limits his peripheral vision.
    - Accompanied by his parents and Supervisor Kehl, T/Attica

#### **By New York State Assemblyman David DiPietro:**

#### ARC 2018 – *Community Partner Award*

- ***Karen Almeter***
  - For giving various opportunities to many individuals with disabilities as the Food Service Manager at Letchworth Central School

*A round of applause recognized all of these recipients...*

*Chairman Berwanger then asked Senator Gallivan to come forward to accept a Certificate of Appreciation from the Wyoming County Board of Supervisors in*

August 14, 2018

*recognition of and appreciation for his continuous support in the New York State 59<sup>th</sup> Senate District and for securing in excess of \$24.7 million dollars for various needs and projects throughout Wyoming County.*

*Senator Gallivan expressed his appreciation.*

**Correspondence ~**

- None

#2

**RESOLUTION NO. 18-317  
(August 14, 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:

<b>Emergency Services</b>			
<b>From:</b> 01.37.3645.4.41410I Software Purchase	\$8,999.10		
<b>To:</b> 01.37.3645.2.20201I Computer Equipment		\$8,999.10	
<b>Reason:</b> For equipment asset purchase from Linstar paid by FY2017 SHSP Grant.			
<b>Emergency Services Total</b>			<b>\$8,999.10</b>

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

**RESOLUTION NO. 18-318  
(August 14, 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:

<b>Treasurer</b>			
<b>To:</b> 01.51.9780.7.70002 VOIP 14-384 BAN Interest	\$260.00		
01.51.9781.7.70001 E911 16-300 BAN interest	1,400.00		
<b>w/any funds available</b>		\$1,660.00	
<b>Reason:</b> BAN interest budgeted at estimate of current rates. Rates realized higher when BAN actually renewed.			

<b>To:</b> 06.57.6290.4.42449 TANF 93.558 w/06.12.6290.479005 Federal TANF allocation <b>Reason:</b> Summer Youth Allocation letter not received until May 2018.	\$83,810.00	\$83,810.00	
<b>Treasurer Total</b>			<b>\$85,470.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.41010 Office Supplies w/01.09.7510.2705 Gifts & Donations <b>Reason:</b> To purchase steel shelving.	\$348.50	\$348.50	
<b>Historian Total</b>			<b>\$348.50</b>
<b>Office for the Aging</b>			
<b>To:</b> 01.44.6772.4.42465 Aging Mastery w/01.03.6772.1972 OFA <b>Reason:</b> For anticipated expenses for Aging Mastery Program Grant.	\$8,000.00	\$8,000.00	
<b>Office for the Aging Total</b>			<b>\$8,000.00</b>
<b>Social Services</b>			
<b>To:</b> 01.39.6010.2.20001 Furniture 01.39.6010.2.20401 Misc. Equip 01.39.6010.4.41111 Computers & Technology w/01.11.6010.3610 State Aid DSS Admin 01.12.6010.4611 Fed. Aid Food Stamp Program <b>Reason:</b> To cover the cost of two (2) Kodak Duplex Scanners (\$1,690); one (1) Micro Fiche Reader/Printer (\$5,700); one (1) Kodak Color Scanner (\$3,151); one (1) File Cabinet; one (1) Fiche Cabinet (\$1,579); and one (1) I-Pad with SNAP Bonus Award. 50% Fed/50% State \$400.	\$1,579.00 10,541.00 400.00	\$6,260.00 6,260.00	
<b>Social Services Total</b>			<b>\$12,520.00</b>
<b>Family Planning</b>			
<b>To:</b> 01.38.4010.4.42440 Child Safety Seat w/01.09.4010.2705 Gifts & Donations <b>Reason:</b> Appropriate unanticipated donation in the HD from Arcade businesses to be used for advertising expense for September 29 <sup>th</sup> Child Safety Seat event in Arcade.	\$125.00	\$125.00	
<b>Family Planning Total</b>			<b>\$125.00</b>
<b>Water Resource Agency</b>			
<b>To:</b> 01.48.8310.4.42435 Other Grants w/01.11.8310.3089 Other State Aid <b>Reason:</b> For the State Septic System Replacement Program award to be used for approved septic system replacement grant recipients.	\$75,000.00	\$75,000.00	
<b>Water Resource Agency Total</b>			<b>\$75,000.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1165.4.40301 Prof Svc Contract w/ <i>any funds available</i> <b>Reason:</b> For expert witness fees for the Joseph Mlyniec case.	\$10,000.00	\$10,000.00	
<b>District Attorney Total</b>			<b>\$10,000.00</b>

<b>Buildings &amp; Grounds (CIP)</b>			
<b>To:</b> 12.61.1620.2.21018 Public Defender CIP w/12.11.1620.3025 State Aid Revenue <b>Reason:</b> To appropriate NYS Indigent Defense Funding (from Hurrell-Harring Settlement case) for the expansion of the Public Defender Building to accommodate additional staff as required by the agreement.	\$100,000.00	\$100,000.00	
<b>Buildings &amp; Grounds (CIP) Total</b>			<b>\$100,000.00</b>
<b>Buildings &amp; Grounds (Co. Bldgs.)</b>			
<b>To:</b> 01.34.1620.4.40802 Contract Bldg. Exp. w/01.08.1620.2680 Insurance Recovery <b>Reason:</b> For repairs to the box gutters on wash bay building damaged in accident that took place in secured lot at the Public Safety Facility.	\$1,250.00	\$1,250.00	
<b>Buildings &amp; Grounds (Co. Bldgs.) Total</b>			<b>\$1,250.00</b>

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

Mr. Granger T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,990,706.11** for the month of **July 2018**.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
***Local Law***  
**#4**

**RESOLUTION NO. 18-319**  
**(August 14, 2018)**

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

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

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14<sup>th</sup> day of August, 2018, a proposed local law entitled, “Local Law Introductory No. D, Year 2018, **“A LOCAL LAW TO CONTINUE TO IMPOSE A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY”**; 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 **11<sup>th</sup> day of September, 2018 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of**

*the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.*

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

## **INTRODUCTORY LOCAL LAW NO. D - YEAR 2018**

*A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008*

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING AS FOLLOWS:**

**STATUTORY AUTHORITY.** New York State Tax Law, Section 253-n.

**BE IT ENACTED,** By this Board of Supervisors of the County of Wyoming, State of New York as follows:

**SECTION 1.** This local law hereby repeals local law number 8 of 2008, which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 8 of 2008 is not retroactive. The purpose of the repeal is to make clear that this 2018 local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.

### **SECTION 2.      IMPOSITION OF TAXES**

For the period commencing December 01, 2018 through November 30, 2021, there is hereby imposed in Wyoming County a tax of twenty five cents (\$0.25) for each 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 a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). County of Wyoming,

### **SECTION 3.      APPLICABILITY**

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and

August 14, 2018

collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Wyoming County,” unless a different meaning is clearly required.

#### **SECTION 4. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY**

Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this local law is situated in this state but within and without Wyoming County, the amount of such tax due and payable to such county shall be determined in the same manner prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Wyoming County and without the state, the amount due and payable to Wyoming County shall be determined in the manner prescribed in the second paragraph of such Section 260 of the Tax Law, which concerns property situated within and without the state. Where real property is situated within and without Wyoming County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

#### **SECTION 5. ADDITIONAL TAXES**

A tax imposed pursuant to the authority of this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

#### **SECTION 6. DISPOSITION OF TAXES**

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Wyoming during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such recording officer on or before the tenth day of each succeeding month to the Treasurer of Wyoming County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Wyoming for expenditure on any county

purpose.

Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section of Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

## **SECTION 7. EFFECTIVE DATE**

This local law shall become effective December 01, 2018 through November 30, 2021.

DATED at Warsaw, New York  
August 14, 2018 (Introduced)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board of Supervisors

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

**#5**

## **RESOLUTION NO. 18-320 (August 14, 2018)**

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

### **MEMBERS APPOINTED TO THE GLOW WORKFORCE DEVELOPMENT BOARD**

**BE IT RESOLVED**, That the following members are hereby appointed to the ***GLOW Workforce Development Board*** for a two (2) year term; effective September 18, 2018 through September 17, 2020:

#### **Public Sector**

- ***Marcell Taylor***, Regional Administrator ~ PathStone, Corporation, 140 North Main Street, Albion, NY 14411

#### **Private Sector**

- ***Steve Hall***, Human Resource Manager ~ Morton Salt, Inc., 45 Ribaud Avenue, Silver Springs, NY 14550

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

August 14, 2018

**RESOLUTION NO. 18-321**  
**(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
INDEPENDENT LIVING OF THE GENESEE REGION 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 *Independent Living of the Genesee Region.*, 113 Main Street, Batavia, NY 14020 on behalf of the Office for the Aging. Said contract is for consumer directed in-home care services for the Alzheimer's Disease Caregiver Support Initiative (ADCSI) grant in an amount not to exceed 2018-2020 budget; effective August 1, 2018 through December 31, 2020.

Contingent upon the availability of funds.

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

#7

**RESOLUTION NO. 18-322**  
**(August 14, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO AWARD BID AND SIGN A CONTRACT WITH TOSHIBA  
BUSINESS SOLUTIONS ON BEHALF OF THE DEPARTMENT OF  
SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and the 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 award bid and sign a contract with *Toshiba Business Solutions*, 100 Colvin Woods Parkway, Tonawanda NY 14150 on behalf of the Department of Social Services. Said contract is for the leasing of five (5) 65 PPM black and white copiers and one (1) 45 PPM color copier in a total amount not to exceed thirty-seven thousand six hundred twelve dollars and twenty cents (\$37,612.20); effective upon signing and delivery through completion of five-year term.



Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-323  
(August 14, 2018)**

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

**CHILD SUPPORT AWARENESS MONTH PROCLAIMED**

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

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

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

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

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim August 2018 in the County of Wyoming as **CHILD SUPPORT AWARENESS MONTH** .

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

August 14, 2018

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

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

*Director of Programs Gardner stated that there were over 2000 active child support cases in 2017 with \$4.9 million dollars distributed amongst these cases. The Support Collection Unit ranked in the top 10 in New York State in terms of performance and efficiency in serving its clients . Almost three million dollars has been collected thus far in 2018 and it is anticipated that this number will be more than five million dollars by the end of the year.*

*Commissioner Barber thanked Director of Programs Judith Gardner and Child Support Unit Supervisor Joanne Schreiber for the awesome job that they do!*

*Chairman Berwanger then called on Director of Planning and Development Daly to present a special proclamation to Senator Gallivan on behalf of the Board of Directors and members of the New York State Economic Development Council. Director Daly asked Judge Dadd to read the proclamation.*

*Senator Gallivan stated he is honored and grateful for the trust to serve as the voice of the people in Albany and hopes to keep doing just that!*

*Chairman Berwanger recognized the arrival of District Attorney Don O'Geen and Assistant County Attorney Jim Wujcik to the meeting.*

**#9**

**RESOLUTION NO. 18-324  
(August 14, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION WITH  
THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND  
MARKETS ON BEHALF OF PLANNING AND DEVELOPMENT**

**WHEREAS**, The New York State Department of Agriculture and Markets provides state assistance payments to counties for the development of local Agricultural and Farmland Protection Plans in an effort to share the costs of locally-led agricultural and farmland protection activities; and

**WHEREAS**, Agricultural and Farmland Protection Plans should

identify land or areas proposed to be protected and describe activities, programs and strategies intended to be used to promote continued agricultural use; and

**WHEREAS,** Counties are eligible for grants up to \$50,000.00 or 50% of the cost (whichever is less) for developing a County Agriculture and Farmland Protection Plan; and

**WHEREAS,** The County share of funding for the total plan cost must be provided in at least 10% cash and no more than 40% in-kind services; and

**WHEREAS,** Any County that has established an Agricultural and Farmland Protection Board and has not had an Agricultural and Farmland Protection Plan approved by the Commissioner in the last ten (10) years is eligible for funding; and

**WHEREAS,** The County has established an Agricultural and Farmland Protection Board and has not had an Agricultural and Farmland Protection Plan approved by the Commissioner in the last ten (10) years; now therefore

**BE IT RESOLVED,** That the Chairman of the Wyoming County Board of Supervisors is hereby authorized to sign an application for a Farmland Protection Planning Grant in a maximum amount of \$50,000.00 with up to a \$10,000.00 maximum cash match from the County.

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

**RESOLUTION NO. 18-325  
(August 14, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH THE NEW YORK STATE  
ENVIRONMENTAL FACILITIES CORPORATION ON BEHALF OF  
WYOMING COUNTY WATER RESOURCE AGENCY**

**BE IT RESOLVED,** That the Chairman of this is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Environmental Facilities Corp.*, 625 Broadway, Albany, NY 12207 on behalf of Wyoming County Water Resource Agency. Said funding is in accordance with the State Septic System Replacement Program County Participation Agreement and for a State Septic Replacement Program in Wyoming County in a minimum amount of seventy-five thousand dollars (\$75,000.00) (first year funding allocation) ; effective March 1, 2018 through

August 14, 2018

December 31, 2022.

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

*At the request of Supervisor Leuer, T/Middlebury, Chairman Berwanger recognized Director of Environmental Health Steve Perkins to speak about the State Septic Replacement Program.*

*Director Perkins stated that this started early in the year as part of the Clean Water Infrastructure Act of 2017. As part of that, a State Septic Replacement Program was created to partially fund ailing or compromised septic systems that are affecting public water supplies. Java Lake and Silver Lake were identified. Wyoming County passed a resolution early this year agreeing to participate in this program and this resolution is for the allocation of the \$75K awarded to the County. Residents surrounding these water bodies and have failing septic systems can apply for this grant program. Based upon eligibility, 50% of costs up to \$10,000.00 can be awarded; first come, first served....*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #11 and #19. Hearing no objection resolution titles were read.*

**#11**

**RESOLUTION NO. 18-326  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT  
APPLICATIONS AND ACCEPTANCE AWARDS WITH THE NEW  
YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS)  
ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following grant applications and acceptance awards with the *New York State Division of Criminal Justice Services (DCJS)*, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office:

- ***Violence Against Women Grant (VAWA Grant)*** to provide domestic violence services to people in Wyoming County in a minimum amount of thirty-two thousand six hundred twenty-three dollars and eighty-four cents (\$32,623.84); effective January 1, 2019 through December 31, 2019.
- ***Aid to Prosecution (ATP Grant)*** to provide assistance to the District Attorney's Office for the prosecution of felony cases in a minimum

amount of thirty thousand two hundred dollars (\$30,200.00); effective October 1, 2018 through September 30, 2019.

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

**RESOLUTION NO. 18-327  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
GARY J. HORWITZ, MD ON BEHALF OF THE  
DISTRICT ATTORNEY'S OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Gary J. Horwitz, MD***, 919 Westfall Road, Suite B20, Rochester, NY 14618 on behalf of the District Attorney's Office. Said contract is for expert witnesses services in an amount not to exceed ten thousand dollars (\$10,000.00); effective July 1, 2018 through conclusion of the People vs. Joseph Mlyniec case.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-328  
(August 14, 2018)**

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

**RESOLUTION NUMBER 17-347 AMENDED**

**WHEREAS**, Resolution Number 17-347 entitled, "**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF THE SHERIFF'S DEPARTMENT**," passed by this Board of Supervisors on September 12, 2017 and provides for court security for County, Family and Supreme Courts in an amount not to exceed three hundred forty-two thousand eight hundred four dollars (\$342,804.00); effective April 1, 2017 through March 31, 2018; now therefore

August 14, 2018

**BE IT RESOLVED**, That *Resolution Number 17-347* be hereby amended to increase the total contract amount to three hundred sixty-two thousand three hundred forty-one dollars (\$362,341.00).

All else remains the same.

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

**RESOLUTION NO. 18-329  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE  
ATTICA CENTRAL SCHOOL DISTRICT 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 *Attica Central School District*, 3338 East Main Street, Attica, NY 14011 on behalf of Sheriff's Department. Said contract to provide a School Resource Officer (SRO) for law enforcement and police services as follows:

- Forty (40) hours per week, eight (8) hours per day when school is in session in amounts not to exceed:
  - Thirty-nine dollars and sixty-six cents (\$39.66) per hour; effective from September 1, 2018 through December 31, 2018
  - Forty dollars and forty-five cents (\$40.45) per hour; effective from January 1, 2019 through June 30, 2019.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-330  
(August 14, 2018)**

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

**APPROVING SOLE SOURCE PROCUREMENT WITH WRAITH  
TACTICAL ON BEHALF OF EMERGENCY SERVICES**

**WHEREAS**, Wyoming County Emergency Services has secured grant

funds through the New York State Homeland Security Program for the purchase of active shooter response bags; and

**WHEREAS**, Emergency Services has researched several possible entities to provide this product and has determined that there is are no other entities, other than ***Wraith Tactical***, capable of offering an “equal” product of an active shooter response bag ; and

**WHEREAS**, Emergency Services has received and retained on file a letter from ***Wraith Tactical*** indicating that they are the only manufacturer of the Concealed Armor Rapid Response (C.A.R.R.) Pack – an original creation with a patent pending; and

**WHEREAS**, The C.A.R.R. Pack was designed in conjunction with the Government Training Institute to give all first responders a quick, light and easily deployable option for responding to active shooter incidents; and

**WHEREAS**, Based upon the above, the Public Safety Committee has determined that ***Wraith Tactical*** qualifies for sole source status; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby authorizes sole source status for the ***Wraith Tactical*** 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 contingent upon the availability of funds.

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

**RESOLUTION NO. 18-331  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH SAIA COMMUNICATIONS, INC. ON BEHALF OF  
EMERGENCY SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to

August 14, 2018

General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***SALA Communications, Inc.***, 100 Stradtman Street, Buffalo, NY 14206 on behalf of Emergency Services. Said contract is for the purchase and installation of tower equipment to add an additional tower site to the existing Public Safety VHF Communication System in an amount not to exceed fifty-one thousand seven hundred thirteen dollars and eighty-four cents (\$51,713.84); effective upon signing through completion of project.

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #17**

**RESOLUTION NO. 18-332  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
MOTOROLA SOLUTIONS, 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 ***Motorola Solutions, Inc.***, 1303 East Algonquin Road, Schaumburg, IL 60196 on behalf of Emergency Services. Said contract is for the equipment and installation of an additional, conventional analog simulcast site for the Bennington Tower in an amount not to exceed one hundred twelve thousand one hundred forty-four dollars (\$112,144.00); effective upon signing through completion of project. (*NYS Contract PT 67405*)

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-333  
(August 14, 2018)**

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

**RESOLUTION NUMBER 18-270 AMENDED  
WHEREAS, Resolution Number 18-270 entitled, “CHAIRMAN**



**AUTHORIZED TO SIGN A CONTRACT WITH DORINE K. JENKINS ON BEHALF OF EMERGENCY SERVICES,”** passed by this Board of Supervisors on June 12, 2018 and provides 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; now therefore

**BE IT RESOLVED,** That *Resolution Number 18-270*, be hereby amended to increase the monthly rental amount from three hundred dollars (\$300.00) to ***five hundred dollars (\$500.00)*** and to include a three percent (3%) annual increase for years two (2) through five (5) in amounts not to exceed as follows:

• September 1, 2018 through August 31, 2019	\$6,000.00
• September 1, 2019 through August 31, 2020	\$6,180.00
• September 1, 2020 through August 31, 2021	\$6,365.40
• September 1, 2021 through August 31, 2022	\$6,556.36
• September 1, 2023 through August 31, 2023	\$6,753.05

for a total contract amount not to exceed thirty-one thousand eight hundred fifty-four dollars and eighty-one cents (\$31,854.81).

All else remains the same.

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

**RESOLUTION NO. 18-334  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

**BE IT RESOLVED,** That the Chairman of this Board, 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 *New York State Division of Homeland Security and Emergency Services*, 1220 Washington Avenue, Albany, NY 12226 on behalf of Wyoming County Emergency Services. Said contract to provide Wyoming County, on a temporary loan basis,

August 14, 2018

a copy of Mutualink Edge software with up to seven (7) user subscriptions for County use, in addition to network interface controllers (NIC) to tie into available county media capabilities; effective on the first Monday immediately following approval by the Office of State Comptroller and shall terminate January 31, 2021.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #20 and #23. Hearing no objection resolution titles were read.*

#20

**RESOLUTION NO. 18-335  
(August 14, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH ED HULME, INC. ON BEHALF OF THE  
PUBLIC DEFENDER TWO STORY ADDITION  
CAPITAL IMPROVEMENT PROJECT**

**WHEREAS**, On July 10, 2018, the Wyoming County Board of Supervisors established, by ***Resolution Number 18-313***, the Public Defender Two Story Addition Capital Improvement Project; now therefore

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***Ed Hulme's Inc.***, 11 East Buffalo Street, Warsaw, NY 14569 on behalf of Buildings and Grounds (CIP). Said contract is for the construction of a 14 x 30 two-story addition to the Public Defender's Facility in an amount not to exceed eighty-one thousand eight hundred fifty-seven dollars (\$81,857.00); effective September 5, 2018 through October 31, 2018.

Contingent upon the availability of funds.

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

#21

**RESOLUTION NO. 18-336  
(August 14, 2018)**

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

**HIGHWAY OFFICE BUILDING ROOF CAPITAL**

Regular Meeting

## IMPROVEMENT PROJECT ESTABLISHED AND TRANSFERRING FUNDS THEREFORE

**WHEREAS,** The Wyoming County Board of Supervisors' Public Works Committee, Finance Committee and this Board of Supervisors, in consultation with the County Highway Superintendent and the Superintendent of Buildings and Grounds, through discussion during these committee meetings has identified the need to construct a new roof over the office portion of the Highway Department located at 4328 Route 19 South, Silver Springs, NY; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors, on the recommendation of the above mentioned committees, hereby establishes the *Wyoming County Highway Office Building Roof Capital Improvement Project* in an amount not to exceed twenty thousand dollars (\$20,000.00) with funds previously set aside for these renovations through the County's Capital Improvement Project Strategic Plan; and be it

**FURTHER RESOLVED,** That permission is hereby granted to seek proposals for the completion of this established project; and be it

**FURTHER RESOLVED,** That funds are hereby transferred as follows:

<b>Buildings &amp; Grounds (CIP)</b>			
<b>From:</b> 12.61.9950.9.99004 Capital Fund <b>To:</b> 12.61.1620.2.21022 Highway Dept. CIP <b>Reason:</b> To replace roof over office portion of the Highway Dept.	\$20,000.00	\$20,000.00	
<b>Buildings &amp; Grounds (CIP) Total</b>			<b>\$20,000.00</b>

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

### RESOLUTION NO. 18-337 (August 14, 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**

August 14, 2018

**WHEREAS,** A Project for *the Preventative Maintenance on nine (9) bridges in Wyoming County, in various Towns, Wyoming County, P.I.N. 4WY0.01; BINS: 3319440, 3321620, 3320100, 3320130, 3320200, 3320330, 3320250, 3369540 and 3369830 (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 **\$117,000.00** 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 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 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

**RESOLVED,** This Resolution shall take effect immediately and

incorporates Resolution No. 18-077 approved by this Board of Supervisors on February 13, 2018.

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

**RESOLUTION NO. 18-338  
(August 14, 2018)**

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

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO  
EXTEND THE SNOW AND ICE REMOVAL AGREEMENTS WITH  
TOWNS AND VILLAGES FOR 2019/2020**

**WHEREAS**, The public interest demands the snow removal and the control of ice on all County roads within the County to bear the entire cost in accordance with §135-a of the Highway Law; and

**WHEREAS**, The County is desirous of extending agreements with several Towns and Villages of the County for the removal of snow and for control of ice on County roads; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on County roads for the winter season of **2019/2020**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2019/2020** ~ The base rate will be frozen at the 2017/2018 base rate:
- If the *State Snow Index* goes above 1.4, as determined by New York State Department of Transportation calculations, the base rate will be increased by \$100.00 per mile.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Brick T/Perry, to combine resolutions #24 and #36. Hearing no objection resolution titles were read.*

**#24**

**RESOLUTION NO. 18-339  
(August 14, 2018)**

August 14, 2018

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2019 INSURANCE  
RATES ON BEHALF OF CURRENT AND RETIRED  
COUNTY EMPLOYEES**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign health insurance rate sheets with ***Blue Cross/Blue Shield***, 257 Genesee Street, Buffalo, NY 14240 and ***The Evans Agency Purchasing Coalition Trust***, One Grimsby Drive, Hamburg, NY 14075. Insurance purchased through The Evans Agency with rates as follows; effective January 1, 2019 through December 31, 2019:

**Employee BCBS High Deductible Plan**

❖ Single	\$ 579.68
❖ Family	\$1,572.56

**Retiree BCBS High Deductible Plan**

❖ Single	\$921.36
❖ Two-Person	\$1,888.80
❖ Family	\$2,856.18

Contingent upon the availability of funds.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:**  
#25

**RESOLUTION NO. 18-340  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
FOOTE & MEYER, PLLC ON BEHALF OF THE  
COUNTY TREASURER**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Foote & Meyer, PLLC***, 23 West Court Street, Warsaw, NY 14569 on behalf of the County Treasurer. Said contract is for legal services for delinquent tax enforcement in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); effective August 14, 2018 through August 13, 2020.

Contingent upon the availability of funds.

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

Regular Meeting

**RESOLUTION NO. 18-341  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
NAPOLI SHKOLNIK, PLLC ON BEHALF OF THE  
COUNTY TREASURER**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Napoli Shkolnik, PLLC*, 400 Broadhollow Road, Melville, NY 11747 on behalf of the County Treasurer. Said contract is for special counsel to determine the feasibility of bringing an action against telecommunication companies for their failure to collect or remit 911 surcharges to Wyoming County in an amount not to exceed twenty-five percent (25%) of all gross amounts recovered; effective August 14, 2018 through completion of service. Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-342  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**APPROVES PROPERTY AUCTION SALES**

**WHEREAS**, The County has acquired the deed for the following properties pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

**WHEREAS**, The Wyoming County Board of Supervisors has determined that these properties are surplus properties based on their location, condition, age and lack of suitability for any public use; and

**WHEREAS**, The Finance Committee of the Board has obtained bids at public auction for said properties and recommends the acceptance thereof, namely:

August 14, 2018

<b>183.9-1-3</b>	<b>Colleen M. Richardson</b> , 12 Prospect Street, Arcade, NY has offered \$3,400 for property located at 503 North Street in the Town of Arcade.
<b>163.-1-46.3</b>	<b>Robert A. Titus</b> , 2891 Bush Road, Clover, SC has offered \$31,000 for property located at 6488 Stinson Road in the Town of Arcade.
<b>19.2-1-12</b>	<b>Brittnay Dawn Breen</b> , 8 Oakwood Ave, Lancaster, NY has offered \$600 for property located at 636 Exchange Street in the Town of Attica.
<b>57.-1-46</b>	<b>William R. Dunn</b> , 1925 Maxon Road, Varysburg, NY has offered \$2,300 for property located at Maxon Road in the Town of Bennington.
<b>28.-3-33</b>	<b>Todd A. and Karen L. DeYoung</b> , 1450 Bailey Road, Cowlesville, NY has offered \$12,200 for property located at 1420 Bailey Road in the Town of Bennington.
<b>147.7-3-37</b>	<b>Christopher E. and Diana M. Carney</b> , 41 East Mill Street, Castile, NY has offered \$400 for property located at 15 North Main Street in the Town of Castile.
<b>25.-1-26</b>	<b>Philip P. Heiman</b> , 6836 Junction Road, Pavilion, NY has offered \$14,300 for property located at 614 Route 246 in the Town of Covington.
<b>122.20-36-27</b>	<b>Doawe Services</b> , 3993 Mote Road, Gainesville, NY has offered \$10,200 for property located at 27 East Ribaud Avenue in the Town of Gainesville.
<b>122.20-1-1</b>	<b>James Weiss</b> , 52 Regent Street, Buffalo, NY has offered \$4,300 for property located at 105 Orchard Street in the Town of Gainesville.
<b>140.8-8-11</b>	<b>Brian and Laura Beitz</b> , 4918 Route 98, North Java, NY has offered \$500 for property located at Block G #44 in the Town of Java.
<b>140.8-8-14</b>	<b>Brian and Laura Beitz</b> , 4918 Route 98, North Java, NY has offered \$400 for property located at Block G #46 - #49 in the Town of Java.
<b>140.8-6-27</b>	<b>Jenny E. Dimick</b> , 554 Schoellkopf Road, Cowlesville, NY has offered \$1,100 for property located at North Shore Drive, #82-83 in the Town of Java.
<b>140.8-6-29</b>	<b>Jenny E. Dimick</b> , 554 Schoellkopf Road, Cowlesville, NY has offered \$550 for property located at Java Lake Park in the Town of Java.
<b>139.-2-41</b>	<b>Brian and Laura Beitz</b> , 4918 Route 98, North Java, NY has offered \$16,000 for property located at 998 Chaffee Road in the Town of Java.
<b>140.8-5-42</b>	<b>James E. Pazderski</b> , 1041 Come Park Blvd, Depew, NY has offered \$1,050 for property located at Java Lake Park #39 in the Town of Java.



<b>82.-1-53</b>	<b><i>Robert A. and Loretts S. Green Jr.</i></b> , 14 Ribaud Avenue, Silver Springs, NY has offered \$1,950 for property located at Syler Road in the Town of Orangeville.
<b>100.8-4-16</b>	<b><i>Nicole Catherine, LLC</i></b> , 43 Genesee Street, Warsaw, NY has offered \$30,250 for property located at 43 Walnut Street in the Town of Perry.
<b>100.7-10-45</b>	<b><i>Wolf Creek Properties, LLC</i></b> , 5714 Glen Iris Road, Castile, NY has offered \$8,000 for property located at 64 Leicester Street in the Town of Perry.
<b>100.8-2-51</b>	<b><i>Michael &amp; Joseph Cipolla</i></b> , 145 Water Street, Perry, NY has offered \$2,350 for property located at 35 Gardeau Street in the Town of Perry.
<b>100.11-2-58</b>	<b><i>Alexander P. Kramell</i></b> , 10 Leicester Street, Perry, NY has offered \$5,300 for property located at 10-12 St. Helena Street in the Town of Perry.
<b>657.-2-37.2</b>	<b><i>Dennis and Cristine Cramer Mills</i></b> , 2 <sup>nd</sup> , 2113 Route 20A, Varysburg, NY has offered \$8,200 for property located at 2181 Route 98 in the Town of Sheldon.
<b>85.11-1-33</b>	<b><i>Backhoe Realty LLC</i></b> , 5475 Sheppard Road, Bliss, NY has offered \$28,250 for property located at 132 Brooklyn Street in the Town of Warsaw.
<b>61.-2-60.12</b>	<b><i>Colt Schleede</i></b> , 5116 Fox Road, Wyoming, NY has offered \$11,100 for property located at 4898 Stevens Road in the Town of Warsaw.
<b>98.-1-53</b>	<b><i>Thomas F. and Diane L. Hollister</i></b> , 101 Miner Street, Warsaw, NY has offered \$17,100 for property located at 5580 Oatka Road in the Town of Warsaw.
<b>74.-1-41</b>	<b><i>Russell F and Barbara J Ellis</i></b> , 3600 Socha Way, Port Orange, FL has offered \$46,000 for property located at 2786 Fisher Road in the Town of Warsaw.
<b>119.-1-1</b>	<b><i>Michael H. Woolley</i></b> , 4720 Poplar Tree Road, Gainesville, NY has offered \$42,000 for property located at 4263 Poplar Tree Road in the Town of Wethersfield.
<b>107.-2-7-113</b>	<b><i>Thomas F. and Diane L. Hollister</i></b> , 101 Miner Street, Warsaw, NY has offered \$23,000 for property located at Wethersfield Road in the Town of Wethersfield.

**RESOLVED**, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before September 21, 2018.

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

August 14, 2018

**RESOLUTION NO. 18-343  
(August 14, 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:**

***Human Resources***

- One (1) position of ***Human Resources Assistant II*** (1.00 FTE) and place on Salary Schedule S with a salary range of \$35,000.00 - \$40,000.00 annually; position available is August 1, 2018.

**ABOLISHED:**

***Human Resources***

- One (1) position of ***Human Resources Assistant*** (position code #004.434) on Schedule S; effective August 6, 2018.

**CREATED:**

***Social Services***

- One (1) position of Caseworker Trainee on CSEA Schedule A, Grade 12 (\$19.33 - \$22.14/hr.); position available is August 14, 2018.

**ABOLISHED:**

***Public Health***

- One (1) position of ***Fiscal Officer I*** (1.00 FTE) (position code #129.282) on Salary Schedule S at \$37,740.00 annually; effective August 14, 2018.

**CREATED:**

***Public Health***

- One (1) position of ***Fiscal Officer (Public Health)*** (1.00 FTE) on Salary Schedule S with a salary yet to be negotiated; position available is August 14, 2018.

**Carried: XXX**

**Ayes: 1599**

**Noes:**

**Absent:**

**Abstain:**

**RESOLUTION NO. 18-344  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CREATION OF DEPUTY SHERIFF POSITION APPROVED**

**WHEREAS**, Recent events related to school safety emphasize the importance of the School Resource Officer (SRO) program. School Resource Officers (SROs) are integral components of our educational institutions, forming positive relationships with students and addressing school behavior issues before they become serious; and

**WHEREAS**, The Wyoming County Board of Supervisors has taken steps to support the funding of a SRO in all school districts within Wyoming County; and

**WHEREAS**, To demonstrate this commitment, Wyoming County Officials, along with Senator Patrick Gallivan, School District Superintendents and Village Police Chiefs met on Wednesday, March 6, 2018 to determine a plan of action; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors is committed to making sure all School Districts in Wyoming County have access to School Resource Officers to fulfill the County's commitment to school safety and the mission of our School Districts and New York State's constitutional obligation to provide a safe environment for "*sound basic education*"; and be it

**FURTHER RESOLVED**, That one (1) position of *Deputy Sheriff* on Schedule WCDSA Grade 4 (\$22.18 - \$28.36/hr.) be hereby created in the Sheriff's Department to help fulfill these goals; position available date August 14, 2018.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #30**

**RESOLUTION NO. 18-345  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES "G" AND "C" AMENDED**

August 14, 2018

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

**Salary Schedule “G”:**

***Public Defender***

- To provide a one-time stipend with fringe to the ***Wyoming County Budget Officer*** in the amount of \$1,613.00.
  - Said amount is one time stipend effective and payable immediately.
  - Funds provided through ILS Grant Upstate Quality Improvement and Caseload Reduction Grant.
    - Contract C000656

**Salary Schedule “C”:**

***Wyoming County Community Health System***

- Place one position of ***Clinic Office Manager*** under CLINICS and set the salary at \$65,000.00 annually; position available date is July 25, 2018.

**Carried: XXX**

**Ayes: 1599**

**Noes:**

**Absent:**

**Abstain:**

**#31**

**RESOLUTION NO. 18-346  
(August 14, 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:

- ***Quinlan's Pharmacy, Inc., d/b/a Quinlan's LTC Pharmacy***, 107 North Main Street, Wayland, NY 14572 for pharmaceutical and consulting pharmacist services in an amount not to exceed three

hundred sixty thousand dollars (\$360,000.00) per year; effective October 1, 2018 through September 30, 2021.

- ***Nova Biomedical***, 200 Prospect Street, Waltham, MA 02454 for glucometer testing strips in a committed quantity of one hundred twenty-five (125) per year at a set price of five hundred twenty-nine dollars and fifty-two cents (\$529.52) each for a ***minimum*** annual amount of sixty-six thousand one hundred ninety dollars (\$66,190.00) for a five (5) year contract term in a ***minimum*** amount of three hundred thirty thousand nine hundred fifty dollars (\$330,950.00); effective July 23, 2018 through July 22, 2023.
- ***Sunbelt Staffing***, 3687 Tampa Road, Suite 200, Oldsmar, FL 34677 for agency staff to provide coverage where needed in an amount not to exceed five hundred thousand dollars (\$500,000.00) per year; effective July 20, 2018 through July 1, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-347  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-092 AMENDED**

**WHEREAS**, Resolution Number 18-092 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 13, 2018 and provides, in part, for the following contract:

- ***GE Healthcare***, 9900 Innovation Drive, Wauwatosa, WI 53226 for the purchase of a refurbished GoldSeal Infinia II Gamma Camera in an amount not to exceed two hundred twenty-eight thousand eight hundred thirty-nine dollars and fifty cents (\$228,839.50); effective December 13, 2017.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-092*** be hereby amended to rescind this contract in its entirety.

August 14, 2018

All else remains the same.

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

**RESOLUTION NO. 18-348  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GE  
HEALTHCARE 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 ***GE Healthcare***, PO Box 96483, Chicago, IL 60693 on behalf of the Wyoming County Community Health System. Said contract is for the purchase of a Discovery 630 Gamma Camera in an amount not to exceed two hundred ninety-seven thousand nine hundred sixty-five dollars and sixty-two cents (\$297,965.62); effective June 26, 2018 through purchase of camera. Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-349  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-304 AMENDED**

**WHEREAS**, Resolution Number 18-304 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on July 10, 2018 and provides, in part, for the following contracts:

- ***Honeylee D. Agustin, MD***, 313 Rensselaer Avenue, Ogdensburg, NY 13669 to provide part time Pediatrician services and maternity/newborn call services in an amount not to exceed one hundred eighty-five

thousand dollars (\$185,000.00) per year; effective September 1, 2018 through August 31, 2020 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

- ***Jamestown Psychiatric, PC***, 305 E Fairmount Avenue, Lakewood, NY 14750 to provide services for the inpatient Behavioral Health Unit on an emergency basis in an amount not to exceed fifty thousand dollars (\$50,000.00); effective June 22, 2018 through July 31, 2018.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-304*** be hereby amended as follows:

- ***Honeylee D. Agustin, MD***, 313 Rensselaer Avenue, Ogdensburg, NY 13669
  - Contract is amended to reflect an Employment Agreement on Salary Schedule P.
- ***Jamestown Psychiatric, PC***, 305 E Fairmount Avenue, Lakewood, NY 14750
  - Contract is amended to extend the term from July 31, 2018 through August 31, 2018 in an amount not to exceed fifty thousand dollars (\$50,000.00) for said additional term.

All else remains the same.

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

**RESOLUTION NO. 18-350  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY COMMUNITY HEALTH SYSTEM  
SALARY SCHEDULE “P” BENEFIT PACKAGE SUMMARY ADOPTED**

**BE IT RESOLVED**, That the Wyoming County Community Health System Salary Schedule “P” Benefit Package Summary attached hereto, as amended, is adopted as presented.

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

August 14, 2018

## **SCHEDULE "P"**

### **WYOMING COMMUNITY HEALTH SYSTEM BENEFITS**

Applies to Physician and Mid-level employees who are considered to be exempt employees under the Fair Labor Standards Act.

#### **PAID TIME OFF (PTO)**

Paid time off will be granted at the beginning of each anniversary year to full-time employees as follows: 30 days for employees who work 5 days per week, 24 days for employees who work 4 days per week, and 18 days for employees who work 3 days per week. **Paid time off during the first year will be accrued monthly at the rate of one twelfth of the total annual PTO days.** PTO includes vacation, holiday and sick days. PTO must be used during the anniversary year or it will be forfeited. Requests for planned time off must be pre-approved.

#### **HEALTH INSURANCE**

The current health plan for the County is a High Deductible Health Plan with a Health Reimbursement Account (HRA). The County will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited. Full-time employees will contribute 8% of the total premium for a Single Plan and 20% of the total premium for a Family Plan. Part-time employees will be entitled to a prorated County contribution to health insurance based on their percentage of approved FTE of 0.6 or higher. Premiums will be deducted over 24 pay periods per year on a pre-tax basis. Repudiation is not available.

#### **DENTAL INSURANCE**

The current dental insurance for the County offers two options – 1) High Option and 2) Low Option. The employee will pay the total premium and it will be deducted over 24 pay periods per year on a pre-tax basis.

#### **NEW YORK STATE RETIREMENT**

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

#### **DEFERRED COMPENSATION RETIREMENT PLAN 457**

All employees are eligible to participate in the voluntary supplemental retirement savings plan at any time. This program allows employees to save and invest a portion of their earnings toward retirement. Pre-tax contributions are automatically deducted from each pay check and deposited to your account.

#### **WORKERS COMPENSATION**

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

#### **DISABILITY INSURANCE**

Full time employees are covered under the enhanced Disability Insurance Plan for an injury or illness NOT arising out of or in the course of employment. The weekly benefit is 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Accrued PTO time must be exhausted prior to receiving benefits under this plan. These benefits are subject to the terms of the plan. This insurance coverage is provided at no cost to the employee. Part time employees are NOT eligible for statutory NYS Disability Insurance.

#### **CONTINUING MEDICAL EDUCATION (CME)**

Continuing medical education is available annually up to \$1,500 and one week or five days of additional paid time off each calendar year for full time employees; pro-rated for part time employment. Reimbursement will be paid upon successful completion/attendance and presentation of receipts. Unused CME benefits will not carry over from year to year. Benefits will be pro-rated in the first year of employment.

#### **DUES AND SUBSCRIPTIONS**

Professional membership dues and subscription requests will be reviewed and approved through the annual budget process.



**RECORD OF REVISION**

REV. #	DESCRIPTION OF CHANGE	PAGE #S / SECTION #S IMPACTED BY CHANGE(S)	DATE
0	Original issue	All	01/26/2016 BOM 02/09/2016 BOS
1	Revision-changed PTO granted on anniversary date; health & dental deductions to 24 pay period, removed health and dental carrier names	All	03/22/2016 BOM
2	Revision – changed PTO granted/used to anniversary date	All	04/26/2016 BOM 05/10/2016 BOS
3	Revision – amended health insurance language to include part-time employees	1	10/25/2016 BOM 11/08/2016 BOS
4	Defined PTO days earned based on days per week worked	1	06/26/2018 BOM 07/10/2018 BOS
5	Clarify that PTO days are accrued monthly during the first year	1	07/24/2018 BOM 08/14/2018 BOS

#36

**RESOLUTION NO. 18-351  
(August 14, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH J & S AGEN, INC. ON BEHALF OF THE  
WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***J & S Agen, Inc.***, 24 Edward Street, Arcade, NY 14009 on behalf of the Wyoming County Community Health System. Said contract is for one (1) 4’5” by 8’3” double face, 10 mm LED video display outdoor message sign (including sign, base and installation) in an amount not to exceed fifty-five thousand nine hundred dollars (\$55,900.00); effective August 15, 2018 through completion of project. Contingent upon the availability of funds.

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

*Before adjourning the meeting, Chairman Berwanger recognized the CEO of the Wyoming County Community Health System, Don Eichenauer.*

***Retirement of Colors ~***

- By Dedicated Retired Veterans of Wyoming County

August 14, 2018

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington adjourned the meeting at 3:08 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

**REGULAR SESSION**  
**(September 11, 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 Assistant County Attorney Janet Bensman, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

**Sgt. Donald L. Daugherty**

Mr. Daugherty was born in Pennsylvania in 1942 reported for basic training on September 28, 1963 at Fort Dix, New Jersey.

Fort Dix started out as an Army camp, one of 13, established by the War Department to train soldiers for World War I. At the end of World War II, the reception center became the separation center, returning more than 1.2 million soldiers to civilian life.

Fort Dix became a basic training center on July 15, 1947 and expanded rapidly during the Vietnam War. A mock Vietnamese village was constructed and soldiers received Vietnam-specific training prior to going overseas. From there, Mr. Daugherty was ordered to North Tonawanda Company A, 1<sup>st</sup> Battalion (MECH), 174<sup>th</sup> Infantry in the Army National Guard of New York where he served for three years until enlisting for active duty. He then was retrained at Fort Leonard Wood, Missouri before heading off to Vietnam with the 110<sup>th</sup> Quartermaster Corps Company, US Army Ground Troop Command, Third US Army out of Fort Steward, Georgia.

Mr. Daugherty, like many others, earned his high school degree before being honorably discharged in 1970 completing six years of military service. For his valor and courageous service to his country, Mr. Dougherty was awarded the:

Vietnam Service Medal  
Vietnam Combat Metal with 60 Device  
Two (2) Overseas Service Bars

September 11, 2018

Two (2) Presidential Unit Accommodations  
 National Defense Service Medal  
 Army Good Conduct Medal

During his re-adjustment to civilian life, Mr. Daugherty married his wife, Judith, in 1975. He worked for many years at GE in Tonawanda and is an active member of the Rock Glen Baptist Church where he participates in a weekly bible study at the Vertical Café. Mr. Daugherty also reads the bible to inmates at the Wyoming County Jail. He has two children, nine grandchildren and one great-grandchild that bring much happiness to his life.

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

*Chairman Berwanger requested, before presenting the customary certificate of appreciation to Mr. Daugherty, a moment of silence in honor of the lives lost in the 9/11 terrorist attacks that occurred seventeen years ago on this day in 2001.*

*Chairman Berwanger then requested Supervisor King, T/Pike join them at the podium for the presentation and Mr. Daugherty opportunity to address the Board.*

*Mr. Daugherty asked who present served in the military... After a show of hands, Mr. Daugherty thanked these individuals for their service.*

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

*Chairman Berwanger then welcomed Assistant County Attorney Janet Bensman who was attending in the absence of the County Attorney Wujcik.*

#### **Communications ~**

- None

#### **Open Public Hearings ~**

- “Local Law No. 4, Year 2018 (Introductory D, Year 2018) Entitled, “***A Local Law To Continue to Impose a County Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008***”

#1

### **RESOLUTION NO. 18-352 (September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

### **FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS**

Regular Meeting

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

<b>Buildings &amp; Grounds (CIP)</b>			
<b>From:</b> 12.61.9950.9.99004 Transfer to Capital Fund <b>To:</b> 12.61.1620.2.21024 Dog Control CIP <b>Reason:</b> For additional renovation required at the Animal Shelter.	\$35,000.00	\$35,000.00	
<b>Buildings &amp; Grounds (CIP) Total</b>			<b>\$35,000.00</b>
<b>Public Health</b>			
<b>From:</b> 01.38.4010.1.10001 PH FT S/D/I salaries <b>To:</b> 01.38.4011.1.10202 DWE Temporary <b>Reason:</b> Transfer funds from PH S/D/I Salaries to DWE Grant Salaries to fund PH Technician (per diem); approved by Res. #18-248 on 05/08/18.	\$4,600.00	\$4,600.00	
<b>From:</b> 01.38.4010.4.42461 CSP Grant <b>To:</b> 01.38.4010.1.10101 PH FT CSEA Salary <b>Reason:</b> Transfer budgeted NYSDOH Cancer Services Grant funds.	\$23,670.00	\$23,670.00	
<b>Public Health Total</b>			<b>\$28,270.00</b>
<b>District Attorney</b>			
<b>From:</b> 01.32.1168.8.81001 Retirement <b>To:</b> 01.32.1168.4.41010 Office Supply <b>Reason:</b> To spend down grant funds.	\$124.13	\$124.13	
<b>District Attorney Total</b>			<b>\$124.13</b>

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

**RESOLUTION NO. 18-353  
(September 11, 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:

<b>Emergency Services</b>			
<b>To:</b> 01.37.3645.4.40301J Prof Service C974680 2018 w/01.12.3645.43890J HSG C974680 SHSP 2018 <b>Reason:</b> To appropriate Homeland Security 2018 funding to hire a consultant to update and overhaul current comprehensive emergency response plan.	\$52,485.00	\$52,485.00	
<b>Emergency Services Total</b>			<b>\$52,485.00</b>
<b>Social Services</b>			
<b>To:</b> 01.39.6010.4.41111 Computers & Technology w/01.11.6010.3610 State Aid DSS Administration <b>Reason:</b> To cover the cost of <i>Raise the Age</i> computer equipment. 100% state funding.	\$550.00	\$550.00	

September 11, 2018

<b>To:</b> 01.39.6010.2.20401 Misc. Equipment <b>w/</b> 01.11.6010.3610 State Aid DSS Administration 01.12.6010.4611 Federal Aid Food Stamp Prog. <b>Reason:</b> To cover the increased cost of three scanners. State contract expired and we had to get quotes and the price is higher. SNAP Bonus Award – 50% Federal/50% State.	\$250.00	\$125.00 125.00	
<b>Social Services Total</b>			<b>\$ 800.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4322.4.42408 Livingston/Wyoming ARC <b>w/</b> 01.11.4322.3490 State Aid <b>Reason:</b> To accommodate a change in state aid received.	\$285.00	\$285.00	
<b>To:</b> 01.38.4323.4.42420 Psycho/Social 01.38.4323.4.42412 Forensic Case Management <b>w/</b> 01.11.4323.3490 State Aid <b>Reason:</b> To accommodate a change in state aid received.	\$286.00 \$2,481.00	\$2,767.00	
<b>To:</b> 01.38.4325.4.42419 Drop-In 01.38.4325.4.42468 Transportation Program 01.38.4325.4.42441 Misc. MH Program 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42445 Supported Apartment 01.38.4325.4.42409 Advocacy Services <b>w/</b> 01.11.4325.3490 State Aid <b>Reason:</b> To accommodate a change in state aid received.	\$299.00 315.00 313.00 351.00 37,177.00 2,628.00	\$41,083.00	
<b>To:</b> 01.38.4310.4.41801 Misc. Assess/Chg. Oth Govt. <b>w/</b> 01.12.4310.4490 MH. Fed, Salary Sharing <b>Reason:</b> For court ordered placements for mental illness treatment.	\$6,000.00	\$6,000.00	
<b>To:</b> 01.38.4250.4.42405 Alcoholism Treat (MH) <b>w/</b> 01.11.4250.3490 Alcohol Addiction Control SA <b>Reason:</b> To accommodate a change in state aid received.	\$2,716.00	\$2,716.00	
<b>Mental Health Total</b>			<b>\$52,851.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4011.2.23001 Motor Vehicles <b>w/</b> 01.08.4010.2665 PH Sale of Equipment 01.08.4010.2680 PH Insurance Recovery <b>Reason:</b> Appropriate insurance and auction proceeds from HD vehicle involved in MVA toward purchase of a new vehicle.	\$3,738.66	\$180.00 3,558.66	
<b>To:</b> 01.38.4010.4.42429 Rabies Treatment <b>w/any funds available</b> <b>Reason:</b> For additional funds to cover the cost of human rabies post-exposure treatment.	\$39,000.00	\$39,000.00	
<b>Public Health Total</b>			<b>\$42,738.66</b>
<b>Buildings &amp; Grounds (Co. Bldgs.)</b>			
<b>To:</b> 01.34.1620.1.10202 Temporary 01.34.1620.8.81001 Retirement 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare-FICA <b>w/any funds available</b> <b>Reason:</b> To cover FICA, Retirement and Medicare for Carpenter (per diem) (Temp.) and Laborer (per diem) (Temp.).	\$24,541.20 3,926.59 1,521.55 355.84	\$30,345.18	
<b>Buildings &amp; Grounds (Co. Bldgs.) Total</b>			<b>\$30,345.18</b>

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

Regular Meeting

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$4,572,333.32** for the month of **August 2018**.

#3

**RESOLUTION NO. 18-354  
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NTS  
DATA SERVICES ON BEHALF OF THE BOARD OF ELECTIONS**

**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 ***NTS Data Services***, 2079 Sawyer Drive, Niagara Falls, NY 14304 on behalf of the Board of Elections. Said contract is for the provision of mail check postcards to all registered voters in Wyoming County in an amount not to exceed five thousand one hundred dollars (\$5,100.00); effective July 1, 2018 through June 30, 2019.

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 #4 through #7. Hearing no objection resolution titles were read.*

#4

**RESOLUTION NO. 18-355  
(September 11, 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  
DIVISION OF VETERANS AFFAIRS ON BEHALF OF  
VETERANS SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the ***New York State Division of Veterans Services***, Matthew Courcelle OGS Division of Financial Administration, P. O. Box 2166, Empire State Plaza, Albany, NY 12220-0282

September 11, 2018

on behalf of Veterans Services. Said funding to provide services to Veterans in our locality in a minimum amount of eight thousand five hundred twenty-nine dollars (\$8,529.00); effective April 1, 2018 through March 31, 2019.

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

**RESOLUTION NO. 18-356  
(September 11, 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 WYOMING COUNTY  
OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Office for the Aging*, 2 Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging. Said funding is for information and assistance regarding choices for long term care services and support for residents of all ages in Wyoming County in a minimum amount of one hundred sixty-eight thousand eight hundred sixty-three dollars (\$168,863.00); effective April 1, 2018 through March 31, 2019.

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

**RESOLUTION NO. 18-357  
(September 11, 2018)**

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

**NATIONAL YOUTH COURT MONTH PROCLAIMED**

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

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



principles; and

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

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

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

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby proclaim the month of September 2018 as **YOUTH COURT MONTH** in Wyoming County and calls on all citizens to find ways to give their time, energy and talents to serve and support the Wyoming County Youth Court.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #7**

**RESOLUTION NO. 18-358  
(September 11, 2018)**

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

**HUNGER ACTION MONTH PROCLAIMED**

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

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

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

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

September 11, 2018

and hunger relief programs in addressing hunger; and

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

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

**WHEREAS,** Food banks across the country, including Foodlink, will host events and activities throughout the month of September to bring awareness and attention to the issue of hunger and encourage the involvement of our community to help solve this pressing issue; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors proclaims the month of September 2018 as **HUNGER ACTION MONTH IN WYOMING COUNTY.**

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

*Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium to read the proclamation.*

*Supervisor Grant asked OFA Dir. Aldinger to join her at the podium. Dir. Aldinger then requested that Youth Court Coordinator J. Hudson also join them. Dir. Aldinger then read the proclamation.*

*Dir. Aldinger thanked the board for their continued support and noted that the Wyoming County Youth Court is one of the oldest youth courts in the state. She stated that this program saves the County a ton of money as two family court appearance averages \$5,500, where Youth Court costs about \$400... There are 33-trained Youth Court members throughout the County who hear cases and hand out sanctions.*

*Supervisor Grant noted that nobody was present from Foodlink to receive the proclamation and requested that it be provided to them at a later date. Supervisor Grant read the proclamation.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #15. Hearing no objection resolution titles were read. Clerk Ketchum*

*noted that Resolution #14 was updated in the Supervisor's packet to give some greater detail to the contract.*

**RESOLUTION NO. 18-359  
(September 11, 2018)**

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

**SUICIDE PREVENTION AWARENESS MONTH PROCLAIMED**

**WHEREAS**, The month of September 2018 is National Suicide Prevention Awareness Month and is intended to help promote the awareness surrounding the resources that are available to the community; and

**WHEREAS**, Suicide loss affects the victim's family, friends, colleagues and the community as a whole; and

**WHEREAS**, Suicide is a preventable death; and

**WHEREAS**, The Wyoming County Suicide Prevention Coalition works toward promoting a healthier and safer community by supporting emotional wellness; and

**WHEREAS**, The Wyoming County Suicide Prevention Coalition is dedicated to suicide prevention by educating the community on prevention strategies, promoting crisis and intervention resources and expanding support through community-wide partnerships; and

**WHEREAS**, Wyoming County recognizes that when hope evolves, life prevails; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, does hereby proclaim September 2018 as **SUICIDE PREVENTION AWARENESS MONTH** in Wyoming County.

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

**RESOLUTION NO. 18-360  
(September 11, 2018)**

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

September 11, 2018

**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**” was 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; and

**WHEREAS**, That Resolution Number 17-462 was previously amended by this Board of Supervisors on May 8, 2018 by *Resolution Number 18-222* 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); now therefore

**BE IT RESOLVED**, That *Resolution Number 17-462*, as previously amended by *Resolution Number 18-222*, be hereby further amended to reflect an increase in state aid of twenty-one thousand eight hundred two dollars (\$21,802.00) for a new total contract amount of three hundred forty-seven thousand three hundred eighty dollars (\$347,380.00).

All else remains the same.

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

**RESOLUTION NO. 18-361**  
**(September 11, 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**” was 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; and

**WHEREAS**, That Resolution Number 17-461 was previously amended by this Board of Supervisors on May 8, 2018 by *Resolution Number 18-224* 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); now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-461***, as previously amended by ***Resolution Number 18-224***, be hereby further amended to reflect an increase in state aid of one thousand two hundred ninety-two dollars (\$1,292.00) for a new total contract amount of two hundred eighty-eight thousand seventy-seven dollars (\$288,077.00).

All else remains the same.

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

**RESOLUTION NO. 18-362  
(September 11, 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**” was 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.

And,

**WHEREAS**, That Resolution Number 17-384 was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-225*** 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); now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-384*** as previously amended by ***Resolution Number 18-225*** be hereby further amended to reflect an increase in state aid of two hundred eighty-five dollars (\$285.00) for a new total contract amount of fifty-one thousand nine hundred forty-nine dollars (\$51,949.00).

September 11, 2018

All else remains the same.

**Carried:** XXX

**Ayes:** 1599

**Noes:**

**Absent:**

**Abstain:**  
#12

**RESOLUTION NO. 18-363  
(September 11, 2018)**

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

**RESOLUTION NUMBER 13-263 AMENDED**

**WHEREAS**, Resolution Number 13-263 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH THE NEW YORK STATE DEPARTMENT OF HEALTH, OFFICE OF HEALTH INSURANCE PROGRAMS/BUREAU OF CHILD HEALTH PLUS POLICY AND EXCHANGE CONSUMER ASSISTANCE ON BEHALF OF THE COUNTY HEALTH DEPARTMENT”** was passed by this Board of Supervisors on August 13, 2013 and provides for consumer assistance with the New York State Health Benefit Exchange by providing in person assistors and navigators for Wyoming County in a minimum amount of:

- In a maximum amount of \$28,333.00; effective August 1, 2013 through September 31, 2013
- In a maximum amount of \$170,000.00; effective October 1, 2013 through September 30, 2014
- Renewable at a maximum amount of \$170,000.00 per year through September 30, 2018
  - Maximum award amount of \$878,333.00; effective August 1, 2013 through September 31, 2018

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 13-263*** be hereby amended as follows:

- Extend the contract end date from September 31, 2018 to ***April 30, 2019*** and increase funding in an amount not to exceed ***\$99,166.67***
  - Maximum award amount of ***\$977,499.67***; effective August 1, 2013 through April 30, 2019

All else remains the same.

**Carried:** XXX

**Ayes:** 1599

**Noes:**

**Absent:**

**Abstain:**

#13

**RESOLUTION NO. 18-364  
(September 11, 2018)**

Regular Meeting

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

## RESOLUTION NUMBER 17-518 AMENDED

**WHEREAS**, Resolution Number 17-518 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN NEW YORK STATE DEPARTMENT OF HEALTH IN PERSON ASSISTORS AND NAVIGATOR GRANT SUB-AGREEMENTS WITH WYOMING COUNTY CHAMBER OF COMMERCE AND WYOMING COUNTY COMMUNITY ACTION ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**” was passed by this Board of Supervisors on December 12, 2017 and provides for Sub-Agreements for reimbursement of Navigator Grant activities, as required by the New York State Department of Health Work Plan; effective October 1, 2017 through September 30, 2018 as follows:

- ***Wyoming County Chamber of Commerce***, 36 Center Street, Suite A, Warsaw, NY 14569 in an amount not to exceed \$10,000.00 annually; renewable through September 30, 2018
- ***Wyoming County Community Action***, 6470 Route 20A, Suite 1, Perry, NY 14530 in an amount not to exceed \$49,382.00 annually; renewable through September 30, 2018

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 17-518*** be hereby amended as follows:

- ***Wyoming County Chamber of Commerce***, 36 Center Street, Suite A, Warsaw, NY
  - Extend the contract end date from September 30, 2018 through ***April 30, 2019*** in an amount not to exceed ***\$3,000.00*** for a new total contract amount of \$13,000.00
- ***Wyoming County Community Action***, 6470 Route 20A, Suite 1, Perry, NY
  - Extend the contract end date from September 30, 2018 through ***April 30, 2019*** in an amount not to exceed ***\$30,261.00*** for a new total contract amount of \$79,643.00

All else remains the same.

**Carried:** XXX

**Ayes:** 1599

**Noes:**

**Absent:**

**Abstain:**

September 11, 2018

**RESOLUTION NO. 18-365  
(September 11, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A CONTRACT WITH DAVIS ULMER ON BEHALF OF THE COUNTY  
HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and the Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with ***Davis Ulmer***, 300 Metro Park, Rochester, NY 14623 on behalf of the County Health Department.

Said contract is to complete installation of the fire alarm system at the Health Department to meet New York State Department of Health Article 28 standards as follows:

- Additional installation of required equipment in an amount not to exceed seven thousand five hundred sixty-five dollars (\$7,565.00); effective upon signing through completion of project.
- Annual inspections and system monitoring in an amount not to exceed two thousand eight hundred sixty-four dollars (\$2,864.00); effective February 1, 2019 through January 31, 2021.
- OGS Contract #PT67038

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-366  
(September 11, 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 GOVERNOR'S TRAFFIC SAFETY COMMITTEE**

Regular Meeting



## ON BEHALF OF THE COUNTY HEALTH 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, Room 410B, Albany, NY 12228 on behalf of the County Health Department. Said grant to provide funding for the Child Passenger Safety Program in a minimum amount of three thousand dollars (\$3,000.00); effective October 1, 2018 to September 30, 2019.

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

*Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium for reading of the proclamation. Supervisor Ryan invited Community Services Dir. Dryja and Dir. Aldinger to join her.*

*Dir. Dryja stated that the coalition is very appreciative of the Board's support and mentioned the flyer at the back of the board packet regarding the 12<sup>th</sup> Annual Wyoming County Suicide Prevention Awareness Walk taking place tomorrow, September 12<sup>th</sup>.*

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #16 through #19. Hearing no objection resolution titles were read.*

**#16**

### RESOLUTION NO. 18-367 (September 11, 2018)

By Mr. Leuer, Chairman of the Planning Committee:

#### 2019 MATCHING FUNDS PROGRAM APPROVED ON BEHALF OF THE WYOMING COUNTY CHAMBER OF COMMERCE

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby approve taking part in the *2019 Matching Funds Program* for tourist promotional activities; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Chamber of Commerce as the *official tourist promotion agency* for the County of Wyoming and, as the agency, to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

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

September 11, 2018

**RESOLUTION NO. 18-368  
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH CIR ELECTRICAL CONSTRUCTION CORP ON  
BEHALF OF PLANNING AND DEVELOPMENT**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***CIR Electrical Construction Corp.***, 400 Ingram Avenue, Buffalo, NY 14218 on behalf of Planning and Development. Said contract is for the installation of a solar array at the County Highway Department, 4328 Route 19 South, Silver Springs, NY 14550 in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00); effective upon signing through completion of the project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-369  
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING  
COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD OF DIRECTORS**

**BE IT RESOLVED**, That ***Mark Dadd***, 166 Main Street, Attica, NY 14011 be hereby reappointed as a Member of the Industrial Development Agency Board of Directors for a term of three (3) years; effective April 12, 2018 through April 11, 2021; and be it

**FURTHER RESOLVED**, That ***James Hardie***, 1060 Alleghany Road, Attica, NY 14011 be hereby reappointed as a Member of the Industrial Development Agency Board of Directors for a term of three (3) years; effective June 14, 2018 through June 13, 2021 .

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

**RESOLUTION NO. 18-370  
(September 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION TO AMEND SUBRECIPIENT AGREEMENTS WITH  
THE WYOMING COUNTY BUSINESS ASSISTANCE CORPORATION**

**WHEREAS**, Wyoming County (the “County”) was the recipient of multiple New York State administered grants through the Community Development Block Grant (CDBG) Program (the “CDBG Grants”); and

**WHEREAS**, The County entered into subrecipient agreements (collectively, the “Subrecipient Agreements”) with The Wyoming County Business Assistance Corporation (“WCBAC”) pursuant to which the County provided the proceeds of the CDBG Grants to WCBAC for the purpose of providing assistance to businesses within Wyoming County; and

**WHEREAS**, Pursuant to the Subrecipient Agreements, any Program Income, as defined in the CDBG regulations (“Program Income”), resulting from the use of the CDBG Grants was to be used by WCBAC to administer a revolving loan fund (“RLF”); and

**WHEREAS**, WCBAC has continued to administer the RLF and to make loans to support business development and job creation in Wyoming County and the funds held in the RLF and the loans receivable contained in the RLF constitute CDBG assets that are subject to certain rules and regulations promulgated by the United States Department of Housing and Urban Development (hereinafter “HUD”) and the New York State Office of Community Renewal (hereinafter “OCR”) regarding their use; and

**WHEREAS**, OCR has notified the County and other recipients of CDBG funds that it is requiring that all Program Income not spent on, or committed to, CDBG-eligible activities by March 31, 2019 be paid to the OCR by April 30, 2019, and that any Program Income received by WCBAC after March 31, 2019 must be remitted to OCR and, as a result, revolving loan fund repayments to WCBAC after such date will no longer be available to make loans in Wyoming County; and

**WHEREAS**, Any proposed use of Program Income prior to March 31, 2019 must be approved by OCR; and

September 11, 2018

**WHEREAS,** The County wishes to:

- (i) Prohibit the making of future CDBG loans from the RLF;
- (ii) Provide for the continued servicing and administration of the RLF by WCBAC;
- (iii) Allow the WCBAC to use RLF Program Income prior to April 1, 2019 to fund or to commit to funding any eligible CDBG economic development activity, subject to OCR approval and the approval of the WCBAC Board of Directors, and to pay CDBG-eligible expenses including grant administration and program delivery costs; and
- (iv) Provide for the return to the County of any Program Income not so used and any repayments on RLF loans received by WCBAC on or after April 1, 2019 that constitute Program Income; and

**WHEREAS,** The proposed changes to the RLF will require amendments to the Subrecipient Agreements; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors approves the execution and delivery of an amendment to the Subrecipient Agreements to:

- (i) Prohibit the making of future CDBG loans from the RLF;
- (ii) Provide for the continued servicing and administration of the RLF by WCBAC in accordance with CDBG requirements;
- (iii) Allow the WCBAC to use RLF Program Income prior to April 1, 2019 to fund or to commit to funding any eligible CDBG economic development activity, subject to OCR approval and the approval of the WCBAC Board of Directors, and to pay CDBG-eligible expenses including grant administration and program delivery costs;
- (iv) Provide for the return to the County of any cash constituting Program Income held by WCBAC under the Subrecipient Agreements which is not spent on, or committed to, CDBG-eligible activities, including administrative and program delivery costs, by March 31, 2019;
- (v) Provide for the return to the County of any RLF loan repayments received by WCBAC on or after April 1, 2019 that constitute Program Income, (v) provide that any future income generated by outstanding CDBG loans that is not "Program Income" under HUD regulations be deemed unrestricted funds to be retained and used by the WCBAC without restriction; and

- (vi) Make such further amendments as shall be mutually agreed to by the County and WCBAC, such amendment to the Subrecipient Agreements to be subject to the approval of the County Attorney as to form and content.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #20 through #25. Hearing no objection resolution titles were read.*

**#20**

**RESOLUTION NO. 18-371  
(September 11, 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 provide funding for patrols dedicated to selective traffic enforcement details in a minimum amount of ten thousand five hundred dollars (\$10,500.00) year; effective October 1, 2018 to September 30, 2019.

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

**RESOLUTION NO. 18-372  
(September 11, 2018)**

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

**WYOMING COUNTY SHERIFF'S WEEK PROCLAIMED**

**WHEREAS**, The Office of Sheriff has been an integral part of the criminal justice system in New York State and in Wyoming County throughout our history, having been established in the State's first constitution in 1777 and having been continued in every succeeding constitution, and having been one of the original constitutional offices of our County since 1841; and

September 11, 2018

**WHEREAS,** Despite changes in its function, status and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

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

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

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

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

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby proclaim September 16 through September 22, 2018 as **“SHERIFFS WEEK IN WYOMING COUNTY”**

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

**RESOLUTION NO. 18-373  
(September 11, 2018)**

By Mr. Copeland, Chairman of the Public Safety Committee:  
**2019 STOP DWI PLAN APPROVED**

**BE IT RESOLVED,** That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the **2019 Stop DWI Plan** with the **New York State Governors Traffic Safety Committee**, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County’s STOP DWI Program. The 2019 STOP DWI Plan Agreement is for continued work addressing the problem of impaired driving in a minimum amount of one hundred forty-seven thousand four hundred seventy-five dollars (\$147,475.00); effective January 1, 2019 through December 31,

2019.

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

**RESOLUTION NO. 18-374  
(September 11, 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  
STOP DWI**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Governor's Traffic Safety Committee*, New York State STOP-DWI Foundation, 6 Empire State Place, Albany, NY 12228 on behalf of STOP DWI. Said funding to provide special crackdown patrols during special holidays and events with high visibility road checks and saturation patrols in a minimum amount of ten thousand eight hundred fifty dollars (\$10,850.00); effective October 1, 2018 to September 30, 2019.

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

**RESOLUTION NO. 18-375  
(September 11, 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 HOMELAND SECURITY AND EMERGENCY SERVICES ON  
BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Division of Homeland Security and Emergency Services*, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12228 on behalf of Wyoming County Emergency Services. Said grant to provide funding to hire a consultant to update and overhaul current comprehensive emergency response plan in a

September 11, 2018

minimum amount of fifty-two thousand four hundred eighty-five dollars (\$52,485.00); effective September 1, 2018 to August 31, 2021.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #25**

**RESOLUTION NO. 18-376  
(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE NEW YORK STATE DIVISION OF HOMELAND  
SECURITY AND EMERGENCY SERVICES OFFICE OF  
INTEROPERABLE AND EMERGENCY COMMUNICATIONS ON  
BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant acceptance award with the *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, NY 12228 on behalf of Wyoming County Emergency Services. Said grant to provide funding for 2018-19 Public Safety Answering Points (PSAP) Operation Grant Program in a minimum amount of one hundred forty thousand seventy-one dollars (\$140,071.00); effective January 1, 2019 through December 31, 2019.

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

*Chairman Berwanger invited Supervisor Copeland, T/Wethersfield to the podium to present the proclamation. Supervisor Copeland invited Sheriff Rudolph to read the proclamation and requested Sergeant Heim join him.*

*Sheriff Rudolph expressed his gratitude for this important proclamation. He mentioned that there is a lot going on in the Sheriff's Department these days and recognized Supervisor May, T/Orangeville and Supervisor Copeland, T/Wethersfield for their years spent at the Sheriff's Department.*

*There was a motion by Mr. Davis, T/Copeland, to combine resolutions #26 through #31. Hearing no objection resolution titles were read.*

**#26**

**RESOLUTION NO. 18-377  
(September 11, 2018)**

Regular Meeting



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

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

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

- ***Penn Properties Solutions, LLC***, 7328 Wertzville Road, Carlisle PA 17015 for the purchase and installation of Polylast flooring at the Wyoming County Animal Shelter in an amount not to exceed forty-five thousand dollars (\$45,000.00); effective August 15, 2018 through completion of project.
- ***Mason Company***, 260 Depot Street, P.O. Box 365, Leesburg, OH 45135 for the purchase of Ultra Base Kennels for the Wyoming County Animal Shelter in an amount not to exceed forty-nine thousand three hundred sixty-seven dollars (\$49,367.00); effective August 17, 2018 through delivery.
- ***MJ Mechanical Services, Inc.***, 95 Pirson Parkway, Tonawanda, NY 14150:
  - For the purchase and installation of one (1) Trane 2 ton single zone wall mounted ductless system at the Wyoming County Animal Shelter in an amount not to exceed ten thousand three hundred eighty dollars (\$10,380.00); effective September 5, 2018 through completion of project.
  - 
  - For the purchase and installation of two (2) Mitsubishi “M” Series 2.5 ton ductless split units at the Wyoming County Animal Shelter in an amount not to exceed fourteen thousand nine hundred thirteen dollars (\$14,913.00); effective September 5, 2018 through completion of project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-378  
(September 11, 2018)**

September 11, 2018

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

### RESOLUTION NUMBER 18-274 AMENDED

**WHEREAS**, Resolution Number 18-274 entitled, “**APPROVING SOLE SOURCE PROCUREMENT WITH POLYLAST ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**” was passed by this Board of Supervisors on July 12, 2018 authorized 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; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-274* be hereby amended to include *Penn Properties Solutions, LLC*, 7328 Wertzville Road, Carlisle, PA 17013 as a trained installer for Polylast.

All else remains the same.

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

### RESOLUTION NO. 18-379 (September 11, 2018)

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

### RESOLUTION NUMBER 16-356 AMENDED

**WHEREAS**, Resolution Number 16-356 entitled, “**2016 ~ 2017 SALT AND SAND BIDS APPROVED**,” passed by this Board of Supervisors on September 13, 2016 awarded a bid for the purchase of salt for the *2016~ 2017 Snow Season* to American Rock Salt Co., LLC, P.O. Box 190, Mt. Morris, NY 14510 in an amount not to exceed forty-eight dollars and fifty cents (\$48.50) per ton; effective September 1, 2016 through May 31, 2017; and

**WHEREAS**, That Resolution Number 16-356 was previously amended by this Board of Supervisors on June 13, 2017 by *Resolution Number 17-262* to extend the bid pricing of forty-eight dollars and fifty cents (\$48.50) per ton for the 2017~2018 season; effective May 31, 2017 through May 31, 2018 (*first extension of the original contract that provides for two (2) one-year extensions*); now therefore

**BE IT RESOLVED**, That *Resolution Number 16-356* as previously amended by *Resolution Number 17-262* be hereby further amended to extend the bid pricing of forty-eight dollars and fifty cents (\$48.50) per ton for the

2018~2019 season; effective September 1, 2018 through May 31, 2019 (*second extension of the original contract that provides for two (2) one-year extensions*). All else remains the same.

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

**RESOLUTION NO. 18-380  
(September 11, 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 September 1, 2018 through August 31, 2019, all ties were awarded by lot at the ***August 28, 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:**

**WYOMING COUNTY HIGHWAY DEPARTMENT  
Silver Springs, New York 14550  
ABRASIVE GRIT**

Bids opened: August 21, 2018

Contract period: 9/1/18 – 8/31/19

**Price/Ton – F.O.B. Plant**

***D & H Materials, Inc.***

Delevan, NY 14042

Delevan Plant: 4.75

***Gernatt Asphalt Products, Inc.***

13870 Taylor Hollow Road

Chaffee Plant: 4.45

Collins, NY 14034

Freedom Plant: 5.20

Phone: 716-532-3371

***M & M Aggregates***

6128 Sheppard Road

Bliss, NY 14024

Sheppard Road Plant: 6.00

September 11, 2018

*Todd Gadd*  
*County Superintendent of Highways*

**WYOMING COUNTY HIGHWAY DEPARTMENT**  
Silver Springs, New York 14550  
**ABRASIVE GRIT**

Bids opened: August 21, 2018

Contract period: 09/01/18 – 08/31/19

<u><b>Town</b></u>	<u><b>Price/Ton @ Town Stockpile Location</b></u>	<u><b>Supplier</b></u>
Arcade	8.00	Gernatt Asphalt Products
Attica	11.30	Gernatt Asphalt Products
Bennington	9.45	Gernatt Asphalt Products
Castile	9.75	Gernatt Asphalt Products
Covington	11.80	M & M Aggregates
Eagle	9.00	D & H Materials, Inc.
Gainesville	10.10	Gernatt Asphalt Products
Genesee Fall	10.45	D & H Materials, Inc.
Java	9.40	D & H Materials, Inc.
Middlebury	11.50	M & M Aggregates
Orangeville	10.05	Gernatt Asphalt Products
Perry	11.20	Gernatt Asphalt Products
Pike	9.10	Gernatt Asphalt Products
Sheldon	9.85	D & H Materials, Inc.
Warsaw	10.15	Gernatt Asphalt Products
Wethersfield	9.95	Gernatt Asphalt Products

All materials for use in State/County stockpile will be delivered as shown. Ties were allotted by lot.

*Todd Gadd*  
*County Superintendent of Highways*

**ABRASIVE GRIT**  
***Lowest to Highest Bidders***  
**2018 - 2019 SEASON**

Arcade	1. Gernatt Asphalt	8.00
	2. D & H Materials, Inc.	8.00
	3. M & M Aggregates	10.90
Attica	1. Gernatt Asphalt	11.30
	2. D & H Materials, Inc.	11.45
	3. M & M Aggregates	11.70
Bennington	1. Gernatt Asphalt	9.45

Regular Meeting

	2. D & H Materials, Inc.	10.95
	3. M & M Aggregates	11.70
Castile	1. Gernatt Asphalt	9.75
	2. D & H Materials, Inc.	10.65
	3. M & M Aggregates	10.80
Covington	1. M & M Aggregates	11.80
	2. Gernatt Asphalt	12.20
	5. D & H Materials, Inc.	12.75
Eagle	1. D & H Materials, Inc.	9.00
	2. Gernatt Asphalt	9.00
	3. M & M Aggregates	10.00
Gainesville	1. Gernatt Asphalt	10.10
	2. D & H Materials, Inc.	10.35
	3. M & M Aggregates	10.60
Genesee Falls	1. D & H Materials, Inc.	10.45
	2. Gernatt Asphalt	10.70
	3. M & M Aggregates	12.00
Java	1. D & H Materials, Inc.	9.40
	2. Gernatt Asphalt	9.80
	3. M & M Aggregates	10.00

**ABRASIVE GRIT**  
***Lowest to Highest Bidders***  
**2018-2019 SEASON**

Middlebury	1. M & M Aggregates	11.50
	2. Gernatt Asphalt	11.95
	3. D & H Materials, Inc.	12.50
Orangeville	1. Gernatt Asphalt	10.05
	2. D & H Materials, Inc.	10.45
	3. M & M Aggregates	10.70
Perry	1. Gernatt Asphalt	11.20
	2. D & H Materials, Inc.	11.45
	3. M & M Aggregates	11.70
Pike	1. Gernatt Asphalt	9.10
	2. M & M Aggregates	9.40
	3. D & H Materials, Inc.	10.35
Sheldon	1. D & H Materials, Inc.	9.85
	2. Gernatt Asphalt	9.90
	3. M & M Aggregates	10.50
Warsaw	1. Gernatt Asphalt	10.15
	2. M & M Aggregates	10.75
	3. D & H Materials, Inc.	11.15
Wethersfield	1. Gernatt Asphalt	9.95

September 11, 2018

	2. D & H Materials, Inc.	10.15
	3. M & M Aggregates	10.40
Plant Price	1. Gernatt Asphalt – Rt. 16 Chaffee	4.45
	2. D & H Materials, Inc.	4.75
	3. Gernatt Asphalt – Freedom	5.20
	4. M & M Aggregates	6.00

#30

**RESOLUTION NO. 18-381**  
**(September 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH VALLEY FAB EQUIPMENT, INC. ON BEHALF OF  
COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with *Valley Fab Equipment, Inc.*, 9776 Trevett Road, Boston, NY 14025 on behalf of County Highway. Said contract is for a new and unused 10’ steel dump body in an amount not to exceed nine thousand four hundred ten dollars (\$9,410.00); effective September 11, 2018 through delivery.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-382**  
**(September 11, 2018)**

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

**RESOLUTION NUMBER 16-474 AMENDED**

**WHEREAS**, Resolution Number 16-474 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SIMONSON ENTERPRISES ON BEHALF OF COUNTY HIGHWAY**”, was passed by this Board of Supervisors on November 8, 2016 and provides for the removal of deer in an amount not to exceed thirty-seven dollars (\$37.00) per deer as per New York State Contract PA16005 in an *approximate* three (3) year amount of eleven thousand one hundred dollars (\$11,100.00); effective October 1, 2016 through September 30, 2019; now therefore

**BE IT RESOLVED**, That *Resolution Number 16-474* be hereby amended, in accordance with New York State bid clause for an “*Economic Price Adjustment*” of 1.9% which increases the rate for removal of deer to *thirty-seven dollars and seventy cents (\$37.70)* per deer effective May 15, 2018; and be it

**FURTHER RESOLVED**, That *Resolution Number 16-474* be hereby further amended to terminate this contract, in its entirety, effective *September 1, 2018* in accordance with the notice received from Simonson Enterprises.

All else remains the same.

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

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #32 through #48. Hearing no objection resolution titles were read.*

**#32**

**RESOLUTION NO. 18-383  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH TRIAD GROUP, LLC ON BEHALF OF THE COUNTY INSURANCE OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *TRIAD Group, LLC*, 400 Jordan Road, Troy 12180 on behalf of the County Insurance Office; effective January 1, 2019 through December 31, 2023 as follows:

- Annual Fee \$104,000.00
- Bill Review 15% of savings; not to exceed \$17,500.00
- Nurse Case Management \$75.00 per hour
- 207C Nurse Case Management \$275.00 per first month and \$160.00 per subsequent month; as requested by the client

Contingent upon the availability of funds.

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

**#33**

September 11, 2018

**RESOLUTION NO. 18-384  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES**

**WHEREAS**, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2018-2019 school taxes to the County Treasurer for inclusion in the following year's town and county levy; and

**WHEREAS**, The Board of Supervisors entered into an agreement with the various villages within the county that, upon notification to the county, by the villages, within the time period as defined in the agreement, the unpaid mandatory village taxes without the inclusion of non-tax items such as user fees or other charges which are included in relieved tax bills submitted to the County to become part of the next town and county levy; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

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

**RESOLUTION NO. 18-385  
(September 11, 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 provides 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; and

**WHEREAS**, That Resolution Number 15-386 was previously amended



by this Board of Supervisors on June 12, 2018 by **Resolution Number 18-276** 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 .

Now therefore,

**BE IT RESOLVED**, That **Resolution Number 15-386** as previously amended by **Resolution Number 18-276** be hereby further amended to remove the **NY Property Tax Collection System Services** from the *Application Hosting and Technology Support Services* contract for the Wyoming County Treasurer's Office; effective January 1, 2019.

All else remains the same.

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

**RESOLUTION NO. 18-386  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-432 AMENDED**

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

- **D&T Ventures**, PO Box 643, Saint Cloud, MN 56302-0643 for web services relating to the Wyoming County Treasurer's Tax Collection Software in an amount not to exceed five thousand seven hundred sixty dollars (\$5,760.00); effective January 1, 2017 through December 31, 2017.

And,

September 11, 2018

**WHEREAS**, That Resolution Number 16-432 was previously amended by this Board of Supervisors on December 13, 2016 by **Resolution Number 16-531** to correct the effective dates to reflect, “*three years starting on the date of execution of this agreement,*” (October 17, 2016 through October 16, 2019) in an amount not to exceed five thousand seven hundred sixty dollars (\$5,760.00) per year for a total contract cost of seventeen thousand two hundred eighty dollars (\$17,280.00) for three (3) years; now therefore,

**BE IT RESOLVED**, That **Resolution Number 16-432**, as previously amended by **Resolution Number 16-531** be hereby further amended to terminate the contract with **D&T Ventures** in its entirety; effective January 1, 2019.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#36

**RESOLUTION NO. 18-387**  
**(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SYSTEMS EAST, INC. ON BEHALF OF THE COUNTY TREASURER**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Systems East, Inc.**, 6 Locust Avenue, Cortland, NY 13045 on behalf of the County Treasurer. Said contract is for web-based tax collection software; effective October 1, 2018 through September 30, 2023 in amounts not to exceed as follows:

- 2019                      \$52,650.00
- 2020                      \$44,450.00
- 2021                      \$44,450.00
- 2022                      \$44,450.00
- 2023                      \$44,450.00

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#37

(September 11, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-239 AMENDED**

**WHEREAS**, Resolution Number 18-239 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH CATHEDRAL CORPORATION ON BEHALF OF REAL PROPERTY TAX SERVICES**” was passed by this Board of Supervisors on May 8, 2018 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; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-239* be hereby amended to include the addition of postage applied to tax bills (at cost) and printing of inserts per municipal option at nine cents (\$.09) per page. These added costs are billed back to participating municipalities.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#38

**RESOLUTION NO. 18-389**

(September 11, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-092 AMENDED**

**WHEREAS**, Resolution Number 18-092 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 13, 2016 and provides for various contracts, in part, as follows:

- ***GE Healthcare***, 9900 Innovation Drive, Wauwatosa, WI 53226 for an 84-month service agreement on the ***GE GoldSeal Infinia II Gamma Camera*** in an amount not to exceed one thousand seven hundred twenty dollars and seventy-five cents (\$1,720.75) per month for eighty-four (84) months for a total amount not to exceed one hundred forty-four thousand five hundred forty-three dollars (\$144,543.00); effective after the original twelve (12) month warranty period expires.

September 11, 2018

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-092*** be hereby amended to change equipment actually covered by the service agreement from a GE GoldSeal Infinia II Gamma Camera to a ***Discovery 360 Gamma Camera***.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
**#39**

**RESOLUTION NO. 18-390**  
**(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH EDWARD HULME, INC. ON BEHALF OF THE  
WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***Edward Hulme, Inc.***, 17 East Buffalo Street, Warsaw, NY 14569 on behalf of the Wyoming County Community Health System. Said contract is for the total excavation, mill and fill of “*Area 1*” which is identified as Parking Lot #4 of the Wyoming County Community Health System and the entrance road between Duncan Street and Parking Lot #4 in an amount not to exceed seventy-two thousand eight hundred fourteen dollars and twenty-one cents (\$72,814.21); effective September 12, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
**#40**

**RESOLUTION NO. 18-391**  
**(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “C”, “P”, “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 “C”:*****Wyoming County Community Health System***

- Amend the salary of the ***Director of Plant Operations*** under PLANT MAINTENANCE to \$88,000.00 annually; effective September 4, 2018.
- Abolish one (1) position of ***Director of Nurse Education and Infection Control*** under INFECTION CONTROL at \$67,670.00 annually; effective August 29, 2018.
- Abolish one (1) position of ***Clinic Office Manager*** under OB CLINIC at \$45,000.00 annually; effective August 29, 2018.
- Place one (1) position of ***Clinic Billing Manager*** under CLINIC BILLING and set the salary at \$45,000.00 annually; position available date is August 29, 2018.
- Change category name from CLINICS to CLINIC ADMINISTRATION
- Set the salary of ***Director of Reimbursement/Quality and SNF Rehabilitation*** under FISCAL SERVICES to \$99,000.00 annually; effective first payroll on or after January 1, 2018.
- Set the salary of ***Nursing Facility Administrator*** under NURSING FACILITY ADMINISTRATION to \$121,686.00 annually; effective first payroll on or after January 1, 2018.

**Salary Schedule “P”:*****Wyoming County Community Health System***

- Place one (1) position of ***Pediatrician Physician*** (0.5 FTE) on SALARY SCHEDULE P and set the salary at \$160,000.00 annually; position available date is August 29, 2018.

**Salary Schedule “S”:*****Mental Health***

- Set the salary of ***Fiscal Officer I*** under the office of MENTAL HEALTH to \$40,656.00 annually; effective May 27, 2018.

***Public Health***

- Set the salary of ***Fiscal Officer (Public Health)*** under the office of PUBLIC HEALTH to \$35,000.00 annually; effective September 11, 2108 with immediate eligibility for any Cost of Living Adjustments (COLA) issued to Salary Schedule “S”.

September 11, 2018

***Human Resource***

- Set the salary of ***Human Resource Assistant II*** under the office of HUMAN RESOURCE at \$36,000.00 annually; effective August 6, 2018.

***Workers Compensation***

- Set the salary of ***Insurance Program Assistant*** under the office of WORKERS COMPENSATION at \$39,500.00 annually; effective September 11, 2018.

**Salary Schedule “G”:*****District Attorney***

- Set the salary of ***Crime Victim Coordinator*** under the office of DISTRICT ATTORNEY to reflect an annual salary of \$52,376.00; effective October 1, 2018.
  - This salary is OVS grant funded out of the 1169 budget line.
- Amend the salary of ***Domestic Violence Coordinator*** under the office of DISTRICT ATTORNEY to reflect two (2) separate stipends as follows:
  - ***Violence Against Women Act (1167)***
    - \$16,135.00 annually; effective January 1, 2019 through December 31, 2019.
  - ***Office of Victim Services Grant***
    - \$18,267.00 annually; effective October 1, 2018 through September 30, 2019.

**Carried: XXX****Ayes: 1599****Noes:****Absent:****Abstain:****#41**

**RESOLUTION NO. 18-392  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 15-181 AMENDED**

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

- ***Strong Memorial Hospital***, A Division of the University of Rochester, an Educational Institution Chartered by the State of New York, on Behalf of UR Medicine Labs of tThe Department of Pathology and Laboratory Medicine, 601 Elmwood Avenue, Rochester, New York, 14642 for services of a Physician to serve as Laboratory Medical Director and provide pathology services at WCCHS in the amount of \$1,750.00 per day, with a minimum of two (2) days per month, additional days as needed, effective from the first day of the month after WCCHS's current contract has ended based on WCCHS giving appropriate notice to current service provider of termination of contract for three (3) years.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 15-181*** be hereby amended to establish the term of the contract from ***August 15, 2015 through August 14, 2018***; and be it

**FURTHER RESOLVED**, That ***Resolution Number 15-181*** be hereby further amended to extend the contract term from August 14, 2018 through ***December 15, 2018***.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #42**

**RESOLUTION NO. 18-393  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-293 AMENDED**

**WHEREAS**, Resolution Number 17-293 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on July 11, 2017 and provides for various contracts, in part, as follows:

- ***Oak Openings Medical, PLLC***, (Gregory Collins, DO), 4820 Darby Road, Avon, NY 14414:

September 11, 2018

- To provide Medical Review Officer (MRO) Services to Workplace Health Services (WPHS) in an amount not to exceed \$4,500.00 per year; effective July 3, 2017 through July 2, 2018
- To provide Medical Director Services for WPHS on a temporary basis in an amount not to exceed \$6,000.00 per year (prorated for partial year service)

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-293* be hereby amended to extend the contract term from July 2, 2018 through *July 2, 2019*.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #43**

**RESOLUTION NO. 18-394  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-304 AMENDED**

**WHEREAS**, Resolution Number 18-304 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on July 10, 2018 and provides, in part, for the following contracts:

- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669 to provide part time Pediatrician services and maternity/newborn call services in an amount not to exceed one hundred eighty-five thousand dollars (\$185,000.00) per year; effective September 1, 2018 through August 31, 2020 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.
- **Jamestown Psychiatric, PC**, 305 E. Fairmount Avenue, Lakewood, NY 14750 to provide services for the inpatient Behavioral Health Unit on an emergency basis in an amount not to exceed fifty thousand dollars (\$50,000.00); effective June 22, 2018 through July 31, 2018.

And,

**WHEREAS**, That *Resolution Number 18-304* was previously amended by this Board of Supervisors on August 14, 2018 by *Resolution Number 18-349* as follows:



- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669
  - Contract is amended to reflect an Employment Agreement on Salary Schedule P.
- **Jamestown Psychiatric, PC**, 305 E. Fairmount Avenue, Lakewood, NY 14750
  - Contract is amended to extend the term from July 31, 2018 through August 31, 2018 in an amount not to exceed fifty thousand dollars (\$50,000.00) for said additional term.

Now therefore,

**BE IT RESOLVED**, That **Resolution Number 18-304**, as previously amended by **Resolution Number 18-349** be hereby further amended to extend the contract term of the **Jamestown Psychiatric, PC** from August 31, 2018 through **October 31, 2018**; in an amount not to exceed sixty thousand dollars (\$60,000.00).

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #44**

**RESOLUTION NO. 18-395  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT  
AGREEMENT – SALARY SCHEDULE P WITH VINCENT C.  
NEWMAN, DO 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 an Employment Agreement – Salary Schedule P with **Vincent C. Newman, DO.**, 520 Virginia Street, Apartment 28, Buffalo, NY 14202 on behalf of the Wyoming County Community Health System. Said

September 11, 2018

contract to provide family practice services in an amount not to exceed two hundred thirty-three thousand dollars (\$233,000.00) plus a one-time fee of thirty-six thousand dollars (\$36,000.00); effective August 1, 2019 through July 31, 2022 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #45**

**RESOLUTION NO. 18-396  
(September 11, 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:**

***Sheriff***

- Two (2) positions of ***Deputy Sheriff (PT)*** on Schedule WCDSA Grade 4 (\$22.18 - \$28.36/hr.); position available date is September 12, 2018.

**CREATED:**

***Buildings and Grounds (Co. Bldgs.)***

- One (1) position of ***Laborer (Per Diem) (Temp)*** with salary to be negotiated upon hire and brought back to Committee for resolution; position available date is immediate and with only those benefits mandated by law.
- One (1) position of ***Carpenter (Per Diem) (Temp)*** with salary to be negotiated upon hire and brought back to Committee for resolution; position available date is immediate and with only those benefits mandated by law.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #46**

**RESOLUTION NO. 18-397  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

Regular Meeting

## **SALARY SCHEDULE “S” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “S” Handbook is hereby amended to include the following language, in **bold**, under **PERSONAL DAYS**; effective September 11, 2018:

### **PERSONAL DAYS**

Employees shall earn four (4) personal days per anniversary year. New employees with less than one (1) year of service shall receive one (1) personal day at the beginning of each three-month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

*An employee appointed to a Schedule S position who has continuous prior County employment in a full-time or part-time position shall have his/her date of hire or years of service determined for benefits under Schedule S by using his/her first date of hire or permanent appointment in the County to a full-time or part-time position which is continuous to his/her employment in a Schedule S position.*

Unused personal days cannot be carried over into the following anniversary year and will not be paid out upon separation from employment. Unused personal days cannot be carried over after the following year’s anniversary date.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:**  
#47

### **RESOLUTION NO. 18-398 (September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

## **SALARY SCHEDULE “D” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “D” Handbook is hereby amended to include the following language, in **bold**, under **PERSONAL DAYS**; effective September 11, 2018:

### **PERSONAL DAYS**

September 11, 2018

Employees shall earn four (4) personal days per anniversary year. New employees with less than one (1) year of service shall receive one (1) personal day at the beginning of each three-month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

***Employees appointed to Schedule D with prior County employment in a full-time or part-time position shall have their date of hire or years of service determined for benefits under Schedule D by using their first date of hire in the County to a full-time or part-time position which is continuous with Schedule D appointment.***

Unused personal days cannot be carried over into the following anniversary year and will not be paid out upon separation from employment. Unused personal days cannot be carried over after the following year's anniversary date.

When taking a personal day, notification to the Chairman of the Board of Supervisors must be made as soon as possible.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain: #48**

**RESOLUTION NO. 18-399  
(September 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULE "C" HANDBOOK APPROVED**

**BE IT RESOLVED**, That Salary Schedule "C" Handbook is hereby approved; effective September 11, 2018 and annexed hereto.

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



**SCHEDULE C**  
**WCCHS CONFIDENTIAL MANAGEMENT AND MANAGEMENT**  
**SUPPORT**

**EMPLOYEE HANDBOOK/BENEFITS MANUAL**

**PURPOSE**

The WYOMING COUNTY BOARD OF SUPERVISORS and WCCH BOARD OF MANAGERS value the dedication and service of its WCCH management and management support employees; otherwise, referred to as SCHEDULE C. The provisions contained herein are intended to establish guidelines for the terms and condition of employment for this important segment of Wyoming County's workforce. As such, these guidelines are subject to change by direction of the Board of Supervisors.

**GUIDELINES**

The term "employee" or Schedule C as used in this manual refers to those employees who occupy positions that are exempt from any County bargaining unit under the Taylor Law. These employees are grouped into one of two categories.

1. **MANAGEMENT:** These employees function in a leadership position, and are directly responsible for seeing that the missions of their departments are met. Department Managers are appointed by the Board of Supervisors/Board of Managers upon the approval and/or recommendation of the Chairman of the Board of Supervisors subject to New York State Law.
2. **MANAGEMENT SUPPORT:** Employees who are appointed by a Department Manager to perform support functions for management positions and/or other assignments of a confidential nature.

Specific benefits or responsibilities that pertain to certain employees or groups of employees have been so noted.

September 11, 2018

**ELIGIBILITY FOR BENEFITS**

**Part Time (with benefits)**

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

**Part Time (without benefits)**

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

**Full Time**

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

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

If the amount of vacation carryover exceeds the maximum for such leave in Schedule C, then the employee shall be paid for the excess at his/her rate of pay in his/her prior position in the first payroll following his/her employment in the Schedule C position.

**COVERED EMPLOYEES BY CLASSIFICATION**

Title	Status	Civil Service Classification	Category
ADMINISTRATIVE SECRETARY (3)	Full	Competitive	MS
ASSISTANT DIRECTOR OF FINANCE	Full	Competitive	M
ASSISTANT DIRECTOR OF NURSING - SNF	Full	Competitive	M
BIOMEDICAL SUPERVISOR	Full	Competitive	M
CHIEF OPERATING OFFICER	Full	Non-Competitive	M
CLINICAL DOCUMENTATION IMPROVEMENT COORDINATOR	Full	Competitive	MS
CLINIC OFFICE MANAGER (2)	Full	Competitive	MS
DIRECTOR OF HEALTHCARE INFORMATION SYSTEMS	Full	Competitive	M

Regular Meeting

DIRECTOR OF BEHAVIORAL HEALTH	Full	Competitive	M
DIRECTOR OF EMERGENCY SERVICE	Full	Competitive	M
DIRECTOR OF NURSING/ACUTE	Full	Competitive	M
DIRECTOR OF NURSING - SNF	Full	Competitive	M
DIRECTOR OF PLANT OPERATIONS	Full	Competitive	M
DIRECTOR OF REIMBURSEMENT/QUALITY & SNF REHABILITATION	Full	Competitive	M
DIRECTOR OF THERAPY SERVICES ACUTE & OUTPATIENT	Full	Competitive	M
DIRECTOR OF SURGICAL SERVICES/ MATERNITY & WOMEN'S HEALTH	Full	Competitive	M
DIRECTOR OF UTILIZATION REVIEW/ HEALTH INFORMATION MANAGEMENT	Full	Competitive	M
DIRECTOR OF WPHS, CLINIC QUALITY AND CORPORATE COMPLIANCE	Full	Competitive	M
DIRECTOR OF MED/SURG & ICU	Full	Competitive	M
DIRECTOR OF OUTPATIENT SERVICES	Full	Competitive	M
EXECUTIVE ASSISTANT	Full	Competitive	MS
HEALTHCARE INFORMATION SPECIALIST	Full	Competitive	MS
LABORATORY SERVICES DIRECTOR	Full	Competitive	M
MAINTENANCE SUPERVISOR	Full	Competitive	M
MANAGER OF BUDGET & FINANCIAL ANALYSIS	Full	Competitive	MS
NETWORK ADMIN II (WCCH)	Full	Competitive	MS
NURSING FACILITY ADMINISTRATOR	Full	Competitive	M
OBGYN CLINIC OFFICE MANAGER	Full	Competitive	MS
QUALITY ASSURANCE SPECIALIST/ INFECTION PREVENTION	Full	Competitive	MS
QUALITY & RISK MANAGEMENT COORDINATOR	Full	Competitive	MS
REVENUE CYCLE/BUSINESS OFFICE MANAGER	Full	Competitive	M

TERM: All positions listed above are Continuous Service.

NOTE: Covered employees may be amended at any time will appropriate Management approval.

September 11, 2018

CATEGORY: M-Management  
MS-Management Support

### **PRE-EMPLOYMENT DRUG TEST AND PHYSICAL**

All individuals seeking employment in WCCH's management and management support service must pass a pre-employment physical and a drug/alcohol screening administered by WPHS. No Schedule C employee can be hired unless he/she successfully passes these tests. The Human Resource Department shall arrange these tests.

A prospective employee, with a disability, requiring "reasonable accommodation" shall be reviewed by the Human Resource Director.

The cost of these tests shall be borne by the County.

### **COMPENSATION**

All appointments to Schedule C employment will be reviewed by the WCCH Compensation Committee annually. The determination to start a new employee above the current salary for the position must be recommended by the appointing authority and approved by the Board of Managers and the Board of Supervisors.

### **PROBATIONARY PERIOD**

Employees are subject to a probationary period of six (6) months (**This can be up to one year according to Civil Service Rules**). At the end of the probationary period, the employee's performance and suitability for advancement to regular status shall be evaluated by his/her Senior Manager and/or the applicable department manager.

### **HOURS OF WORK**

Schedule C employees are responsible for performing the duties of their office. The workday is determined by the tasks to be performed. The workweek for a full-time position shall be a minimum of 40 hours.

### **OVERTIME PAY AND COMPENSATORY TIME**

Schedule C Management (M) personnel shall not be entitled to receive overtime or compensatory time off.

### **VACATION LEAVE**

All full-time Schedule C employees shall accrue annual vacation leave biweekly based on 24 days per calendar year following their appointment. After having completed ten (10) years of employment, a maximum and total of twenty-five (25) days is granted.

Part-time employees accrue annual leave on a pro-rated basis.  
Vacation day requests for all Schedule C employees, except the CEO or

Regular Meeting



Designee, must be approved by the Sr. Manager, CEO or Designee (whichever is the immediate supervisor). The CEO or Designee vacation requests must be approved by the President of the Hospital Board of Managers. Employees shall be allowed to accrue a maximum of 60 days.

Department Managers will make every effort to insure that the work of the department is responsibly attended during their absence and to supply contact information to their immediate supervisor during leave.

Any employee who is laid off, retires, or resigns; shall receive payment for earned annual vacation leave if the employee gives 20 working days' notice to the Senior Manager or CEO or Designee. All annual leave shall be paid at the employee's current rate at separation.

Schedule C employees who have accrued at least 90% of the maximum allowed, shall be permitted to receive vacation pay without taking vacation for which they are eligible up to a maximum of 5 days in any fiscal year. Schedule C employees must submit the request to tender benefit time to their Senior Manager; Senior Managers must submit the request to tender benefit time to the CEO or Designee; CEO must submit the request to tender benefit time to the President of the Board of Managers. The required amount of accrued hours for a 40 hour/week employee is 432 hours. Upon approval the Senior Manager or CEO will submit the request to payroll.

AT NO TIME shall any employee receive more than 60 days of vacation leave pay at separation of employment with Wyoming County.

### **LONGEVITY PAY**

Employees must work in a benefitted position for 10 continuous years. The following will be paid out at the stated years of service each year until the next level is reached. Part time employees receive a pro-rated amount based on their FTE. Longevity pay will be divided amongst each paycheck over the entire calendar year.

Consecutive years of service		Per Annum Effective 01/01/18 (paid in normal paycheck)		Per Annum Effective 01/01/20 (paid in normal paycheck)
10 years		\$370		\$420
15 years		\$460		\$510
20 years		\$580		\$630
25 years		\$640		\$690
30 years		\$820		\$870

Said increment shall be awarded to qualified employees commencing with the

September 11, 2018

first pay period following qualification, said payment in the 1st year of qualification to be pro-rated over the remaining pay periods in the calendar year to constitute the full amount of the increment. In subsequent years of qualification, the increment shall be pro-rated over the entire calendar year. Consecutive service shall mean continuous and uninterrupted employment for the County of Wyoming, except that no person shall be disqualified by absences which were bona fide sick leave, military leave, sabbatical leave, or leave of absence granted by the CEO or Designee or his designated representative. In addition, a pro-rata increment pay shall be awarded to all part-time employees who have so continuously worked 20 or more hours a week for the necessary period of time. An employee shall be qualified for the increment herein granted in the calendar year in which his employment reached the necessary span of years to qualify.

### **JURY DUTY**

Upon presenting proof of the necessity for the employee to serve jury duty, or to attend court for other than personal matters, a leave of absence with pay shall be granted to all employees by the Department Manager or CEO or Designee.

Any juror pay received by the employee, with the exception of mileage payment, shall be turned over to the WCCH Business Office.

### **HOLIDAYS**

The following ten (10) paid holidays per year: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Day and one (1) Floating Holiday. Any such holidays falling on a Sunday shall be observed on the following Monday. Any such holidays falling on a Saturday, shall be observed on the preceding Friday. A Holiday must be taken on the day it is recognized and be paid in the pay-period it falls. Holidays cannot be accrued and will not be paid out upon separation of employment.

### **PERSONAL DAYS**

Full-time Schedule C employees shall earn four (4) personal leave days per year. All new employees with less than a year of service shall receive one (1) day personal leave the beginning of each three month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

Unused personal days cannot be carried over into the following anniversary year.

In no case, shall unused personal leave be exchanged for cash upon the separation from County Service.

### **SICK LEAVE**

Sick leave shall be defined as absence for reasons of illness/injury, or

Regular Meeting

dental/medical appointment for the employee.

All Schedule C employees shall accrue annual sick leave biweekly based on 12 days per calendar year following their appointment, to a total of two hundred ten (210) days. Part-time sick leave shall be on a pro-rated basis.

Any employee requesting sick leave during three (3) or more consecutive days shall be required to supply a letter from a physician licensed under Article 131 of the Education Law. Where an employee is entitled to compensation insurance for any period, such employee may elect to take a portion of his sick leave to make a full normal pay.

Other than cases of emergency, medical or dental appointment, sick leave shall be granted by prior arrangement with the CEO, Designee or Sr. Manager.

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

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

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

### **BEREAVEMENT LEAVE**

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

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

Time off must be taken in consecutive workdays starting with the first day following the death. Such leave shall be deducted from the employee's accumulated sick, vacation, or personal days. If such accumulations are not

available to the employee, bereavement leave shall be granted without pay.

### **LEAVE OF ABSENCE**

A leave of absence without pay, not to exceed one (1) year, may be granted to full-time Schedule C employees under the following conditions:

A written request for a leave of absence must be submitted to the Senior Manager at least four (4) weeks prior to the requested date of leave stating the reason for the leave and the anticipated duration of the leave.

The Senior Manager shall review such request and pass on his/her recommendation for approval or disapproval to the CEO and Human Resource Director. Once approved by the CEO and Human Resource Director the recommendation for approval shall be brought to the Board of Managers for final approval or disapproval.

A leave of absence shall not be granted to explore other employment opportunities.

No less than thirty (30) days prior to the expiration of an employee's leave, the employee shall be required to submit written notification to the Senior Manager of their intention to return to work.

An employee on a leave of absence may be allowed to reduce the period of leave without pay by the use of any accumulated personal leave or vacation leave. Additionally, in case of leave due to illness or injury of the employee, the employee may be allowed to use accumulated sick leave to reduce the period of unpaid leave during any days when the employee is ill or injured.

While on an unpaid leave of absence, he/she shall not accrue benefits. An employee may, however, at his/her expense, continue coverage in the group health insurance program provided to all county employees. If unpaid leave qualifies under the Family Medical Leave Act, the employee's health insurance will be paid at the same level as before such leave commenced for up to 12 weeks as prescribed by the Act.

An employee who returns from a leave of absence and has complied with this policy shall be returned to his former title unless there has been a layoff or elimination of the employee's position.

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

### **HEALTH INSURANCE**

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

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

The employer will pay 100% of the cost of single or family health insurance coverage for employees hired or appointed prior to 9/1/2018. Employees hired or appointed on or after 9/1/2018 will contribute 10% of the total premium. Premiums will be deducted over 24 pay periods per year on a pre-tax basis.

### **BUY-OUT MEDICAL COVERAGE**

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

### **DENTAL INSURANCE**

All employees who elect to join shall contribute 100% towards the cost of dental insurance.

### **DISABILITY INSURANCE**

Full time employees are covered under the enhanced Disability Insurance Plan for an injury or illness NOT arising out of or in the course of employment. The weekly benefit is 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Accrued sick time must be exhausted prior to receiving benefits under this plan. After sick is exhausted the employee may elect to use vacation, personal leave time or comp time to supplement the plan and to provide the employee within 2% of a full week's wage. These benefits are subject to the terms of the plan. This insurance coverage is provided at no cost to the employee. Part time employees are not eligible for NYS statutory disability benefits. The Wyoming County Disability Benefits Program is available to Schedule C personnel to provide a weekly cash payment up to 52 weeks if an employee should be unable to work as a result of injuries or illness which DID NOT arise out of or in the course of employment. Disability insurance coverage is provided to all full-time Schedule C employees at no cost to them.

### **WORKERS' COMPENSATION**

All employees who suffer an injury or illness related to their employment shall be eligible for Workers' Compensation Insurance. Employees who suffer an injury or illness must immediately notify their supervisor, and assist such supervisor in the completion of all the necessary forms.

The Department Manager or Designee shall be responsible for completing and submitting all forms to the Insurance/Workers' Compensation Office.

### **DEFERRED COMPENSATION**

September 11, 2018

All employees are eligible to voluntarily participate in the County sponsored 457 B Deferred Compensation Program. This program allows employees to save a portion of their gross pay before taxes. Information concerning the particulars of this program can be obtained from the Human Resource Department.

### **RETIREMENT**

All full time county employees must join the New York State Employees' Retirement System. Any employee who works part-time (less than 30 hours per week) or on a temporary basis has the option of joining the retirement system.

Detailed information on the retirement system including enrollment is available from the Human Resource Department.

### **PERFORMANCE EVALUATION**

All Schedule C employees will be evaluated on a yearly basis by their respective supervisor or designee. Senior Managers will be evaluated by the CEO and Managers will be evaluated by their Senior Manager.

### **SECONDARY EMPLOYMENT**

The employees covered by this manual understand and agree that their employment with the County is of basic and primary importance, and that secondary employment must not inhibit or impede the effective performance of their County responsibilities, or attendance; nor shall it impair their judgment in the exercise of their official duties. Any secondary employment must be in adherence to the Wyoming County Code of Ethics.

### **PAY DAY**

Schedule C employees will be paid on a biweekly basis. Such pay shall be in the form of a payroll check or through direct deposit with local banks.

### **TUITION REIMBURSEMENT**

Refer to the WCCHS Policy dated March 22, 2016.

### **TIME OFF REQUESTS**

Employees requesting time off must enter their request directly in the automated payroll system for supervisory approval.

### **ON CALL PAY**

Certain select schedule C employees at the discretion of Management who are required by the Hospital to be on – call based on their job duties shall receive an additional \$1.50 per hour for each hour that the employee is on – call status on Monday through Friday and \$1.80 per hour for each hour that the employee is on – call status on Saturday and Sunday and on Holidays as defined herein.

### **CALL IN PAY**

Certain select schedule C employees at the discretion of Management who are

called into work by the Hospital shall be paid for a minimum of four (4) hours at their applicable rate, in addition to the on call pay as defined herein.

### **ON CALL PAY**

#### **(WCCHS Information Technology ONLY)**

WCCHS Information Technology employees in schedule "C" are not eligible for on-call pay.

### **CALL IN PAY**

#### **(WCCHS Information Technology ONLY)**

WCCHS Information Technology employees who are called into work by the hospital shall be eligible to receive call in pay in accordance with this schedule:

On Weekends and Holidays:

WCCHS Information Technology employees scheduled on call shall receive a \$100.00 call in pay allowance per day between Fridays at 5:00 PM through Saturdays at 11:59 PM.

WCCHS Information Technology employees scheduled on call shall receive a \$100.00 call in pay allowance per shift day between Sundays at 12:01 AM and Mondays at 7:00 AM.

WCCHS Information Technology employees scheduled on call shall receive a \$100.00 call in pay allowance per day on a Holiday

On Weekdays:

WCCHS Information Technology employees scheduled on call shall receive a \$50.00 call in pay allowance per shift each weekday shift beginning at 5:00 PM Monday through 7:00 AM on Friday.

### **AMENDMENT AND CLARIFICATION**

Despite the County's best effort to clarify the guidelines for benefits and conditions of employment governing Schedule C employees, it is understood that questions will arise concerning interpretation of the Schedule C Employee Handbook/Benefits Manual and refinements may need to be made from time to time.

As changes or interpretations are made to this manual of guidelines by the Human Resource Committee they will be registered as an addendum and forwarded to the WCCH Board of Managers and to each Senior Manager for distribution to all Schedule C employees.

### **SEVERABILITY AND AMENDMENT**

This handbook and its component provisions are subordinate to any present or future Federal or New York law/regulation or Resolutions of the Board of

September 11, 2018

Supervisors. If any Federal or New York law or regulation or the final decision of any Federal or New York Court or administrative agency affects any provision of this handbook, each provision will be amended to the extent necessary to comply with such law, regulation or decision, but otherwise this handbook will not be affected.

### **DISCLAIMER**

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

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

### **READING/UNDERSTANDING THE HANDBOOK**

Each Schedule C employee of the Wyoming County Healthcare System shall be given a copy of this Handbook/Benefits Manual and be required to read and acknowledge on the attached "Acknowledgment Statement."

### **ACKNOWLEDGMENT STATEMENT**

***Employee Statement: I, acknowledge that I have been given and have read the Wyoming County Community Health System's Schedule C Employee Handbook/Benefits Manual.***

---

**SIGNATURE**

---

**DATE**



*Chairman Berwanger asked Clerk Ketchum if there were any written requests to speak at today's public hearing. Clerk Ketchum advised there were none...*

**Public Hearing ~**

- *Comment Period*

**Close Public Hearing ~**

- *Motion to close the Public Hearing was made by Supervisor May, T/Orangeville. Seconded by Supervisor Hastings, T/Eagle. Carried.*

**Local Law**

**#49**

**RESOLUTION NO. 18-400  
(September 11, 2018)**

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

LOCAL LAW NO. 4 (INTRODUCTORY D) ~ YEAR 2018,  
***“A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008”***

ADOPTED

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 14<sup>th</sup> day of August, 2018, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2018, entitled, ***“A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008”***; and

**WHEREAS**, In accordance with the provisions of Resolution No. 18-319, there was a public hearing held by this Board of Supervisors on this 11<sup>th</sup> day of September, 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 4, Year 2018, County of Wyoming, New York, as presented to this Board on the 14<sup>th</sup> day of August 2018, is hereby adopted in its original form as follows:

September 11, 2018

**LOCAL LAW NO. 4, YEAR 2018*****A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008***

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING AS FOLLOWS:**

**STATUTORY AUTHORITY.** New York State Tax Law, Section 253-n.

**BE IT ENACTED,** By this Board of Supervisors of the County of Wyoming, State of New York as follows:

**SECTION 1.**

This local law hereby repeals local law number 8 of 2008, which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 8 of 2008 is not retroactive. The purpose of the repeal is to make clear that this 2018 local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.

**SECTION 2. IMPOSITION OF TAXES**

For the period commencing December 01, 2018 through November 30, 2021, there is hereby imposed in Wyoming County a tax of twenty five cents (\$0.25) for each 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 a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). County of Wyoming,

**SECTION 3. APPLICABILITY**

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either

inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Wyoming County,” unless a different meaning is clearly required.

#### **SECTION 4. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY**

Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this local law is situated in this state but within and without Wyoming County, the amount of such tax due and payable to such county shall be determined in the same manner prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Wyoming County and without the state, the amount due and payable to Wyoming County shall be determined in the manner prescribed in the second paragraph of such Section 260 of the Tax Law, which concerns property situated within and without the state. Where real property is situated within and without Wyoming County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

#### **SECTION 5. ADDITIONAL TAXES**

A tax imposed pursuant to the authority of this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

#### **SECTION 6. DISPOSITION OF TAXES**

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Wyoming during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such recording officer on or before the tenth day of each succeeding month to the Treasurer of Wyoming County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Wyoming for expenditure on any county purpose.

Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more

counties, which under the provisions of this section of Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

## **SECTION 7. EFFECTIVE DATE**

This local law shall become effective December 01, 2018 through November 30, 2021.

DATED at Warsaw, New York  
August 14, 2018 (Introduced)  
September 11, 2018 (Adopted)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board of Supervisors

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

*Before adjourning the meeting, Chairman Berwanger made note of a housekeeping item...*

*WC Admin. Perkins advised that the Triad Group was unavailable today to make their presentation to the Board of Supervisors. There may be an opportunity for a teleconference at a later date and Board Clerk Ketchum will follow up.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:09 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

**REGULAR SESSION**  
**(October 9, 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 Supervisors E. Grant, T/Bennington, B. Hastings, T/Eagle, D. Leuer, T/Middlebury, S. May, T/Orangeville and J. Copeland, T/Wethersfield. 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:

**Corporal William C. Clester, Sr.**

Mr. Clester was born in Buffalo, NY in 1938 and went to school in Fillmore until his family moved to Pike when he was fifteen. He dropped out of school at the age of sixteen and two years later, at a town celebration in Fillmore, he and two of his friends met a recruiter in his dress blues. Whether it was how he looked; what he said; or the lack of jobs, the three friends joined the Marines together and reported to Buffalo two months later on August 30, 1956. Mr. Clester was one month shy of his 18<sup>th</sup> birthday.

Mr. Clester and his friends had a surprise right after swearing in; they were immediately put on a train heading straight to Paris Island, South Carolina. Together, the three went through basic training and then to Fort Lejeune for peacetime infantry. After about a year, Mr. Clester struck out on his own and headed to Fort Meade, Maryland to become base security for the National Security Agency (NSA).

The NSA was established in 1952 by a presidential directive from Harry S. Truman who specified its mission as *"to provide an effective, unified organization and control of the communications intelligence activities of the United States conducted against foreign governments, to provide for integrated operational policies and procedures pertaining thereto."* The NSA is a division of the Department of Defense and belongs to the Intelligence Community of 17 agencies working under the direction of the Director of National Intelligence. Mr. Clester served out the rest of his two-year enlistment and was honorably

discharged in August of 1958. For his valor and courageous service to his country, Mr. Clester was awarded the Good Conduct Medal.

Upon returning home, Mr. Clester went on a double date with a friend of his and two women they had never met. His friend was not impressed with his date, but Mr. Clester got along with his date, Adrienne, so well that they were married just four months later in December 1958 and are still married today. Mr. Clester also started working for Kittinger Furniture Company upholstering furniture that same year. He remained a loyal employee of Kittinger Furniture for 32-years until the Castile building closed its doors in 1990. He may have stopped working at Kittinger, but he still upholsters furniture. Mr. Clester joined the Fire Company in Pike in 1963 and has been an active member there for 55 years. He also was on the rescue squad for 25 years from 1970 to 1995.

Mr. Clester is a member of the Mount Zion Tabernacle Church. He and his wife have three children, five grandchildren, six great-grandchildren and his faithful companion Charlie.

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

*Mr. Clester stated he wasn't much of a talker but was very appreciative of being asked to lead the pledge today and thanked the Board for the opportunity...*

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

**Communications ~**

- *09/24/18 Correspondence from Julia Tedesco, President and CEO of Foodlink thanking the Board for the Hunger Action Month Proclamation and support*
- *09/27/18 Correspondence from Senator Gallivan acknowledging Wyoming County's request on behalf of the Fair Association for a \$50,000 allocation for the cattle barn*

**#1**

**RESOLUTION NO. 18-401  
(October 9, 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:

<b>CIP ~ Jail</b>			
<b>From:</b> 12.61.1620.2.21007 Jail CIP <b>To:</b> 12.61.9950.9.99004 Inter Fund Transfers <b>Reason:</b> To move money left from Jail CIP to Inter Fund Transfers as Jail project is now complete.	\$376.78	\$376.78	
<b>CIP ~ Jail Total</b>			<b>\$376.78</b>
<b>Probation</b>			
<b>From:</b> 01.37.3140.8.89001 Med/Hospital Ins. <b>To:</b> 01.37.3140.1.10202 Temporary <b>Reason:</b> To cover the cost of temporary position covering for medical leave.	\$7,000.00	\$7,000.00	
<b>Probation Total</b>			<b>\$7,000.00</b>

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

#2

**RESOLUTION NO. 18-402**  
**(October 9, 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:

<b>Highway</b>			
<b>To:</b> 01.52.9901.9.99001 Transfer to County Road Fund <i>w/ any funds available</i> <b>Reason:</b> To cover contracted cost associated with the house demolition in V/Castile. Work completed in 2018.	\$2,909.88	\$2,909.88	
<b>Highway Total</b>			<b>\$2,909.88</b>
<b>Weights &amp; Measurers</b>			
<b>To:</b> 01.43.6610.4.40301 Prof Svc Contract w/01.08.6610.2680 Insurance Recovery <b>Reason:</b> To provide short-term additional coverage to the Weights & Measures Department in the absence of the Director.	\$1,500.00	\$1,500.00	
<b>Weights &amp; Measurers Total</b>			<b>\$1,500.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4310.4.41801 Misc. Assess/Chg Oth Govt w/01.12.4310.4490 MH. Fed, Salary Sharing <b>Reason:</b> To fund court ordered placements for mental illness treatment.	\$25,000.00	\$25,000.00	

October 9, 2018

<b>Mental Health Total</b>			<b>\$25,000.00</b>
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<b>Emergency Services</b>			
<b>To:</b> 01.37.3640.1.10302 Overtime w/01.03.3640.1289 Other Departmental Income <b>Reason:</b> To cover the cost of overtime for the Jam in the Valley concert.	\$2,613.11	\$2,613.11	
<b>Emergency Services Total</b>			<b>\$2,613.11</b>

**Carried: XXX Ayes: 1250 Noes: Absent: 140** (Bennington) **Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,398,495.08** for the month of **September 2018**.

**Carried: XXX Ayes: 1250 Noes: Absent: 140** (Bennington) **Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

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

**#3**

**RESOLUTION NO. 18-403  
(October 9, 2018)**

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

**RESOLUTION NUMBER 18-254 AMENDED**

**WHEREAS**, Resolution Number 18-254 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH INDEED, INC. ON BEHALF OF THE HUMAN RESOURCE DEPARTMENT,**” passed by this Board of Supervisors on June 12, 2018 and provides for online “pay-per-click” job posting/advertisements in an amount of one dollar (\$1.00) per click and a total amount not to exceed nine thousand dollars (\$9,000.00); effective April 19, 2018 through July 19, 2018; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-254* be hereby amended to correct the contract end date from July 19, 2018 to **July 31, 2018**.

Regular Meeting



All else remains the same.

**Carried:** XXX **Ayes:** 1250 **Noes:** **Absent:** 140 (Bennington) **Abstain:**  
 51 (Eagle)  
 62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#4

**RESOLUTION NO. 18-404**  
**(October 9, 2018)**

By Mr. Tallman, Chairman of the Human Resource 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 at one dollar (\$1.00) per click in an amount not to exceed three thousand dollars (\$3,000.00) per month for a total contract amount not to exceed fifteen thousand dollars (\$15,000.00); effective August 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried:** XXX **Ayes:** 1250 **Noes:** **Absent:** 140 (Bennington) **Abstain:**  
 51 (Eagle)  
 62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#5

**RESOLUTION NO. 18-405**  
**(October 9, 2018)**

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

**WYOMING COUNTY SEXUAL HARASSMENT POLICY APPROVED**

October 9, 2018

**BE IT RESOLVED,** That the Wyoming County Sexual Harassment Policy is hereby approved; effective October 9, 2018 and annexed hereto.

**Carried:** XXX   **Ayes:** 1250   **Noes:**   **Absent:** 140 (Bennington)   **Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

WYOMING COUNTY  
**POLICY AND PROCEDURE**

<b>EFFECTIVE DATE:</b> October 9, 2018	<b>REVIEWED BY:</b> (Individuals/Committees) Human Resources	
<b>DATE DEVELOPED:</b>	<b>PREPARED BY:</b> John Ford, Deputy Director of HR	<b>SUPERSEDES:</b> Prior Sexual Harassment Policy
<b>CHIEF EXECUTIVE OFFICER'S SIGNATURE:</b>		<b>REFERENCES:</b> DHR/EEOC Regs and Related Law

**POLICY:**            **Sexual Harassment Policy**

**PURPOSE:**        Wyoming County is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination.

Wyoming County has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of Wyoming County commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with Wyoming County, or with a government agency or in court under federal, state or local antidiscrimination laws.

**PROCEDURE:**

- 1.        This Wyoming County Policy applies to all employees, applicants for

employment, interns, whether paid or unpaid, contractors and persons conducting business with Wyoming County.

2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Wyoming County has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Wyoming County who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee<sup>1</sup> working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, or Human Resources. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Wyoming County to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. Wyoming County will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors

that violate this policy. Wyoming County will provide all employees a complaint form for employees to report harassment and file complaints.

7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to Human Resources.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should complain so that any violation of this

policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of Sexual Harassment:**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by

companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### **Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

### **What is “Retaliation”?**

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- complained that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

### **Reporting Sexual Harassment**

**Preventing sexual harassment is everyone’s responsibility.** Wyoming County cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or Human Resources. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or Human Resources.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf. Employees, paid or unpaid interns

or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to Human Resources.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

**All** complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

- Upon receipt of complaint, Human Resources will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the “Complaint Form” in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;

Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
- A list of names of those interviewed, along with a detailed summary of their statements;
- A timeline of events;
- A summary of prior relevant incidents, reported or unreported; and
- The final resolution of the complaint, together with any corrective actions action(s).

Keep the written documentation and associated documents in the employer's records.

Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.

Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by Wyoming County but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Wyoming County, employees may also choose to pursue legal remedies with the following governmental entities **at any time**.

### **New York State Division of Human Rights (DHR)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Wyoming County does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.



You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, [www.dhr.ny.gov](http://www.dhr.ny.gov). Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **United States Equal Employment Opportunity Commission (EEOC)**

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which

they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml)

### **Contact the Local Police Department**

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

*Chairman Berwanger asked HR Director Farberman if he would please provide the reason for the policy update.*

*Dir. Farberman stated this change is a result of New York State Department of Labor and New York State Division of Human Rights adopting new requirements in the efforts to combat sexual harassment in the workplace. The policy has been updated to conform to new state regulations.*

*He also noted that all supervisory employees are mandated to attend sexual harassment prevention training. This training will also be available to all town and village supervisory positions in Wyoming County. The new policy has been distributed and training will be completed before the deadline.*

*There was a motion by Mrs. Ryan, T/Warsaw to combine resolutions #6 through #9. Mrs. Ryan also noted that Resolution #9 is a joint resolution with the Human Services and Public Safety Committees. Hearing no objection resolution titles were read.*

#6

### **RESOLUTION NO. 18-406 (October 9, 2018)**

By Mrs. Ryan, Vice-Chairman of the Human Services Committee:

### **JONATHAN FUZAK APPOINTED TO THE GLOW WORKFORCE DEVELOPMENT BOARD**

**BE IT RESOLVED**, That *Jonathan Fuzak*, New York State Laborers' Organizing Fund, 25 Tyrol Drive, Cheektowaga, NY 14227 be hereby appointed to the GLOW Workforce Development Board as a Labor Organization Representative for a two (2) year term; effective October 9, 2018 through October 8, 2020.

**Carried:** XXX **Ayes:** 1250 **Noes:** **Absent:** 140 (Bennington) **Abstain:**  
 51 (Eagle)  
 62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#7

**RESOLUTION NO. 18-407**  
**(October 9, 2018)**

By Mrs. Ryan, Vice-Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN ANNUAL GLOW CEO  
 WORKFORCE DEVELOPMENT BOARD (WDB) MULTI-  
 JURISDICTIONAL CEO AGREEMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the annual ***GLOW CEO Workforce Development Board (WDB) Multi-Jurisdictional CEO Agreement*** between Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming Counties and the GLOW Workforce Development Board (WDB), Genesee County Career Center, 587 East Main Street, Suite 100, Batavia, New York 14020 on behalf of Wyoming County; effective July 1, 2018 through June 30, 2019.

**Carried:** XXX **Ayes:** 1250 **Noes:** **Absent:** 140 (Bennington) **Abstain:**  
 51 (Eagle)  
 62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#8

**RESOLUTION NO. 18-408**  
**(October 9, 2018)**

By Mrs. Ryan, Vice-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**

October 9, 2018

- Contracts are variable amounts depending upon services provided.

***Joint Resolution***  
**#9**

## Regular Meeting



**RESOLUTION NO. 18-410  
(October 9, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**ORDER OF PROTECTION FOR DEER APPROVED**

**WHEREAS**, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tail deer population within the County of Wyoming due to anticipated weather conditions; now therefore,

**BE IT RESOLVED**, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2018 through April 1, 2019, under Article 7, Section 122 of the New York State Agriculture and Markets Law. *A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler*; and be it

**FURTHER RESOLVED**, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

*Perry Herald, Perry, New York  
Daily News, Batavia, New York*

and be it

**FURTHER RESOLVED**, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

**#11**

**RESOLUTION NO. 18-411  
(October 9, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED**

Regular Meeting

*Perry Herald, Perry, New York*  
*Daily News, Batavia, New York*

**FURTHER RESOLVED,** That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #12 and #13. Hearing no objection resolution titles were read.*

**RESOLUTION NO. 18-412**  
**(October 9, 2018)**

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A CONTRACT WITH UNITED MEMORIAL MEDICAL CENTER ON  
BEHALF OF THE COUNTY HEALTH DEPARTMENT**

October 9, 2018

outreach in Wyoming County for the New York State Department of Health Cancer Services Program in an amount not to exceed twenty-six thousand two hundred dollars (\$26,200.00); effective October 1, 2018 through September 30, 2019. *(Revenue Contract)*

## #13

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

Contingent upon the availability of funds.

## #14



**RESOLUTION NO. 18-414**  
**(October 9, 2018)**

By Mr. Kehl, Representative of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
LIVINGSTON COUNTY SHERIFF'S DEPARTMENT ON BEHALF OF  
THE WYOMING COUNTY 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 ***Livingston County Sheriff's Department***, 4 Court Street, Geneseo, NY 14454 on behalf of the Wyoming County Sheriff's Department. Said contract to provide prisoner housing in an amount not to exceed eighty-five dollars (\$85.00) per day; effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

**#15**

**RESOLUTION NO. 18-415**  
**(October 9, 2018)**

By Mr. Kehl, Representative of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION  
OF HOMELAND SECURITY AND EMERGENCY SERVICES ON  
BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

**BE IT RESOLVED,** That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the ***New York State Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, Building 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said funding is for FY-2018 Emergency Management Performance Grant in a minimum amount of twenty thousand six hundred fifty-

October 9, 2018

five dollars (\$20,655.00); effective October 1, 2017 through September 30, 2019.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #16 through #21. Hearing no objection resolution titles were read.*

**#16**

**RESOLUTION NO. 18-416  
(October 9, 2018)**

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

**WYOMING COUNTY ANIMAL SHELTER CAPITAL IMPROVEMENT  
PROJECT ESTABLISHED**

**WHEREAS**, The Wyoming County Board of Supervisors' Agriculture Committee, Public Works Committee, Finance Committee and this Board of Supervisors, in consultation with the Animal Control Officer and Superintendent of Buildings and Grounds, through discussion during these committee meetings has identified the need to complete improvements to the Wyoming County Animal Shelter located at 4380 Route 19 South, Silver Springs, NY; and

**WHEREAS**, That Wyoming County applied for and has been awarded a New York State Companion Animal Capital Fund Grant by New York State Agriculture and Markets which was accepted by this Board of Supervisors on June 12, 2018 by Resolution Number 18-277; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, on the recommendation of the above mentioned committee, hereby establishes the *Wyoming County Animal Shelter Capital Improvement Project* in an amount not to exceed one hundred forty-five thousand three hundred seventy-one dollars (\$145,371.00); and be it

**FURTHER RESOLVED**, That permission is hereby granted to seek proposals for the completion of this established project.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)

62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#17

**RESOLUTION NO. 18-417**  
**(October 9, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
 CONTRACT WITH PERRY LUMBER & HARDWARE, INC., D/B/A  
 BURT'S LUMBER, HEALTHY HOME INSULATION ON BEHALF OF  
 BUILDINGS AND GROUNDS (CIP)**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***Perry Lumber & Hardware, Inc., d/b/a Burt's Lumber, Healthy Home Insulation, 2*** Washington Boulevard, Perry, NY 14530 on behalf of Buildings and Grounds (CIP). Said contract is for spray foam insulation at the Wyoming County Animal Shelter in an amount not to exceed seven thousand seven hundred seventy-six dollars (\$7,776.00); effective September 24, 2018 through completion of the project. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
 51 (Eagle)  
 62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#18

**RESOLUTION NO. 18-418**  
**(October 9, 2018)**

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

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

October 9, 2018

**BE IT RESOLVED,** That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the ***New York State Unified Court System***, 92 Franklin Street, 3<sup>rd</sup> Floor, Buffalo, NY 14202 on behalf of Wyoming County Buildings and Grounds (Co. Bldgs.). Said funding is for the cleaning, minor repairs and maintenance at the Courthouse Campus, Government Center and Records Retention in a minimum amount of ninety-two thousand forty dollars (\$92,040.00); effective April 1, 2018 through March 31, 2019. (*Contract #C300473*)

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

## #19

**RESOLUTION NO. 18-419**  
**(October 9, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH TERRY MOONEY CONSTRUCTION, INC. ON  
BEHALF OF BUILDINGS AND GROUNDS (CIP)**

**BE IT RESOLVED,** That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***Terry Mooney Construction, Inc.***, 18 West Buffalo Street, Warsaw, NY 14569 on behalf of Buildings and Grounds (CIP). Said contract is for the installation of a metal roof on the Highway Office Building in an amount not to exceed twenty-two thousand five hundred dollars (\$22,500.00); effective October 10, 2018 through completion of the project. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

## #20

**RESOLUTION NO. 18-420**  
**(October 9, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
FEEDWATER TREATMENT 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 ***Feedwater Treatment Systems, Inc.***, PO Box 439, Athol Springs, NY 14040 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for the monitoring, maintaining, testing and inspecting the cooling towers at the Jail, Courthouse, Public Health and Government Center in an amount not to exceed eleven thousand dollars (\$11,000.00); effective October 1, 2018 through September 30, 2019.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

## #21

**RESOLUTION NO. 18-421**  
**(October 9, 2018)**

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

**RESOLUTION NUMBER 18-238 AMENDED**

**WHEREAS, Resolution Number 18-238 entitled, “CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH PAVILION DRAINAGE SUPPLY CO., INC. ON BEHALF OF COUNTY HIGHWAY,”** passed by this Board of Supervisors on May 8, 2018 and provides for guide rails and installations; effective May 8, 2018 through completion of each project and in amounts not to exceed as follows:

- **Java Bridge #22**
  - Beaver Meadow Road ~ \$7,429.25

October 9, 2018

**BE IT RESOLVED**, That *Resolution Number 18-238* be herby amended to increase the amount for *Telegraph Road* from \$18,012.00 to ***\$18,033.50***.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

*There was a motion by Mr. Brick, T/Perry to combine resolutions #22 through #31, #33, #34 and #36 and requested that Resolution #32 be voted on separately.*

**Local Law**  
**#22**

By Mr. Brick, Chairman of the Finance Committee:

**WHEREAS,** There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 9<sup>th</sup> day of October, 2018, a proposed local law entitled, “Local Law Introductory No. E

Regular Meeting

**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 13<sup>th</sup> day of November, 2018 at 2:30 PM in the Supervisors' Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

**Carried:** XXX    **Ayes:** 1250    **Noes:**    **Absent:** 140 (Bennington)    **Abstain:**

51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)

349 Total

**INTRODUCTORY LOCAL LAW NO. E - YEAR 2018**  
*A Local Law to Override the Tax Levy Limit Established in General  
Municipal Law 3-C for Fiscal Year 2019*

Due to the continued financial obligations compelled by the State of New York upon the County of Wyoming in the form of mandated governmental services that are not fully funded by the State, the County, in addition to providing said services, also must provide other important services to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the “tax levy limit” as defined, and to allow the County of Wyoming to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the “tax levy limit” contained in General Municipal Law §3-c.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

October 9, 2018

**Section 3. Tax Levy Limit Override**

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

DATED at Warsaw, New York  
October 09, 2018 (Introduced)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

#23

**RESOLUTION NO. 18-423  
(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-088 AMENDED**

**WHEREAS**, Resolution Number 16-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY HEALTH SYSTEM**,” passed by this Board of Supervisors on February 9, 2016 and provides for various contracts on behalf of the Wyoming County Community Health System, in part, as follows:

- ***Dentserv Dental Services, PC***, 15 Canal Road, Pelham Manor, NY 10803 to provide dental services to the residents of the Skilled Nursing Facility in an amount not to exceed thirty-seven thousand two hundred dollars (\$37,200.00) per year; effective April 1, 2016 through May 31, 2018.

Now therefore,

Regular Meeting



- All else remains the same.

## #24

**RESOLUTION NO. 18-424**  
**(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-431 AMENDED**

**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:

- **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.

And,

**WHEREAS**, That Resolution Number 17-431 was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-243*** to

October 9, 2018

extend the contract expiration date from April 1, 2018 through ***September 30, 2018***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-431***, as previously amended by ***Resolution Number 18-243*** be hereby further amended to extend the contract term from September 30, 2018 through ***March 30, 2019***.

All else remains the same.

**Carried:** XXX   **Ayes:** 1250   **Noes:**   **Absent:** 140 (Bennington)   **Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

**#25**

**RESOLUTION NO. 18-425**  
**(October 9, 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:

- ***Spectrum***, 280 East Broad Street, Suite 1506, Rochester, NY 14604 for TV/cable services in an amount not to exceed one thousand six hundred sixty-four dollars (\$1,664.00) per month at a total contract amount not to exceed fifty-nine thousand nine hundred four dollars (\$59,904.00) for thirty-six (36) months; effective at time of installation estimated to be October 1, 2018 through September 30, 2021.
- ***Western New York Physicians, PLLC***, 2261 Route 19 North, Warsaw, NY 14569 to provide clinical patient hospitalist services to patients in the acute and behavioral health areas, to any unassigned patients in the hospital

51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

**RESOLUTION NO. 18-426**  
**(October 9, 2018)**

**RESOLUTION NUMBER 18-390 AMENDED**

**WHEREAS, Resolution Number 18-390 entitled, “CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH EDWARD HULME, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,”** passed by this Board of Supervisors on September 11, 2018 and provides for the total excavation, mill and fill of “*Area I*” which is identified as Parking Lot #4 of the Wyoming County Community Health System and the entrance road between Duncan Street and Parking Lot #4 in an amount not to exceed seventy-two thousand eight hundred fourteen dollars and twenty-one cents (\$72,814.21); effective September 12, 2018 through December 31, 2018; now therefore,

**BE IT RESOLVED,** That *Resolution Number 18-390* be hereby amended to include additional cost for Saturday work to remove existing curb and light pole base, prep area for blacktop, form and pour new curbing in an amount not to exceed eight thousand eight hundred seventeen dollars and seven cents (\$8,817.07) for a new contract amount not to exceed eighty-one thousand six hundred thirty-three dollars and twenty-eight cents (\$81,631.28). All else remains the same.

51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)

October 9, 2018

38 (Wethersfield)  
349 Total

#27

**RESOLUTION NO. 18-427  
(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT  
AGREEMENT ~ SALARY SCHEDULE “P” WITH TRACY E. FABIAN,  
DO 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 an Employment Agreement – Salary Schedule “P” with ***Tracy E. Fabian, DO.***, 1 South Street, Apartment 412, Buffalo, NY 14204 on behalf of the Wyoming County Community Health System. Said contract to provide family practice services in an amount not to exceed two hundred thirty-three thousand dollars (\$233,000.00) plus a one-time fee of thirty-six thousand dollars (\$36,000.00); effective August 1, 2019 through July 31, 2022 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

#28

**RESOLUTION NO. 18-428  
(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-534 AMENDED**

- **Margaret Wright, PA**, 9852 Meadow Lane, Houghton, NY 14744 to extend a physician provider employment agreement to provide pediatric clinic services and on call coverage for the emergency pediatric clinic patients, compensation in accordance with Salary Schedule “P” MID-LEVEL PROVIDER (.6 FTE) position; effective October 16, 2016 through October 15, 2018.

**BE IT RESOLVED**, That *Resolution Number 16-534* be hereby amended as follows:

- Extend the term of the **Employment Agreement ~ Schedule P** from October 15, 2018 through **October 15, 2020**.
- Set the salary at \$68,868.00 annually; effective October 21, 2018.

**Carried:** XXX   **Ayes:** 1250   **Noes:**

<b>Absent:</b>	140 (Bennington)	<b>Abstain:</b>
	51 (Eagle)	
	62 (Middlebury)	
	58 (Orangeville)	
	<u>38</u> (Wethersfield)	
	349 Total	

**RESOLUTION NO. 18-429**  
**(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-034 AMENDED**

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

October 9, 2018

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

**BE IT RESOLVED**, That ***Resolution Number 17-034***, as previously amended by ***Resolution Number 17-326*** be hereby further amended to increase the contract in an amount not to extend ***two hundred twenty thousand dollars (\$220,000.00)*** per term

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

**RESOLUTION NO. 18-430**  
**(October 9, 2018)**

**RESOLUTION NUMBER 17-199 AMENDED**

Regular Meeting

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 through **April 30, 2019**; and

**WHEREAS**, That Resolution Number 17-199 as previously amended by Resolution Number 18-246 was further amended by **Resolution Number 18-282** by this Board of Supervisors on June 12, 2018; 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
  - 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 WCCHS by the CEO/Administrator has been added

Now therefore,

**BE IT RESOLVED**, That Resolution Number 17-199 as previously amended by Resolution Number 18-246 and Resolution Number 18-282 be hereby further amended as follows:

October 9, 2018

**FURTHER RESOLVED**, That the following language is added:

- All else remains the same.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

**RESOLUTION NO. 18-431**  
**(October 9, 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**

Regular Meeting



- And,

- 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*

Now therefore,

- Delete any and all sections, schedules and reference to ***Hospitalist Services*** related to ACUTE CARE and MENTAL HEALTH UNIT areas
- Decrease the contract amount of \$682,293.00 to an amount not to exceed ***three hundred one thousand three hundred forty-three dollars (\$301,343.00)*** per year
- Effective ***October 1, 2018 through January 31, 2020***

All else remains the same.

## #33

**RESOLUTION NO. 18-432**  
**(October 9, 2018)**

October 9, 2018

By Mr. Brick, Chairman of the Finance Committee:

## **SALARY SCHEDULE “S” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “S” Handbook is hereby amended to add **Longevity Pay** under GENERAL INFORMATION as presented below; effective October 9, 2018:

### **LONGEVITY PAY**

To qualify for longevity pay employees must work in a benefitted position for 10 continuous years. The following will be paid out at the stated years of service each year until the next level is reached. Part time employees receive a pro-rated amount based on their FTE. Longevity pay will be divided amongst each paycheck over the entire calendar year.

<b>Consecutive years of service</b>	<b>Per Annum Effective 01/01/19 (paid in normal paycheck)</b>	<b>Per Annum Effective 01/01/20 (paid in normal paycheck)</b>
10 years	\$370	\$420
15 years	\$460	\$510
20 years	\$580	\$630
25 years	\$640	\$690
30 years	\$820	\$870

Said increment shall be awarded to qualified employees commencing with the first pay period following qualification, said payment in the 1st year of qualification to be pro-rated over the remaining pay periods in the calendar year to constitute the full amount of the increment. In subsequent years of qualification, the increment shall be pro-rated over the entire calendar year. Consecutive service shall mean continuous and uninterrupted employment for the County of Wyoming, except that no person shall be disqualified by absences, which were bona fide sick leave, military leave, sabbatical leave, or leave of absence granted by the Chairman or his designated representative. In addition, a pro-rata increment pay shall be awarded to all part-time employees who have continuously worked 20 or more hours a week for the necessary period of time. An employee shall be qualified for the increment herein granted in the calendar year in which his employment reached the necessary span of years to qualify.

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)

Regular Meeting

62 (Middlebury)  
 58 (Orangeville)  
38 (Wethersfield)  
 349 Total

#34

**RESOLUTION NO. 18-433**  
**(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULE “D” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “D” Handbook is hereby amended to add **Longevity Pay** under GENERAL INFORMATION as presented below; effective October 9, 2018:

**LONGEVITY PAY**

To qualify for longevity pay employees must work in a benefitted position for 10 continuous years. The following will be paid out at the stated years of service each year until the next level is reached. Part time employees receive a pro-rated amount based on their FTE. Longevity pay will be divided amongst each paycheck over the entire calendar year.

<b>Consecutive years of service</b>	<b>Per Annum Effective 01/01/19 (paid in normal paycheck)</b>	<b>Per Annum Effective 01/01/20 (paid in normal paycheck)</b>
10 years	\$370	\$420
15 years	\$460	\$510
20 years	\$580	\$630
25 years	\$640	\$690
30 years	\$820	\$870

Said increment shall be awarded to qualified employees commencing with the first pay period following qualification, said payment in the 1st year of qualification to be pro-rated over the remaining pay periods in the calendar year to constitute the full amount of the increment. In subsequent years of qualification, the increment shall be pro-rated over the entire calendar year. Consecutive service shall mean continuous and uninterrupted employment for the County of Wyoming, except that no person shall be disqualified by absences,

October 9, 2018

***Local Law***  
**#35**

By Mr. Brick, Chairman of the Finance Committee:

Regular Meeting

**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 *Wyoming County District Attorney* shall be increased by *\$14,250.00* for a new annual salary of *\$197,600.00*.
- Section 2.           All salaries set forth in Section 1 above shall be effective as of *April 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  
October 09, 2018 (Introduced)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

**Carried:           Ayes:           Noes:           Absent:           Abstain:**  
**#36**

**RESOLUTION NO. 18-434  
(October 9, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PRO-  
FLEX ADMINISTRATORS, LLC ON BEHALF OF THE COUNTY  
INSURANCE 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 *Pro-Flex Administrators, LLC*, 8321 Main Street, Williamsville, NY 14221 on behalf of the County Insurance Department. Said contract to provide Flexible Spending Account (FSA) claims administration; effective January 1, 2019 through December 31, 2023. The County of Wyoming to pay the administration fee of three dollars and seventy-five cents (\$3.75) per person, per month.

October 9, 2018

*Supervisor Brick, TPerry noted that the amendment to Resolution #32 is to remove Salary Schedule "S" and the two bulleted items from this resolution. Clerk Ketchum recapped that these are not Salary Schedule "S" positions and are being pulled from this resolution and the hourly wages will be set in a standalone resolution to follow.*

## #32

By Mr. Brick, Chairman of the Finance Committee:

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

***Wyoming County Community Health System***

- County Health Department & OFA**

- Extend end dates for stipends through the Navigator Program Grant through April 30, 2019.
  - **Director of Aging and Youth** \$1,000.00/annually
  - **Public Health Administrator** \$2,516.00/annually
  - **Director of Nursing (Public Health)** \$2,516.00/annually
  - **PH Fiscal Administrator** \$2,516.00/annually
  - **Fiscal Officer I (Office for the Aging)** \$1,000.00/annually
    - Said funds provided through New York State Department of Health “Consumer Assistance for the New York Health Benefit Exchange - In Person Assistors and Navigators”
    - Seven (7) month grant extension from October 1, 2018 through April 30, 2019

### **Salary Schedule “G”:**

#### ***District Attorney***

- Set the following stipends plus corresponding fringes:
  - **Assistant District Attorney (2<sup>nd</sup>)** \$5,000.00
  - **Administrative Assistant (DA)** \$10,000.00
  - **Secretary to the District Attorney** \$10,000.00
  - **Deputy County Treasurer** \$3,000.00
    - Said funds provided through the Traffic Diversion Program
    - Said funds plus corresponding fringes to be paid out in November 2018
- Set the following stipends plus corresponding fringes:
  - **Assistant District Attorney (1<sup>st</sup>)** \$10,000.00
  - **Administrative Assistant (DA)** \$500.00
  - **Secretary to the District Attorney** \$1,750.00
    - Said amounts are for the first six (6) months of the grant; effective October 1, 2018 through March 31, 2019
    - Said funds provided through the 2018~2019 ATP Grant
    - Said funds plus corresponding fringes to be paid out in January 2019
- Set the following stipends plus corresponding fringes:
  - **Assistant District Attorney (1<sup>st</sup>)** \$10,000.00
  - **Administrative Assistant (DA)** \$500.00
  - **Secretary to the District Attorney** \$1,750.00
    - Said amounts are for second half of the grant; effective April 1, 2019 through September 30, 2019
    - Said funds provided through the 2018~2019 ATP Grant
    - Said funds plus corresponding fringes to be paid out in April 2019

- Set the salary of the ***District Attorney*** within the office of DISTRICT ATTORNEY to comply with the Laws of New York, 2010, Chapter 567, the Report of the Special Commission of December 24, 2015 and Judiciary Law section 183-a, at \$197,600.00 annually; effective retroactively to April 1, 2018.

***Wyoming County Community Health System***

- Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total



2018 WYOMING COUNTY COMMUNITY HOSPITAL SALARY SCHEDULE "P"					
Official Civil Service Titles	Position Code	Res. #	Effective Date	Notes	Employment Agreement
<b>OB CLINIC</b> OB/GYN Physician Provider Certified Nurse Midwife, FT Stipend for Certified Nurse Midwife, FT	10.100.539	16-291	06/28/2016	\$240,000	Res. #18-307; 07/10/2018
	17.108.519	18-435	10/07/2018	\$125,000	Res. #18-093; 02/13/2018
	17.109.519	16-326	01/01/2016	\$100,000	Res. #18-245; 05/08/2018
	17.109.519	16-326	01/01/2016	\$ 25,000	Up to, based on performance
	17.110.443	17-033	10/21/2018	\$ 68,868	Res. #18-435; 10/09/2018
<b>PEDIATRIC CLINIC</b> Mid-Level Provider (0.6 FTE) Pediatrician Physician (0.6 FTE) Stipend for Pediatrician Physician (0.6 FTE) Pediatrician Physician (0.6 FTE) Pediatrician Physician (0.6 FTE)	10.102.582	18-391	08/29/2018	\$160,000	
	10.102.582	18-435	10/10/2018	\$ 5,000	One-time Section 2(c)
	10.102.582	18-435	09/10/2019	\$163,200	2% adjustment Section 2(b)
	10.102.582	18-435	09/10/2020	\$166,464	2% adjustment Section 2(b)
	10.102.582	18-435	09/10/2020	\$166,464	2% adjustment Section 2(b)
<b>NEUROLOGY CLINIC</b> Neurology Physician Provider	10.101.566	18-435	01/16/2018	\$230,000	Res. #18-039; 01/16/2018
<b>FAMILY PRACTICE</b> Family Practice and Maternity Physician Provider Stipend for Family Practice and Maternity Physician Provider Stipend for Family Practice and Maternity Physician Provider Stipend for Family Practice and Maternity Physician Provider	Pending	18-435	07/10/2018	\$230,000	
	Pending	18-435	TBD	\$ 15,000	Upon start date, if on-call pediatric/newborn coverage Exhibit A, Section 2
	Pending	18-435	TBD	\$ 36,000	One-time, upon start date Section 2(d)
	Pending	18-435	TBD	\$ 300	Upon start date
	Pending	18-435	TBD	\$ 300	Per occurrence, if pediatric/newborn call more than two times per month Exhibit A, Section 2
Family Practice and Maternity Physician Provider Family Practice and Maternity Physician Provider Family Practice and Maternity Physician Provider Family Practice and Maternity Physician Provider Family Practice Physician Provider	Pending	18-435	xx/xx/2020	\$234,600	2% adjustment Section 2(b)
	Pending	18-435	xx/xx/2021	\$239,292	2% adjustment Section 2(b)
	Pending	18-435	xx/xx/2022	\$244,078	2% adjustment Section 2(b)
	Pending	18-435	09/11/2018	\$230,000	2% adjustment Section 2(b)
	Pending	18-435	TBD	\$ 36,000	One-time Section 2(c)
Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider	Pending	18-435	TBD	\$ 300	Upon start date
	Pending	18-435	TBD	\$ 300	Per occurrence, if pediatric/newborn call more than two times per month Exhibit A, Section 2
	Pending	18-435	10/09/2018	\$230,000	One-time Section 2(c)
	Pending	18-435	TBD	\$ 36,000	Upon start date
	Pending	18-435	TBD	\$ 300	Per occurrence, if pediatric/newborn call more than two times per month Exhibit A, Section 2
Family Practice Physician Provider Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider Stipend for Family Practice Physician Provider	Pending	18-435	10/09/2018	\$230,000	One-time Section 2(c)
	Pending	18-435	TBD	\$ 36,000	Upon start date
	Pending	18-435	TBD	\$ 300	Per occurrence, if pediatric/newborn call more than two times per month Exhibit A, Section 2
	Pending	18-435	TBD	\$ 300	Per occurrence, if pediatric/newborn call more than two times per month Exhibit A, Section 2
	Pending	18-435	TBD	\$ 300	Per occurrence, if pediatric/newborn call more than two times per month Exhibit A, Section 2

Approved by BOM  
09/26/2018 plp  
Prepared by Board of Supervisors' Office  
10/09/2018 cjk

Chairman Berwanger recognized Supervisor Brick, T/Perry to introduce Resolution #37.

At the request of Supervisor Brick, Clerk Ketchum read the title.

October 9, 2018

## #37

By Mr. Brick, Chairman of the Finance Committee:

**Carried: XXX Ayes: 1250 Noes: Absent: 140 (Bennington) Abstain:**  
51 (Eagle)  
62 (Middlebury)  
58 (Orangeville)  
38 (Wethersfield)  
349 Total

*Chairman Berwanger then presented the below Shared Services Initiative Plan...*

## Regular Meeting



## 2018 County-wide Shared Services

### Initiative (CWSSI)

**October 09, 2018 @ 2:30 PM**

Wyoming County Government Center  
Supervisors' Chambers, 2<sup>nd</sup> Floor  
143 North Main Street  
Warsaw New York



## Panelists

### Towns:

- |                    |                 |
|--------------------|-----------------|
| 1. A. D. Berwanger | T/Arcade        |
| 2. B. Kehl         | T/Attica        |
| 3. E. Grant        | T/Bennington    |
| 4. K. Granger      | T/Castile       |
| 5. J. Davis        | T/Covington     |
| 6. B. Hastings     | T/Eagle         |
| 7. D. Tallman      | T/Gainesville   |
| 8. M. Vasile       | T/Genesee Falls |
| 9. A. Brunner      | T/Java          |
| 10. D. Leuer       | T/Middlebury    |
| 11. S. May         | T/Orangeville   |
| 12. J. Brick       | T/Perry         |

- |                 |                |
|-----------------|----------------|
| 13. S. King     | T/Pike         |
| 14. B. Becker   | T/Sheldon      |
| 15. B. Ryan     | T/Warsaw       |
| 16. J. Copeland | T/Wethersfield |

### Villages:

- |                 |                  |
|-----------------|------------------|
| 17. J. May      | V/Arcade         |
| 18. W. Lepsch   | V/Attica         |
| 19. K. Washburn | V/Castile        |
| 20. K. Falkner  | V/Gainesville    |
| 21. F. Hauser   | V/Perry          |
| 22. D. Coffey   | V/Silver Springs |
| 23. J. Robinson | V/Warsaw         |
| 24. N. Norton   | V/Wyoming        |

## Summary:

### Timeline ~

07/03/18 – Kick off meeting to discuss ideas and agree on public meeting dates.

### Public Meetings ~

07/10/18

Wyoming County Board of Supervisors pass resolution number 18-315, entitled, **Resolution Number 17-306 Amended**, as an advisory vote to support improvements to the Plan. (**Instructions:** Submission to County Legislative Board by August 1, 2018)

08/07/18

09/04/18

The Panel voted on the amended 2018 plan at the conclusion of the meeting.  
Results were 14 Aye / 10 Absent

(**Instructions:** Panel votes on Plan submitted by the County Leader by September 15, 2018)

### Public Presentation

10/09/18 by October 15, 2018 (as instructed).

October 9, 2018

## ***The Plan:***

- I. ***Wyoming County Historian / Village of Perry Library***
  - a. Scanning and digitizing of local newspapers and several photo collections
    - i. Estimated cost - **\$44,000.00**
    - ii. Wyoming County Historian was able to provide the Perry Librarian with information on how to access the online availability of the local newspapers and where to find free manpower / volunteers to help with scanning and digitizing thereby avoiding the above estimated cost.
- II. ***County-Wide Assessing***
  - a. The Town of Sheldon is reporting cost avoidance of **\$25,000.00** in re-valuation activities by contracting with Wyoming County to provide Assessor services.
- III. ***County-Wide Electronics Collection Event***
  - a. Participants
    - i. 16 Wyoming County Towns
    - ii. 8 Wyoming County Villages
  - b. Three locations on May 12, 2018
    - i. Town of Arcade Highway barns
    - ii. Town of Attica Highway barns
    - iii. Perry Warsaw Airport
  - c. Total Project cost **\$19,850.45**
    - i. Advertising was all provided by NYS Senator P. Gallivan
    - ii. Estimated DEC grant funding (to be applied for 12/2018) for eligible costs \$9,819.72 (anticipated 50% - waiting on grant RFP)
    - iii. Total estimated cost to the county would then be \$10,030.73 (amount eligible for NYS Shared Services matching funds).
- IV. ***Total estimated savings for Wyoming County for 2018 and beyond***  
***a. \$88,850.45***
- V. ***The sum total of property taxes levied in the year 2017 by the county, cities, towns, villages, school districts, BOCES, and special improvement districts within such county***  
***a. \$70,307,934.36***
- VI. ***The sum total of property taxes levied in the year 2017 by the county, any cities, towns, villages, school districts, BOCES, and special improvements districts identified as participating in the panel.***  
***a. \$38,504.676.00***
- VII. ***Anticipated savings as a percentage of Participating Entities Property Taxes***  
***a. .230752286%***
- VIII. ***Anticipated savings to the Average Taxpayer (based on median assessed value of \$92,000)***  
***a. \$2.403411***

*Chairman Berwanger stated that now that the Plan has been presented, it would be submitted to the Department of State.*

*Chairman Berwanger thanked Clerk Ketchum for her work on the County's Plan and everyone that participated in the process.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:09 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

October 9, 2018

**REGULAR SESSION**  
**(November 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 except B. Hastings, T/Eagle and D. Leuer, T/Middlebury. 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:

**Master Sargent Scott A. Woolley**

Mr. Woolley was born in Arcade in 1962 and graduated from Pioneer High School in 1980. He went to Alfred State College majoring in Animal Husbandry. He entered the United States Air Force in 1986 after his younger brother, Michael, joined the United States Army. Although no family members had been in the service before, all five of the Woolley siblings entered the military; one Army, one Marine Corps and three in the Air Force.

Mr. Woolley's served on Bitburg Air Force Base, Germany; George Air Force Base, California; Offutt Air Force Base, Nebraska and retired from Ramstein Air Force Base, Germany.

Construction of the Ramstein Air Force Base began under the Franco-American Reciprocal Agreement in 1951. It was originally set up as two separate bases, Ramstein and Landstuhl. Landstuhl was the operational fighter base with hangars, runways, and air traffic control tower. The Ramstein base was used as the headquarters of NATO and the Twelfth Air Force. In 1957, they combined to form the largest NATO controlled air base in Europe and was renamed Ramstein AFB in 1958. The headquarters of the US Air Forces in Europe was moved from the Wiesbaden air base to Ramstein by March 1973. The USAFE started the expansion of the base, as it became the largest American community outside the US. NATO operated an underground combat operations center, called the Air Defense Operations Center (ADOC) or Kindsbach Cave, in Kindsbach near Ramstein during the Cold War (1947–91).

Mr. Woolley suffered an illness while at Ramstein and was sent home for

medical treatment. He rejoined his wife and two children, Ethan and Aaron, in Germany until he suffered a second round of that same illness in 2009 when he returned to the states for continued care. For his valor and courageous service to his country, Mr. Woolley was awarded the:

Air Force Good Conduct Medal  
 National Defense Service Medal  
 Armed Forces Services Medal  
 Overseas Long Tour Ribbon with 3 Devices  
 Overseas Short Tour Ribbon  
 Air Force Training Ribbon  
 Intelligence Functional Badge

Since returning home, Mr. Woolley has reconnected with his agricultural background. He regularly supports the local 4~H program by purchasing pigs at the Wyoming County Fair, paying for them to be processed and then donates the meat to local veterans in need. He enjoys music and literature.

Mr. Woolley is joined this afternoon by his nephews, Connor and Luke Matheis.

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

Chairman Berwanger presented the customary certificate of appreciation and a special recognition for helping local Veterans in need by his continued support of the Wyoming County 4~H Animal Project Show and Sale to Mr. Woolley and offered him an opportunity to address the Board. At which time, Mr. Woolley's nephew thanked the Board for the opportunity to lead the pledge...

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

***In honor of Veteran's Day, the MIA/POW Ceremony was presented by Asst. Director of Veteran's Services, Robin Kruppa.***

#### **Communications ~**

- None

#### **Open Public Hearing ~**

- Public Hearing to close out Round I of the Rural Arts Initiative Grant
- "Local Law No. 5, Year 2018 (Introductory E, Year 2018) Entitled, "***A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2019***"

**RESOLUTION NO. 18-437**  
**(November 13, 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:

<b>Workers' Compensation</b>			
<b>From:</b> 05.58.1710.4.40107 Liability Insurance <b>To:</b> 05.58.1710.1.10001 S/D/I Salaries 05.58.1710.8.83001 FICA 05.58.1710.8.85001 Medicare <b>Reason:</b> To cover additional salary.	\$1,614.75	\$1,500.00 93.00 21.75	
<b>Workers' Compensation Total</b>			<b>\$1,614.75</b>
<b>Highway Road CIP</b>			
<b>From:</b> 17.66.5112.2.24015 Simmons Road <b>To:</b> 17.50.9901.9.99001 General Fund <b>Reason:</b> Transfer a portion of estimated remaining funds from Simmons Rd. Project to the General Fund to reduce bond debt payment for 2019.	\$400,000.00	\$400,000.00	
<b>Highway Road CIP Total</b>			<b>\$400,000.00</b>
<b>Mental Health ~ Dwyer</b>			
<b>From:</b> 01.38.4326.4.42306 Other <b>To:</b> 01.38.4326.2.20201 Computers <b>Reason:</b> To cover the cost of computers and camera program.	\$9,500.00	\$9,500.00	
<b>Mental Health ~ Dwyer Total</b>			<b>\$9,500.00</b>
<b>Mental Health</b>			
<b>From:</b> 01.38.4310.4.41010 Office Supplies 01.38.4310.4.41101 Paper 01.38.4310.8.81001 Retirement 01.38.4310.4.41216 Board Expenses <b>To:</b> 01.38.4310.1.10001 Salaries Fixed S/D/I <b>Reason:</b> To cover salary increase and retro-pay.	\$65.00 50.00 537.00 300.00	\$952.00	
<b>From:</b> 01.38.4250.4.42306 Other 01.38.4250.4.40008 Telephone (LD) 01.38.4250.8.81001 Retirement <b>To:</b> 01.38.4250.1.10001 Salaries Fixed S/D/I <b>Reason:</b> To cover salary increase and retro-pay.	\$50.00 100.00 192.00	\$342.00	
<b>From:</b> 01.38.4220.4.41510 Educational Materials <b>To:</b> 01.38.4220.1.10001 Salaries Fixed SDI <b>Reason:</b> To cover salary increase and retro-pay.	\$774.00	\$774.00	
<b>Mental Health Total</b>			<b>\$2,068.00</b>

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**



**RESOLUTION NO. 18-438**  
**(November 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:

<b>Information &amp; Technology</b>			
<b>To:</b> 01.34.1681.4.41402 Computers w/01.08.1681.2650 Revenue IT <b>Reason:</b> Sale of equipment on EBay being used to purchase new camera and miscellaneous supplies.	\$1,500.00	\$1,500.00	
<b>Information &amp; Technology Total</b>			<b>\$1,500.00</b>
<b>Treasurer</b>			
<b>To:</b> 01.33.1325.4.40301 Professional Services w/ <i>any funds available</i> <b>Reason:</b> To cover contract increase from \$1,200 to \$2,200.	\$1,000.00	\$1,000.00	
<b>Treasurer Total</b>			<b>\$1,000.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.42404 Grant Expense w/01.03.7510.128901 Other Dept. Income Grant <b>Reason:</b> For the <i>Treasurer Hunt Through History</i> Tour	\$1,246.88	\$1,246.88	
<b>Historian Total</b>			<b>\$1,246.88</b>
<b>Human Resource</b>			
<b>To:</b> 01.34.1431.1.10601 Unused Benefit Time 01.34.1431.8.83001 FICA 01.34.1431.8.85001 Medicare-FICA w/ <i>any funds available</i> <b>Reason:</b> To cover shortage for unused benefit time due to L. Nash resignation and to cover FICA and MA-FICA shortage due to additional employees.	\$5,292.39 6,129.00 1,434.00	\$12,855.39	
<b>Human Resource Total</b>			<b>\$12,855.39</b>
<b>Veterans Services</b>			
<b>To:</b> 01.43.6510.1.10001 Salaries-Fixed SchS/D/I 01.43.6510.1.10601 Unused Benefit time 01.43.6510.8.89001 Medical/Hospitalization w/ <i>any funds available</i> <b>Reason:</b> To cover salary and health insurance for two FT employees and unbudgeted unused benefit time for employee who resigned.	\$6,000.00 1,105.36 4,000.00	\$11,105.36	
<b>Veterans Services Total</b>			<b>\$11,105.36</b>

November 13, 2018

<b>Public Health</b>			
<b>To:</b> 01.38.4011.2.23001 Motor Vehicles w/01.11.4011.340112 PH Environmental Grant <i>w/any funds available</i> <b>Reason:</b> \$12,820 approved through NYSDOH DWE grant. Remaining \$2,788.34 anticipated from NYSDOH Article 6 State Aid or NYSDOH Year 6 Performance Incentive.	\$15,608.34	\$12,820.00 2,788.34	
<b>To:</b> 01.32.1185.4.40927 Monroe Cty Med Exam <i>w/any funds available</i> <b>Reason:</b> For contracted autopsy services in excess of budget due to higher volumes.	\$11,837.00	\$11,837.00	
<b>Public Health Total</b>			<b>\$14,625.34</b>
<b>Animal Control</b>			
<b>To:</b> 01.37.3510.1.10001 Salaries Fixed Sch S/D/I 01.37.3510.4.41212 Veterinary Expense 01.37.3510.4.40803 Building Supplies w/01.09.3510.2705 Gifts & Donations <i>w/any funds available</i> <b>Reason:</b> To cover salary and veterinary expense and a new mat for the entryway.	\$9,000.00 1,500.00 400.00	\$400.00 10,500.00	
<b>Animal Control Total</b>			<b>\$10,900.00</b>
<b>Emergency Services</b>			
<b>From:</b> 12.61.3020.2.22002 T/Benn Tower Project w/12.11.3020.3397 State Aid Rev. <b>Reason:</b> To reduce appropriation that was initially for the construction of the Bennington Tower. Due to changes, the remainder of the grant funds will be used for Radio Equipment.	(\$142,115.96)	(\$142,115.96)	
<b>To:</b> 01.37.3020.2.20101 Telecomm. Equip. 01.37.3020.2.20101 Telecomm. Equip. w/01.11.3020.3389 Other State Aid 01.11.3020.3389 Other State Aid <b>Reason:</b> To appropriate Statewide Communications Grant funds (2016 & 2017 partial) to cover the cost of radio equipment.	\$142,115.96 300,000.00	\$142,115.96 300,000.00	
<b>Emergency Services Total</b>			<b>\$300,000.00</b>

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
113 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,096,028.62** for the month of **October 2018**.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
113 Total

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3, 4, 6 and 7. Supervisor Becker, T/Sheldon asked for Resolution Office #5 to be voted on separately. Hearing no objection resolution titles were read.*

**RESOLUTION NO. 18-439  
(November 13, 2018)**

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

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

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

- **Mark H. Dadd Law Office, PLLC**, 166 Main Street, Attica, New York 14011 for legal services to be provided in an amount not to exceed twenty thousand dollars (\$20,000.00) annually; effective January 1, 2019 through December 31, 2019.
- **Jennifer Wilkinson**, 11 Exchange Street, Attica, NY 14011 for legal services to the Wyoming County Department of Social Services at the rate of seventy-five (\$75.00) per hour not to exceed ten thousand dollars (\$10,000.00) annually; effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#4**

**RESOLUTION NO. 18-440  
(November 13, 2018)**

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

**RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF  
REVENUE COUNTIES RETAIN FOR PROVIDING  
STATE DMV SERVICES**

**WHEREAS**, 51 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

November 13, 2018

**WHEREAS,** County clerks take pride in overseeing and operating this important service on behalf of the State for our residents; and

**WHEREAS,** This local DMV operation is one of many examples of shared services that counties provide for the state; and

**WHEREAS,** Under current law, the State of New York takes 87.3 percent of all fees collected from the work performed by the county-operated DMV's; and

**WHEREAS,** The remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same period; and

**WHEREAS,** Our residents that need to obtain new licenses must understand the difference between traditional licenses, enhanced licenses, and Real IDs, and this education and service has largely been placed on counties with little to no increased funding to achieve this goal; and

**WHEREAS,** The in-person customer service requests and transactions that take place in a county DMV are increasingly time-consuming and costly, with little or no fee allotted; and

**WHEREAS,** The Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

**WHEREAS,** Increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

**WHEREAS,** There is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs to fulfill these state services, yet the State takes 87.3 percent of the revenue generated from providing these services; and

**WHEREAS,** The counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the State legislature to require a substantial increase of the county DMV revenue share with the State; and be it

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

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#6

**RESOLUTION NO. 18-442**  
**(November 13, 2018)**

By Mr. Tallman, Chairman of the Human Resource 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 percent; and

**WHEREAS**, New York is the only state in the country to impose a

November 13, 2018

**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**, 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

**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 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.

## #7

## Regular Meeting

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

**WYOMING COUNTY WAGE AND SALARY MARKET ADJUSTMENT  
PROCEDURE POLICY APPROVED**

**BE IT RESOLVED**, That the Wyoming County Wage and Salary Adjustment Procedure Policy is hereby approved; effective January 1, 2019 and annexed hereto.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**WYOMING COUNTY  
POLICY AND PROCEDURE**

<b>EFFECTIVE DATE:</b> <i>January 1, 2019</i>	<b>REVIEWED BY:</b> <i>(Individuals/Committees)</i> <i>Human Resources, Finance,</i> <i>Compensation</i>	
<b>DATE DEVELOPED:</b> <i>October 1, 2018</i>	<b>PREPARED BY:</b> <i>Daniel J. Farberman</i> <i>Director of Human</i> <i>Resources</i>	<b>SUPERSEDES:</b>
<b>CHIEF EXECUTIVE OFFICER'S SIGNATURE:</b>		<b>REFERENCES:</b>

**POLICY: Wage & Salary Market Adjustment Procedures**

**PURPOSE:** Wyoming County is committed to fairly compensating employees and this procedure is an acknowledgment that it may become necessary to review and adjust selected non-bargaining unit employees of Wyoming County outside of the annual wage evaluations.

**PROCEDURE:**

1. This Wyoming County Policy applies to all non-bargaining unit employees of Wyoming County.
2. This policy is intended to establish a uniform and fairly administrated system and procedure for market adjustments to the wages and salaries of non-bargaining unit employee working in the various Departments within Wyoming County, and to provide stability and predictability to the budgeting process and to payroll administration.

November 13, 2018

3. This policy will establish a review window between April 1 through June 30 of each year for the review and possible modification of employee wages and salaries. No wage or salary reviews will be conducted outside this established window without the approval of the Human Resources Director and the Compensation Committee.
4. Each Wyoming County Department head will have the opportunity to make a written submission to the Human Resources Director during the review window as established herein for the review of wages and salaries of specific employees in their respective departments the Department Head believes are deserving of a market adjustment to their wages or salaries. These requests should be based upon all or some of the below listed factors:
  - Comparison to similar employees in similar jobs within Wyoming County.
  - Significant and meaningful changes in the employee's job responsibilities.
  - Salary survey data for similar jobs in other Counties or private industry.
  - An assessment of the employee leaving employment
5. The submitting Department Head and the Human Resources Director will review the supporting information and reasoning for any wage or salary market adjustment and these requests will be submitted in writing accompanied by all the supporting documentation to the Compensation Committee for review and recommendation.
6. The Compensation Committee in conjunction with the Human Resources Director will review each market adjustment as recommended by Department Heads and submit the recommendations of the committee to the Finance Committee of the Wyoming County Board of Supervisors for review.
7. Market adjustments to non-bargaining unit employees made under this procedure will be made on a case – by – case basis and will only become effective after review and approval by the Wyoming County Board of Supervisors.
8. Once a final decision has been made regarding a Wage & Salary market adjustment request The Human Resources Director will be responsible to communicate with the requesting department head on this decision.



**RESOLUTION NO. 18-441**  
**(November 13, 2018)**

## HAROLD BUSH REAPPOINTED ELECTION COMMISSIONER (D)

**Carried:** XXX   **Ayes:** 1486   **Noes:**   **Absent:** 51 (Eagle)   **Abstain:**  
                        62 (Middlebury)  
                        113 Total

## Non-Consent #8

**RESOLUTION NO. 18-444**  
**(November 13, 2018)**

**JAMES SCHLICK REAPPOINTED ELECTION COMMISSIONER (R)**

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
62 (Middlebury)

November 13, 2018

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #9 through #24. Hearing no objection resolution titles were read.*

## #9

**RESOLUTION NO. 18-445**  
**(November 13, 2018)**

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

## DENNIS MARTINEZ AND TOM THOMUS APPOINTED TO THE GLOW WORKFORCE DEVELOPMENT BOARD

**BE IT RESOLVED**, That ***Dennis Martinez***, ACCES-VR (Adult Career and Continuing Education Services), 508 Main Street, Buffalo, NY 14202 be hereby appointed to the GLOW Workforce Development Board as a Vocational Rehabilitation Representative for a two (2) year term; effective through December 31, 2020; and be it

**FURTHER RESOLVED**, That ***Tom Thonus***, Lapp Insulators, 130 Gilbert Street, LeRoy, NY 14482 be hereby appointed to the GLOW Workforce Development Board as an Organized Labor Representative for a two (2) year term; effective through December 31, 2020.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #10

**RESOLUTION NO. 18-446**  
**(November 13, 2018)**

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

## FAMILY CAREGIVER MONTH PROCLAIMED

**WHEREAS,** During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who are chronically ill, elderly, or disabled. Caregivers reflect family and community life at its best. They are among our County's most important natural resources; and

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim November 2018 as **Family Caregivers Month** in Wyoming County.

#11

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

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the Office for the Aging Advisory Council:

*Three (3) year term effective January 1, 2019 through December 31, 2021*

- Three (3) year term effective January 1, 2019 through December 31, 2021*

- November 13, 2018

- **Donna Morgan**, 1098 Wyoming Road, Wyoming, NY 14591

## #12

## Regular Meeting

**Carried:** XXX    **Ayes:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
  62 (Middlebury)  
  113 Total

**RESOLUTION NO. 18-450**  
**(November 13, 2018)**

**RESOLUTION URGING THE GOVERNOR AND THE NEW YORK  
STATE LEGISLATURE TO IMPROVE THE EARLY INTERVENTION  
PROGRAM TO BETTER SERVE CHILDREN AND FAMILIES  
THROUGH REFORMS THAT ADDRESS THE LACK OF AVAILABLE  
PROVIDERS IN MANY AREAS OF THE STATE**

**WHEREAS,** Counties are responsible to ensure that services developed in an Individualized Family Service Plan (IFSP) begin within a timely fashion, namely 30 days from the date of the authorizing IFSP; and

**WHEREAS**, The NYEIS database is not maintained in an accurate and timely manner; and

November 13, 2018

**WHEREAS,** Some regions of the state can find no available providers that specialize in certain service categories; and

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon the Governor and New York State Legislature to consider reforms to the Early Intervention Program to ensure sufficient provider capacity is available and that counties will be held harmless for any delays due to a lack of adequate and timely availability of providers; and be it

**FURTHER RESOLVED,** The State must ensure the NYEIS database is maintained for accuracy; and be it

**Carried:** XXX    **Ayes:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
  62 (Middlebury)  
  113 Total

Regular Meeting

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

**RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE  
DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE  
REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS**

**WHEREAS**, Prior to 2013, counties funded 100% of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

**WHEREAS**, New York State implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

**WHEREAS**, There is little evidence that the centralization of provider agreements and billing, through the statewide fiscal agent model has improved the overall rate of collections from third party private insurance or Medicaid; 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**, Due to the lack of oversight by the State Fiscal Agent, problems have arisen related to the lack of follow through by some service providers; and

**WHEREAS**, Any extensive delay in providing such information can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the state and counties, forcing both to pay more than they should under the law; and

**WHEREAS**, We continue to support legislative and administrative proposals from the Governor that prioritize and require the State to enforce current insurance regulations regarding payment of Early Intervention service claims in an attempt to increase commercial insurance collections; 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

November 13, 2018

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the State of New York to implement policies and procedures to ensure that provider claims are filed in a timely manner to commercial insurance providers and Medicaid; and be it

**FURTHER RESOLVED**, The State Fiscal Agent must implement systematic changes to the billing system to track claims and ensure providers exhaust all appeals in a timely manner before moving on to the next payer of record; and be it

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

## #16

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

## Regular Meeting



**NECESSARY SUPPLY OF PERSONAL CARE AIDES AND RELATED WORKERS TO ENSURE ELIGIBLE RECIPIENTS GET THE CARE THEY NEED IN A TIMELY MANNER**

**WHEREAS**, Many counties across the state are beginning to experience significant gaps in the availability of personal care aides and other related home health service providers to meet demand; and

**WHEREAS**, Counties and the state rely on the availability of a comprehensive array of home health care services as necessary to improve quality of life for eligible recipients and a proven, less costly alternative to more expensive institutional care; and

**WHEREAS**, As the shortage of qualified and experienced personal care aides and other related health professionals in many areas of the state grows, much needed services in our communities are being delayed or not provided at all in some cases; and

**WHEREAS**, Over the near term, a combination of factors is influencing the available pool of home care workers, including: rising wages at the lower end of the hourly wage schedule due to a stronger economy, competition for workers across sectors, and the state mandated increase in the minimum wage which is equalizing the pay scale across a variety of lower skill professions; and

**WHEREAS**, The workforce shortages are especially acute in the most rural areas of New York that are often accompanied by an older than average population and overall population loss, meaning the elderly population is growing faster than the number of potential younger workers, regardless of profession; and

**WHEREAS**, Over the long term, according to the U.S. Census Bureau, the number of Americans 65 and older is expected to increase from 40 million in 2010 to more than 88 million in 2050; and

**WHEREAS**, By 2050, those aged 85 and over are projected to account for 4.3 percent of the U.S. population, up from 1.8 percent in 2010, more than doubling; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to provide additional incentives to home health care aides and other related health care workers to ensure the necessary workforce is available to serve our aging population in New York State; and be it

November 13, 2018

**FURTHER RESOLVED**, The State consider a wide variety of incentives including direct wage supplements, education financial assistance for home health professions training, state income tax incentives, labor reforms and protections to recognize the physical work demands of a home health aide, among other incentives; and be it

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

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#17

**RESOLUTION NO. 18-453**  
**(November 13, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
 TO SIGN A CONTRACT WITH NEW DIRECTIONS ON BEHALF OF  
 THE DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and the 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 ***New Directions***, 6395 Old Niagara Road, Lockport, NY 14094 on behalf of the Department of Social Services. Said contract to provide social work services, mentoring and supervised visitation for youth served by the CBT Program in an amount not to exceed thirty-five thousand dollars (\$35,000.00); effective October 1, 2018 through September 30, 2019.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#18

**RESOLUTION NO. 18-454**  
**(November 13, 2018)**

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

Regular Meeting

- ***Delevan Latchkey ~ Yorkshire Pioneer CSD***, 12125 County Line Road, Yorkshire, NY 14173 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective September 1, 2018 through June 30, 2019.
- ***Pioneer Latchkey Program***, Main & Church Street, P.O. Box 9, Arcade, NY 14009 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective September 1, 2018 through June 30, 2019.

**Carried:** XXX    **Ayes:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
  62 (Middlebury)  
  113 Total

November 13, 2018

**BE IT RESOLVED**, That Resolution Number 17-512 be hereby amended to increase the contract amount from twelve thousand dollars (\$12,000.00) per year to an amount not to exceed ***seventeen thousand dollars (\$17,000.00)*** to cover needed services. All else remains the same.

## #20

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

**BE IT RESOLVED**, That the Chairman of this Board and the 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 accept the following ***New York State Office of General Services Vehicle Marketplace*** bids and sign contracts on behalf of the Department of Social Services as follows:

- Regular Meeting



**Carried:** XXX   **Ayes:** 1486   **Noes:**   **Absent:** 51 (Eagle)   **Abstain:**  
62 (Middlebury)  
113 Total

**#22**

**RESOLUTION NO. 18-458  
(November 13, 2018)**

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

**RESOLUTION IN SUPPORT OF CONTINUING EFFORTS BETWEEN  
LOCAL DEPARTMENTS OF SOCIAL SERVICES AND THE OFFICE  
OF CHILDREN AND FAMILIES SERVICES TO FIND A SOLUTION  
THAT ENSURES COUNTIES NOT LOCATED NEAR THE TRAINING  
CENTER, ESPECIALLY IN WESTERN NEW YORK, ARE NOT  
ADVERSELY IMPACTED BY TRAVEL AND COST CONSTRAINTS**

**WHEREAS,** The State and local departments of social services have been working together to update and modernize state training initiatives; and

**WHEREAS,** Counties appreciate the open dialogue and communication during this process; and

**WHEREAS,** Counties supported the decision to move to a more consolidated training system and to update the curriculum; and

**WHEREAS,** Even with this open communication it has become apparent that counties not located near the new training center will face significant transportation and cost challenges to process new staff through the training in the required 90 days; and

**WHEREAS,** Counties are also concerned about the preparedness of the State to handle the rush of training upon opening the new facility; and

**WHEREAS,** The new training regimen will require more travel and time away from home, which is making recruitment more difficult; and

**WHEREAS,** Counties believe some temporary training options, such as using existing trainers within the counties or at local community colleges and the expanded use of internet-based learning, can be successfully utilized during the transition; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon the Office of Children and Family Services, to continue to work with local departments of social services on a transitional training program that

allows for a temporary training system in western New York to be led by qualified county staff in this region; and be it

**FURTHER RESOLVED**, That copies of this resolution be forwarded to the Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the State Department of Health, New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#23

**RESOLUTION NO. 18-459**  
**(November 13, 2018)**

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

**RESOLUTION URGING THE STATE TO CLARIFY ITS  
 HOMELESSNESS PREVENTION GOALS BY MAKING PERMANENT  
 HOUSING THE CENTRAL FOCUS, WHILE DEVELOPING 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**, The needs of those seeking emergency shelter continues to evolve with many having challenging family dynamics; and

**WHEREAS**, Regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, some are registered sex offenders, and still others are state prison parolees or on probation, with

November 13, 2018

some facing several of these challenges at the same time; 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 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 increased its own staff significantly; and

**WHEREAS**, The new administrative needs are drawing resources away from service 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; 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; 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 district 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 Legislature to make permanency the central focus of statewide homelessness policy; and be it

**FURTHER RESOLVED**, The State should coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts; especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH and OASAS; and be it

**FURTHER RESOLVED**, The State should target funding to counties that allows them to work with community partners to develop service models that achieve permanency through innovative and flexible approaches that meet local needs; and be it

**FURTHER RESOLVED**, The State should work with counties in developing a public education campaign to ensure the public better understands the plight of families and individuals struggling with homelessness and how everyone can benefit by helping them achieve stable housing in our communities; and be it

**FURTHER RESOLVED**, Counties are seeking more clarity and training on inspection procedures focused on significant criteria so that health and safety are addressed and attention is not diverted to insignificant matters; 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, New York State Association of Counties and all others deemed necessary and proper.

November 13, 2018

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #24

**RESOLUTION NO. 18-460**  
**(November 13, 2018)**

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

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO  
MAINTAIN OUR MUTUAL GOALS OF NOT SHIFTING NEW COSTS  
TO COUNTIES, WHILE MAINTAINING REASONABLE LOCAL  
FLEXIBILITY OVER ADMINISTRATIVE FUNCTIONS, AS THE  
STATE REALIGNS MEDICAID ADMINISTRATIVE FUNCTIONS AND  
HUMAN SERVICES PROGRAMS**

**WHEREAS**, the State Department of Health continues its multi-year effort to take over the administrative responsibilities of the Medicaid program from county government as a way to provide improved consistency in the administration of Medicaid and to reduce administrative burdens for counties and New York City; and

**WHEREAS**, counties support efforts to streamline government operations in ways that can improve the delivery of services and responsiveness to recipients' needs, while not shifting new costs to county taxpayers; and

**WHEREAS**, the State has enacted a cap in reimbursement to counties and New York City related to Medicaid administrative claiming; and

**WHEREAS**, even though the state has made progress in taking over more Medicaid administrative functions from counties, they have also increased local administrative responsibilities in other areas, including Medicaid long term care services and supports, expanding administrative duties under Immediate Need for Personal Care Services and Consumer Directed Personal Assistance programs, added new responsibilities under a variety of state homelessness and emergency shelter activities, and expanded responsibilities under Raise the Age legislation that all stress local social services district (DSS) staff capacity; and

**WHEREAS**, policies have evolved such that the local DSS role is shrinking in terms of eligibility determinations, but simultaneously increasing in terms of home care assessments and responsibilities, and the other areas outlined above; and

**WHEREAS,** capped reimbursement with minimal relief from

administering the State's Medicaid program creates significant fiscal and liability concerns for counties and is counterproductive in the current property tax cap environment; and

**WHEREAS**, counties also struggle with administering all other human services programs mandated by the State, especially since State financial support for local social service district administrative costs was essentially eliminated many years ago to help balance state budget shortfalls; and

**WHEREAS**, the State Legislature has also passed legislation that will dramatically increase local district costs by requiring caseload caps for child welfare services without providing any additional state resources to support these actions; now therefore

**BE IT RESOLVED**, That until the state Medicaid administrative takeover is complete we urge the Governor and Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap, continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the state falls short in its attempt to takeover local Medicaid administrative functions; and be it

**FURTHER RESOLVED**, The State should not reduce counties' Medicaid administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts; and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and be it

**FURTHER RESOLVED**, The Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently associated with the Medicaid program on the local level; and be it

**FURTHER RESOLVED**, The State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; and be it

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

**Carried:** XXX   **Ayes:** 1486   **Noes:**   **Absent:** 51 (Eagle)   **Abstain:**

November 13, 2018

*After the roll call vote was taken, Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium for the presentation of the Family Caregivers' Month and Adoption Awareness Month proclamations. Director of Aging and Youth, Andrea Aldinger was invited to join Supervisor Grant to receive the Family Caregivers' Month proclamation. Jamie McGrath, Alzheimer's Coordinator and Deputy Director Tess Phillips were introduced as primary contacts for the Wyoming County program. Director Aldinger also introduced her mom, who sat in the gallery for today's meeting...*

*Supervisor Grant spoke of a conversation she had this morning with Maryann Kelly whose father, a past Chairman of the Board, and whose widow is now 92 years old, and how important services are in keeping seniors in their homes.*

*Supervisor Grant then invited Commissioner of Social Services, Kimberly Barber to the podium to receive the Adoption Awareness Month proclamation. Commissioner Barber announced that, thankfully, our foster children numbers have been reduced earlier this month through adoptions. In addition, she thanked the Board of Supervisors for their continued support of the department.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #25 through #39. Hearing no objection resolution titles were read.*

#25

### **RESOLUTION NO. 18-461 (November 13, 2018)**

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

#### **CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Living Opportunities of DePaul*, 2240 Old Union Road, Cheektowaga, NY 14227 on behalf of Mental Health. Said contract is for residential programs in an amount not to exceed three hundred forty-seven thousand three hundred eighty dollars (\$347,380.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

#26

**RESOLUTION NO. 18-462**  
**(November 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 PEERS TOGETHER OF WYOMING COUNTY ON BEHALF OF  
 MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Peers Together of Wyoming County***, 27 West Buffalo Street, Warsaw, NY 14569 on behalf of Mental Health. Said contract is for peer operated programs in an amount not to exceed two hundred eighty-eight thousand seventy-seven dollars (\$288,077.00); effective January 1, 2019 through December 31, 2019. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

#27

**RESOLUTION NO. 18-463**  
**(November 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 CAMP GET-A-WAY OF WNY ON BEHALF OF MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Camp Get-A-Way of WNY***, 77 Commerce Drive, Rochester, NY 14623 on behalf of Mental Health. Said contract is for camp services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2019 through December 31, 2019. Contingent upon the availability of funds.

November 13, 2018



hundred ninety-four dollars (\$478,594.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

#30

**RESOLUTION NO. 18-466**  
**(November 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 LIVINGSTON/WYOMING ARC ON BEHALF OF MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Livingston/Wyoming ARC*, 18 Main Street, Mt. Morris, NY 14510 on behalf of Mental Health. Said contract is for competitive employment services for mentally ill residents of Wyoming County in an amount not to exceed fifty-one thousand nine hundred forty-nine dollars (\$51,949.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

#31

**RESOLUTION NO. 18-467**  
**(November 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 SUBURBAN ADULT SERVICES, INC. ON BEHALF OF  
 MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to

November 13, 2018

General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Suburban Adult Services, Inc.***, 960 West Maple Court, Elma, NY 14059 on behalf of Mental Health. Said contract is for sheltered work activities for the developmentally disabled population in the southwestern part of Wyoming County in an amount not to exceed thirty-nine thousand ninety-eight dollars (\$39,098.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#32**

**RESOLUTION NO. 18-468  
(November 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
COORDINATED CARE SERVICES, INC. (CCSI) ON BEHALF OF  
MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Coordinated Care Services, Inc. (CCSI)***, 1099 Jay Street, Building J, Rochester, NY 14611 on behalf of Mental Health. Said contract to provide staffing for various behavioral health programs in an amount not to exceed three hundred eighty-five thousand five hundred forty-two dollars (\$385,542.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#33**

**RESOLUTION NO. 18-469  
(November 13, 2018)**

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



**JENN CLAUD APPOINTED TO THE DEVELOPMENTALLY  
DISABLED SUBCOMMITTEE OF THE MENTAL HEALTH  
COMMUNITY SERVICES BOARD**

**BE IT RESOLVED**, That **Jenn Claud**, 18 Elm Street, Perry, NY 14530 be hereby appointed to the Developmentally Disabled Subcommittee of the Mental Health Community Services Board as a Community at Large Member to fill a vacant unexpired four (4) year term; effective through December 31, 2021.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #34

**RESOLUTION NO. 18-470**  
**(November 13, 2018)**

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

## RESOLUTION NUMBER 18-255 AMENDED

**WHEREAS, Resolution Number 18-255 entitled, “CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF MENTAL HEALTH ON BEHALF OF VETERANS SERVICES,”** passed by this Board of Supervisors on June 18, 2018 and provides 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; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-255* be hereby amended to reflect said grant is on behalf of *Mental Health* in lieu of Veterans Services.

All else remains the same.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #35

**RESOLUTION NO. 18-471**  
**(November 13, 2018)**

November 13, 2018

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

**RESOLUTION CALLING ON THE NEW YORK STATE OFFICE OF  
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE  
GOVERNOR TO ESTABLISH PERMANENT JAIL-BASED  
SUBSTANCE USE DISORDERS TREATMENT AND TRANSITION  
SERVICES PROGRAMS IN ALL COUNTY  
CORRECTIONAL FACILITIES**

**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

**WHEREAS**, The 2018-19 State Budget included \$3.75M for one year of funding to establish 17 county jail substance use disorder (SUD) programs; and

**WHEREAS**, This is a significant first step in addressing the need, however this level of funding does not adequately sustain these counties beyond 2019, nor does it address the remaining gap in the treatment and support in the continuum of care for individuals in all other county jails throughout the state; and

**WHEREAS**, In New York State, counties bear the sole burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

**WHEREAS**, Jail incarceration provides a unique opportunity to offer treatment during periods when people are not using drugs and alcohol; and

**WHEREAS**, An appropriate level of funding to establish 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**, Data shows that jail-based SUD treatment reduces crime, saves money, and saves lives; and

**WHEREAS**, According to a report conducted by Policy Research Associates on behalf of the New York State Conference of Local Mental Hygiene Directors, a survey of 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**, 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**, New York State's own analysis of the costs and benefits of jail-based SUD treatment found these services save taxpayers \$2,170 in criminal justice costs and victims \$676 per person, for a total impact of \$2,846 saved for each person served, as well as a reduction of 13 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; 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 establish a recurring appropriation without jeopardizing existing funding for community based services in the Governor's proposed 2019-20 Executive Budget for the establishment of permanent jail-based SUD treatment and transition services programs in every county correctional facility, therefore providing the local governments with the resources necessary 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, while also reducing recidivism and victimization; 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, New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#36

**RESOLUTION NO. 18-472**  
**(November 13, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO  
 AWARD BID AND SIGN A CONTRACT WITH SPURR CHEVROLET,**

November 13, 2018

Contingent upon the availability of funds.

**#37**

**RESOLUTION NO. 18-473**  
**(November 13, 2018)**

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

**RESOLUTION TO EXPAND INFRASTRUCTURE FOR PUBLIC  
HEALTH AND SAFETY THROUGHOUT NEW YORK STATE,  
REINVESTING IN CORE PUBLIC HEALTH ACTIVITIES AND  
RESPONSE TO EMERGING ISSUES ADDRESSED BY LOCAL HEALTH  
DEPARTMENTS**

**WHEREAS**, Core public health services are outlined in law as those that address family health, communicable disease, chronic disease, emergency preparedness/response and environmental health; and

**WHEREAS**, Local health departments are New York State’s partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises by protecting communities and residents; and

**WHEREAS**, Activities led by the 58 local health departments across New York State are paramount to our collective ability to achieve Prevention Agenda goals, address health disparities, improve health outcomes and ensure community safety and stability; and

**WHEREAS,** Over time, we have seen an increase in emerging issues

such as threats to water quality: harmful algal blooms, presence of PFOA/PFOS; opioid overdose deaths; vector borne diseases: rabies and tick-borne illnesses; communicable disease outbreaks: Ebola virus and Zika virus; environmental hazards: lead in housing stock and legionella and natural disasters such as hurricanes or flooding; and

**WHEREAS**, New York State is preparing policy to legalize regulated marijuana, which will lead to increased response including education, public awareness, and oversight by local health departments; and

**WHEREAS**, Directors and Commissioners of public health are chief health strategists within their respective counties, with the unparalleled expertise needed to apply knowledge, bridge competency gaps, and lead multi-sector health improvements; and

**WHEREAS**, The public health workforce employed within local health departments are first responders, working at the forefront of communities during times of need and when emerging health issues occur; and

**WHEREAS**, Local health departments have not received an increase in core public health aid in more than six years, nor have they received adequate compensation needed to respond to emerging health issues; and

**WHEREAS**, State Budget appropriations for public health spending have been reduced year after year and new funding streams for emergency response activities are frequently accompanied by stringent federal spending or supplanting restrictions, which impacts how funds can be utilized and reduces flexibility to respond to local community need; and

**WHEREAS**, The public health workforce is central to New York State's public health infrastructure, yet it is dwindling due to public-sector budget restraints, competition, shortages of workers who are approaching retirement, ability to recruit new workers in all areas throughout the state, all of these factors culminate in significant workforce retention challenges; and

**WHEREAS**, New York State does not allow local health departments to recover any of its necessary or fringe expenses for local health department personnel under Article 6; and

**WHEREAS**, Now is the time for a call to action to reinvest in public health and safety infrastructure in New York State through bolstered funding of Article 6, Public Health Law and to demonstrate the State's commitment to public health preparedness and safety measures aimed to protect residents in New York State; now therefore

November 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 Department of Health, New York State Association of Counties and all others deemed necessary and proper.

**#38**

## Regular Meeting

November 13, 2018

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND  
THE NEW YORK STATE LEGISLATURE TO RESTORE FUNDING  
SUPPORT FOR UNATTENDED DEATH INVESTIGATIONS**

**WHEREAS**, Coroners and Medical Examiners are county officers who make official inquiries about the cause and manner of an individual's death, especially those that occur under unnatural, unexplained, or suspicious circumstances; and

**WHEREAS**, Coroners or medical examiners are required by law to investigate deaths by violence or accident; and

**WHEREAS**, Coroners and medical examiners work in morgues to provide information for death reports, medical autopsies, post-mortem examinations, forensic pathology, and toxicology tests; and

**WHEREAS**, A coroner's and medical examiner's work must also identify unknown or unclaimed bodies, report news of a death to the next of kin, collect and transfer personal belongings found on a body at the time of the death, as well as sign death certificates; and

**WHEREAS**, Prior to 2011, county coroners and medical examiners were reimbursed up to 36 percent with state aid from Article 6 funding to local health departments; and

**WHEREAS**, In 2011, the State Budget shifted the reimbursement for medical examiners from the New York State Department of Health (NYSDOH) to the New York State Department of Criminal Justice Services (DCJS) and the funding was no longer available as the state deemed this activity to be of public safety, not public health; and

**WHEREAS**, With the ongoing opioid and heroin epidemic, there has been a huge increase in the number of synthetic opioids and analogs that need to be tested, which places significant work and the financial burden of toxicology efforts of county medical examiner offices; and

**WHEREAS**, Coroners and medical examiners should have a dedicated funding stream from the state to assist with the identification of real-time trends, such as prescription medication and drug abuse, lethal activities, and to alert the appropriate county agencies and the public of these dangers; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to restore direct state funding for unattended death investigations; and be it



**FURTHER RESOLVED,** That 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:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
  62 (Middlebury)  
   113 Total

*There was a motion by Mr. Kehl, T/Attica, to combine resolutions #40 through #42. Hearing no objection resolution titles were read.*

*Prior to the roll call vote, Chairman Berwanger commented that considering that the Dairy Industry is one of the largest industries in Wyoming County and two of these resolutions have to do with milk and milk pricing, it would be a good idea for the Board to support both...*

**#40**

**RESOLUTION NO. 18-476**  
**(November 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

## RESOLUTION CALLING FOR INCREASED STATE SUPPORT FOR CORNELL COOPERATIVE EXTENSION COUNTY ASSOCIATIONS IN THE STATE OF NEW YORK

**WHEREAS**, Cornell Cooperative Extension (CCE) is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, county governments, and the citizens of New York State that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

**WHEREAS**, Local CCE educators are key community partners in helping to implement state initiatives, including: maximizing agriculture and local food systems; strengthening the economy; promoting healthier eating habits and access to good nutrition; fighting poverty, particularly in rural areas;

November 13, 2018

**WHEREAS**, State appropriations for county cooperative extension associations to match county government appropriations as authorized by Section 224.8 of the County Law have remained stagnant for eighteen years; and

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors supports increasing the state appropriation for Cornell Cooperative Extension associations to \$8 million, with such funds to be distributed directly to the associations through Cornell University as agent for the state as provided by law; and be it

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

Regular Meeting

**WHEREAS**, According to the National School Lunch Program, “Fluid whole milk is an important component in an adequate diet, being one of the most important sources of calcium, and contributing substantially to the protein and vitamin A content of a meal;” and

**WHEREAS**, Milk is the best source of nine essential vitamins and minerals in children’s diets, and when its consumption drops, the overall nutritional intake of America’s youth is jeopardized; and

**WHEREAS**, The Healthy, Hunger-Free Kids Act of 2010 required the USDA to update federal nutrition standards for schools including restricting schools to offer only fat-free or 1% milk; and

**WHEREAS**, According to USDA statistics, student lunch participation has decreased in 49 states under the 2010 standards and, in just the first two years after low-fat flavored milk was removed from the school lunch program, 1.1 million fewer school students drank milk with their lunch; and

**WHEREAS**, Strict limits on calories, fat, sugar, carbohydrates, sodium and other aspects of the federal school lunch regulations for schools participating in the free and reduced lunch program has increased cafeteria costs at the same time as a drastic drop has occurred in the number of participating students; and

**WHEREAS**, The School Milk Nutrition Act of 2017 looks to reverse this trend and allow schools to offer low-fat and fat-free milk, including flavored milk with no more than 150 calories per 8-ounce serving, to participants in the federal school lunch and breakfast programs and allows individual schools and school districts to determine which milk fat varieties to offer their students; and

**WHEREAS**, According to U.S. Secretary of Agriculture Sonny Perdue, milk is a key component of school meals, meaning schools must have more options for students who select milk as part of their lunch or breakfast; and

**WHEREAS**, Secretary Perdue has directed the USDA to begin the regulatory process for schools to serve one percent flavored milk through the school meals programs; and

**WHEREAS**, Increasing milk consumption through the National School Lunch Program is not only beneficial to our youth but also supportive of our state’s dairy industry; and

**WHEREAS**, NYSAC recognizes the importance of its leadership role at the county level and influence of state government and commits to assist in

formulating policy that address our societal issues; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports legislation that promotes milk consumption in our schools; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisor supports the elimination of restrictive policies at the state and federal level that unduly discourage the consumption of milk in our school lunch 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

**#42**

**RESOLUTION NO. 18-478**  
**(November 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION CALLING ON THE STATE TO SUPPORT THE DAIRY  
 INDUSTRY BY DEVELOPING A STATEWIDE SUPPLEMENTAL  
 PRICE SUPPORT SYSTEM TO ADDRESS PRICE FLUCTUATIONS IN  
 FLUID MILK**

**WHEREAS**, Currently there is a crisis gripping New York State's dairy farmers. The overabundance of milk, flagging demand, dramatically lower prices, higher operating costs, and unfavorable weather conditions have negatively impacted the economic viability for dairy farmers across the state; and

**WHEREAS**, Dairy farming is recognized as the leading agriculture industry in New York State. This industry is a significant part of our local, county, and state economies and makes a very substantial contribution to our rural communities; and

**WHEREAS**, In recent years, there has been robust milk production in New York with a 52-month period of year-over-year growth, yet commercial sales and consumption of fluid milk has decreased about 20% over a 17-year period, including a 10% reduction since 2011; and

**WHEREAS**, While there has been growth in dairy products, such as yogurt, and in lower-value storable milk commodities, such as dried milk, production of these products has not led to stable milk prices; and

**WHEREAS**, Milk prices are heavily influenced by national and global factors, which are disrupted by shifting trade agreements and changing international dynamics, such as the removal of European production quotas for overseas dairy farmers; and

**WHEREAS**, Farmers receive a price for milk sales set after production, which is regulated by a complex federal milk order, and are vulnerable to receiving prices below the cost of production that threaten the sustainability of our dairy industry; and

**WHEREAS**, The price stability for milk production is highly erratic and unpredictable. It is estimated that 2016 earnings for New York dairy farmers from milk sales are just one-third of that of 2013 and today's prices are similar to those received in 1985; and

**WHEREAS**, The mental challenges to dairy farmers and farm families, along with other factors, such as hazardous working conditions, fluctuating labor needs, and unpredictable weather conditions, exacerbate the crisis for humans involved in this industry; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby calls on the State to support the development of a state-sponsored New York price supplemental program or margin protection program that addresses low milk prices for our dairy farmers when the cost of production exceeds the income from sales; and be it

**FURTHER RESOLVED**, That the State should identify a dedicated funding source for this program; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors is committed to educating local, county, state and federal governmental officials of the issues facing our dairy industry and seek their engagement in becoming part of the solution; 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.

November 13, 2018

**Carried:** XXX    **Ayes:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
62 (Middlebury)  
113 Total

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #43 through #49. Hearing no objection resolution titles were read.*

**#43**

**RESOLUTION NO. 18-479**  
**(November 13, 2018)**

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

**RESOLUTION TO PUBLICLY DISCLOSE A CONFLICT OF  
INTEREST ARISING OUT OF AN APPLICATION FOR COMMUNITY  
DEVELOPMENT BLOCK GRANT FUNDING**

**WHEREAS**, Wyoming County, New York (the “County”) is the recipient of New York State administered grants through the Community Development Block Grant (CDBG) Program (the “CDBG Grants”); and

**WHEREAS**, The Wyoming County Business Assistance Corporation (“WCBAC”) administers the CDBG Grants on behalf of the County for the purpose of providing assistance to businesses within the County; and

**WHEREAS**, On October 2, 2018, Upstate Door, Inc. (the “Company”) submitted to WCBAC an application for CDBG funding for the purchase of new machinery and equipment (the “Application”); and

**WHEREAS**, The Company’s sole shareholder and President, Robert Fontaine, serves as a member of the WCBAC Board of Directors (the “WCBAC Board”); and

**WHEREAS**, Mr. Fontaine’s interest in the Company and his role on the WCBAC Board present a conflict of interest (the “Conflict of Interest”) under the federal regulations applicable to the CDBG Grants (the “Regulations”); and

**WHEREAS**, The Regulations permit the New York State Office of Community Renewal to waive the Conflict of Interest for purposes of the Application, but require the County, as recipient of the CDBG Grants, to publicly disclose the Conflict of Interest; and

**WHEREAS**, The Conflict of Interest was disclosed publicly at a WCBAC Board meeting held on September 13, 2018 and at Wyoming County

**BE IT RESOLVED**, That public disclosure of the Conflict of Interest as required by the Regulations is hereby made.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

#44

**RESOLUTION NO. 18-480**  
**(November 13, 2018)**

By Mr. Davis, Vice-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 by 2020, growing to \$7 billion in 2021; 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 the State Comptroller (OSC) on groundbreaking legislation in 2016 to improve reporting, transparency, and accountability; now therefore

November 13, 2018

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

Regular Meeting



**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 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#46

**RESOLUTION NO. 18-482  
 (November 13, 2018)**

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

**RICHARD FISH AND JEREMY SATCHELL REAPPOINTED TO  
 THE WYOMING COUNTY BUSINESS CENTER  
 BOARD OF DIRECTORS/LDC**

**BE IT RESOLVED**, That *Richard Fish*, 7488 Route 39, Perry, NY 14530 be hereby reappointed to the Wyoming County Business Center Board of Directors/LDC for a three (3) year term; effective May 10, 2018 through May 9, 2021; and be it

**FURTHER RESOLVED**, That *Jeremy Satchell*, 6654 Railroad Avenue., Bliss, NY 14024 be hereby reappointed to the Wyoming County Business Center Board of Directors/LDC for a three (3) year term; effective May 10, 2018 through May 9, 2021.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#47

**RESOLUTION NO. 18-483  
 (November 13, 2018)**

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

November 13, 2018

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

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

**Voting Members**

*Three (3) years term effective January 1, 2019 through December 31, 2021*

- **David Dutton** (T/Arcade) 136 Liberty Street, Arcade, NY 14009
- **Eric Parker** (T/Castile) 3751 Middle Reservation Rd., Perry, NY 14530
- **Roger Weiss** (T/Eagle) 3917 Route 39, Bliss, NY 14024
- **Jerome Marley** (T/Gainesville) 5717 Hardy Road, Gainesville, NY 14066
- **Rebecca Johnson** (T/Java) 656 Minkel Road, Strykersville, NY 14145
- **Thomas Suto** (T/Orangeville) 2932 Royce Rd., Varysburg, NY 14167
- **Vacancy** (T/Bennington) – Vacated by **Carl Weust**

**Alternate Member #1**

***One (1) year term effective January 1, 2019 through December 31, 2019***

- **Vacancy** (T/Perry) – Vacated by **Lee Frette**

**Alternate Member #2**

*One (1) year term effective January 1, 2019 through December 31, 2019*

- Gerald R. Pfeifer (T/Warsaw) 261 Linwood Avenue, Warsaw, NY 14569

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#48**

**RESOLUTION NO. 18-484**  
**(November 13, 2018)**

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

## SMALL BUSINESS SATURDAY PROCLAIMED

**WHEREAS**, small business is the backbone of the nation's economy and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, our small business owners work long hours, juggle family and career responsibilities and serve as community volunteers, are central to our country's prosperity and to the vibrancy of our community. These diverse

Regular Meeting

**WHEREAS**, through the opportunities offered by the men and women who own and operate the almost one thousand diverse small businesses including family farms in Wyoming County, many of our residents are able to pursue their dreams of a better life; and

**WHEREAS**, we recognize "*Small Business Saturday*" which is Saturday, November 24, 2018, a day to celebrate and support small businesses that create jobs, boost the economy, and strengthen neighborhoods around the country to encourage shopping locally; and

**WHEREAS**, the Wyoming County Board of Supervisors wishes to recognize small businesses for the key role they play in keeping our local economy strong and urging all our citizens to join in this observance, as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses; now therefore

**BE IT RESOLVED**, that Saturday, November 24<sup>th</sup>, 2018 is hereby designated as **SMALL BUSINESS SATURDAY** in Wyoming County in conjunction with the Wyoming County Chamber and Tourism and communities across Wyoming County, the State of New York and the United States who have declared this as an important day in celebration and recognition of small business.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-485**  
**(November 13, 2018)**

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

## RESOLUTION REQUESTING STATE ACTION TO PROMOTE RECYCLING

**WHEREAS**, Local governments and counties herby support recycling efforts in our communities: and

**WHEREAS,** Many counties operate solid waste transfer station and

November 13, 2018

are required to comply with regulations imposed by New York State that police their operations, including a significant set of rules pertaining to recycled materials; and

**WHEREAS,** Recycling products are a worldwide commodity in which China, the latest buyer of recycling materials in the world, has recently enacted a number of policies that effectively restrict the amounts and kinds of recycling exports from the United States to China; and

**WHEREAS,** These restrictive international policies are causing the cost of disposal of recycled materials to municipalities to increase to a point where the cost of disposing of recycled materials have exceeded and are now approaching our tipping fees for regular trash; and

**WHEREAS,** These world events are causing unsustainable increases in the cost of recycling material disposal for municipalities; and

**WHEREAS,** The worldwide commodity situation for recycled materials is unlikely to change in short-term; and

**WHEREAS,** The disposal of recycled materials previously provided municipalities a small revenue stream, but current events now make their disposal a growing cost to municipalities; and

**WHEREAS,** Raising tip fees and other costs associated with recycling often has detrimental environmental effects such as “dumping” on both private and public lands; now therefore

**BE IT FURTHER RESOLVED,** That the Wyoming County Board of Supervisors hereby supports recycling and encourages all parties to collaboratively work together to protect, promote, and preserve the ability to effectively recycle; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors hereby calls on Governor, the Legislature, and any relevant executive departments to re-evaluate current laws, policies, and administrative interpretations to preserve the ability to recycle; and

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors requests New York State to provide assistance to local governments who are affected by this international policy, so they can better educate and serve their citizens; and be it

**FURTHER RESOLVED,** That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State

Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Department of Environmental Conservation and the New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

*After the roll call vote of resolution numbers 43 through 49, Chairman Berwanger invited Vice-Chairman Davis, T/Covington to the podium to present the Chamber of Commerce with the Small Business Saturday proclamation. President and CEO, Scott Gardner joined Supervisor Davis at the podium... Chamber President, S. Gardner very graciously accepted the proclamation and reminded everyone to shop local!!*

#### **Public Hearing ~**

- *Comment Period*
  - *No requests to speak have been submitted*

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

*Motion to close the Public Hearing was made by Supervisor Ryan, T/Warsaw. Seconded by Supervisor Brick, T/Perry. Carried.*

*Chairman Berwanger confirmed with the Board Clerk that the above action satisfies the criteria for the Rural Arts Initiative close out public hearing. By wink of the Business Assistance Center, Exec. Director J. Pierce, the criteria has been satisfied.*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #50 through #63. Hearing no objection resolution titles were read.*

**#50**

### **RESOLUTION NO. 18-486 (November 13, 2018)**

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

#### **CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT ACCEPTANCE AWARDS ON BEHALF OF THE SHERIFF'S DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign the following grant

November 13, 2018

- Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-487**  
**(November 13, 2018)**

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON  
BEHALF OF THE SHERIFF'S DEPARTMENT**

- ***New York State Unified Court System***; 8<sup>th</sup> Judicial District 92 Franklin St Buffalo, NY 14202 to provide court security for County, Family and Supreme courts in an amount not to exceed three hundred seventy-three thousand four hundred sixty-three dollars (\$373,463.00); effective April 1, 2018 through March 31, 2019. *Revenue Contract*
- ***County of Monroe***, Regional Crime Laboratory 85 West Broad Street

Rochester, NY 14614 to provide forensic laboratory services in an amount not to exceed forty-two thousand three hundred eleven dollars (\$42,311.00); effective January 1, 2018 through December 31, 2018.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#52

**RESOLUTION NO. 18-488**  
**(November 13, 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  
 DEPARTMENT OF DIVISION OF CRIMINAL JUSTICE SERVICES ON  
 BEHALF OF THE SHERIFF'S DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Division of Criminal Justice Services Office of Program Development and Funding*, 80 South Swan Street, Albany, New York, 12210 on behalf of the Sheriff's Department. Said grant is for the funding of a School Resource Officer at Attica and Letchworth Central School Districts in a minimum amount of sixty-two thousand five hundred dollars (\$62,500.00); effective April 1, 2018 through July 31, 2019.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#53

**RESOLUTION NO. 18-489**  
**(November 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

November 13, 2018

**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**, S.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after 10 days in a local correctional facility; and

**WHEREAS**, Operating local jails imposes a significant cost to counties. It is important to implement policies that require the state to be responsible for the costs of detaining state parole violators. This bill has the potential to provide fiscal relief for counties; now therefore

**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.

## #54

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

Regular Meeting



November 13, 2018

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

**RESOLUTION CALLING ON THE STATE TO COVER ALL  
EXPENSES IF CASHLESS BAIL IS ENACTED IN 2019 AND BEYOND**

**WHEREAS**, New York Counties provide and pay for the majority of criminal justice services to our State's residents; and

**WHEREAS**, among other services, New York county governments provide critical public safety functions, prosecute crimes, incarcerate those guilty of crimes, provide legal defense services, and deliver rehabilitation services, mental health support, and probation needs; and

**WHEREAS**, recently State Legislative leaders and the Governor have stated reforming the criminal justice system is a worthy and needed goal; and

**WHEREAS**, in 2018 numerous bills were introduced in efforts to reform our criminal justice system, including proposals to change the State's bail system; and

**WHEREAS**, under current law, judges place monetary bail levels based on the "risk of flight" of the accused surrounding the facts of the case; and

**WHEREAS**, to combat inequities this type of system may cause to those with less fiscal means, states such as California have recently enacted what is known as "cashless bail"; and

**WHEREAS**, a cashless bail system would mean the accused is released from jail either on their own recognizance or with non-monetary conditions imposed by the court, such as reporting to a "pretrial services agency"; and

**WHEREAS**, New York State legislative leaders and the Governor have suggested a cashless bail system will be strongly considered in the 2019 legislative session; and

**WHEREAS**, reform efforts must include costs met by the State and not placed on counties and local taxpayers; and

**WHEREAS**, New York counties have been supportive of criminal justice changes such as raising the criminal age in New York, however, as this program has proven, there are many direct and indirect costs to counties when implementing this type of reform; and

**WHEREAS**, a cashless bail system will require county expenditures

such as “pretrial services agencies” that will be required to assist the accused, help the victim, protect residents, and ensure the accused is present in court to answer to the People, which will include personnel from county Probation Departments, Sheriff Departments, District Attorney and Public Defenders’ offices, as well as county Health and Mental Health Departments; and

**WHEREAS**, since 2012 New York counties have operated under a State-imposed real property tax freeze, and in that same period sales tax revenue in upstate New York has been stagnate; and

**WHEREAS**, Counties have no ability to raise revenue to meet any further State imposed system changes and local property taxpayers cannot be asked to add to their already highest-rate-in-the-nation taxes; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors requests the State of New York to thoroughly study any change to the bail system prior to implementing modifications and work with, and get input from, county government leaders in order to accurately assess the fiscal implication of such a program change; and be it

**FURTHER RESOLVED**, If a cashless bail system is implemented in New York, the Wyoming County Board of Supervisors calls on the State to meet all costs, direct and indirect, that will be placed on counties to enact; and to meet that need; and be it

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

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

**#56**

**RESOLUTION NO. 18-492**  
**(November 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
 AWARD WITH THE NEW YORK STATE DEPARTMENT OF  
 HOMELAND SECURITY AND EMERGENCY SERVICES OFFICE OF**

November 13, 2018

**#57**

## #58

**RESOLUTION NO. 18-494**  
**(November 13, 2018)**

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

**RESOLUTION CALLING ON THE GOVERNOR AND STATE  
LEGISLATURE TO INCREASE THE NEW YORK STATE INCOME  
TAX CREDIT FOR VOLUNTEER FIREFIGHTERS  
AND EMS WORKERS**

**WHEREAS**, New York State counties and their communities rely heavily on a dedicated cadre of volunteer firefighters and EMS workers for emergency response; and

**WHEREAS**, Financial incentives, in the form of income tax credits for volunteers, provide volunteer fire departments and EMS agencies the ability to better recruit and retain volunteers; and

**WHEREAS**, New York State implemented an annual \$200 income tax credit for qualifying volunteer firefighters and EMS workers in 2007; however, the level of credit has remained unchanged and has become inadequate as volunteer numbers continue to decline; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to support legislation that provides an increase to the Volunteer Firefighter and EMS Worker State Income Tax Credit to \$500 annually; 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #59

**RESOLUTION NO. 18-495**  
**(November 13, 2018)**

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

November 13, 2018

Regular Meeting

**RESOLUTION NO. 18-496  
(November 13, 2018)**

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 through the State Interoperable Communications Grants (SICG) program, administered by the Division of Homeland Security; and

**WHEREAS**, The release of funds from the state to counties, especially the SICG grant programs, routinely do not occur in the year they are appropriated, which causes planning and budgeting problems for many counties; 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 also 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

November 13, 2018

248  
therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisor hereby 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 made available to counties in full in the budget year they are appropriated; 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: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#61**

**RESOLUTION NO. 18-497**  
**(November 13, 2018)**

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

**RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION THAT  
REQUIRES STATES TO END THE PRACTICE OF DIVERTING FEES  
AND SURCHARGES RAISED FOR THE PURPOSE OF MAINTAINING  
AND IMPROVING 9-1-1 EMERGENCY SYSTEMS TO  
UNRELATED PURPOSES**

**WHEREAS**, Maintaining and improving 9-1-1 systems to ensure the highest operational efficiency, ease of use, accurate GPS location capability and ability to accept multiple data formats requires the full commitment of available resources; and

**WHEREAS**, In 1989, New York State enacted the Enhanced Emergency Telephone System Surcharge Law, that imposed a monthly fee on landline telephones; and

**WHEREAS**, In 1991, New York State expanded this law to add a fee for all cellular telephones in the state; and

**WHEREAS**, These fees were intended by the law to be used to support landline and wireless 9-1-1 emergency systems; and

Regular Meeting



**WHEREAS**, The State Legislature and numerous Governors authorized the diversion of these 9-1-1 fees and revenues for non-related purposes; and

**WHEREAS**, Over time, more and more of these funds were diverted;  
and

**WHEREAS**, Today, the State Legislature and Governor divert nearly 63 percent of the cellular surcharges raised for non-9-1-1 purposes; and

**WHEREAS**, Since 2008, the New York State Association of Counties (NYSAC) estimates that of the \$2.1 billion in revenue raised through cellular surcharges, over \$1.4 billion has been used for purposes other than 9-1-1 systems; and

**WHEREAS**, Federal administrators and members of congress have raised concerns for over a decade that New York State, and a handful of others, have diverted fees and revenues raised for maintaining and upgrading 9-1-1 systems to unrelated purposes; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports federal legislation H.R. 6424 that would no longer allow states to divert surcharges originally intended to support 9-1-1 systems to other purposes; 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:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
62 (Middlebury)  
113 Total

## #62

**RESOLUTION NO. 18-498**  
**(November 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

November 13, 2018

on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

**WHEREAS,** The recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and 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, which grew further in 2018; 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 that lowering property taxes is a 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 District Attorney 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 2019-20 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#63

**RESOLUTION NO. 18-499**  
**(November 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 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**, The state does provide for a fiscal stress application process for counties that do not remain within the tax cap to apply for state reimbursement; 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

November 13, 2018

**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 on 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 State government; and

**WHEREAS**, The release of draft regulations for the construction of specialized secure detention facilities was done after most counties completed their budget process for 2018; and

**WHEREAS**, Available guidance on building these facilities was provided under an extremely short timeline considering requirements counties must follow under New York State procurement law and New York State County law; and

**WHEREAS**, While counties are working diligently with the State on these construction plans, the draft regulations did not provide for any streamlining of state procurement laws and rules; 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**, Counties appreciate the strong outreach by the Governor's Office and state agencies in coordination with county officials and others that will implement the law, yet remain concerned with the process and implementation; 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 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 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 period, 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

November 13, 2018

**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

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #64

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

**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 \$72.3 billion in annual economic activity in New York State and more than 506,372 New York based jobs in aviation or

aviation-related industries, generates \$25.8 billion in payroll and well over \$6 billion in state and local tax revenue annually; and

**WHEREAS,** In 2016, Governor Andrew Cuomo initiated a \$190 million state investment to revitalize New York State airports and subsequently enacted budgets have included 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 awarded six airports funding for projects that enhance safety, improve operations and access, reduce environmental impacts, create better passenger experiences and leverage private investments; and

**WHEREAS,** The Competition has now exhausted the available funding, leaving most other airports still in need of state assistance to update and expand their facilities and improve service; and

**WHEREAS,** The 2018-19 Executive Budget includes \$12.5 million for the Aviation Capital Grant Program for the next two years; a reduction of \$10 million per year from the 2016-17 and 2017-18 levels of \$22.5 million; 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 reduced levels of state financial commitment is concerning and falls short of what is needed by the large number of airports in New York that are owned by counties and other local governments; and

**WHEREAS,** New York has no dedicated revenue 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 increased, recurring, and reliable funding for the maintenance and development of all the state's airports through a robust Aviation Capital Grant Program and a reauthorization and new round of funding for the Competition to Revitalize Upstate Airports; and be it

## #65

## Regular Meeting



**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors supports state regulatory action and, if necessary, the enactment of legislation to reinstate the authorization and use of certain successful wildlife management techniques in a strictly controlled manner by government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control wildlife populations at airports and surrounding areas; and be it

**Carried:** XXX    **Ayes:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
  62 (Middlebury)  
  113 Total

## November 13, 2018

- 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.

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-026* be hereby amended to increase the contract amount for garbage collection at *Public Safety* from two thousand eight hundred eighty dollars (\$2,880.00) to *three thousand five hundred dollars (\$3,500.00)* for a new total contract amount not to exceed *seven thousand three hundred forty dollars (\$7,340.00)*; effective immediately through January 22, 2019.

All else remains the same.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #67

**RESOLUTION NO. 18-503**  
**(November 13, 2018)**

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

## RESOLUTION NUMBER 18-335 AMENDED

**WHEREAS, Resolution Number 18-335 entitled, “CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH ED HULME, INC. ON BEHALF OF THE PUBLIC DEFENDER TWO STORY ADDITION CAPITAL IMPROVEMENT PROJECT”,** passed by this Board of Supervisors on August 14, 2018 and authorized and directed to award bid and sign a contract with *Ed Hulme, Inc.*, 11 East Buffalo Street, Warsaw, NY 14569 on behalf of Buildings and Grounds (CIP). Said contract is for the construction of a 14 x 30 two-story addition to the Public Defender’s Facility in an amount not to exceed eighty-one thousand eight hundred fifty-seven dollars (\$81,857.00); effective September 5, 2018 through October 31, 2018; now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-335* be hereby amended to reflect various change orders resulting in an increase of *one*

Regular Meeting

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-504**  
**(November 13, 2018)**

**RESOLUTION NUMBER 18-198 AMENDED**

- **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.

**BE IT RESOLVED**, That *Resolution Number 18-198* be hereby amended to reflect Change Order #1 to increase the total contract amount from seven hundred ninety-seven thousand five hundred fifty-one dollars (\$797,551.00) to *eight hundred thirteen thousand five hundred fifty-one dollars (\$813,551.00)*. All else remains the same.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-505**  
**(November 13, 2018)**

November 13, 2018

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

**RESOLUTION URGING THE STATE TO INCREASE ITS  
COMMITMENT TO THE CONSOLIDATED LOCAL STREETS AND  
HIGHWAY IMPROVEMENT PROGRAM (CHIPS) AND OTHER  
LOCAL ROAD, BRIDGE AND CULVERT PROGRAMS**

**WHEREAS**, Funding from the Consolidated Local Streets and Highway Improvement Program (CHIPS) and state assistance to local governments through BRIDGE NY, PAVE NY and Extreme Winter Recovery (EWR) programs is helping counties to meet the overwhelming needs of the locally-owned transportation systems; and

**WHEREAS**, While this funding is most welcomed and already being put to good use, locally-owned roads and bridges account for 87 percent of the state's 110,000 miles of roadways and 50 percent of the state's 18,000 bridges, and counties still struggle to raise enough funding for the maintenance and replacement of this vast system of aging and ailing 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 current 2018-2019 State Budget holds the base level for CHIPS at \$438M for the sixth year in a row; and

**WHEREAS**, Studies show that 48 percent of road pavements are rated fair or poor, and that increased funding is necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; 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 structurally deficient and the cost to repair 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 to local transportation infrastructure, such as CHIPS, PAVE NY, BRIDGE NY and EWR, must be continued and enhanced to improve the conditions of New York's local roads, bridges and culverts; and

**WHEREAS**, With the state's promise of MTA-NYSDOT capital plan parity and the commitments of hundreds of millions of additional dollars to address the critical needs of the NYC transit systems, there is the expectation for a comparable increase in funding to address the unmet needs of other state and local transportation infrastructure; and

**FURTHER RESOLVED,** That our state elected officials continue to partner with local governments to champion an increase in CHIPS funding and continue to fully fund PAVE NY and a new round of BRIDGE NY, thus building upon programs that provide a fair distribution of funds to municipalities throughout the state and maximize 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.

#70

**RESOLUTION NO. 18-506**  
**(November 13, 2018)**

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

## RESOLUTION URGING THE ENACTMENT OF AN INCREASE IN THE STATUTORY 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

November 13, 2018

**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**, 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

**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.

*After the roll call vote of resolution numbers 64 through 70, Chairman Berwanger provided attendees with an update to a request made by Supervisor Brunner, T/Java regarding repair work to the intersection of NYS Route 78, East Arcade Road and Chaffee Roads. Working with County Highway Superintendent Gadd, NYS DOT and the Warsaw, Perry, Covington and*

*Warsaw Highway Departments who collectively own a paver, work was completed within the next few weeks.*

*Chairman Berwanger added that he had an opportunity to work with NYS DOT officials on the County's ability to replace the smaller culverts on state highways at a reasonable cost.*

*Supervisor May, T/Orangeville informed Chairman Berwanger that she would be abstaining from resolution number 80.*

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #71 through #96. In addition, he asked that the Clerk read resolutions 92 & 96 in full as there were omissions that need to be included.*

*Hearing no objection resolution titles were read and resolutions 90 and 96 were read in full with the addition of the omitted information.*

**#71**

**RESOLUTION NO. 18-507**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
IVERGENT, INC. ON BEHALF OF INFORMATION TECHNOLOGY**

**BE IT RESOLVED,** That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Ivergent, Inc.,*** 7247 Cayuga Road, Suite 300, Cheektowaga, NY 14225 on behalf of Information Technology. Said contract is for ADtran VOIP equipment and service maintenance in an amount not to exceed nine thousand two hundred twenty-eight dollars (\$9,228.00); effective November 14, 2018 through November 13, 2019. *(NYS Contract PT65086)*

Contingent upon the availability of funds.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #72

**RESOLUTION NO. 18-508**  
**(November 13, 2018)**

November 13, 2018

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION COMMENDING THE STATE'S EFFORTS TO  
IMPROVE CYBER SECURITY FOR COUNTY INFORMATION  
SYSTEMS, INCLUDING ELECTION SYSTEMS**

**WHEREAS,** In New York State, counties are responsible for managing a wide range of information systems, many of which manage critical public data, including voter databases, social service data, public health data, and other sensitive information that must be properly safeguarded against cyber hackers and criminals; 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 continue to encourage counties to bolster security over their election IT systems to ensure systems are not compromised; and

**WHEREAS,** State Leaders this year enacted 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,** The State Department of Homeland Security this summer offered grant application opportunities for a share of \$500,000 in state funds that can help counties bolster their cyber security efforts; and

**WHEREAS,** The State Department of Information and Technology Services began to offer advice and services to county IT directors in support of cyber security efforts; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors commends the State of New York for its efforts to help protect county information systems, and we encourage those efforts to continue with the addition of state funding to support counties' investments in cyber security activities; and

**FURTHER RESOLVED,** That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State



## #73

By Mr. Brick, Chairman of the Finance Committee:

**BE IT RESOLVED,** That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Medicare PPO renewal rates for Retired County Employees for **2019** as follows:

- #74

By Mr. Brick, Chairman of the Finance Committee:

## November 13, 2018

Insurance for the Participants covered by the Wyoming County Workers' Compensation Self-Insured Plan as based upon the 2019 budget of \$3,083,419 (total budget of \$3,124,179 minus a \$40,760 inter-fund transfer) are as follows:

TOWNS	
Arcade	39,632
Attica	37,893
Bennington	52,529
Castile	38,990
Covington	28,181
Eagle	35,972
Gainesville	42,459
Genesee Falls	24,938
Java	35,518
Middlebury	39,720
Orangeville	30,840
Perry	34,744
Pike	33,192
Sheldon	49,194
Warsaw	48,113
Wethersfield	34,754
<b>TOTAL</b>	<b>606,669</b>

and be it

**FURTHER RESOLVED,** That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Wyoming County Workers' Compensation Insurance estimated costs for participating County Departments, Villages, School Districts, and outside County Agencies are as follows:

COUNTY	
County Government	335,162
County Highway Department	206,186
Wyoming Co. Community Hospital	820,342
Wyoming Co. Volunteer Fire Depts.	384,778
<b>TOTAL</b>	<b>1,746,468</b>



## **EASIER TO CREATE 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 and local governments are exploring ways to create municipal health insurance consortiums to jointly self-fund their health plans at a significantly lower cost to taxpayers; and

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

**WHEREAS**, Governor Andrew M. Cuomo and State Leaders have strongly encouraged local governments to pool resources, share services and consolidate operations to improve efficiency and reduce costs to taxpayers, particularly with the State's recently enacted and expanded County Wide Shared Services Initiative; and

**WHEREAS**, Whenever two or more local governments want to join forces to provide employee health insurance, Article 47 of the Insurance Law is triggered; and

**WHEREAS**, Article 47 allows for the creation of municipal healthcare consortia, but its onerous regulations have enabled only one municipal healthcare consortium to form since 1991; and

**WHEREAS**, Counties have asked for several years that the state 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

**WHEREAS**, Governor Cuomo asked the State Department of Financial Services to provide guidance for municipalities that want to create an Article 47 health insurance consortium, but that guidance did not reduce the onerous requirements of the law; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby urge Governor Andrew M. Cuomo and the State Legislature to amend State Insurance Law to make it easier to form municipal health insurance consortiums by allowing consortia to start with fewer than the required 2,000 employees with health insurance policy contracts, reduce the amount of IBNR reserves to more accurately reflect actuarial analysis of projected reserves

needed, and allow other public entities to join a consortium as long as they have a connection to a taxing jurisdiction; 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

#76

**RESOLUTION NO. 18-512**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SEMI-ANNUAL MORTGAGE TAX REPORT**

Mr. Brick, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2018 through September 30, 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***

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to **\$241,099.15** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

November 13, 2018

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$28,740.78	\$6,159.80	\$22,580.98
Attica	\$21,212.69	\$3,944.97	\$17,267.72
Bennington	\$26,592.07		\$26,592.07
Castile	\$28,533.29	\$1,876.02	\$25,060.58
Perry Village		\$1,596.69	
Covington	\$5,971.98		\$5,971.98
Eagle	\$7,825.28		\$7,825.28
Gainesville	\$8,040.94	\$261.55	\$6,926.91
Silver Springs Village		\$852.48	
Genesee Falls	\$2,930.04		\$2,930.04
Java	\$24,442.73		\$24,442.73
Middlebury	\$6,431.02	\$492.36	\$5,938.66
Orangeville	\$5,527.82		\$5,527.82
Perry	\$22,290.68	\$4,421.97	\$17,868.71
Pike	\$3,832.77		\$3,832.77
Sheldon	\$15,507.00		\$15,507.00
Warsaw	\$26,344.88	\$7,727.29	\$18,617.59
Wethersfield	\$6,875.18		\$6,875.18
Total:		<b>\$27,333.13</b>	<b>\$213,766.02</b>
<b>Grand Totals:</b>		<b>\$241,099.15</b>	

Let This Be Your Warrant for Such Payment: **\$241,099.15 IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 13<sup>th</sup> day of November 2018.

s/Cheryl J. Ketchum, Clerk  
Board of Supervisors

**Carried:** XXX    **Ayes:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**  
62 (Middlebury)  
113 Total

#77

**RESOLUTION NO. 18-513**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE STATE TO CONTINUE PROVIDING  
STATE MATCHING FUNDS FOR SAVINGS GENERATED THROUGH  
COUNTY-WIDE SHARED SERVICES PROGRAMS**

**WHEREAS**, Counties have long used shared services and departmental consolidations as tools in improving local government efficiency; 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, 35 counties submitted Government Efficiency Plans with annual savings at more than \$170 million for a three-year total of \$513 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,** In October 2017, 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, 23 counties have convened county-wide shared service panels in compliance with the law enacted in the 2017-18 State Budget, and will be adopting plans to be implemented in 2019; and

**WHEREAS,** Counties were required to spend resources, time, and funding to coordinate these shared services panels, including hiring additional staff members, or contracting with research agencies or consulting firms; and

**WHEREAS,** This year's enacted 2018-19 State Budget extended the requirement that counties convene these shared service panels in 2019, 2020, and 2021 to explore additional opportunities for local shared service projects; and

**WHEREAS,** This year's enacted 2018-19 State Budget includes \$225 million in state matching funds for payment to local governments that demonstrate savings from the shared services plans enacted in 2018; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors hereby calls on the state to provide up to \$100,000 from the \$225 million allocation for each county that could be drawn down for expenses, reports, or seed money necessary for robust plan development; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of

November 13, 2018

Supervisors calls on the state to continue to allocate funding for state matching funds for demonstrated shared services project savings enacted each year of the county-wide shared services initiatives; and be it

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

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#78**

**RESOLUTION NO. 18-514**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE  
 LEGISLATIVE LEADERS TO REFORM THE HOME RULE REVENUE  
 PROCESS BY ENACTING LONGER EXTENSION PERIODS WITH  
 THE GOAL OF MAKING MOST OF THESE MEASURES  
 PERMANENT**

**WHEREAS**, Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap; and

**WHEREAS**, Counties must administer and pay for more than 40 state programs that can consume up to 85 percent of a county's entire budget; and

**WHEREAS**, Locally raised revenues are necessary to implement and deliver State mandated programs as well as local public health and safety, economic development and "quality of life" services demanded and expected in our communities; and

**WHEREAS**, Local elected officials rely on their home rule authority to determine what mix of local taxes is the least burdensome in their community; and

**WHEREAS**, In recent years, counties have seen their home rule authority held hostage in larger state policy fights, including the lapsing of local sales tax authority a few years ago for a county and most recently, no renewal of



local mortgage recording taxes for four counties at the close of the latest legislative session; and

**WHEREAS,** In the case of sales tax, counties often share the revenues with other local governments, where on average nearly one out of every four local sales tax dollars collected are shared with cities, towns, and villages to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

**WHEREAS,** The pass-through of local sales tax revenue from counties to cities, towns, villages, and school districts will likely exceed \$1.9 billion in 2018, which is more than double the AIM funding the state provides to local governments; and

**WHEREAS,** Enacting longer home rule revenue authorizations still allows for appropriate state legislative review; and

**WHEREAS,** Even if this local home rule revenue authority is made permanent, any future change would be subject to state legislative review and action; and

**WHEREAS,** A longer local authorization period would dramatically reduce administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates the unnecessary and duplicative legislative activity at the state and local level required under current state law, while retaining state legislative review; and be it

**FURTHER RESOLVED,** The State should, upon the next renewal of local sales tax rates and all other home rule revenue measures that come before the Legislature, provide a four-year authorization for each county; and be it

**FURTHER RESOLVED,** The State should make county sales tax authority permanent at the rate that exists at that time, the same authority that was granted to New York City nearly a decade ago; 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

November 13, 2018

## #79

**RESOLUTION NO. 18-515**  
**(November 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 MANDATED  
PROGRAMS, STARTING WITH MEDICAID**

**WHEREAS**, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

**WHEREAS,** The Governor and State Legislature have enacted several laws over the last few decades designed to address New York’s highest-in-the-nation property taxes, including the creation of STAR school tax relief, a property tax cap, a temporary two-year property tax freeze and rebate check program, and two separate temporary state matching grant programs 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 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 taxes to pay for statewide programs and initiatives; and

**WHEREAS**, State elected officials recognize that mandating local governments to finance state-designed and controlled programs directly impacts the property tax burden, and to help mitigate this they have enacted important mandate relief for county property taxpayers, including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and

**WHEREAS**, Since the enactment of these mandate relief initiatives, the growth rate in aggregate county property taxes has slowed dramatically, generally averaging 2 percent per year over the last decade, less than the rate of inflation over that time frame; and

**WHEREAS**, 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**, 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

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent, and measurable county property tax reductions and lower tax rates for New York City residents; and be it

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-517**  
**(November 13, 2018)**

## RESOLUTION CALLING ON THE STATE TO EQUITABLY DISTRIBUTE SPORTS WAGERING REVENUE TO ALL NEW YORK COUNTIES

**WHEREAS,** Under current New York law, casinos are permitted to provide for sports betting operations as soon as NYS Gaming Commission regulations are implemented; and

**WHEREAS**, It is highly likely that sports gaming will be operational

**WHEREAS**, Under the current revenue sharing system, New York State receives funding from gaming facilities and a portion of this funding is passed to local governments for needed infrastructure and resident services; and

**WHEREAS**, Depending on where the county is located, this local gaming revenue share can come from one or a combination of the following entities: private commercial casinos, Native American casinos, racinos, horse and harness raceways, and Off-Track Betting Corporations (OTBs); and

**WHEREAS**, With the expansion of casino gaming in New York State and the potential increase from sports gaming, there will be a significant realignment of gaming spending throughout the State; and

**WHEREAS,** Without future state legislative and regulatory changes, only the casinos (commercial and Native American) will be allowed to provide sports betting, which could lead to further realignment of gaming spending and local government revenue sharing throughout the state; and

**WHEREAS**, Under the current sharing/distribution system, it is arguable that Native American casinos would not need to share any revenue obtained from sports wagering with local governments or the State because these casinos now share revenue from VLT spending and not from other revenues, such as other games of chance; now therefore

**BE IT RESOLVED,** When 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 consider a method where preexisting gaming facilities could be involved in sports gaming services 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:** 1486    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** 62 (Middlebury)  
113 Total

November 13, 2018

**RESOLUTION NO. 18-518  
(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING FOR THE STATE OF NEW YORK AND THE  
SENECA NATION TO AGREE 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**, Two years ago 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 a state-imposed property tax cap, counties are finding it increasingly difficult to maintain the 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 this 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 resolve this issue through arbitration, a process which has already been delayed for over a year in procedures such as panel selection; now

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors again calls on the State of New York and the Seneca Nation to immediately resolve their differences and reach an agreement to avoid catastrophic harm to public safety and public services; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors again calls on the State to make counties whole for past and current losses caused by this negotiation process and to the extent that such losses have been caused directly or indirectly, by the failure of the Seneca Nation to abide by the terms of the compact that the Seneca Nation make the counties whole so that local services and the residents that rely on those services are not impacted; 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #83

**RESOLUTION NO. 18-519**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

## 2018 TOWN BALANCES APPROVED

**BE IT RESOLVED**, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted; and be it

**FURTHER RESOLVED**, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2019 Tax Rolls of the respective towns:

TOWN	DEBIT	CREDIT
Arcade	\$174.46	\$ -
Attica	\$175.79	\$ -
Bennington	\$0	\$ -

November 13, 2018

Castile	\$0	\$ -
Covington	\$0	\$ -
Eagle	\$15.76	\$ -
Gainesville	\$0	\$ -
Genesee Falls	\$0	\$ -
Java	\$0	\$ -
Middlebury	\$0	\$ -
Orangeville	\$0	\$ -
Perry	\$2,801.52	\$ -
Pike	\$198.77	\$ -
Sheldon	\$538.56	\$ -
Warsaw	\$0	\$ -
Wethersfield	\$777.93	\$ -
<b>TOTAL</b>	<b>\$4,682.79</b>	<b>\$ -</b>

Dated: November 6, 2018

*Cheryl D. Mayer*  
*Wyoming County Treasurer*

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
113 Total

**#84**

**RESOLUTION NO. 18-520**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO  
FULLY FUND THE COSTS OF FIT CHARGEBACKS FOR STUDENTS  
ATTENDING FOR CREDITS FOR 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 an ongoing state aid funding commitment for community college operating costs; and

**WHEREAS**, Counties are charged back for the tuition of students from  
Regular Meeting



their counties who attend a community college sponsored in another county; and

**WHEREAS**, Community colleges were designed as two-year higher education institutions granting associates degrees and professional trade certificates; and

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

**WHEREAS**, At least one county has stopped reimbursing FIT for the tuition costs of their residents attending FIT for bachelor's and master's degrees; and

**WHEREAS**, FIT chargeback tuition rate per student is the highest in the state at nearly \$16,000; and

**WHEREAS**, Section 6305 of the State education law requires the state to reimburse counties for FIT chargebacks, but the state has not provided the necessary appropriations to comply with this state law requirement; now therefore

**BE IT RESOLVED**, That while the state should fully fund this requirement, we are asking the state to consider an interim step of fully funding FIT chargebacks to counties related to all educational instruction provided after two years (coursework necessary for a 4-year, and/or master's degree); 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: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

**#85**

**RESOLUTION NO. 18-521**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO  
 RENEW THEIR COMMITMENT TO FULLY FUNDING THE STATE**

November 13, 2018

## #86

## Regular Meeting

**WHEREAS**, the U.S. Supreme Court recently ruled in favor of the states to collect sales tax on Internet purchases made by consumers in their state under *South Dakota v. Wayfair*; and

**WHEREAS**, this decision overturned the *Quill* precedent set by the Court in 1992; and

**WHEREAS**, the *South Dakota v. Wayfair* ruling declared that “...*Quill* is flawed on its own terms...;” and

**WHEREAS**, the recent decision also declared that “*Quill* creates rather than resolves market distortions;” and

**WHEREAS**, the recent decision continues, “In effect, it is a judicially created tax shelter for businesses that limit their physical presence in a state but sell their goods and services to the state’s consumers...;” and

**WHEREAS**, the decision also states, “By giving some online retailers an arbitrary advantage over their competitors who collect sales taxes, *Quill*’s physical presence rule has limited states’ ability to seek long-term prosperity and has prevented market participants from competing on a level playing field;” and

**WHEREAS**, the Court’s ruling reiterates many of the same reasons the New York State Association of Counties (NYSAC) and the Governor cited relating to the need for New York to update its sales tax collection system; and

**WHEREAS**, the Supreme Court ruling in *South Dakota v. Wayfair* provides a clear blueprint on how states can proceed in changing their state laws to comport with the decision while maintaining the rights of all market participants; and

**WHEREAS**, the Court also clarified that since the *Quill* decision created the problem, they corrected that problem by overturning *Quill* and that, while congress has the right to enact federal legislation in this area, there is no need to as the Court corrected their earlier mistake, clearing the way for states to collect taxes they are lawfully owed; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to update the state’s sales tax laws to ensure that sales tax lawfully owed is collected on Internet purchases in a way that conforms with the principles laid out in *South Dakota v. Wayfair*; and

**FURTHER RESOLVED**, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State

November 13, 2018

## #87

By Mr. Brick, Chairman of the Finance Committee:

## MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS

**BE IT RESOLVED,** That the following members are hereby appointed/reappointed to the Wyoming County Community Hospital Board of Managers:

***Supervisor Member***

*One (1) year term; effective January 1, 2019 through December 31, 2019*

- Bryan Kehl, 914 Route 98, Attica, NY 14011

***Wyo. Comm. Hospital Foundation Member***

*One (1) year term; effective January 1, 2019 through December 31, 2019*

- Cynthia Elbow, 4508 Quarry Road, Warsaw, NY 14569

***Members:***

**Corrected** five (5) year term; effective January 1, 2019 through December 31, 2021

- Frank Vitagliano, 3855 Luther Road, Silver Springs, NY 14550

Corrected five (5) year term; effective January 1, 2019 through December 31, 2022

- Rich Kosmerl, 52 Mount View Drive, Arcade, NY 14009
- Laura Paolucci, 3055 Dodgeson Road, Alexander, NY 14005

*Five (5) year term; effective January 1, 2019 through December 31, 2023*

- A. Douglas Berwanger, 6608 East Arcade Road, Arcade NY 14009
- Vacancy (formerly held by D. Almeter)

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-524  
(November 13, 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:

- ***Roche Diagnostics Corporation***, 9115 Hague Road, Indianapolis, IN 46250 for Roche Liat Molecular Influenza Test Kits in an amount not to exceed seventeen thousand seventy-eight dollars (\$17,078.00) per year; effective October 1, 2018 through September 30, 2023.
- ***Weatherby Locums, Inc.***, 6451 North Federal Highway, Suite 800, Ft. Lauderdale, FL 33308 for physician locum tenens staffing services, furnish physicians to provide clinical services on a temporary basis in an amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective August 1, 2018 through July 31, 2019.
- ***Alliance Recruiting Resources, Inc.***, 900 Rockmead Drive, Suite 274, Kingwood, TX 77339 for permanent and/or contract providers in an amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective May 30, 2018 through May 29, 2019.
- ***Steven Bruce Gutsin, DPM, PC***, P.O. Box 1195, Orchard Park, NY 14127 to provide podiatry services to the residents in the Skilled Nursing Facility in an amount not to exceed five thousand dollars (\$5,000.00) per year; effective December 1, 2018 through November 30, 2020.
- ***NCB Medical Coding Specialists, Inc.***, 8975 Main Street, Clarence, NY 14031 to provide medical coding and auditing services, cancer

November 13, 2018

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**RESOLUTION NO. 18-525  
(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT  
AGREEMENT ~ SALARY SCHEDULE “P” WITH LESLIE J.  
LEHMANN, DO 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 an Employment Agreement – Salary Schedule “P” with ***Leslie J. Lehmann, DO.***, 7440 Michael Road, Orchard Park, NY 14127 on behalf of the Wyoming County Community Health System. Said contract to provide family practice services in an amount not to exceed two hundred thirty-three thousand dollars (\$233,000.00) plus a one-time fee of thirty-six thousand dollars (\$36,000.00); effective January 1, 2019 through December 31, 2022 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Contingent upon the availability of funds.

**Carried: XXX   Ayes: 1486   Noes:   Absent: 51 (Eagle)   Abstain:**  
**62 (Middlebury)**  
**113 Total**

**#90**

**RESOLUTION NO. 18-526  
(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “P”, “G” AND “S” AMENDED**

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

November 13, 2018

**Salary Schedule “P”:*****Wyoming County Community Health System***

- Place one (1) position of ***Family Practice Physician Provider*** under FAMILY PRACTICE and set the salary at \$230,000.00 annually; position available date is November 13, 2018.
- Include a stipend for ***Family Practice Physician Provider*** under FAMILY PRACTICE and set the amount at \$36,000.00; one-time upon start date.
- Include a stipend for ***Family Practice Physician Provider*** under FAMILY PRACTICE and set the amount at \$300 per occurrence, if pediatric/newborn call more than two times per month, upon start date.

**Salary Schedule “G”:*****Public Health***

- Remove one (1) position of ***Emergency Preparedness Coordinator*** (position code 120.470) from Salary Schedule “G”.

***Public Defender***

- To provide Stipends plus corresponding fringes for the following:
 

○ Public Defender	\$2,000.00
○ Assistant Public Defender (4 <sup>th</sup> )	\$12,000.00
○ Assistant Public Defender (1 <sup>st</sup> )	\$6,575.00
○ Assistant Public Defender (3 <sup>rd</sup> )	\$4,075.00
○ Secretary to the Public Defender, PT	\$1,500.00

  - Said amount for the 2018 year effective and payable immediately
  - Funds provided through New York State Office of Indigent Legal Services and known as Distribution #8 (*Contract # C800056*)
- To provide Stipends plus corresponding fringes for the following:
 

○ Public Defender	\$2,000.00
○ Assistant Public Defender (4 <sup>th</sup> )	\$12,000.00
○ Assistant Public Defender (1 <sup>st</sup> )	\$6,575.00
○ Assistant Public Defender (3 <sup>rd</sup> )	\$4,075.00
○ Secretary to the Public Defender, PT	\$1,500.00

  - Said amounts are annual and to be paid bi-weekly from January 1, 2019 through December 31, 2020
  - Funds provided through New York State Office of Indigent Legal Services and known as Distribution #8 (*Contract # C800056*)





- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669
  - Contract is amended to reflect an Employment Agreement on Salary Schedule P.
  
- **Jamestown Psychiatric, PC**, 305 E. Fairmount Avenue, Lakewood, NY 14750
  - Contract is amended to extend the term from July 31, 2018 through August 31, 2018 in an amount not to exceed fifty thousand dollars (\$50,000.00) for said additional term.

**WHEREAS,** That ***Resolution Number 18-304*** as previously amended by ***Resolution Number 18-349*** was further amended by this Board of Supervisors on September 11, 2018 by ***Resolution Number 18-394*** to extend the contract term of the ***Jamestown Psychiatric, PC*** from August 31, 2018 through ***October 31, 2018***; in an amount not to exceed sixty thousand dollars (\$60,000.00); now therefore,

- Amend the term from August 31, 2018 through October 31, 2018 to ***November 30, 2018***.
- Amend not to exceed amount from sixth thousand dollars (\$60,000.00) to an amount not to exceed ***one hundred twenty thousand dollars (\$120,000.00)*** for this term.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

Regular Meeting





**FURTHER RESOLVED**, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 10:00 A.M. on November 27, 2018.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

#95

**RESOLUTION NO. 18-531**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**2019 RECYCLING FEES LEVIED**

**BE IT RESOLVED**, That the Clerk of this Board is hereby authorized and directed to levy fees on behalf of Towns and the County for the year 2019 as indicated in the amount of ***\$2,112,216.55 (two million one hundred twelve thousand two hundred sixteen dollars and fifty-five cents)*** as indicated on the January Town and County tax bill and any other outstanding fees for services rendered:

<b>Municipality</b>	<b>Recycle</b>	<b>Unit</b>	<b>Cost per Unit</b>	<b>Total</b>
Castile	Seasonal Garbage	217	\$ 122.90	\$ 26,669.30
	Year-Round Garbage	1,240	\$ 245.79	\$ 304,779.60
Gainesville	Seasonal Garbage	18	\$ 122.90	\$ 2,212.20
	Year-Round Garbage	810	\$ 245.79	\$ 199,089.90
Genesee Falls	Seasonal Garbage	14	\$ 122.90	\$ 1,720.60
	Year-Round Garbage	188	\$ 245.79	\$ 46,208.52
Middlebury	Seasonal Garbage	8	\$ 122.90	\$ 983.20
	Year-Round Garbage	586	\$ 245.79	\$ 144,032.94
Orangeville	Seasonal Garbage	22	\$ 122.90	\$ 2,703.80
	Year-Round Garbage	484	\$ 245.79	\$ 118,962.36
Perry	Seasonal Garbage	7	\$ 122.90	\$ 860.30
	Year-Round Garbage	1,830	\$ 245.79	\$ 449,795.70
Pike	Seasonal Garbage	20	\$ 122.90	\$ 2,458.00
	Year-Round Garbage	418	\$ 245.79	\$ 102,740.22
Sheldon	Seasonal Garbage	11	\$ 122.90	\$ 1,351.90
	Year-Round Garbage	894	\$ 245.79	\$ 219,736.26
Warsaw	Seasonal Garbage	9	\$ 122.90	\$ 1,106.10
	Year-Round Garbage	1,819	\$ 245.79	\$ 447,092.01
Wethersfield	Seasonal Garbage	58	\$ 122.90	\$ 7,128.20
	Year-Round Garbage	336	\$ 245.79	\$ 82,585.44
	Town Subsidy			\$ (50,000.00)

\$2,112,216.55 levy to the towns

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
62 (Middlebury)  
 113 Total

November 13, 2018

**RESOLUTION NO. 18-532**  
**(November 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:

**CREATED:**

## ***Zoning***

- One (1) position of **Zoning Enforcement Officer Assistant (PT)** (.3 FTE) on Salary Schedule “S” at an hourly rate of \$18.8407 (not to exceed \$10,287.00 annually); position available is January 2, 2019.

**ABOLISHED:**

***Office of the Aging***

- One (1) position of **Clerk (PT)** (position code 273.053) on CSEA Schedule A Grade 2 (\$15.58-\$17.01/hr.); within the Office for the Aging; effective December 31, 2018.

**AMENDED:**

***Office of the Aging***

- One (1) position of *Aging Services Aide (PT)* (position code 276.015) to **full time (1.00 FTE)** on CSEA Schedule A Grade 2 (\$15.58-\$17.01/hr.); within the Office for the Aging; effective January 2, 2019.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

## #80

**RESOLUTION NO. 18-516**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SUSAN MAY REAPPOINTED TO THE WESTERN REGION  
OFF TRACK BETTING CORPORATION BOARD OF DIRECTORS**

**BE IT RESOLVED**, That ***Susan May***, 2916 Orangeville Center Road, Warsaw, NY 14569 is hereby reappointed to the Western Region Off Track Betting Corporation Board of Directors for a two (2) year term effective through January 1, 2019 through December 31, 2020.

**Carried: XXX Ayes: 1486 Noes: Absent: 51 (Eagle) Abstain:**  
**62 (Middlebury)**  
**113 Total**

**Public Hearing ~**

- *Comment Period*
  - *No requests to speak have been submitted*

*It was explained by the Chairman and Finance Committee Chair Brick that the proposed Local Law to override the tax cap was being withdrawn. This will be the second year in a row but the third year since this legislation was adopted by the state that Wyoming County was able to come in under the cap.*

**60% Majority**  
**Local Law**  
**#97**

**RESOLUTION NO. 18-XXX**  
**(November 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**LOCAL LAW NO. 5 (INTRODUCTORY E, YEAR 2018) ~ YEAR 2018,**  
*“A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2019”* **ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 9<sup>th</sup> day of October, 2018, a proposed Local Law of the County, designated as Local Law Introductory No. E for the year 201\*, entitled, *“A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2019;”* and

**WHEREAS**, In accordance with the provisions of Resolution No. 18-422, there was a public hearing held by this Board of Supervisors on this 13<sup>th</sup> day of November, 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

November 13, 2018

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

**BE IT ENACTED**, That Local Law 5, Year 2018, County of Wyoming, New York, as presented to this Board on the 9<sup>th</sup> day of October 2018, is hereby adopted, as advertised, enacted and passed by this Board in its original form as follows:

**INTRODUCTORY LOCAL LAW NO. 5 - YEAR 2018**  
*A Local Law to Override the Tax Levy Limit Established in General  
Municipal Law 3-C for Fiscal Year 2019*

**Section 1. Legislative Intent**

Due to the continued financial obligations compelled by the State of New York upon the County of Wyoming in the form of mandated governmental services that are not fully funded by the State, the County, in addition to providing said services, also must provide other important services to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the “tax levy limit” as defined, and to allow the County of Wyoming to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the “tax levy limit” contained in General Municipal Law §3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

**Section 3. Tax Levy Limit Override**

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person,



individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

#### **Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

DATED at Warsaw, New York  
 October 09, 2018 (Introduced)  
 November 13, 2018 (Withdrawn)  
 Cheryl J. Ketchum, <sup>CMC</sup>  
 Clerk to the Board

*In other news, Chairman Berwanger stated that a formal invitation is to follow as he spoke of the Capital One Campaign, a collection drive to subsidize renovations of WCCH. Over the years, the Foundation has been trying to schedule an event to thank all of the donors. The event will take place on November 29<sup>th</sup> at 5:30 – 7:30 pm.*

*Also today, Supervisor Hastings, T/Eagle not being here, the Chairman was approached by his friends from NYSEDA, impressed with Green Energy efforts in the Town of Arcade and Wyoming County. He was invited to Albany to be part of a panel to discuss Green Energy. Representing Wyoming County and the Town of Arcade on today's panel are past Town of Eagle Supervisor, Joe Kushner and present Town of Eagle Supervisor, Brett Hastings as part of his current profession.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:37 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

November 13, 2018

**SPECIAL BUDGET SESSION  
(November 27, 2018)  
Tuesday  
11:30 AM**

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 Brett Hastings, T/Eagle and Angela Brunner, T/Java. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 11:33 AM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this meeting is:

**John Copeland  
Supervisor for the Town of Wethersfield**

*The pledge was said by all.*

**Open Public Hearing ~**

- *Review of Wyoming County Tentative Budget for the Year 2019*
- *Budget Message*
  - *by Budget Officer J. Cook*



## SUMMARY OF PROPOSED 2019 BUDGET

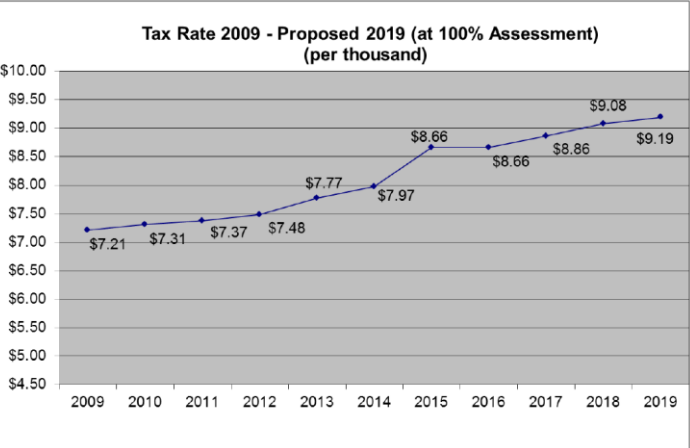
- Proposed budget
  - ❖ \$ 140,699,502
- Proposed tax levy
  - ❖ \$ 21,587,177
    - 2.64% increase
- Taxable Valuation
  - ❖ \$2,142,386,976
    - 2.97% increase
- Proposed tax rate @ 100% assessment
  - ❖ \$9.19 per thousand
    - 1.27% increase

## PROPERTY TAX LEVY AND RATE

	2018	2019	Amt change from prior year	% change from prior yr
Property Tax Levy	\$ 21,031,622	\$ 21,587,177	\$ 555,555	2.64%
Taxable Valuation	\$ 2,080,646,813	\$ 2,142,386,976	\$ 61,740,163	2.97%
Full Valuation	\$ 2,305,027,455	\$ 2,347,723,719	\$ 42,696,264	1.85%
**Property Tax Rate	\$ 9.08	\$ 9.19	\$ 0.11	1.27%

\*\*100% Equalization in both FY 2018 & 2019

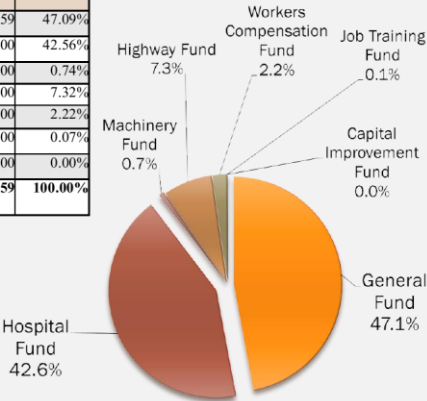
# PROPERTY TAX RATE HISTORY



4

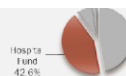
# PROPOSED BUDGET BREAKDOWN

APPROPRIATION BY FUND	EXPENDITURE	%
General Fund	66,249,183.59	47.09%
Hospital Fund	59,887,807.00	42.56%
Machinery Fund	1,040,956.00	0.74%
Highway Fund	10,297,376.00	7.32%
Workers Compensation Fund	3,124,179.00	2.22%
Job Training Fund	100,000.00	0.07%
Capital Improvement Fund	0.00	0.00%
Total Budgeted Expenditures	140,699,501.59	100.00%



5

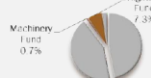
## HOSPITAL FUND



Hospital Fund		Adopted 2018	Tentative 2019	Change Amount Inc / (Dec)
Total Revenues		55,852,950	59,887,807	4,034,857
1	Personal Svc	22,512,816	24,647,508	2,134,692
2	Capital	0	100,000	100,000
4	Contractual	20,570,944	22,433,764	1,862,820
6	Principal Pmt	840,599	813,305	(27,294)
7	Interest Pmt	185,301	150,438	(34,863)
8	Fringe	11,743,290	11,742,792	(498)
9	Transfers	0	0	0
Total Expenditures		55,852,950	59,887,807	4,034,857
Fund Balance		0	0	0
Levy		0	0	0

6

## HIGHWAY & MACHINERY FUND



Highway & Machinery Fund		Adopted 2018	Tentative 2019	Change Amount Inc / (Dec)
Total Revenues		10,439,058	10,763,332	324,274
1	Personal Svc	1,483,726	1,521,497	37,771
2	Capital	100,000	99,700	(300)
4	Contractual	8,227,993	8,765,360	537,367
6	Principal Pmt	150,000	0	(150,000)
7	Interest Pmt	3,750	0	(3,750)
8	Fringe	1,031,511	951,775	(79,736)
9	Transfers	0	0	0
Total Expenditures		10,996,980	11,338,332	341,352
Fund Balance		(557,922)	(575,000)	(17,078)
Levy		0	0	0

7

# GENERAL FUND



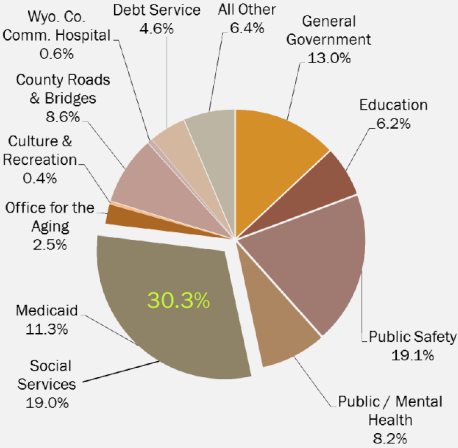
General Fund		Adopted 2018	Tentative 2019	Change Amount Inc / (Dec)
Total Revenues		41,977,052	43,562,007	1,584,955
1	Personal Svc	15,281,696	16,203,664	921,968
2	Capital	294,650	296,800	2,150
4	Contractual	30,428,703	30,985,873	557,170
6	Principal Pmt	2,150,695	2,281,249	130,554
7	Interest Pmt	926,365	771,337	(155,028)
8	Fringe	9,443,174	9,582,611	139,437
9	Transfers	5,943,391	6,127,650	184,259
	Highway	5,511,446	5,696,015	184,569
	Machinery	0	0	0
	Hospital	391,700	390,875	(825)
	CIP	0	0	0
	Workers Comp	40,245	40,760	515
Total Expenditures		64,468,674	66,249,184	1,780,510
Fund Balance		(1,460,000)	(1,100,000)	360,000
Allowance for Taxes		0	0	0
Levy		21,031,622	21,587,177	555,555

8

# GENERAL FUND EXPENDITURES

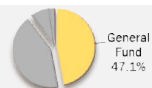


GENERAL FUND	EXPENDITURE	%
General Government	8,644,812	13.05%
Education	4,128,701	6.23%
Public Safety	12,668,110	19.12%
Public / Mental Health	5,450,345	8.23%
Social Services	12,595,476	19.00%
Medicaid	7,487,492	11.30%
Office for the Aging	1,640,135	2.48%
Culture & Recreation	242,790	0.37%
County Rds & Bridges	5,696,015	8.60%
WCCH	390,875	0.59%
Debt Service	3,052,586	4.61%
All Other	4,251,847	6.42%
Total Budgeted Expenditures	66,249,184	100.00%

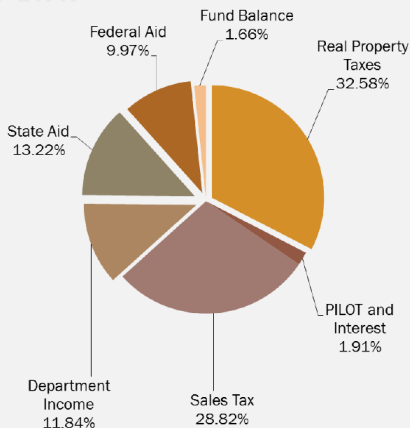


9

# GENERAL FUND REVENUE



GENERAL FUND	REVENUE	%
Real Property Taxes	21,587,177	32.58%
PILOT and Interest	1,265,062	1.91%
Sales Tax (Including Interest /911 surcharge /hotel /motel tax /auto use tax)	19,091,202	28.82%
Department Income (Fees/Local Rev/Permits/Fines/Donations /Sale of Property & Interfund Revenue)	7,842,843	11.84%
State Aid	8,761,152	13.22%
Federal Aid	6,601,749	9.97%
<b>Total General Fund Revenue</b>	<b>65,149,184</b>	<b>98.34%</b>
Fund Balance	1,100,000	1.66%
<b>Total to Cover 2019 Expenditures</b>	<b>66,249,184</b>	<b>100.00%</b>



\* See slide #14 for Property Tax rate calculation

10

FUNCTION	APPROPRIATIONS	STATE & FEDERAL AID	REVENUES	TAX LEVY / SURPLUS
General Governmental Support	\$0.00	\$0.00	\$19,374,062.00	(\$19,374,062.00)
Legislative	\$786,564.33	\$0.00	\$600.00	\$785,964.33
Judicial	\$1,881,687.33	\$757,017.89	\$142,325.00	\$982,344.44
Finance	\$1,303,391.46	\$0.00	\$986,198.79	\$317,192.77
Staff	\$4,461,032.02	\$76,116.00	\$1,915,185.50	\$2,469,730.52
Special Items	\$212,137.00	\$0.00	\$0.00	\$212,137.00
Education	\$4,128,700.54	\$1,115,720.00	\$0.00	\$3,012,980.54
Public Safety	\$12,668,109.79	\$735,164.00	\$1,079,622.04	\$10,853,323.75
Health	\$5,450,344.54	\$3,745,099.33	\$728,808.51	\$976,436.70
Social Services (Less Medicaid)	\$12,695,476.72	\$7,815,302.00	\$946,220.00	\$4,133,954.72
Social Services (Medicaid / MMIS)	\$7,487,492.00	\$0.00	\$0.00	\$7,487,492.00
Economic Development	\$605,291.35	\$0.00	\$286,146.78	\$319,144.57
Other	\$242,267.71	\$11,668.00	\$9,000.00	\$221,599.71
Economic Assistance (OFA)	\$1,840,135.36	\$835,045.00	\$231,227.00	\$573,863.36
Recreation	\$224,869.35	\$40,333.00	\$12,500.00	\$172,036.35
Culture	\$122,789.79	\$0.00	\$4,500.00	\$118,289.79
Adult Recreation	\$120,000.00	\$120,000.00	\$0.00	\$0.00
General Environment	\$2,527,143.83	\$75,000.00	\$2,369,711.00	\$82,432.83
Natural Resources	\$606,514.57	\$0.00	\$8,000.00	\$598,514.57
Employee Benefits	\$5,000.00	\$0.00	\$5,000.00	\$0.00
Debt Service	\$3,052,585.92	\$36,434.82	\$400,000.00	\$2,616,151.10
Interfund Transfers	\$6,127,650.00	\$0.00	\$0.00	\$6,127,650.00
Highway Funds	\$10,297,376.00	\$3,952,936.00	\$5,769,440.00	\$575,000.00
Machinery Fund	\$1,040,956.00	\$0.00	\$1,040,956.00	\$0.00
Hospital Funds	\$59,887,807.00	\$1,705,459.00	\$58,182,348.00	\$0.00
Compensation	\$3,124,179.00	\$0.00	\$3,124,179.00	\$0.00
Job Training Funds	\$100,000.00	\$100,000.00	\$0.00	\$0.00
<b>TOTALS:</b>	<b>\$140,669,501.53</b>	<b>\$21,121,295.01</b>	<b>\$96,316,029.58</b>	<b>\$23,262,177.00</b>

<b>Less Surplus:</b>				
General Fund				1,100,000.00
Machinery Fund				\$0.00
County Road Fund				\$575,000.00
Compensation				\$0.00
Capital				\$0.00
Subtotal Surplus Applied				\$1,675,000.00
<b>TAX LEVY:</b>				<b>\$21,587,177.00</b>

11

# NEW YORK STATE MANDATES

Mandates	2018 Budget	2019 Budget	Levy Increase
Medicaid (inc. IGT)*	7,474,310	7,487,492	13,182
All other mandated DSS Programs**	3,932,306	4,133,955	201,649
NYS mandated Retirement Contribution	5,798,557	5,761,845	(36,712)
Community College Expense	2,050,000	2,150,000	100,000
Probation	589,477	617,717	28,240
Indigent Defense	310,935	322,266	11,331
Special Ed Pre-K	884,874	862,981	(21,894)
Early Intervention	224,063	213,564	(10,499)
Total Levy Increase	21,264,522	21,549,820	285,298
Tentative GF Levy		21,587,177	

Mandated programs account for **99.83%** of the Tentative County Tax Levy

12

# SALES TAX HISTORY



13



## PROPERTY TAX CAP CALCULATION

2018 Tax Levy	+	21,031,622
Special District Levy		2,694,731
2018 Total Adjusted Tax Levy		23,726,353
Tax Base Growth Factor (Provided by NYS)	×	1.0065
		23,880,574
PILOTS in 2018 (est.)	+	382,221
		24,262,795
Allowable Levy Growth 2.00% (Provided by NYS)	×	1.0200
		24,748,051
PILOTS in 2019 (est.)	-	415,062
Add available carryover	+	19,867
2019 ESTIMATED TOTAL TAX CAP		\$24,352,856
Amount Allowed to Increase Tax Levy *		\$626,503 2.64%

\*Including Special District Levy

14

## PROPERTY TAX VS TAX CAP

	Adopted 2018	Tentative 2019	2019 Inc / (Dec)	2019 % Inc / -Dec
<b>General County Levy</b>				
Revenue	111,327,021.60	117,437,324.59	6,110,302.99	5.49%
Expenses	134,376,565.60	140,699,501.59	6,322,935.99	4.71%
Reserve to offset	2,017,922.00	1,675,000.00	(342,922.00)	-16.99%
Total General County Levy	21,031,622.00	21,587,177.00	555,555.00	2.64%
<b>Special District Levy</b>				
Town Balances	2,496.01	4,682.79	2,186.78	87.61%
Board of Elections	21,936.00	25,259.00	3,323.00	15.15%
Recycling	2,083,913.92	2,112,216.55	28,302.63	1.36%
Worker's Comp	586,385.00	606,669.00	20,284.00	3.46%
Total Levy All Districts	23,726,352.93	24,336,004.34	609,651.41	2.57%
NYS Tax Levy Limitation	23,746,220.00	24,352,856.00	626,503.07	2.64%
Over / (Under) Allowable Cap			(16,851.66)	(.07%)

Under Tax Cap

15

# MANDATE RELIEF FROM ALBANY?

**NYS Governor**  
**Hon. Andrew M. Cuomo**  
**Executive Chambers**  
**State Capitol Building**  
**Albany, NY 12224**  
**(518) 474-8390**

16

# CONTACT INFORMATION

➤ **NYS Senator**  
 (59<sup>th</sup> District)

**Hon. Patrick M. Gallivan**

*Legislative Office Building, Room 512*  
*Albany, NY 12247*  
*(518) 455-3471*

*2721 Transit Road, Suite 116*  
*Elma, NY 14059*  
*(716) 656-8544*

*143 North Main St., Room 103*  
*Warsaw, NY 14569*  
*(585) 786-5048*

➤ **NYS Assemblyman**  
 (147<sup>th</sup> District)

**Hon. David DiPietro**

*543 Legislative Office Building*  
*Albany, NY 12248*  
*(518) 455-5314*

*411 Main St.*  
*E. Aurora, NY 14052*  
*(716) 655-0951*

17

# THANK YOU

If you have any questions please feel free to contact me:



Janis Cook

Wyoming County Budget Officer

Phone: (585) 786-8804

[jcook@wyomingco.net](mailto:jcook@wyomingco.net)

18

## Public Comment ~

- *None offered...*
- *Finance Committee Chair, J. Brick from the Town of Perry offered, "Good job," to Budget Officer Cook and her department.*
- *Chairman Berwanger explained the normal increases and increases in the daily cost of living made this budget challenging.*

## Close Public Hearing ~

- *Motion to close the Public Hearing was made by Supervisor Becker, T/Sheldon. Seconded by Supervisor Vasile, T/Genesee Falls. Carried.*

#01

## RESOLUTION NO. 18-533 (November 27, 2018)

By Mr. Brick, Chairman of the Finance Committee:

### LIFT THE 2019 EQUALIZATION TABLE AND ADOPT

**BE IT RESOLVED**, That the 2019 Equalization Table, which was tabled on November 13, 2018, be lifted from the table; and be it

**FURTHER RESOLVED**, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2018 is hereby adopted as presented.

November 27, 2018

## 2019 EQUALIZATION TABLE

Advisory Equaliz Rates	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rates	% of Co. Tax to be paid by Each Town	Taxable Assessed Value
92.00%	ARCADE	224,762,738	244,307,324	0.104061360	224,756,388
100.00%	ATTICA	189,823,910	189,823,910	0.080854450	189,813,510
42.00%	BENNINGTON	116,625,357	277,679,421	0.118276022	116,610,328
100.00%	CASTILE	250,470,054	250,470,054	0.106686341	250,444,004
100.00%	COVINGTON	81,646,319	81,646,319	0.034776800	81,645,819
100.00%	EAGLE	66,539,505	66,539,505	0.028342136	66,527,205
100.00%	GAINESVILLE	101,723,584	101,723,584	0.043328601	101,723,584
100.00%	GENESEE FALLS	30,265,140	30,265,140	0.012891270	30,263,340
100.00%	JAVA	149,558,007	149,558,007	0.063703410	149,546,007
100.00%	MIDDLEBURY	104,092,494	104,092,494	0.044337625	104,085,094
100.00%	ORANGEVILLE	102,015,391	102,015,391	0.043542894	102,015,391
100.00%	PERRY	221,963,003	221,963,003	0.094543920	221,943,803
100.00%	PIKE	56,949,706	56,949,706	0.024257414	56,949,706
85.00%	SHELDON	139,392,426	163,991,089	0.069851102	139,373,326
100.00%	WARSAW	241,961,467	241,961,467	0.103062156	241,958,467
100.00%	WETHERSFIELD	64,737,304	64,737,304	0.027574498	64,731,004
	<b>TOTALS</b>	<b>2,142,526,405</b>	<b>2,347,723,719</b>	<b>1.000000000</b>	<b>2,142,386,976</b>

### FINANCE COMMITTEE

James Brick	Ellen Grant	Rebecca Ryan	John Copeland
David Tallman	Sandy King	Jerry Davis	Daniel Leuer
Bryan Kehl	Susan May		25-Oct-18

**Carried: XXX    Ayes: 1460    Noes:    Absent: 51 (Eagle)    Abstain:**  
88 (Java)  
139 Total

#02

### RESOLUTION NO. 18-534 (November 27, 2018)

By Mr. Brick, Chairman of the Finance Committee:

### TENTATIVE 2019 BUDGET FOR WYOMING COUNTY ADOPTED

**BE IT RESOLVED**, That the tentative budget for the year 2019, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2019, which requires the raising by tax levy in the amount of twenty-one million five hundred eighty-seven thousand one hundred seventy-seven dollars (\$21,587,177.00); and be it

**FURTHER RESOLVED**, That the said sum of twenty-one million five hundred eighty-seven thousand one hundred seventy-seven dollars (\$21,587,177.00) be hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation; and be it

**FURTHER RESOLVED**, That the several amounts specified in such  
Special Session

budget in the column entitled "ADOPTED", and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2019.

**Carried:** XXX    **Ayes:** 1460    **Noes:**    **Absent:** 51 (Eagle)  
88 (Java)    **Abstain:**  
139 Total

*Prior to adjourning the meeting, Chairman Berwanger explained the reason for the time of today's budget hearing. He stated that the Board has tried to accommodate the general public by having meetings in the evening. The only changes in attendance are the wives and husbands of Supervisors and Department Heads being present.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 11:59 AM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

Cheryl J. Ketchum

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

**REGULAR SESSION**  
**(December 11, 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 for the County Attorney Mark Dadd, 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:

**George R. West**

Mr. West was born in Carthage, NY near Fort Drum in 1948. He was drafted and sworn in with seven other boys from the Watertown area on April 18, 1968. A man came in and asked which one wanted to go in U.S. Marine Corps. They all figured that meant going straight to Vietnam and no one stepped forward. The man chosen for the one Marine Corps slot ended up stationed in Hawaii!

Mr. West then reported for basic training at Fort Dix, New Jersey where he became a Platoon Leader and earned his E-2 rank. He continued his individual training and remained a Platoon Leader at Ft Dix in Communications learning Morris Code, teletype, switchboard and field phone.

Mr. West's advanced training was completed at Fort Gordon, Georgia where he again was chosen as a Platoon Leader. Fort Gordon started out as Camp Gordon in 1941 as a WWII training camp named after Lieutenant General John Brown Gordon. The camp was used to hold foreign prisoners of war from October 1943 to January 1945. Between May 1945 and April 1946, the camp was used as a personnel separation center and processed nearly 86,000 Army discharges. Camp Gordon was re-designated as Fort Gordon in 1956 and started the Non-commissioned Officer Academy in 1958. This academy became the Army's largest NCO Academy in the 1990's.

Mr. West was stationed at Fort Riley, Kansas and was shipped out to Vietnam on June 4, 1969, eleven days after he married his wife Nancy. Their son was born while he was still in Vietnam. Mr. West served as a Specialist doing the job of a Staff Sergeant while traveling through the A Shau Valley, Hue (whey), and Phu-bai with the 101<sup>st</sup> Battalion. He was offered the rank of Staff Sargent if

he re-enlisted for another 6 years... He chose to come home and meet his son in 1970. For his valor and courageous service to his country, Mr. West was awarded the:

Vietnam Service Medal  
 Vietnam Combat Metal  
 Overseas Service Bars  
 Army Commendation Medal  
 National Defense Service Medal  
 Army Expert Marksman (M16 & M14)

Mr. West worked for a few years in Carthage, NY before moving to Perry in 1973. He worked a few jobs and ended up retiring from Seneca Foods after 27 years of service. In 1979, he became a member of the Perry VFW and is now a life member. He was the President of the Perry Vets Club for seven years, joined Vietnam Veterans of America Chapter 193 seven years ago, and now serves as the Chapter's vice-president.

Mr. West and his wife have raised four children and have eight grandchildren that continue to make them proud.

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

Chairman Berwanger invited Town of Perry Supervisor, J. Brick to join him in the presentation of the customary certificate of appreciation to Mr. West and offered Mr. West an opportunity to address the Board. At which time, Mr. West told the Board his appearance was one of the biggest honors of his life and for his family as well...

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

#### **Communications ~**

- *11/20/18 Correspondence from Assemblyman DiPietro acknowledging receipt of the various NYSAC resolutions passed by the Board of Supervisors last month.*

**#1**

### **RESOLUTION NO. 18-535 (December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

#### **FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS**

December 11, 2018

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

<b>Information Technology</b>			
<b>From:</b> 01.34.1681.2.20201 Computers <b>To:</b> 01.34.1681.4.4111 Computers & Technology 01.34.1681.4.40301 Professional Service <b>Reason:</b> To cover the cost of computer and equipment under \$1,000.00 and RVI Platform conversion.	\$14,284.00	\$1,784.00 12,500.00	
<b>Information Technology Total</b>			<b>\$14,284.00</b>
<b>County Clerk</b>			
<b>From:</b> 01.34.1410.8.89001 Medical/Hospitalization <b>To:</b> 01.34.1410.4.41111 Computer and Tech Equipment <b>Reason:</b> To cover the cost of HP Laser Jet Pro (copier/printer/ scanner/fax) and 3-year care pack.	\$900.00	\$900.00	
<b>County Clerk Total</b>			<b>\$900.00</b>
<b>DMV</b>			
<b>From:</b> 01.34.1411.8.89001 Medical/Hospitalization <b>To:</b> 01.34.1411.4.41111 Computer &Tech Equipment <b>Reason:</b> To cover the cost of HP Laser Jet Pro (copier/printer/ scanner/fax) and 3-year care pack.	\$900.00	\$900.00	
<b>DMV Total</b>			<b>\$900.00</b>
<b>Sheriff</b>			
<b>From:</b> 01.37.3110.4.41306 Uniform Allowance <b>To:</b> 01.37.3110.2.20501 Law Enforcement Equipment <b>Reason:</b> To cover the cost of new weapons.	\$7,600.00	\$7,600.00	
<b>Sheriff Total</b>			<b>\$7,600.00</b>

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

#2

**RESOLUTION NO. 18-536  
(December 11, 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:

<b>Real Property Tax Services</b>			
<b>To:</b> 01.33.1355.1.10001 Salaries S/D/I 01.33.1355.4.41202 Printing w/01.04.1355.221003 Town Assessment Support 01.04.1355.2210 Tax Svc – Bill Printing <b>Reason:</b> To cover the cost of an additional Real Property Appraiser, PT and Assessment Account Specialist, PT and additional postage option included with the tax bill generation.	\$13,745.00 4,600.00	\$13,745.00 4,600.00	
<b>Real Property Tax Services Total</b>			<b>\$18,345.00</b>



<b>Navigator</b>			
<b>To:</b> 01.38.4051.4.40301 Prof. Service Contract <b>w/</b> 01.11.4051.3401 NYS Navigator 01.12.4051.4489 Fed Navigator <b>Reason:</b> To appropriate additional grant funds to cover the subcontract expense for Oct-Dec 2018.	\$2,500.00	\$1,473.25 1,026.75	
<b>Navigator Total</b>			<b>\$2,500.00</b>
<b>Planning</b>			
<b>To:</b> 12.61.6421.2.21001 Prop Reno-Solar Array <b>w/</b> 12.11.6421.3089 Other State Aid <b>Reason:</b> Funds associated with the NYSERDA Clean Energy Communities Program Grant to install a solar array at the Wyo. Co. Highway Dept.	\$150,000.00	\$150,000.00	
<b>Planning Total</b>			<b>\$150,000.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1166.4.41010 Office Supplies <b>w/</b> 01.12.1166.4389 Office Victim Service <b>Reason:</b> To appropriate available grant funds in supply line to complete purchase of Scout System previously approved in the grant. Grant #C1-00336	\$1,268.00	\$1,268.00	
<b>To:</b> 01.32.1169.4.41010 Office Supplies <b>w/</b> 01.12.1169.4389 Office Victim Service <b>Reason:</b> To appropriate available and previously approved grant funds in supply line to complete purchase of Scout System. Grant # C1-00006	\$3,714.00	\$3,714.00	
<b>District Attorney Total</b>			<b>\$4,982.00</b>

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$4,414,249.72** for the month of **November 2018**.

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

**#3**

### **RESOLUTION NO. 18-537 (December 11, 2018)**

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

### **2018 ELECTION EXPENSES APPORTIONED**

**BE IT RESOLVED**, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2018 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships within Wyoming County as follows:

December 11, 2018

Town	No. Enrolled Voters	Amount of Levy	Special Election	1.007297815
Arcade	2,646	2,665.31		2,665.31
Attica	2,578	2,596.81		2,596.81
Bennington	2,305	2,321.82		2,321.82
Castile	1,883	1,896.74		1,896.74
Covington	748	753.46		753.46
Eagle	790	795.77		795.77
Gainesville	1,450	1,460.58		1,460.58
Genesee Falls	298	300.17		300.17
Java	1,454	1,464.61		1,464.61
Middlebury	959	966.00		966.00
Orangeville	900	906.57		906.57
Perry	2,779	2,799.28		2,799.28
Pike	679	683.96		683.96
Sheldon	1,722	1,734.57		1,734.57
Warsaw	3,319	3,343.22		3,343.22
Wethersfield	566	570.13		570.13
Total	25,076	\$ 25,259.00	\$ -	25,259.00

*Very truly yours,*

*Board of Elections*

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #7. Hearing no objection resolution titles were read.*

**#4**

**RESOLUTION NO. 18-538  
(December 11, 2018)**

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

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

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the 2-1-1 Advisory Board for a one (1) year term; effective January 1, 2019 through December 31, 2019 as follows:

- **Kimberley Barber** (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw, NY 14569

Regular Session

- **Laura Paolucci** (County Health Department), 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550
- **Rosemary Shader**, (Wyoming County Community Action), 6470 Route 20A, Suite 1, Perry, NY 14530-9799 (*previously held by S. Smith*)

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

#5

**RESOLUTION NO. 18-539  
(December 11, 2018)**

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

**CHAIRMAN/DIRECTOR OF THE OFFICE OF THE AGING  
AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF  
THE OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board and Director of the Office for the Aging, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign the following contracts on behalf of the Office for the Aging; effective January 1, 2019 through December 31, 2019:

- **The Pine Lounge**, 164 Clinton Street, Cowlesville, NY 14037 to provide congregate meals for seniors 60+ years; in an amount not to exceed 2019 budget and variable depending on use.
- **Susan Schell**, 3408 South Main Street, Warsaw, NY 14569 to provide dietician services to the Office for the Aging as required by New York State Office for the Aging and the Older Americans Act; in a *maximum* amount of eighteen thousand dollars (\$18,000.00).
- **The Cloister's**, 171 North Maple Street, Warsaw, NY 14569 to provide respite services to caregivers in Wyoming County; in an amount not to exceed 2019 budget and variable depending on use.
- **Aurora Adult Day Services, d/b/a Aurora Adult Day Care**, 101 King Street, Suite B, East Aurora, NY 14052 to provide respite services to caregivers in Wyoming County; in an amount not to exceed 2019 budget and variable depending on use.
- **Wyoming County Skilled Nursing Facility**, 400 North Main St.,

December 11, 2018

Warsaw, NY 14569 to provide medical respite services to caregivers in Wyoming County; in an amount not to exceed 2019 budget and variable depending on use.

- ***Community Care of WNY, d/b/a Home Care and Hospice***, 1225 West State Street, Olean, NY 14760 for in-homecare aide services to Wyoming County residents 60+ years; in an amount not to exceed 2019 budget and variable depending on use.
- ***Center for Elder Law & Justice, Inc.***, 438 Main Street, Suite 1200, Buffalo, NY 14202-3208 to provide legal services to Wyoming County residents 60+ years; in a *maximum* amount of nine thousand dollars (\$9,000.00).
- ***Elderwood Health Plan***, 7 Limestone Drive, Williamsville, NY 14221 for a *revenue* contract for managed long-term care plan services.

Contingent upon the availability of funds.

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

**#6**

**RESOLUTION NO. 18-540  
(December 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
CLINICAL ASSOCIATES OF THE FINGER LAKES ON BEHALF OF  
THE YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Clinical Associates of the Finger Lakes***, 590 Fishers Station Drive, Suite 130, Victor, NY 145564 on behalf of the Youth Bureau. Said contract is for preschool related services for Occupational Therapy, Speech Therapy and Physical Therapy in an amount not to exceed 2019 ~ 2021 budget; effective December 3, 2018 through June 30, 2021.

Contingent upon the availability of funds.

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

**#7**

**RESOLUTION NO. 18-541  
(December 11, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN VARIOUS WELFARE MANAGEMENT SYSTEM  
CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL  
SERVICES FOR THE YEAR 2019**

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with the following agencies on behalf of the Department of Social Services. All contracts are variable amount depending on the services provided; effective January 1, 2019 through December 31, 2019:

- ***Consumer Directed Personal Care Services, d/b/a Independent Living of the Genesee Region ~ WNY Independent Living, Inc.***, 3108 Main Street, Buffalo, NY 14214 to provide consumer directed personal care for a select few Medicaid cases where personal care is not appropriate.
- ***Kelly's Imagination Station, Inc.***, 2 Tountas Avenue, LeRoy, NY 14482 to provide child day care services.
- ***Wyoming County YMCA School-age Child Care***, 115 Linwood Avenue, Warsaw, NY 14569 to provide child day care services.
- ***Precious People Daycare***, 12001 Broadway, Alden, NY 14004 to provide child day care services.
- ***Home Care & Hospice***, 1225 West State Street, Olean, NY 14706 to provide personal care services for Medicaid eligible clients of Wyoming County.

Contingent upon the availability of funds.

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

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

**#8**

**RESOLUTION NO. 18-542  
(December 11, 2018)**

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

December 11, 2018

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
WYOMING COUNTY YMCA ON BEHALF OF MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Wyoming County YMCA***, 115 Linwood Avenue, Warsaw, NY 14569 on behalf of the Youth Bureau. Said contract is for veterans programs and memberships offered through DWYER Wyoming Peer to Peer Veteran Outreach in an amount not to exceed seven thousand four hundred dollars (\$7,400.00); effective December 1, 2018 through December 31, 2019.

Contingent upon the availability of funds.

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

**#9**

**RESOLUTION NO. 18-543  
(December 11, 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 ON BEHALF OF  
THE COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and the Commissioner of Health, with the approval of the County Attorney, are authorized to sign a grant application and acceptance award with the ***New York State Department of Health***, Empire State Plaza, Corning Tower, Albany, New York, 12237 on behalf of the County Health Department. Said grant to fund the Rabies Program in a minimum amount of eleven thousand four hundred eighty-five dollars (\$11,485.00) per year for total amount of thirty-four thousand four hundred fifty-five dollars (\$34,455.00); effective April 1, 2019 through March 31, 2022.

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

**#10**

**RESOLUTION NO. 18-544  
(December 11, 2018)**

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

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

**BE IT RESOLVED**, That *Gregory J. Collins, DO, MPH*, 4820 Darby Road, Avon, NY 14414 be hereby reappointed as Medical Director, PT for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

**#11**

**RESOLUTION NO. 18-545  
(December 11, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**JOSEPH MEYER REAPPOINTED TO THE  
REGION 9 ~ FISH & WILDLIFE MANAGEMENT BOARD  
AND FOREST PRACTICE BOARD**

**BE IT RESOLVED**, That the *Joseph Meyer*, 611 Route 20A, Strykersville, NY 14145 is hereby reappointed to the Region 9 ~ Fish & Wildlife Management Board and Forest Practice Board as a Landowner Representative for a two (2) year term; effective January 1, 2019 through December 31, 2020.

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

*After the roll call vote for resolution number 11 was concluded, Chairman Berwanger called on Supervisor Kehl to make a presentation he described as, "all that is good – our youth."*

*Supervisor Kehl invited several Cornell Cooperative Extension of Wyoming County 4-H Youth and Extension staff members to join him at the podium.*

*Holly Harwood, Extension 4-H Community Educator was asked to make the following introductions:*

*Four of the eight youth representing Wyoming County at State and National Competitions were present for the following recognitions, they were Danielle Herrick, Nathan Colopy, Joe Fisher and Andrew Paddock.*

*Awards were presented to ~*

December 11, 2018

- *Madison Drysdale – National 4-H Hippology Contest for her participation in the New York State 4-H Hippology Team at the Eastern National Horse Roundup Contest in Louisville Kentucky.*
- *Danielle Herrick – National 4-H Dairy Events for her participation in both the National 4-H Dairy Management Contest and National Dairy Bowl Contest.*
- *Angela George – National 4-H Dairy Events for her participation in the National 4-H Dairy Management Contest.*
- *Nathan Colopy, Joe Fisher, Andrew Paddock, Kyle Perl and Rebekah Spicer for their participation in the National 4-H Shooting Sports Competition.*

*And finally, Cooperative Extension's Executive Director, Laura Fuller was asked to present to Don Gasiewicz a Certificate of Recognition for being recognized nationally with the Achievement Award in recognition of excellence in extension educational programs from the National Association of County Agricultural Agents.*

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #12 and #13. Hearing no objection resolution titles were read.*

**#12**

**RESOLUTION NO. 18-546  
(December 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**ROBERTA CURRY REAPPOINTED TO THE GLOW SOLID WASTE  
PLANNING COMMITTEE AND GLOW REGIONAL SOLID WASTE  
MANAGEMENT COMMITTEE**

**BE IT RESOLVED**, That *Roberta Curry*, Wyoming County Planning and Development, 36 Center Street, Suite C, Warsaw, NY 14569 is hereby reappointed to the ***GLOW Solid Waste Planning Committee*** and the ***GLOW Regional Solid Waste Management Committee*** as the Planning and Development Representative for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

**#13**

**RESOLUTION NO. 18-547  
(December 11, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

Regular Session



**JOAN PETZEN REAPPOINTED TO  
THE GLOW SOLID WASTE ADVISORY COMMITTEE**

**BE IT RESOLVED**, That *Joan Petzen*, Cornell Cooperative Extension, 36 Center Street, Warsaw, NY 14569 is hereby reappointed to the ***GLOW Regional Solid Waste Advisory Committee*** as an Agency Representative for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #14 through #18. Hearing no objection resolution titles were read.*

#14

**RESOLUTION NO. 18-548  
(December 11, 2018)**

By Mr. Copeland, 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 ***EM Systems, Inc.***, 4043 Maple Road, Suite 211, Amherst, NY 14226 on behalf of the Sheriff's Department. Said contract to provide LEMS Records Management System Software Support and Maintenance Agreement in an amount not to exceed thirteen thousand five hundred dollars (\$13,500.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

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

#15

**RESOLUTION NO. 18-549  
(December 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACT ON  
BEHALF OF THE COUNTY JAIL**

December 11, 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 various contracts on behalf of the County Jail as follows:

- **EM Systems, Inc.**, 4043 Maple Road, Suite 211, Amherst, NY 14226 to provide Jail Management System Software Support and Maintenance Agreement in an amount not to exceed eight thousand five hundred dollars (\$8,500.00); effective April 1, 2018 through March 31 2019.
- **Black Creek Integrated System Corp.**, PO Box 101747, Irondale, AL 35210 to provide maintenance services for the jail management software in an amount not to exceed sixteen thousand seven hundred eighty-four dollars (\$16,784.00); effective January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 18-550  
(December 11, 2018)**

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

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

**BE IT RESOLVED**, That *David Linder*, 563 Perry Road, Strykersville, NY 14145 be hereby reappointed as the STOP-DWI Coordinator, PT for a one (1) year term; effective January 1, 2019 through December 31, 2019.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:      #17**

**RESOLUTION NO. 18-551  
(December 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EM  
SYSTEM, INC. ON BEHALF OF THE 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 ***EM Systems Inc.***, 4043 Maple Road, Suite 211, Amherst, NY 14226 on behalf of Emergency Services. Said contract is for CAD, AVL and Mobile Data System Software Support and Maintenance Agreement in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-552  
(December 11, 2018)**

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

**RESOLUTION NUMBER 18-193 AMENDED**

**WHEREAS**, Resolution Number 18-193 entitled, “**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,**” was passed by this Board of Supervisors on April 10, 2018 and provides funding for the Alternatives to Incarceration Programs; effective July 1, 2018 through June 30, 2019 in minimum amounts as follows:

- |                                   |            |
|-----------------------------------|------------|
| • <b><i>Data Day Program</i></b>  | \$6,592.95 |
| • <b><i>Community Service</i></b> | \$5,380.90 |
| • <b><i>Pre-Trial Release</i></b> | \$5,381.28 |

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-193*** be hereby amended to reflect a minimum amount of ***five thousand three hundred seventy dollars and forty-eight cents (\$5,370.48)*** for ***Community Services***.

All else remains the same.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 through #27. Hearing no objection resolution titles were read.*

December 11, 2018

**RESOLUTION NO. 18-553  
(December 11, 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:

- **Cross Carcass Removal**, 4758 Castle Garden, Friendship, NY 14739 for deer removal and disposal in an amount not to exceed one hundred dollars (\$100.00) per deer; effective January 1, 2019 through December 31, 2019 with the option of two (2) 1- year extensions.
- **Xylem Dewatering Solutions, Inc.**, 8039 Oak Orchard Road, Batavia, NY 14020 for two (2) Flygt 4” submersible pumps in an amount not to exceed fourteen thousand dollars (\$14,000.00); effective December 11, 2018 through delivery of equipment.

Contingent upon the availability of funds.

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

**#20**

**RESOLUTION NO. 18-554  
(December 11, 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**

**WHEREAS**, A Project for the *Rehabilitation of Schoellkopf Road Bridge, Town of Bennington, Wyoming County, P.I.N. 4WY0.03; BIN 3319610* (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 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 be it

**FURTHER RESOLVED,** That the sum of **\$95,000.00** 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 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 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:**

**#21**

December 11, 2018

**RESOLUTION NO. 18-555  
(December 11, 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 engineering, design and right-of-way for the Schoellkopf Road Bridge rehabilitation, Bennington (#06 PIN 4WY0.03; BIN #3319610) in an amount not to exceed ninety-nine thousand dollars (\$99,000.00); effective December 11, 2018 through completion of the project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-556  
(December 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
(SUPPLEMENTAL NO. 1) 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 (Supplemental No. 1) with *Labella Associates*, 300 State Street, Suite 201, Rochester, NY 14614 on behalf of County Highway. Said contract is for preventive maintenance on nine (9) bridges (PIN 4WY0.01; BIN #3319440, 3321620, 3320100, 3320130, 3320200, 3320330, 3320250, 3369540 and 3369830) for right-of-way, construction and construction support in an amount not to exceed eighty-seven thousand three hundred dollars (\$87,300.00); effective December 11, 2018 through completion of the project.

Contingent upon the availability of funds.

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

#23

**RESOLUTION NO. 18-557  
(December 11, 2018)**

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

**CHAIRMAN TO ACCEPT THE “SOURCEWELL CONTRACT  
NUMBER 052015” AND EXERCISE THE RIGHT TO “PIGGYBACK”  
AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER GML §103 (16)**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to accept the “*Sourcewell Contract Number 052015*” and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16). Bid awarded to Admar Construction Equipment & Supplies, 1050 Brighton Henrietta Townline Road, Rochester, NY 14623; and be it

**FURTHER RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Admar Construction Equipment & Supplies*, 1950 Brighton Henrietta Townline Road, Rochester, NY 14623 for the purchase of two (2) Multiquip 25KVA generators with trailers in an amount not to exceed forty-four thousand one hundred seventy-seven dollars and forty cents (\$44,177.40); effective January 1, 2019 through delivery of equipment. Contingent upon the availability of funds.

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

#24

**RESOLUTION NO. 18-558  
(December 11, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
XYLEM DEWATERING SOLUTIONS, 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 DeWating Solutions, Inc.*, 8039 Oak Orchard Road, Batavia, NY 14020 on behalf of County Highway. Said contract is for the purchase of a suction hose and

December 11, 2018

discharge hose with QD fittings in an amount not to exceed five thousand five hundred dollars (\$5,500.00); effective December 11, 2018 through delivery of equipment. *State Contract Number GS-07F-102GA*

Contingent upon the availability of funds.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:      #25**

**RESOLUTION NO. 18-559  
(December 11, 2018)**

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

**RESOLUTION NUMBER 18-420 AMENDED**

**WHEREAS**, Resolution Number 18-420 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FEEDWATER TREATMENT SYSTEMS S ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**”, passed by this Board of Supervisors on October 9, 2018 and is for the monitoring, maintaining, testing and inspecting the cooling towers at the Jail, Courthouse, Public Health and Government Center in an amount not to exceed eleven thousand dollars (\$11,000.00); effective October 1, 2018 through September 30, 2019; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-420* be hereby amended to include additional services and chemicals for the testing of seven (7) hot water loops at Public Safety, the Government Center, Courthouse and Public Health Department in an amount not to exceed one thousand five hundred dollars (\$1,500.00) for a new contract total of twelve thousand five hundred dollars (\$12,500.00) per year; effective immediately

All else remains the same.

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

**RESOLUTION NO. 18-560  
(December 11, 2018)**

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

**RESOLUTION NUMBER 18-026 AMENDED**

**WHEREAS**, Resolution Number 18-026 entitled, “**CHAIRMAN**



**AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)”**, passed by this Board of Supervisors on January 16, 2018 and provided, in part, for the following contract:

- **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.

And,

**WHEREAS**, That Resolution Number 18-026 was previously amended by this Board of Supervisors on November 13, 2018 by **Resolution Number 18-502** to increase the contract amount for garbage collection at Public Safety from two thousand eight hundred eighty dollars (\$2,880.00) to three thousand five hundred dollars (\$3,500.00) for a new total contract amount not to exceed seven thousand three hundred forty dollars (\$7,340.00); effective immediately through **January 22, 2019**; now therefore

**BE IT RESOLVED**, That **Resolution Number 18-026** as previously amended by **Resolution Number 18-502** be hereby further amended as follows:

- Correct the effective dates of the original **Resolution Number 18-026** for the contract with Waste Management of New York, LLC from January 23, 2018 through January 22, 2019 to **February 1, 2018 through January 31, 2019**.
- Correct the effective dates of amending **Resolution Number 18-502** for the contract with Waste Management of New York, LLC to effective through **January 31, 2019**.

All else remains the same.

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

**#27**

**RESOLUTION NO. 18-561  
(December 11, 2018)**

December 11, 2018

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH U & S  
SERVICES 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 *U & S Services*, 95 Stark Street, Tonawanda, NY 14150 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for HVAC control and preventive maintenance at the Wyoming County Jail, Courthouse, Public Health Department and Department of Social Services in an amount not to exceed nine thousand two hundred twenty-four dollars (\$9,224.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #28 through #51. Hearing no objection resolution titles were read.*

**#28**

**RESOLUTION NO. 18-562  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-535 AMENDED**

**WHEREAS**, Resolution Number 17-535 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PRINTER COMPONENT, INC. ON BEHALF OF INFORMATION TECHNOLOGY**”, passed by this Board of Supervisors on December 12, 2017 and provides for toner and toner supplies to all Wyoming County Departments, as per bid opening December 4, 2017 in in an amount not to exceed awarded bid pricing; effective January 1, 2019 through December 31, 2019; now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-535* be hereby amended to extend the contract through **December 31, 2019**. (*First of two 1-year extensions*)

Contingent upon the availability of funds.

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

#29

**RESOLUTION NO. 18-563  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
REAL VISION SOFTWARE, 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 ***Real Vision Software***, P.O. Box 12958, Alexandria, LA 71315 on behalf of Information Technology. Said contract is for the conversion of Real Vision Document Management System from AS400 Platform to Microsoft SQL Platform including training in an amount not to exceed twelve thousand five hundred dollars (\$12,500.00); effective December 11, 2018 through completion of project.

Contingent upon the availability of funds.

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

#30

**RESOLUTION NO. 18-564  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FISCAL  
ADVISORS AND MARKETING ON BEHALF OF THE  
COUNTY TREASURER**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Fiscal Advisors and Marketing***, 120 Walton Street, Suite 600, Syracuse, NY 13020 on behalf of the County Treasurer. Said contract is for financial advisory services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

December 11, 2018

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

**#31**

**RESOLUTION NO. 18-565  
(December 11, 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 April 1, 2018 through September 30, 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

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling thirty-seven thousand five hundred six dollars and twenty-seven cents (\$37,506.27) to the sixteen (16) towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TOWNS</b>	<b>REVENUE SHARING DISTRIBUTED</b>
Arcade	\$4,471.03
Attica	\$3,299.92
Bennington	\$4,136.76
Castile	\$4,438.74
Covington	\$929.02
Eagle	\$1,217.33
Gainesville	\$1,250.88
Genesee Falls	\$455.80
Java	\$3,802.40
Middlebury	\$1,000.44
Orangeville	\$859.93
Perry	\$3,467.62
Pike	\$596.24
Sheldon	\$2,412.32
Warsaw	\$4,098.31
Wethersfield	\$1,069.53
<b>Grand Totals:</b>	<b>\$37,506.27</b>

Let this be your Warrant for Such Payment: **\$37,506.27** (thirty-seven thousand five hundred six dollars and twenty-seven cents) **IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 11<sup>th</sup> day of December, 2018.

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

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

#32

**RESOLUTION NO. 18-566  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**DATE SET FOR ANNUAL ORGANIZATIONAL MEETING**

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

**BE IT RESOLVED**, That the *Annual Organizational Meeting* of the Wyoming County Board of Supervisors will be set for *Wednesday, January 2, 2019, at 2:00 PM*, in the Supervisors' Chambers located in the Wyoming County Government Center, 2<sup>nd</sup> Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

#33

**RESOLUTION NO. 18-567  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX WARRANTS**

**WHEREAS**, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board; and

**WHEREAS**, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board; now therefore

**BE IT RESOLVED**, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls; warrants to be returned on or before April 1, 2019.

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

December 11, 2018

**RESOLUTION NO. 18-568  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**REAL PROPERTY TAX SERVICES DIRECTOR AUTHORIZED TO  
APPROVE CORRECTION OF ERRORS**

**BE IT RESOLVED**, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL §§550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §554 (9) during the year 2019; and be it

**FURTHER RESOLVED**, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refunds, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §556 (8) (a)) during the year 2019.

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

#35

**RESOLUTION NO. 18-569  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES  
AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL  
BUDGET OF TOWNS OF WYOMING COUNTY**

**WHEREAS**, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2019; now therefore

**BE IT RESOLVED**, That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	\$ 94,051.62	\$ 344,828.00	\$ 438,879.62
ATTICA	\$ -	\$ 268,811.00	\$ 268,811.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 4,580.00	\$ 286,481.00	\$ 291,061.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 2,172.00	\$ 219,576.00	\$ 221,748.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 14,250.00	\$ 288,157.00	\$ 302,407.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 20,465.04	\$ 227,289.38	\$ 247,754.42
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 11,344.00	\$ 316,622.00	\$ 327,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
<b>TOTALS:</b>	\$ 146,862.66	\$ 1,951,764.38	\$ 2,098,627.04

and be it

**FURTHER RESOLVED**, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

December 11, 2018

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEVIED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 84,500.00		*** \$144,843.08		\$ 229,343.08
ATTICA		\$ 74,000.00				\$ 74,000.00
BENNINGTON	V \$ 9,866.39	B \$ 97,500.00 C \$ 79,590.60 HC \$ 30,984.89	\$ 2,400.00	* \$ 45,309.00	* \$ -	\$ 265,650.88
CASTILE		\$ 80,000.00	\$ 7,000.00	* \$ 37,950.00 ** \$224,706.00	* \$ 2,178.28	\$ 351,834.28
COVINGTON		PA \$ 88,200.00 WY \$ 14,760.00 PE \$ 6,000.00		* \$ 350.00		\$ 109,310.00
EAGLE	\$ 187,313.00		\$ 6,000.00	* \$ 6,900.00	* \$ - *** \$ -	\$ 200,213.00
GAINESVILLE		G \$ 51,416.00 SS \$ 18,619.00 C \$ 2,040.00				\$ 72,075.00
GENESEE FALLS		\$ 43,700.00	\$ 9,000.00			\$ 52,700.00
JAVA	NJ \$ 3,524.00	NJ \$ 40,540.00 S \$ 70,697.00	NJ \$ 3,500.00 JC \$ 375.00	* \$ 11,873.00	* \$ 4,128.02	\$ 134,637.02
MIDDLEBURY		F1 \$ 70,280.00 F2 \$ 14,610.00				\$ 84,890.00
ORANGEVILLE	V \$ 65,968.67	O \$ 17,630.00	L3 \$ 700.00	* \$ 2,714.76	* \$ 40.00	\$ 87,053.43
PERRY	F3 \$ 3,522.17	F4 \$ 59,000.00	PC \$ 1,700.00	* \$ 16,734.10 ** \$ 23,779.00	* \$ 624.69	\$ 105,359.96
PIKE	F1 \$ 42,700.00		L1 \$ 7,000.00 S1 \$ 3,120.00		* \$ 2,210.03	\$ 55,030.03
SHELDON	V \$ 35,881.94	ST \$ 36,814.27 NJ \$ 8,346.62 SH \$ 114,868.56 HC \$ 31,587.36	L1 \$ 5,100.00 L2 \$ 3,100.00 L3 \$ 867.00 L9 \$ 1,591.00	* \$ 66,285.24	* \$ 425.74 *** \$ -	\$ 304,867.73
WARSAW		\$ 60,817.00		* \$ 5,209.00 ** \$ 48,805.00 *** \$ -	* \$ 267.36 ** \$ - *** \$ -	\$ 115,098.36
WETHERSFIELD		G \$ 33,132.00 NJ \$ 19,666.00 B \$ 22,000.00				\$ 74,798.00
<b>TOTALS:</b>	<b>\$ 348,776.17</b>	<b>\$1,271,299.30</b>	<b>\$51,453.00</b>	<b>\$635,458.18</b>	<b>\$ 9,874.12</b>	<b>\$ 2,316,860.77</b>

\* = WATER \*\* = SEWER \*\*\* = RECYCLING

and be it

**FURTHER RESOLVED,** That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:



NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$ 181,414.24	\$ 341,160.00	\$ 522,574.24
ATTICA	\$ 216,562.00	\$ 256,795.00	\$ 473,357.00
BENNINGTON	\$ 788,515.00	\$ 239,762.42	\$ 1,028,277.42
CASTILE	\$ 218,652.00	\$ 281,352.00	\$ 500,004.00
COVINGTON	\$ 204,521.00	\$ 334,030.00	\$ 538,551.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 176,546.00	\$ 279,152.00	\$ 455,698.00
GENESEE FALLS	\$ 261,814.00	\$ 128,374.00	\$ 390,188.00
JAVA	\$ 142,000.00	\$ 457,100.00	\$ 599,100.00
MIDDLEBURY	\$ 240,190.00	\$ 277,887.00	\$ 518,077.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 234,053.04	\$ 283,092.71	\$ 517,145.75
PIKE	\$ 161,830.00	\$ 359,670.00	\$ 521,500.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 406,222.00	\$ 360,923.00	\$ 767,145.00
WETHERSFIELD	\$ 33,220.00	\$ 44,900.00	\$ 78,120.00
<b>TOTALS:</b>	\$ 3,265,539.28	\$ 3,644,198.13	\$ 6,909,737.41

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

#36

**RESOLUTION NO. 18-570  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**JANIS COOK REAPPOINTED COUNTY AUDITOR**

**BE IT RESOLVED**, That *Janis Cook*, 3459 Truesdell Road, Warsaw, NY 14569 is hereby reappointed County Auditor for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

#37

**RESOLUTION NO. 18-571  
(December 11, 2018)**

December 11, 2018

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF  
UNDERSTANDING WITH CONTRACT AGENCIES FOR 2019**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Letters of Understanding with the following Contract Agencies for 2019:

<b>CONTRACT AGENCY</b>	<b>2018 EXPENDITURES</b>
Wyoming County Community Action	\$10,000.00
Wyoming County Chamber of Commerce (Tourism)	\$50,984.00
Wyoming County Business Education Council	\$4,300.00
Wyoming County Business Center (LDC)	\$60,000.00
Wyoming County Arts Council	\$11,432.00
Wyoming County Wildlife Federation	\$904.32
Wyoming County Soil & Water	\$157,900.65
Erie-Wyoming County Soil & Water	\$1,809.60
Wyoming County Fair Association	\$23,000.00
<b>TOTAL</b>	<b>\$320,330.57</b>

Contingent upon the availability of funds.

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

**#38**

**RESOLUTION NO. 18-572  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF  
AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF  
WYOMING COUNTY FOR THE YEAR 2019**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County, 36 Center Street, Warsaw, NY 14569 for the payment of County Appropriations in an amount not to exceed of three hundred sixty-four thousand four hundred dollars (\$364,400.00) to fund the Agricultural Department and 4-H Department and in an amount not to exceed twenty-six thousand dollars (\$26,000.00) to cover Ag and Business Center services; effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:**  
#39

**RESOLUTION NO. 18-573  
(December 11, 2018)**

By Mr. Brick, 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, 2019 through December 31, 2019.

**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:**  
#40

**RESOLUTION NO. 18-574  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “P”, “C”, “D”, “S” AND “F” 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 “P”:**

***Wyoming County Community Health System***

- Remove one (1) position of ***Family Practice Physician Provider*** under FAMILY PRACTICE and the salary of \$230,000.00 annually; position

December 11, 2018

available date is November 13, 2018.

- Remove stipend for ***Family Practice Physician Provider*** under FAMILY PRACTICE in the amount at \$36,000.00 one-time upon start date.
- Remove stipend for ***Family Practice Physician Provider*** under FAMILY PRACTICE in the amount at \$300.00 per occurrence, if pediatric/newborn call more than two times per month, upon start date.

### **Salary Schedule “C”:**

#### ***Wyoming County Community Health System***

- Set the salary of the ***Director of Nursing (Nursing Facility)*** under NURSING FACILITY ADMINISTRATION to \$89,000.00 annually; effective September 2, 2018.
- Include a Stipend for ***Director of SNF Education/Infection Preventionist*** under ADULT DAY CARE (SNF) and set the amount at \$8,500.00 annually; effective September 2, 2018.
- Abolish the Stipend for the ***Director of Nursing (Nursing Facility)*** under ADULT DAY CARE (SNF) set at \$5,000.00 annually; effective September 2, 2018.
- Abolish the Stipend for the ***Assistant Director of Nursing (Nursing Facility)*** under ADULT DAY CARE (SNF) set at \$6,500.00 annually; effective September 2, 2018.
- Set the salary of the ***Pharmacy Director*** under PHARMACY to \$114,000.00 annually; effective September 26, 2018.
- Place one (1) position of ***Network Administrator I*** under INFORMATION SYSTEMS and establish a salary range of \$50,000.00 to \$60,000.00 annually; effective January 1, 2019.

### **Salary Schedule “D”:**

#### ***Public Health***

- Reduce stipend for ***Medical Director, PT*** (position code 116.403) from \$35,066.00/yr. to \$28,377.00/yr. plus the 2% COLA increase of \$568 for 2019 (\$28,945 total); effective January 1, 2019.

### **Salary Schedule “S”:**

#### ***Highway***

- Set Salary of ***Deputy Co. Highway Supt.*** (job code 005.503) at \$65,000.00 annually; effective November 19, 2018.

- Upon completion of three (3) mos. satisfactory performance and meeting pre-established goals, set salary to \$70,000.00 annually, effective February 19, 2019.
- Upon completion of nine (9) mos. satisfactory performance and meeting pre-established goals, set salary to \$75,000.00 annually, effective August 19, 2019.
- All other compensation and benefits as stipulated in Salary Schedule “S” and associated handbook.

### **Salary Schedule “F”:**

#### ***Office for the Aging***

- Increase ***Meal Site Manager, PT*** wage from \$10.40/hr. to \$11.10/hr. due to minimum wage increase effective December 31, 2018.

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

**#41**

### **RESOLUTION NO. 18-575 (December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

### **SALARY SCHEDULES “C”, “D”, “S” AND “I” APPROVED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, are hereby amended as follows:

- **Salary Schedule “C”**, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2019, eligible employees in the job titles covered thereby shall be paid the salary in accordance with this wage and salary schedule.
- **Salary Schedules “D”**, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2019, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules.
- **Salary Schedules “S”**, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2019, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules.

December 11, 2018

- **Salary Schedules “I”**, as annexed hereto, shall reflect the following increases: Commencing January 1, 2019, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules.

And be it

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

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

2019 WYOMING COUNTY COMMUNITY HOSPITAL SALARY SCHEDULE "C"										
Official Civil Service Titles	Position Code	FLSA	2019							
			Res. #	Effective Date	Annual Hours	2018	% Inc.	Market Adj.	Hourly Wage	Annual Salary Equivalent
<b>ACUTE QUALITY</b>		\$43,764	Exempt							
Quality and Risk Management Coordinator	02-160.545			01/01/2019	2080	63,000	1.260			64,260
Quality Assurance Specialist/Infection Prevention	02-168.557			01/01/2019	2080	76,500	1.530			78,030
<b>ADMINISTRATION</b>										
Administrative Assistant	12-167.476		16-230		2080	51,000	0			51,000 Vacant
Chief Operating Officer	01-150.300			01/01/2019	2080	106,802	2.136			108,938
Executive Assistant	12-177.571			01/01/2019	2080	59,000	1.180			60,180
<b>ADULT DAY CARE (SNF)</b>										
Program Director	02-152.513		16-230		2080	65,000	0			65,000 Vacant
Slipend for Director of SNF Education/Infection Preventionist	01-323.573			09/02/2018	2080	8,500	0			8,500 Annual
Slipend for the Director of Nursing (Nursing Facility)	02-140.056			09/02/2018	2080	5,000	0			5,000 Abolished 09/02/2018
Slipend for the Assistant Director of Nursing (Nursing Facility)	02-165.202			09/02/2018	2080	6,500	0			6,500 Abolished 09/02/2018
<b>BIOMEDICAL ENGINEERING</b>										
Biomedical Supervisor	02-162.547			01/01/2019	2080	70,227	1.405			71,632
<b>CLINIC ADMINISTRATION</b>										
Clinic Officer Manager	02-206.525			01/01/2019	2080	72,000	7.20			72,720
<b>CLINIC BILLING</b>										
Clinic Billing Manager	02-207.581			01/01/2019	2080	45,000	4.50		21.8510	45,450
<b>EMERGENCY</b>										
Director of Emergency Services	01-320.505			01/01/2019	2080	81,000	0	2.430		83,430
<b>FISCAL SERVICES</b>										
Assistant Director of Finance	02-111.136			01/01/2019	2080	65,106	1.302			66,408
Director of Reimbursement/Quality and SNF Rehabilitation	02-204.531			01/01/2019	2080	99,000	1.980			100,980
Manager of Budget and Financial Analysis	01-132.555			01/01/2019	2080	90,000	1.800			91,800
<b>HOSPITAL INFORMATICS</b>										
Healthcare Information Specialist	01-616.344			01/01/2019	2080	56,238	1.125			57,363
Director of Utilization Review and Health Information Management	01-168.523			01/01/2019	2080	83,232	1.665			84,897
<b>IMAGING AND TESTING</b>										
Director of Outpatient Services	01-602.100			01/01/2019	2080	79,070	0	2.530		82,000
<b>INFORMATION SYSTEMS</b>										
Director of Healthcare Information Systems	01-613.307			01/01/2019	2080	74,146	1.483			75,629
Slipend for the Director of Healthcare Information Systems	01-613.307		17-490		2080	3,500	0			3,500 Annual
On-call pay for Director of Healthcare Information Systems	01-613.307			01/01/2019	2080	68,500	1.370			See below
Network Administrator II	12-307.507			01/01/2019	2080	68,500	1.370			69,870
On-call pay for Network Administrator II	12-307.507			01/01/2019	2080					See below
Network Administrator I	pending			01/01/2019	2080	0				\$50,000 - 60,000 range
<b>LABORATORY</b>										
Laboratory Services Director	01-171.562			01/01/2018	2080	86,500	865			87,365
<b>MEDICAL DIRECTOR</b>										
Administrative Secretary	12-161.013			01/01/2019	2080	18,3548	0.3671		18.7219	38,942
Slipend for the Administrative Secretary	12-161.013		16-200	01/01/2018	2080	600	0			600 Expired

December 11, 2018

Official Civil Service Titles		Position Code	Exempt	Res. #	Effective Date	Annual Hours	2018	% Inc.	Market Adj.	Hourly Wage	Annual Salary Equivalent	Salary	Notes
<b>MEDICAL SURGICAL UNIT/FLOOR</b>													
Director of Medical/Surgical, Intensive Care		01.170.558	J		01/01/2019	2080	79,500		2,385			81,885	
<b>MENTAL HEALTH UNIT</b>													
Director of Behavioral Health		01.152.423	J		01/01/2019	2080	74,848		7,152			82,000	
Stipend for the Director of Behavioral Health		01.152.423		18-435	9/30/2018	2080	384.62	0					Plus corresponding fringes, payable each bi-weekly payroll period while providing social work services for the Skilled Nursing Facility
<b>NURSING FACILITY ADMINISTRATION</b>													
Administrative Secretary		12.550.013			01/01/2019	2080	19,2302	0.3846		19.6148	40,799		2018 salary was \$30,999 annual
Stipend for the Administrative Secretary		42.466.044		18-280	4/24/2018	2080	660	0				660	Expired
Assistant Administrator		16.530	J	16-530		2080	58,157	0				58,157	Reclassified to Asst Admin/DON 10/19/2012
Assistant Administrator/Director of Nursing		02.147.491	J	16-530		2080	74,984	0				74,984	Vacant
Assistant Director of Nursing (Nursing Facility)		02.165.297	J	18-280	06/12/2018	2080	75,560	0					
Director of Nursing (Nursing Facility)		02.140.096	J		09/02/2018	2080	89,000	0				88,000	
Director of Nursing (Nursing Facility)		02.140.096	J		01/01/2019	2080	89,000	890				88,890	
Director of SNF Education/Infection Preventionist		01.323.573	J		09/02/2018	2080	76,000	0				76,000	
Director of SNF Education/Infection Preventionist		01.323.573	J		01/01/2019	2080	76,000	760				76,760	
Nursing Facility Administrator		01.120.293	J		01/01/2019	2080	121,686	2,434				124,120	
RN Supervisor SNF (Per Diem)		02.155.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.156.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.157.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.158.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.159.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.163.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.164.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.167.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
RN Supervisor SNF (Per Diem)		02.168.567		18-240	4/25/2018	2080	\$1504 hour shift					\$1504 hour shift	2 positions added
<b>NURSING ADMINISTRATION (ACUTE)</b>													
Administrative Secretary		12.169.013			01/01/2019	2080	16,5562	0.3311		16.8963	35,124		2018 salary was \$34,435 annual
Stipend for the Administrative Secretary		42.466.044		18-280	4/24/2018	2080	660	0				660	Expired
Director of Nursing		01.130.095	J		01/01/2019	2080	101,500	2,030				103,530	
Nursing Supervisor Per Diem in the Nursing Service Office		02.148.502		17-490		2080	\$1504 hour shift					\$1504 hour shift	
Nursing Supervisor Per Diem in the Nursing Service Office		02.149.502		17-490		2080	\$1504 hour shift					\$1504 hour shift	
Nursing Supervisor Per Diem in the Nursing Service Office		02.151.502		17-490		2080	\$1504 hour shift					\$1504 hour shift	
Nursing Supervisor Per Diem in the Nursing Service Office		02.153.502		17-490		2080	\$1504 hour shift					\$1504 hour shift	
Nursing Supervisor Per Diem in the Nursing Service Office		02.154.502		17-490		2080	\$1504 hour shift					\$1504 hour shift	
<b>OB CLINIC</b>													
OB/GYN Clinic Office Manager		02.205.525		18-280	Effective first payroll on or after 11/2018	2080	20,8061	0		20.8081	43,281		2018 salary was \$43,281 annual
<b>OPERATING ROOM</b>													
Director of Surgical Services & Maternity and Women's Health		01.322.537	J		01/01/2019	2080	85,508	1,710				87,218	
<b>PATIENT ACCOUNTS</b>													
Revenue Cycle/Business Office Manager		01.624.496	J	18-280	Effective first payroll on or after 11/2018	2080	72,621	0				72,621	Vacant
<b>PATIENT AND FAMILY SERVICES</b>													
Clinical Documentation Improvement Coordinator		02.161.548	J		01/01/2019	2080	67,320	673				67,993	



Official Civil Service Titles	Position Code	Exempt	Res. #	Effective Date	Annual Hours	2018	% Inc.	Market Adj.	Hourly Wage	Annual Salary Equivalent	Salary	Notes
<b>PHARMACY</b>												
Pharmacy Director	01.172.565	/		09/26/2018	2080	114,000	0				114,000	
<b>PHYSICAL THERAPY</b>												
Director of Therapy Services Acute and Outpatient	02.203.532	/		01/01/2019	2080	90,613	1,812				92,425	
<b>PLANT MAINTENANCE</b>												
Director of Plant Operations	01.625.574	/		01/01/2019	2080	88,000	880				88,880	
Maintenance Supervisor	02.109.444	/		01/01/2019	2080	62,424	1,248				63,672	
<b>WORKPLACE HEALTH SERVICES</b>												
Director of WPHS, Clinic Quality & Corporate Compliance	01.167.524	/		01/01/2019	2080	90,058	1,801				91,859	
<b>Information Systems On-Call Details</b>												
Weekends/holidays:			18-309	7/10/2018								
\$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												
Wed. 5 p. - Thur. 7 am												
Thur. 5pm to Fri. 7am												



2019 WYOMING COUNTY SALARY SCHEDULE "D"

Current Titles	Position Code	Effective Date	Annual Hours	Res. #	2018	2019				Notes
						2% Inc.	Market Adj.	Hourly Wage	Annual Salary Equivalent	
	003.187	J 1/1/2019	1820	18-	63,247	1,265	735		65,247	Competitive
	003.503	J 1/1/2019	N/A	18-	60,079	1,202			61,281	
IT	100.406	J 1/1/2019		18-	80,298	1,606			81,904	
Health	116.403	J 1/1/2019	N/A	18-	35,066	701			35,767	Commissioner Public Health
Director	089.405	J 1/1/2019		18-	72,052	1,441			73,493	Competitive
IT SERVICES										
County Tax Services	001.102	J 1/1/2019		18-	67,056	1,341			68,397	
County Tax Services (stipend)	001.102	J 1/1/2019		18-	10,273		(453)		9,820	stipend is set according to the number of items participating in the County-Wide program (reduction due to loss of G. Falls)
DEPT										
Services	047.054	J 1/1/2019		18-	69,000	1,380			70,380	
S										
Services	001.106	6/21/2018		18-091	43,000				43,000	After meeting pre-established goals with satisfactory performance
Services	001.106	12/21/2018	1820	18-091	44,500	890			45,390	After meeting pre-established goals with satisfactory performance
SATION										
Administrator	005.364	J 1/1/2019		18-	61,460	1,229			62,689	"At will"
South	014.098	J 1/1/2019		18-	65,505	1,310			66,815	"At will"
IT										
Director (stipend)	004.326	8/15/2017		17-438	6,000				6,000	Code Enforcement Officer

FLSA  
\$43,264

2019 WYOMING COUNTY SALARY SCHEDULE "S"

FLSA #	Position Code	Exempt	Effective date	Hours	Res. #	2018	% inc.	Market Adj.	2019		Notes
									Hourly Wage	Annual Salary Equivalent	
ANIMAL CONTROL											
	002.082		06/09/18	1,820	18-	34.528	691		19.3509	35,219	
BOARD OF ELECTIONS											
	002.502		01/01/18	1,820	18-	40.243	805		22.5538	41,048	
	N/A		01/01/18	1,820	18-	40.243	805		22.5538	41,048	1,000 per election per Voting Machine Calibration
	011.502	N/A	12/29/18	12,294	1,000						1,000 per election per Voting Machine Calibration
BOARD OF SUPERVISORS											
	007.503	Y	01/01/18	18-	18-	48.708	974			49,682	
BUDGET											
	008.077		01/01/18	1,820	18-	41.542	831		23.2818	42,373	
	002.484		01/01/18	1,820	18-	35.884	718		20.1164	36,612	
BUILDING AND GROUNDS											
	040.503		01/01/18	1,820	18-	32.712	654		18.3331	33,366	
CIVIL DEFENSE											
	010.435		03/05/18	1,820	18-	38.000	760		21.2967	38,760	
	002.352		01/01/18	1,820	18-	31.286	626		23.2890	42,386	750 per mileage reimbursement
	N/A			13-35	750						750 per mileage reimbursement
	010.483	N/A		13-35	750						750 per mileage reimbursement
COUNTY ATTORNEY											
	011.531	Y	01/01/19	18-	18-	74.531	1,487			78,329	
	004.503	Y	01/01/19	18-	18-	56.100	1,122			57,222	
	007.503	Y	01/01/19	1,820	18-	30.001	600		16.8137	30,601	
	009.350		01/01/19	1,820	18-	29.721	594		16.6548	30,315	
COUNTY CLERK											
	003.503		01/01/19	1,820	18-	40.800	816		22.8659	41,616	
	022.503		01/01/19	1,820	18-	40.800	816		22.8659	41,616	
COUNTY HISTORIAN											
	007.081		01/01/19	1,820	18-	21.924	438		12.2871	22,962	
COUNTY INSPECTOR											
	003.503	Y	01/01/19	18-	18-	84.875	1,688			86,578	
	005.503	Y	01/01/19	18-	18-	76.500	1,530			78,030	
	007.503	Y	01/01/19	1,820	18-	35.724	714		20.0211	36,438	
	Administrative Assistant (District Attorney)		01/01/19	1,820	18-	38.278	766		21.4525	39,044	
	024.503			11-170	2,500						75 Travel***
FIRE & BUILDING CODE ENF.											
	003.029		01/01/19	1,820	18-	40.128	803		22.4893	40,931	
	017.492		01/01/19	549.5	18-	8.274	165		15.3585	8,439	
FLSA # 007.503											
	007.503	Y	01/01/19	18-	18-	73.035	1,461			74,496	
	002.503	Y	01/01/19	1,820	18-	43.824	876			74,496	with full benefits...
	008.506		01/01/19	2,080	18-	46.818	936			47,754	
HUMAN RESOURCE											
	002.009		01/01/19	1,820	18-	39.941	799		22.3845	40,740	
	001.434		08/17/18	1,820	18-	18.3049	0.3661		18.6710	33,981	
	009.579		01/01/19	1,820	18-	36.000	720		20.1758	36,779	
	N/A			16-197	50 less travel						50 less travel
	Exam Monitor, PT			16-187	50 less travel						50 less travel
	N/A			16-187	50 less travel						50 less travel
	Exam Monitor, PT			16-187	50 less travel						50 less travel
	N/A			16-187	50 less travel						50 less travel
	018.528	N/A		16-187	50 less travel						50 less travel
	Exam Monitor, PT			16-187	50 less travel						50 less travel
	019.528	N/A		16-187	50 less travel						50 less travel
	Exam Monitor, PT			16-187	50 less travel						50 less travel
	N/A			16-187	50 less travel						50 less travel
	Exam Monitor, PT			16-187	50 less travel						50 less travel
	Payroll Specialist		02/1.535	1,820	18-	43.000	860			43,860	
	026.589	Y	01/01/19	18-	18-	85.000	1,700			89,700	
	027.568		01/01/19	1,820	18-	25.400	510		14.2905	26,990	
INFORMATION TECHNOLOGY											
	002.302	Y	01/01/19	18-	18-	51.826	1,037			52,863	
	012.419	Y	01/01/19	1,820	18-	39.941	799		22.3845	40,740	
	003.243	Y	01/01/19	18-	18-	62.000	1,240			63,240	
	004.310	Y	01/01/19	18-	18-	46.825	961			48,986	
	015.496	Y	01/01/19	18-	18-	63.360	1,267			64,627	

2019 WYOMING COUNTY SALARY SCHEDULE "S"

FLSA #	Current Titles	Position Code	Exempt	Effective date	Annual Hours	Res. #	2018	2% Inc.	Market Adj.	2019		Notes
										Hourly Wage	Annual Salary Equivalent	
JAIL												
Jail Administrator		003.407	Y	01/01/19	1,820	18-	69,863	1.043				Increase minus SEA contract for 2019 - 1.5%
Jail Administrator		003.407	Y	07/01/19	1,820	18-	70,911	1.044				Increase minus SEA contract for 2019 - 1.5%
Jail Administrator		003.407	Y	07/01/19	1,820	18-	71,975	1.045				Increase minus SEA contract for 2019 - 1.5%
JAIL												
Jail Officer I		010.282		01/01/19	1,820	18-	40,656	813	22.7932	41.469		
Administrative Assistant, PT		011.009		01/01/19	1,092	18-	18,646	333	15.5485	16.979		
OFFICE FOR THE AGING												
Director of Aging		011.309	Y	01/01/19	1,820	18-	44,502	660				
Administrative Assistant		011.309	Y	01/01/19	1,820	18-	37,136	743	20.8136	37.881		
PLANNING AND DEVELOPMENT												
Zoning Enforcement Officer		023.554		01/01/19	1,820	18-	36,000	720	20.1758	36.720		
Zoning Enforcement Officer		023.554		08/11/19	1,820	18-	37,274	38.720	21.2747	38.720		Upon completion of 2nd year and satisfactory performance and meeting pre-established goals...
PROMOTION												
Finance Clerk I		028.484		01/01/19	1,820	18-	35,377	708	19.8207	36.085		
PUBLIC DEFENDER												
Assistant Public Defender, PT (4d)		024.503	Y	01/01/19	1,820	18-	24,616	627	13.7938	25.108		Exempt Status Includes Stipends
Assistant Public Defender, PT (4d)		024.503	Y	01/01/19	1,820	18-	44,941	978	13.7938	25.108		Exempt Status Includes Stipends
Assistant Public Defender, PT (4d)		007.503	Y	01/01/19	1,820	18-	19,472	389	10.3524	18.841		Exempt Status Includes Stipends
Assistant Public Defender, PT (4d)		007.503	Y	01/01/19	1,820	18-	27,583	568	13.6772	25.108		Exempt Status Includes Stipends
Secretary to the Public Defender, PT		008.559		01/01/19	182	18-	5,744	115	32.1919	6.059		
PUBLIC HEALTH												
Director of Environmental Health		107.422	Y	01/01/19	1,820	18-	63,592	1,272				
Director of Environmental Health (WCHWA stipend)		107.422	Y	01/01/19	1,820	18-	65,952	3599				
Director of Environmental Health (WCHWA stipend)		107.422	Y	01/01/19	1,820	18-	65,952	3599				
Director of Environmental Health (WCHWA stipend)		107.422	Y	01/01/19	1,820	18-	65,952	3599				
Director of Public Health		136.580		01/01/19	1,820	18-	35,000	700	19.6154	36.700		effective 09/11/19 with immediate eligibility for any Cost of Living Adjusted award.
Director of Nursing		037.097	Y	01/01/19	1,820	18-	71,462	1,429				
Nurse Practitioner		008.311	Y	01/01/19	1,820	18-	44,981	1,518				
Nurse Practitioner (Per Diem)		008.311	Y	01/01/19	1,820	18-	44,981	1,518				
Emergency Preparedness Coordinator		120.470	Y	01/01/19	1,820	18-	50,373	1,007	44.0009			
REAL PROPERTY TAX SERVICES												
RPTD Assessor		013.002	Y	01/01/19	1,820	18-	65,000	744	20.0109	36.439		
RPTD Assessor		013.002	Y	01/01/19	1,820	18-	65,000	744	20.0109	36.439		
Secretary to the Director of Real Property Tax Services, F.T		019.543		01/01/19	1,820	18-	31,212	624	17.4924	33.500		
Real Property Appraiser (Per Diem)		021.577		08/01/18	425	18-	10,625	213	25.5000	10.838		
Assessment Account Specialist, PT		020.578		08/01/18	728	18-12	11,830	0	16.2500	11.830		with only those benefits mandated by law.
Under Sheriff		010.500	Y	07/01/19	1,820	18-	83,141	1,663				
Secretary to the Sheriff		002.503	Y	01/01/19	2,080	18-	64,854	1,093				
Administrative Assistant (Sheriff)		009.549	Y	01/01/19	2,080	18-	36,700	538	17.4208	36.236		
Administrative Assistant (Sheriff)		009.549	Y	07/01/19	2,080	18-	36,236	544	17.6825	36.760		
Stop-DWI Coordinator, PT (stipend)		087.500	N/A		18.526	18-	3,500	3,500				
Stop-DWI Coordinator, PT (stipend)		087.500	N/A		18.526	18-	3,500	3,500				
Stop-DWI Coordinator, PT (stipend)		087.500	N/A		18.526	18-	3,500	3,500				
SOCIAL SERVICES												
Secretary II		118.366		01/01/19	1,820	18-	37,730	655	16.3432	33.365		
Administrative Assistant (DSS)		135.377		01/01/19	1,820	18-	39,054	781	21.8974	39.835		
Administrative Assistant (DSS)		135.377	Y	01/01/19	1,820	18-	39,054	781	21.8974	39.835		
Director of Programs		147.417	Y	01/01/19	1,820	18-	62,436	1,249				
Dir of Children & Family Services		144.360		01/01/19	1,820	18-	54,000	1,080	23.0968	42.036		
Administrative Assistant (Fiscal Operations)		165.459		01/01/19	1,820	18-	41,212	824				
ADMINISTRATIVE SERVICES												
Deputy County Treasurer (stipend)		007.503	N/A		11.09	18-	5,000					
VETERAN'S SERVICES												
Assistant Director of Veterans Services		004.389		01/01/19	1,820	18-	35,500	700	19.6154	36.700		
Insurance Program Assistant		009.504		01/01/19	1,820	18-	30,500	760	22.1374	40.290		
YOUTH BUREAU												
Handicapped Preschool Coordinator		013.121	Y	01/01/19	1,820	18-	47,375	948	21.8974	39.835		
Handicapped Preschool Coordinator		008.282		01/01/19	1,820	18-	39,054	781				
ZONING DEPARTMENT												
Zoning Enforcement Officer		023.554		01/01/19	1,820	18-	36,000	720	20.1758	36.720		
Zoning Enforcement Officer Assistant, PT		004.572		01/01/19	549	18-	10,287	206	19.1125	10.493		
Zoning Enforcement Officer Assistant, PT (3 FTE)				01/02/19	546	18-532			18.8407	10.287		

**2018 WYOMING COUNTY SALARY SCHEDULE "I"  
ELECTED OFFICIALS**

TITLE	Position Code	Res. #	Effective Date	2018 salary	2% inc.	Market Adj.	2019 salary	Notes
Bd of Supv. Chairman	004.501	09-494		53,856			53,856	***
Stipend to Bd. of Supv. Chairman (WCCH)	004.501	12-74		20,000			20,000	
Bd of Supervisors (15) each		08-471		10,500			10,500	***
Coroner	40.001.502	17-444		100.00/case			100.00/case	****
Coroner	40.003.502	17-444		100.00/case			100.00/case	Local Law 5, 2017
Coroner	40.004.502	17-444		100.00/case			100.00/case	****
Coroner	40.002.502	17-444		100.00/case			100.00/case	Local Law 5, 2017
County Clerk	006.502	17-444		60,000	1,200	3,800	65,000	****
District Attorney	010.502	18-435	4/1/2018	197,600			197,600	*
Treasurer	003.502	17-444		71,000	1,420		72,420	**
Sheriff	004.500	17-444	1/1/2019	90,376	1,808		92,184	*
Sheriff	004.500	17-444	7/1/2019	92,184	1,844		94,028	*

\* Denotes increases that are subject to Local Law

\*\*In accordance with the laws of NY, 2010, Chapter 567, the Report of the Special Commission of 12/24/15 and Judiciary Law section 183-a

\*\*\*Denotes increases that are subject to advertising with the budget

\*\*\*\*Plus mileage reimbursement

**RESOLUTION NO. 18-576  
(December 11, 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:

- ***Philips Healthcare***, 22100 Bothell Everett Highway, Bothell, WA 98032, to provide service and preventive maintenance agreements on imaging equipment (radiographic units and ultrasound units) in an amount not to exceed seventy thousand twenty-nine dollars and sixty-six cents (\$70,029.66) per year for a total contract amount of three hundred thirty-eight thousand three hundred fifty-five dollars and twenty-seven cents (\$338,355.27); effective October 1, 2018 through September 30, 2023.
- ***Optum 360 Solutions***, LLC, 15 Campus Boulevard, Newtown Square, PA 19073 related to medical necessity compliance consulting services, observation and inpatient consulting services, utilization review services and denial appeal in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00) per year, effective October 13, 2018 through November 15, 2020.
- ***Trubridge, LLC***, 3725 Airport Boulevard, Suite 208A, Mobile, AL 36608 for a subscription to contract management application that will automate the comparison of reimbursements received to the fee schedules in place with all documented third party contracts. Trubridge, LLC to provide all implementation services to enter contract documentation to initiate the system in an amount not to exceed six thousand six hundred dollars (\$6,600.00) for the implementation fee plus one thousand three hundred seventy-five dollars (\$1,375.00) per

December 11, 2018

month for a total contract amount of fifty-six thousand one hundred dollars (\$56,100.00); effective December 1, 2018 through November 30, 2021.

- ***Trustaff Travel Nurses, LLC***, 4675 Cornell Road, Cincinnati, OH 45241 to provide agency staffing to cover shortages in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective December 1, 2018 through November 30, 2020.
- ***Fujifilm Medical Systems USA Inc.***, 419 West Avenue, Stamford, CT 06902 on PACS, software, hardware, NEXscan storage system and Data PACS cube (image CD maker) in an amount not to exceed two hundred twenty-three thousand four hundred twenty dollars (\$223,420.00); effective January 1, 2019 through December 31, 2021.
- ***Fujifilm Medical Systems USA Inc.***, 419 West Avenue, Stamford, CT 06902 on Radiology Information System (RIS) support, software updates and remote support, additional line item of annual study volume fee in an amount not to exceed ninety-five thousand eight hundred dollars (\$95,800.00); effective January 1, 2019 through December 31, 2021.
- ***Premier Purchasing Partners, LP, (purchasing distribution with Cardinal Health)***, 7000 Cardinal Place, Dublin, OH 43017 related to a group purchasing relationship for pharmacy purchases in an amount not to exceed two million dollars (\$2,000,000.00) per year; effective January 1, 2019 through December 31, 2021.
- ***AMO Sales And Service, Inc. (J&J Vision)***, 1700 East Street Andrew Place, P.O. Box 25163, Santa Anna, CA 92799-5162 to provide the Wyoming County Community Health System with one (1) AMO Whitestar Signature Series PRO PHACO machine and cataract surgery equipment in an amount not to exceed fifty-three thousand dollars (\$53,000.00); effective January 1, 2019 through December 31, 2021.
- ***Jamestown Psychiatric PC***, 305 East Fairmount Avenue, Lakewood, NY 14750 for physicians and mid-level providers to perform behavioral health services required by patients at the Wyoming County Community Health System in an amount not to exceed four hundred eighty thousand dollars (\$480,000.00) per year; effective December 1, 2018 through November 30, 2020.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#43



**RESOLUTION NO. 18-577  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-272 AMENDED**

**WHEREAS**, Resolution Number 17-272 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on June 13, 2017 and provides for various contracts, in part, as follows:

- ***S.C.I. Anesthesia, PLLC***, P.O. Box 718, Victor, NY 14564 to provide professional anesthesia and administrative services of anesthesiologist in amounts not to exceed two hundred twenty-five dollars (\$225.00) per hour for on-site anesthesia services, one hundred seventy-five dollars (\$175.00) per hour for off-site consultation and sixty dollars (\$60.00) per hour for on-site on-call work; effective December 1, 2016 through November 30, 2017;

And,

**WHEREAS**, That Resolution Number 17-272 was previously amended by this Board of Supervisors on December 12, 2017 by ***Resolution Number 17-538*** to extend the term of the professional anesthesia and administrative services of anesthesiologist agreement for an additional one-year term; effective through ***November 30, 2018***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-272*** as previously amended by ***Resolution Number 17-538*** be hereby further amended to extend the contract expiration date through ***November 30, 2019***.

All else remains the same.

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

**#44**

**RESOLUTION NO. 18-578  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 15-004 AMENDED**

December 11, 2018

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

- ***Surgery Specialists at the River, PLLC***, 5287 South Highway 95, Fort Mohave, AZ 86426 to provide a physician who is board certified or board eligible in the specialty of general surgery (**Ronald Weissenberg, D.O.**) to provide general surgery services at the hospital clinics, NYS Department of Corrections and on-call coverage on a 1:2 basis; effective December 16, 2014 through December 15, 2016:
  - PLLC will provide professional liability insurance covering all professional services.
  - WCCHS to provide office and support services and maintain all physician revenue in the amount of three hundred one thousand nine hundred thirty-eight dollars (\$301,938.00) per year payable twenty-five thousand one hundred sixty-one dollars and sixteen cents (\$25,161.16) per month for performance of services in accordance with this agreement plus up to five thousand dollars (\$5,000.00) based on properly documented receipts for travel and set-up expenses; and

**WHEREAS**, That Resolution Number 15-004 was previously amended by this Board of Supervisors on December 13, 2016 by ***Resolution Number 16-536*** to extend the contract expiration date through December 15, 2017 and change the administrative office address to 400 North Main Street, Warsaw, NY 14569; and

**WHEREAS**, That Resolution Number 15-004, as previously amended by Resolution Number 16-536, was further amended by this Board of Supervisors on December 12, 2017 by ***Resolution Number 17-540*** as follows:

- Change address to 124 North Maple Street, Warsaw, NY 14569
- Extend the term of the professional services agreement for an additional one-year; effective through December 15, 2018.
- Increase compensation in an amount not to exceed three hundred ten thousand nine hundred dollars (\$310,900.00 per year.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 15-004***, as previously amended by ***Resolution Number 16-536*** and ***Resolution Number 17-540*** be hereby further amended to extend the contract expiration date through

*December 15, 2019.*

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#45

**RESOLUTION NO. 18-579  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-348 AMENDED**

**WHEREAS**, Resolution Number 18-348 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GE HEALTHCARE ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on August 14, 2018 and provides for the purchase of a Discovery 630 Gamma Camera in an amount not to exceed two hundred ninety-seven thousand nine hundred sixty-five dollars and sixty-two cents (\$297,965.62); effective June 26, 2018 through purchase of camera; now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-348* be hereby amended to correct the equipment actually purchased by the contract from a Discovery 630 Gamma Camera to a *Discovery 830 Gamma Camera*.

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
#46

**RESOLUTION NO. 18-580  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-092 AMENDED**

**WHEREAS**, Resolution Number 18-092 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 13, 2018 and provides for various contracts, in part, as follows:

December 11, 2018

- **GE Healthcare**, 9900 Innovation Drive, Wauwatosa, WI 53226 for an 84-month service agreement on the **GE GoldSeal Infinia II Gamma Camera** in an amount not to exceed one thousand seven hundred twenty dollars and seventy-five cents (\$1,720.75) per month for eighty-four (84) months for a total amount not to exceed one hundred forty-four thousand five hundred forty-three dollars (\$144,543.00); effective after the original twelve (12) month warranty period expires.

And,

**WHEREAS**, That Resolution Number 18-092 was previously amended by this Board of Supervisors on September 11, 2018 by **Resolution Number 18-389** to change equipment actually covered by the service agreement from a GE GoldSeal Infinia II Gamma Camera to a **Discovery 360 Gamma Camera**; now therefore,

**BE IT RESOLVED**, That **Resolution Number 18-092** as previously amended by **Resolution Number 18-389** be hereby further amended as follows:

- Correct a typographical error, Discovery 360 Gamma Camera should be **Discover 630 Gamma Camera**.
- Change equipment actually covered by the service agreement from a Discovery 630 Gamma Camera to a **Discovery 830 Gamma Camera**.
- Change the amount from \$1,720.75 per month for a total amount not to exceed \$144,543.00 to **\$1,804.83 per month** for a total amount not to exceed **\$151,605.72**.

All else remains the same.

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

**#47**

**RESOLUTION NO. 18-581  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-088 AMENDED**

**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

Regular Session

following contract:

- **Kimberly Heeb, CST, RN, WHNP, CNM**, 1844 Maxon Road, Attica, NY 14011 to provide inpatient and outpatient midwifery services in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00) per year, effective the date she completes insurance credentialing and becomes available for work; no later than ninety-five (95) days from January 14, 2016.

And

**WHEREAS**, That Resolution Number 16-088 was previously amended by this Board of Supervisors on February 13, 2018 by **Resolution Number 18-093** to extend the term of this contract for an additional one (1) year period; effective January 15, 2018 through January 14, 2019; now therefore,

**BE IT RESOLVED**, That **Resolution Number 16-088** as previously amended by **Resolution Number 18-093** be hereby further amended to extend the term of this contract for an additional one (1) year period; effective January 15, 2019 through January 14, 2020.

All else remains the same.

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

**#48**

**RESOLUTION NO. 18-582  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-304 AMENDED**

**WHEREAS**, Resolution Number 18-304 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on July 10, 2018 and provides, in part, for the following contracts:

- **Honeylee D. Agustin, MD**, 313 Rensselaer Avenue, Ogdensburg, NY 13669 to provide part time Pediatrician services and maternity/newborn call services in an amount not to exceed one hundred eighty-five thousand dollars (\$185,000.00) per year; effective September 1, 2018 through August 31, 2020 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

December 11, 2018

- ***Jamestown Psychiatric, PC***, 305 E. Fairmount Avenue, Lakewood, NY 14750 to provide services for the inpatient Behavioral Health Unit on an emergency basis in an amount not to exceed fifty thousand dollars (\$50,000.00); effective June 22, 2018 through July 31, 2018.

And,

**WHEREAS**, That Resolution Number 18-304 was previously amended by this Board of Supervisors on August 14, 2018 by ***Resolution Number 18-349*** as follows:

- ***Honeylee D. Agustin, MD***, 313 Rensselaer Avenue, Ogdensburg, NY 13669
  - Contract is amended to reflect an Employment Agreement on Salary Schedule P.
- ***Jamestown Psychiatric, PC***, 305 E. Fairmount Avenue, Lakewood, NY 14750
  - Contract is amended to extend the term from July 31, 2018 through August 31, 2018 in an amount not to exceed fifty thousand dollars (\$50,000.00) for said additional term.

And,

**WHEREAS**, That Resolution Number 18-304 as previously amended by Resolution Number 18-349 was further amended by this Board of Supervisors on September 11, 2018 by ***Resolution Number 18-394*** to extend the contract term of the ***Jamestown Psychiatric, PC*** from August 31, 2018 through ***October 31, 2018***; in an amount not to exceed sixty thousand dollars (\$60,000.00); and

**WHEREAS**, That Resolution Number 18-304 as previously amended by Resolution Number 18-349 and Resolution Number 18-394 was further amended by this Board of Supervisors on November 13, 2018 by ***Resolution Number 18-527*** as follows:

- Amend the term from August 31, 2018 through October 31, 2018 to ***November 30, 2018***.
- Amend not to exceed amount from sixty thousand dollars (\$60,000.00) to an amount not to exceed ***one hundred twenty thousand dollars (\$120,000.00)*** for this term.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-349*** be hereby amended to reflect contract effective dates of ***August 1, 2018 through August***

**31, 2018;** and be it

**FURTHER RESOLVED**, That *Resolution Number 18-394* be hereby amended to reflect contract effective dates of *September 1, 2018 through October 31, 2018;* and be it

**FURTHER RESOLVED**, That *Resolution Number 18-527* be hereby amended to reflect contract effective dates of *September 1, 2018 through November 30, 2018*

All else remains the same.

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:      #49**

**RESOLUTION NO. 18-583  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-164 AMENDED**

**WHEREAS**, Resolution Number 18-164 entitled, “**SALARY SCHEDULES “S”, “D” AND “G” AMENDED**”, passed by this Board of Supervisors on March 13, 2018 and amends the Wyoming County Salary Plan which became effective January 01, 1967 in part as follows:

**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 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.

December 11, 2018

- 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.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-164*** be hereby amended to change the effective date to provided stipends plus corresponding fringe to employees from March 14, 2018 to ***January 1, 2018*** in the following titles as of March 14, 2018 for all of 2018, 2019 and 2020:

- |   |            |
|---|------------|
| • <b><i>Director of Aging &amp; Youth</i></b> | \$2,000.00 |
| • <b><i>Deputy Director of Aging</i></b>      | \$2,000.00 |
| • <b><i>Case Manager</i></b>                  | \$2,500.00 |
| • <b><i>Fiscal Officer I</i></b>              | \$3,000.00 |
- Said amounts are annual, payable immediately upon approval; effective January 1, 2018 through December 31, 2020.
  - Funds provided through the Alzheimer's Disease Caregiver Support Initiative Grant contracted through Alzheimer Association from January 1, 2018 through December 31, 2020.

All else remains the same.

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

**#50**

**RESOLUTION NO. 18-584  
(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**POSITION(S) APPROVED**

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

Regular Session



**MODIFIED:*****Civil Defense***

- One (1) position of ***County Fire Coordinator PT*** (position code 008.352) from Part Time (2018 salary of \$31,286.00 with an hourly rate of \$22.8324/hr.) to Full Time (2019 hourly rate of \$23.2890/hr. with an estimated salary equivalent of \$42,386.00/yr.); effective January 1, 2019 and amend Salary Schedule “S” to reflect the same.

**Carried: XXX****Ayes: 1599****Noes:****Absent:****Abstain:*****Local Law*****#51****RESOLUTION NO. 18-585****(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

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

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11<sup>th</sup> day of December 2018, a proposed local law entitled, “Local Law Introductory No. G, Year 2018, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2019,”** 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 8<sup>th</sup> day of January, 2019 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.*

**INTRODUCTORY LOCAL LAW NO. G - YEAR 2018**  
**County of Wyoming, Providing Salaries for Certain County Officers**  
**for the year 2019**

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE  
COUNTY OF WYOMING AS FOLLOWS:**

December 11, 2018

- Section 1. Effective as hereafter provided, the annual salary for the ***Commissioners of Election*** shall be increased by ***\$313.00*** for a new annual salary of ***\$15,960.00***.
- Section 2. Effective as hereafter provided, the annual salary for the ***Clerk to the Board of Supervisors*** shall be increased by ***\$1,277.00*** for a new annual salary of ***\$65,135.00***.
- Section 3. Effective as hereafter provided, the annual salary for the ***County Attorney*** shall be increased by ***\$1,240.00*** for a new annual salary of ***\$63,239.00***.
- Section 4. Effective as hereafter provided, the annual salary for the ***County Highway Superintendent*** shall be increased by ***\$1,833.00*** for a new annual salary of ***\$93,460.00***.
- Section 5. Effective as hereafter provided, the annual salary for the ***Public Defender*** shall be increased by ***\$1,202.00*** for a new annual salary of ***\$61,281.00***.
- Section 6. Effective as hereafter provided, the annual salary for the ***Commissioner of Public Health*** shall be increased by ***\$1,606.00*** for a new annual salary of ***\$81,904.00***.
- Section 7. Effective as hereafter provided, the annual salary for the ***Director of Real Property Tax Services*** shall be increased by ***\$1,341.00*** for a new annual salary of ***\$68,397.00***.
- Section 8. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$1,380.00*** for a new annual salary of ***\$70,380.00***.
- Section 9. Effective as hereafter provided, the annual salary for the ***Director of Veteran Services*** shall be increased by ***\$890.00*** for a new annual salary of ***\$45,390.00***.
- Section 10. Effective as hereafter provided, the annual salary for the ***County Clerk*** shall be increased by ***\$5,000.00*** for a new annual salary of ***\$65,000.00***.
- Section 11. Effective as hereafter provided, the annual salary for the ***County Treasurer*** shall be increased by ***\$1,402.00*** for a new annual salary of ***\$72,420.00***.
- Section 12. Effective as hereafter provided, the annual salary for the ***County Sheriff*** shall be increased by ***\$1,808.00*** for a new annual salary of ***\$92,184.00***.
- Section 13. All salaries set forth in Section 1 through 12 above shall be effective as of ***January 01, 2019***.
- Section 14. Effective as hereafter provided, the annual salary for the ***County Sheriff*** shall be increased by ***\$1,844.00*** for a new annual salary of ***\$94,028.00***.
- Section 15. All salaries set forth in Section 14 above shall be effective as of ***July 01, 2019***.
- Section 16. 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 17. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York  
December 11, 2018 (Introduced)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

**Carried: XXX      Ayes: 1599      Noes:      Absent:      Abstain:**  
***2/3 Majority***  
***#52***

**RESOLUTION NO. 18-586**  
**(December 11, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RULES OF PROCEDURE AMENDED AND ADOPTED**

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

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

December 11, 2018

**Rule 17. Committee No. 7: Agriculture.**

- a. Conservation
- b. Soil and Water
- c. Dog Control
- d. Cooperative Extension
- e. Fair Association
- f. County Forestland management
- g. Ag. and Farmland Protection

This Committee shall have charge over all matters relating to the above sub-headings. ***(The Chairman of this Committee shall be a representative to Cornell Cooperative Extension of Wyoming County.)***

**Rule 18. Committee No. 8: Green Energy.**

**a. Green Energy Sources**

This Committee shall have charge of all matters relating to the above sub-heading ***(The Chairman of this Committee shall be a representative to Cornell Cooperative Extension of Wyoming County).*** ***Remove highlighted text...***

**Rule 19. Committee No. 9: Public Safety.**

- a. Sheriff
- b. Jail
- c. Emergency Services
- d. Building Code Enforcement
- e. District Attorney
- f. Judges
- g. Probation
- h. Public Defender

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

*Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #53. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #53 prior to the roll call vote.*

**#UC53**

**RESOLUTION NO. 18-587  
(December 11, 2018)**

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

**FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS**

Regular Session

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

<b>Capital Projects</b>			
<b>From:</b> 12.61.9950.9.99004 Reserve – Co. Bldgs. <b>To:</b> 12.61.1620.2.21022 Highway Dept. CIP <b>Reason:</b> To cover the completion of the roof project at the Highway building.	\$10,516.72	\$10,516.72	
<b>Capital Projects Total</b>			<b>\$10,516.72</b>

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

*Before the meeting was adjourned, Chairman Berwanger thanked Mark Dadd for filling in for County Attorney Wujcik, who was unable to attend today’s meeting.*

*Chairman Berwanger added, on behalf of the residents of Wyoming County and the Board of Supervisors, well wishes for a speedy recovery go to Sheriff Rudolph as a result of an incident that took place this morning...*

*Supervisor Ryan, T/Warsaw reminded everyone to attend the Memory Tree of Life Celebration at 4 pm this afternoon in the rotunda.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:07 PM with a rap on his desk.*

\*\*\*\*\*

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

**2**

**211 Advisory Board**

**Appointments**

K. Barber; L. Paolucci ..... 314

**A**

**Agricultural Districts**

Finding to Modify Agricultural  
District No. 4, Res. #18-296 ..... 13

**Animal Control**

**Confinement** of Dogs Authorized,  
Res. #18-411 ..... 150

**Grants**

New York State Department of  
Agriculture and Markets (Res.  
#18-129), Res. #18-310..... 27

**Order** of Protection for Deer

Approved, Res. #18-410..... 150

**Appointments**

**211 Advisory Board**

K. Barber; L. Paolucci ..... 314

**Board of Elections**

**Commissioner**

H. Bush (D), Res. #18-441 .. 193  
J. Schlick (R), Res. #18-444. 193

**Budget Office**

**Budget Officer**

J. Cook, Res. #18-570..... 337

**GLOW**

**Regional Solid Waste  
Management Committee**

R. Curry, Res. #18-546 ..... 320

**Solid Waste Advisory Committee**

J. Petzen, Res. #18-547 ..... 320

**Solid Waste Planning Committee**

R. Curry, Res. #18-546 ..... 320

**Workforce Development Board**

D. Martinez, T. Thomus, Res.  
#18-445 ..... 194  
J. Fuzak, Res. #18-406..... 146

**HIPPA**

D. Tallman, J. Kibler, T.

MacConnell, Res. #18-573 . 339

**Mental Health**

**Mental Health Community**

**Services Board**

**Developmentally Disabled**

**Subcommittee**

J. Claud, Res. #18-469 ... 216

**Off Track Betting Corporation**

**Board of Directors**

Susan May, Res. #18-516... 294

**Office for the Aging**

**Advisory Council**

D. Eichenauer, D. Goss, B.  
Stockholm, L. Roberto, L.  
Little, J. Goff, R. Johannes,  
D. Morgan, Res. #18-447195

**Planning Department**

**GLOW Workforce Development  
Board**

M. Taylor, S. Hall, Res. #18-320  
..... 47

**Planning Board**

D. Dutton, E. Parker, R. Weiss,  
J. Marley, R. Johnson, T.  
Suto, G. Pfeifer, Res. #18-  
483 ..... 233

**Public Health**

Medical Director, G. Collins, Res.  
#18-544 ..... 318

**Region 9**

**Fish & Wildlife Management  
Board**

J. Meyer, Res. #18-545 ..... 319

**Forest Practice Board**

J. Meyer, Res. #18-545 ..... 319

**Stop DWI**

Stop DWI Coordinator, D. Linder,  
Res. #18-550 ..... 322

**Wyo. Co. Comm. Hospital**

**Board of Managers**

B. Kehl, C. Elbow, F. Vitagliano,  
R. Kosmerl, L. Paolucci, A. D.  
Berwanger, Res. #18-523  
..... 284

**Wyo. Co. Industrial Development  
Agency**

**Board of Directors**

J. Hardie, Res. #18-369 ..... 90

M. Dadd, Res. #18-369 ..... 90

**Wyo. Co. Local Development Corp.****Board of Directors**

R. Fish, J. Satchell, Res. #18-482 ..... 233

**Youth Bureau****Youth Board**

R. Farnsworth, J. Calvert, M. Wixner, Res. #18-448 .... 196

**Audit of Monthly Bills**

05/2018 (Corrected) ..... 5

06/2018 ..... 5

07/2018 ..... 44

08/2018 ..... 79

09/2018 ..... 136

10/2018 ..... 186

11/2018 ..... 313

**B****Bid Awards****Buildings and Grounds (CIP)**

Ed Hulme, Inc. Res. #18-335 .... 58

**Emergency Services**

SAIA Communications, Inc. Res. #18-331 ..... 55

**Highway**Sourcewell Contract No. 052015  
Admar Construction  
Equipment & Supplies, Res. #18-557 ..... 327**Public Health**

Spurr Chevrolet, Inc., Res. #18-472 ..... 219

**Social Services**Genesee Valley Motors, Inc.,  
d/b/a Genesee Valley Chrysler  
Dodge Jeep, Res. #18-452 . 204**Board of Elections**

2018 Election Expenses

Apportioned, Res. #18-537 .... 313

**Appointments****Commissioner**

H. Bush (D), Res. #18-441 .. 193

J. Schlick (R), Res. #18-444. 193

**Contracts / Agreements**

NTS Data Services, Res. #18-354 ..... 79

**Board of Supervisors****2019 Equalization Table Presented and Tabled, Res. #18-529..... 291****Annual Appropriations**

Wyo. Co. Arts Council, Res. #18-571 ..... 337

Wyo. Co. Business Education  
Council, Res. #18-571 ..... 337Wyo. Co. Chamber of Commerce  
(Tourism), Res. #18-571 ..... 337

Wyo. Co. Community Action, Res. #18-571 ..... 337

Wyo. Co. Cornell Cooperative  
Extension, Res. #18-572 .... 338

Wyo. Co. Fair Association, Res. #18-571 ..... 337

Wyo. Co. Soil and Water, Res. #18-571 ..... 337

Wyo. Co. Wildlife Federation,  
Res. #18-571 ..... 337**Contracts / Agreements**

AECOM, Res. #18-302 ..... 19

Sunnking, Inc., Res. #18-297 .... 14

**Countywide Shared Services Plan**

Amended (Res. #17-306), Res. #18-315 ..... 34

**Date Set for Annual Organizational**

Meeting, Res. #18-566 ..... 333

**Lift the 2019 Equalization Table and**

Adopt, Res. #18-533 ..... 307

**Location and Time of August 2018**

Regular Session Changed, Res. #18-299 ..... 15

**Meetings****Regular Session**

07/10/18 ..... 1

08/14/18 ..... 37

09/11/18 ..... 75

10/09/18 ..... 133

11/13/18 ..... 182

12/11/18 ..... 310

**Special Session**

11/27/18 ..... 298

<b>Proclamations</b>	
Wyoming County Fair Week, Res. #18-316 .....	38
<b>Resolution of the Board of</b>	
Supervisors Levying Taxes and Assessments Required for Purpose of Annual Budget of Towns of Wyoming County, Res. #18-569.....	334
<b>Rules of Procedure Amended and Adopted, Res. #18-586 .....</b>	
363	
<b>Semi-Annual Mortgage Tax Report, Res. #18-512 .....</b>	
269	
<b>Semi-Annual Revenue Sharing for the Towns, Res. #18-565.....</b>	
332	
<b>Sign Tax Warrants, Res. #18-567</b>	
333	
<b>Standard Work Day and Reporting Resolution, Res. #18-301 .....</b>	
17	
<b>Tentative 2019 Budget for Wyoming County Adopted, Res. #18-534 .....</b>	
308	
<b>Budget Office</b>	
<b>Appointments</b>	
<b>Budget Officer</b>	
J. Cook, Res. #18-570.....	337
<b>Appropriations</b>	
<b>2018</b>	
07/10/18, Res. #18-286.....	4
08/14/18, Res. #18-318.....	42
09/11/18, Res. #18-353.....	77
10/09/18, Res. #18-402.....	135
11/13/18, Res. #18-438.....	185
12/11/18, Res. #18-536.....	312
<b>Presentation of the 2019 Budget</b>	
298	
<b>Presentation of the 2019 Budget, Res. #18-530 .....</b>	
292	
<b>Transfers</b>	
<b>2018</b>	
07/10/18, Res. #18-285.....	2
08/14/18, Res. #18-317.....	42
09/11/18, Res. #18-352.....	76
10/09/18, Res. #18-401.....	134
11/13/18, Res. #18-437.....	184
12/11/18, Res. #18-535.....	311
12/11/18, Res. #18-587.....	364
<b>Buildings and Grounds (CIP)</b>	
<b>Bid Awards</b>	
Ed Hulme, Inc., Res. #18-335 ...	58

<b>Capital Improvement Projects</b>	
Highway Office Building Roof, Res. #18-336 .....	58
Public Defender's Office, Res. #18-313 .....	31
Wyo. Co. Animal Shelter, Res. #18-416 .....	154
<b>Contracts / Agreements</b>	
Perry Lumber & Hardware, Inc., d/b/a Burt's Lumber, Healthy Home Insulation, Res. #18-417 .....	155
Terry Mooney Construction, Inc. Res. #18-419 .....	156
<b>Contracts / Agreements Amended</b>	
Edward Hulme, Inc. (Res. #18-335), Res. #18-503.....	258
<b>Buildings and Grounds (Co. Bldgs.)</b>	
<b>Contracts / Agreements</b>	
Feedwater Treatment Systems, Inc., Res. #18-420 .....	156
Mason Company, Res. #18-377	96
MJ Mechanical Services, Inc., Res. #18-377 .....	96
Penn Properties Solutions, LLC, Res. #18-377 .....	96
U & S Services, Res. #18-561..	329
<b>Contracts / Agreements Amended</b>	
Feedwater Treatment Systems, (Res. #18-420), Res. #18-559 .....	328
Waste Management of New York, LLC (Res. #18-026), Res. #18-560.....	328
Waste Management of New York, LLC (Res. #18-036), Res. #18-502.....	257
<b>Grants</b>	
New York State Unified Court System, Res. #18-418 .....	155
<b>Positions</b>	
<b>Created</b>	
One (1) Position of Carpenter (Per Diem) (Temp), Res. #18-396 .....	114
One (1) Position of Laborer (Per Diem) (Temp), Res. #18-396 .....	114



**Salary/Hourly Wage Set**

Carpenter (Per Diem) (Temp), Res. #18-436 .....	178
Laborer (Per Diem) (Temp), Res. #18-436 .....	178

**Sole Source Procurement****Contracts / Agreements**

Penn Properties Solutions, LLC (Res. #18-274), Res. #18- 378 .....	97
--	----

**C****Capital Improvement Projects****Buildings and Grounds (CIP)**

Highway Office Building Roof, Res. #18-336 .....	58
Public Defender's Office, #18-107 .....	31
Wyo. Co. Animal Shelter, Res. #18-416 .....	154

**Civil Defense****Positions****Modified**

One (1) Position of County Fire Coordinator, PT increased to FT, Res. #18-584.....	360
--	-----

**County Attorney****Contracts / Agreements**

Jennifer Wilkinson, Esq., Res. #18-439 .....	187
Mark H. Dadd Law Office, PLLC, Res. #18-439 .....	187

**County Insurance**

<b>2019 Insurance Rates Approved,</b> Res. #18-339 .....	61
---	----

<b>2019 Medicare Health Insurance</b> Rates for Retirees Approved, Res. #18-509 .....	265
---	-----

<b>2019 Workers' Compensation Costs</b> Approved, Res. #18-510.....	265
--	-----

**Contracts / Agreements**

Pro-Flex Administrators, LLC, Res. #18-434 .....	173
Triad Group, LLC, Res. #18-383 .....	103

**D****District Attorney****Contracts / Agreements**

Gary J. Horwitz, MD, Res. #18- 327 .....	53
---	----

**Grants**

New York State Division of Criminal Justice Services (DCJS) – Aid to Prosecution (ATP Grant), Res. #18-326.....	52
New York State Division of Criminal Justice Services (DCJS) – Violence Against Women (VAWA Grant), Res. #18-326 52	

**Proclamations**

Domestic Violence Awareness, Res. #18-409 .....	148
--	-----

**E****Emergency Services****Bid Awards**

SAIA Communications, Inc., Res. #18-331 .....	55
--	----

**Contracts / Agreements**

EM Systems, Inc., Res. #18-551 .....	322
Frontier Communications, Res. #18-493 .....	244
Motorola Solutions, Inc., Res. #18-332 .....	56
New York State Division of Homeland Security and Emergency Services, Res. #18- 334.....	57
Sinclair Television Group, Inc., Res. #18-298 .....	15

**Contracts / Agreements Amended**

Dorine K. Jenkins, (Res. #18-270), Res. #18-333 .....	56
--	----

**Grants**

New York State Department of Homeland Security and Emergency Services Office of	
---	--

Interoperable and Emergency  
Communications, Res. #18-74  
..... 243

New York State Division of  
Homeland Security and  
Emergency Services Office of  
Interoperable and Emergency  
Communications, Res. #18-376  
..... 96

New York State Division of  
Homeland Security and  
Emergency Services, Res. #18-  
375..... 95

New York State Division of  
Homeland Security and  
Emergency Services, Res. #18-  
415..... 153

**Sole Source Procurement**  
Wraith Tactical, Res. #18-330 .. 54

**G**

**GLOW**

**Appointments**

**Regional Solid Waste  
Management Committee**  
R. Curry, Res. #18-546 ..... 320

**Solid Waste Advisory Committee**  
J. Petzen, Res. #18-547 ..... 320

**Solid Waste Planning Committee**  
R. Curry, Res. #18-546 ..... 320

**Workforce Development Board**  
D. Martinez, T. Thomas, Res.  
#18-445 ..... 194

J. Fuzak, Res. #18-406..... 146

**Contracts / Agreements**

GLOW CEO Workforce  
Development Board (WDB)  
Multi-Jurisdictional CEO  
Agreement, Res. #18-407 .. 147

**H**

**Highway**

**Bid Awards**

**2018/2019 Highway Material**  
Bids, Res. #18-380 ..... 99

Sourcewell Contract No. 052015  
Admar Construction  
Equipment & Supplies, Res.  
#18-557 ..... 327

**Contracts / Agreements**

County Highway Superintendent  
Authorized to Extend the Snow  
Agreement with Towns and  
Villages for 2019/2020, Res.  
#18-338 ..... 61

Cross Carcass Removal, Res. #18-  
553..... 324

Federal Aid and State  
“Marchiselli” Program Aid  
(Schoellkopf Road Bridge,  
Town of Bennington), Res.  
#18-554 ..... 324

Labella Associates (Supplemental  
No. 1), Res. #18-556 ..... 326

Labella Associates, Res. #18-555  
..... 326

Valley Fab Equipment, Inc., Res.  
#18-381 ..... 102

Xylem Dewatering Solutions, Inc.,  
Res. #18-553 ..... 324

Xylem Dewatering Solutions, Inc.,  
Res. #18-558 ..... 327

**Contracts / Agreements Amended**

American Rock Salt Co., LLC (Res.  
#16-356), Res. #18-379..... 98

Pavilion Drainage Supply Co., Inc.,  
(Res. #18-238), Res. #18-421  
..... 157

Simonson Enterprises (Res. #16-  
474), Res. #18-382 ..... 102

Union Concrete and Construction  
Corp. (Res. #18-198), Res. #18-  
504..... 259

**Positions**

**Created**

One (1) Position of Deputy  
County Highway  
Superintendent (Temp.),  
Res. #18-232..... 31

**HIPPA**

**Appointments**

D. Tallman, J. Kibler, T.  
MacConnell, Res. #18-573 . 339

## **Human Resource**

### **Contracts / Agreements**

CSEA Employee Benefit Fund,  
Res. #18-287 ..... 5  
Indeed, Inc., Res. #18-404..... 137

### **Contracts / Agreements Amended**

Indeed, Inc., (Res. #18-254), Res.  
#18-403 ..... 136

### **Positions**

#### **Abolished**

One (1) Position of Human  
Resources Assistant (1.00  
Fte), Res. #18-343 ..... 66

#### **Created**

One (1) Position of Human  
Resources Assistant II (1.00  
Fte), Res. #18-343 ..... 66

## **I**

## **Information Technology**

### **Contracts / Agreements**

Empire Access, Res. #18-300 ... 16  
Ivergent, Inc., Res. #18-507 ... 263  
Real Vision Software, Inc., Res.  
#18-563 ..... 331

### **Contracts / Agreements Amended**

ACS, A Xerox Company, (Res. #15-  
386), (WITHDRAWN), Res. #18-  
XXX ..... 16  
Conduent Government Systems,  
LLC (Res. #15-386), Res. #18-  
385..... 104  
Printer Component, Inc. (Res.  
#17-535), Res. #18-562..... 330

## **L**

## **Local Laws**

### **Adopted**

Local Law 3, (C) (Salaries for  
Certain County Officers for the  
Year 2018), Res. #18-314..... 32

Local Law 4, (D) (Impose a County  
Mortgage Tax on Real  
Property), Res. #18-400..... 129

### **Introduced – Public Hearing Set**

Local Law D (Impose a County  
Mortgage Tax on Real  
Property), Res. #18-319 ..... 44  
Local Law E (Overriding Tax Levy  
Limit for Fiscal Year 2019), Res.  
#18-422 ..... 158  
Local Law F (Salaries for Certain  
County Officers for the Year  
2018), Res. #18-XXX..... 172  
Local Law G (Salaries for Certain  
County Officers for the Year  
2019), Res. #18-585 ..... 361

### **Withdrawn**

Introductory Local Law E Year  
2018 (WITHDRAWN), Res. #18-  
XXX ..... 295  
Introductory Local Law F Year  
2018 (WITHDRAWN), Res. #18-  
XXX ..... 172

## **M**

## **Mental Health**

### **Appointments**

#### **Mental Health Community**

##### **Services Board**

##### **Developmentally Disabled**

##### **Subcommittee**

J. Claud, Res. #18-469 ... 216

### **Contracts / Agreements**

Camp Get-A-Way, Res. #18-463  
..... 213  
Coordinated Care Services, Inc.  
(CCSI), Res. #18-468..... 216  
Hillside Children's Center, Res.  
#18-464 ..... 214  
Living Opportunities of DePaul,  
Res. #18-461 ..... 212  
Livingston/Wyoming ARC, Res.  
#18-466 ..... 215  
Peers Together of Wyoming  
County, Res. #18-462..... 213

Spectrum Human Services, Inc., Res.  
#18-465 ..... 214  
Suburban Adult Services, Inc.,  
Res. #18-467 ..... 215  
Wyoming County YMCA, Res.  
#18-542 ..... 317

**Contracts / Agreements Amended**

Living Opportunities of DePaul  
(Res. #17-462), Res. #18-36083  
Livingston/Wyoming ARC (Res.  
#17-384), Res. #18-362..... 85  
Mental Health Association of  
Rochester and Monroe County  
(Res. #17-461), Res. #18-36184

**Grants**

Suicide Prevention Center New  
York (SPC-NY), Res. #18-290.. 7

**Grants Amended**

New York State Office of Mental  
Health, Res. #18-470 ..... 217

**Proclamations**

Suicide Prevention Awareness,  
Res. #18-359 ..... 83

**N**

**New York State Association of  
Counties (NYSAC)**

**Fall Conference**

**Resolutions**

Calling for an Increase in  
Flexibility for Local  
Governments to Provide  
Needed EMS Services, Res.  
#18-495 ..... 245  
Calling for an Increase in the  
Share of Revenue Counties  
Retain for Providing State  
DMV Services, Res. #18-440  
..... 187  
Calling for Increased State  
Support for Cornell  
Cooperative Extension  
County Associations in the  
State of New York, Res. #18-  
476 ..... 225

Calling for the Full Repeal of  
the New York State Scaffold  
Law or Reform to Include a  
Pure Standard of  
Comparative Negligence,  
Res. #18-442..... 189

Calling for the State of New  
York and the Seneca Nation  
to Agree on Gaming  
Revenue Sharing, Res. #18-  
518 ..... 278

Calling on Governor Andrew  
M. Cuomo and the  
Department of Homeland  
Security and Emergency  
Services Office of  
Interoperable  
Communications, to more  
Equitable and Efficiently  
Release the Interoperable  
Emergency Communication  
Funds Authorized, Res. #18-  
496 ..... 247

Calling on Governor Andrew  
M. Cuomo and the New  
York State Legislature to  
Restore Funding Support for  
Unattended Death  
Investigations, Res. #18-475  
..... 223

Calling on the Governor and  
State Legislative Leaders to  
Reform the Home Rule  
Revenue Process by  
Enacting Longer Extension  
Periods with the Goal of  
Making Most of These  
Measurers Permanent, Res.  
#18-514 ..... 272

Calling on the Governor and  
State Legislature to Allocate  
Resources Sufficient to  
Provide a School Resource  
Officer in Every School  
District in New York State,  
Res. #18-490..... 240

Calling on the Governor and  
State Legislature to Increase

the New York State Income Tax Credit for Volunteer Firefighters and EMS Workers, Res. #18-494 ..	245
Calling on the Governor and State Legislature to Provide Incentives to Ensure There is a Necessary Supply of Personal Care Aides and Related Workers to Ensure Eligible Recipients get the Care They Need in a Timely Manner, Res. #18-452 ...	200
Calling on the New York State Office of Alcoholism and Substance Abuse Services and the Governor to Establish Permanent Jail-Based Substance Use Disorders Treatment and Transition Services Programs in All County Correctional Facilities, Res. #18-471 .....	217
Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases that are Set and Controlled by the State, Res. #18-498 .....	249
Calling on the State to Continue Providing State Matching Funds for Savings Generated Through County-Wide Shared Services Programs, Res. #18-513	270
Calling on the State to Cover all Expenses if Cashless Bail is Enacted in 2019 and Beyond, Res. #18-491 ...	241
<b>Calling on the State to Equitably Distribute Sports Wagering Revenue to all New York Counties, Res. #18-517 .....</b>	<b>276</b>
Calling on the State to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities, Res. #18-489 .....	239
Calling on the State to Support the Dairy Industry by Developing a Statewide Supplemental Price Support System to Address Price Fluctuations in Fluid Milk, Res. #18-478.....	228
Commending the State's Efforts to Improve Cyber Security for County Information Systems, Including Election Systems, Res. #18-508.....	263
Expand Infrastructure for Public Health and Safety throughout New York State, Reinvesting in Core Public Health Activities and Response to Emerging Issues Addressed by Local Health Departments, Res. #18-474 .....	222
In Support of Continuing Efforts Between Local Departments of Social Services and the Office of Children and Family Services to Find a Solution that Ensures Counties not Located Near the Training Center, Especially in Western New York, are not Adversely Impacted by Travel and Cost Constraints, Res. #18-458.....	206
In Support of Federal Legislation that Requires States to End the Practice of Diverting Fees and Surcharges Raised for the Purpose of Maintaining and	

Improving 9-1-1 Emergency Systems  
to Unrelated Purposes, Res.  
#18-497 ..... 248

Requesting State Action to  
Promote Recycling, Res.  
#18-485 ..... 235

Supporting Investment in  
Shovel-Ready/Market  
Ready Sites to make New  
York more Competitive for  
Economic Development  
Projects, Res. #18-481... 232

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,  
Res. #18-480 ..... 231

To Expand Infrastructure for  
Public Health and Safety  
throughout New York State,  
Reinvesting in Core Public  
Health Activities and  
Response to Emerging  
Issues Addressed by Local  
Health Departments, Res.  
#18-473 ..... 220

To Promote Consumption of  
Whole Milk and Flavored  
Milk in New York State  
Breakfast, Lunch and  
Afterschool Snack  
Programs, Res. #18-477 226

Urging Airport Capital Funding  
Programs be made  
Permanent in the State  
Budget, Res. #18-500 .... 254

Urging Governor Cuomo and  
the State Legislature to  
Amend State Insurance Law  
to make it Easier to Create  
Shared Municipal Health  
Insurance Consortiums, Res.  
#18-511 ..... 267

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  
Counties and New York  
Cities Begin Implementing  
the Law, Res. #18-499 ... 251

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 Mandated  
Programs, Starting with  
Medicaid, Res. #18-515. 274

Urging the Department of  
Health and the Division of  
Budget to Require Providers  
to Maximize  
Reimbursement from All  
Third Party Payers, Res.  
#18-451 ..... 198

Urging the Enactment of an  
Increase in the Statutory  
CHIPS Bidding Threshold,  
Res. #18-505..... 261

Urging the Governor and  
Legislature to Fully Fund the  
Costs of FIT Chargebacks for  
Students Attending for  
Credits for Bachelors and  
Masters Degrees, Res. #18-  
520 ..... 280

Urging the Governor and  
Legislature to Maintain our  
Mutual Goals of not Shifting  
New Costs to Counties,  
while Maintaining  
Reasonable Local Flexibility  
over Administrative

Functions, as the State Realigns Medicaid Administrative Functions and Human Services Programs, Res. #18-460	210
Urging the Governor and Legislature to Renew Their Commitment to Fully Funding the State Share of Community College, Res. #18-521	281
<b>Urging the Governor and State Legislature to Enact Legislation that Ensured a Fair and Level Playing Field for all Retailers by Updating the State Sales Tax Code in Recognition of the Recent Supreme Court Decision that Ruled States have the Right to Collect Sales Tax on Purchases Made Over the Internet, Res. #18-522</b>	282
Urging the Governor and the New York State Legislature to Improve the Early Intervention Program to Better Serve Children and Families through Reforms that Address the Lack of Available Providers in Many Areas of the State, Res. #18- 450	197
Urging the State to Clarify its Homelessness Prevention Goals by Making Permanent Housing the Central Focus, while Developing a More Effective Emergency Shelter Model, Res. #18-459	207
Urging the State to Increase its Commitment to the Consolidated Local Streets and Highway Improvement Program (CHIPS) and Other Local Road, Bridge and	

Culvert Programs, Res. #18- 505	259
Urging Urging State Action to Assure Effective Control of Wildlife Populations at Airports, Res. #18-501	256

## O

### **Off Track Betting Corporation**

#### **Appointments**

##### **Board of Directors**

Susan May, Res. #18-516	294
-------------------------	-----

### **Office for the Aging**

#### **Appointments**

##### **Advisory Council**

D. Eichenauer, D. Goss, B. Stockholm, L. Roberto, L. Little, J. Goff, R. Johannes, D. Morgan, Res. #18-447	195
---	-----

### **Contracts / Agreements**

Aurora Adult Day Services, d/b/a Aurora Adult Day Care, Res. #18-539	315
Center for Elder Care and Justice, Inc., Res. #18-539	315
Community Care of Western New York d/b/a Home Care and Hospice, Res. #18-539	315
Elderwood Health Plan, Res. #18- 539	315
Independent Living of the Genesee Region, Res. #18-321	48
Susan Schell, Res. #18-539	315
The Cloister's, Res. #18-539	315
The Pine Lounge, Res. #18-539	315
Wyoming County Skilled Nursing Facility, Res. #18-539	315

### **Grants**

New York State Office for the Aging, Res. #18-356	80
--	----

### **Positions**

#### **Abolished**

One (1) Position of Clerk (PT), Res. #18-532 .....	294
---	-----

**Amended**

One (1) Position of Aging Services Aide (PT), Res. #18- 532 .....	294
---	-----

**Proclamations**

Family Caregiver Month, Res. #18-446 .....	194
---	-----

**P**

**Planning Department**

**Appointments**

**GLOW Workforce Development  
Board**

M. Taylor, S. Hall, Res. #18-320 .....	47
---	----

**Planning Board**

D. Dutton, E. Parker, R. Weiss, J. Marley, R. Johnson, T. Suto, G. Pfeifer, Res. #18- 483 .....	233
--	-----

**Community Development Block**

**Grant Funding**

Conflict of Interest Disclosed, Res. #18-479 .....	230
---	-----

**Contracts / Agreements**

CIR Electrical Construction Corp, Res. #18-368 .....	90
---	----

**Farmland Protection Development**

**Rights Program**

Gary Swede Farm, T/Covington, Res. #18-294 .....	10
Silver Meadows Farm, T/Castile, Res. #18-295 .....	11

**Grants**

New York State Agriculture and Markets, Res. #18-324 .....	50
---	----

**Policies**

**County General**

Transfer and Appropriation Policy, Res. #18-311 .....	28
Wage and Salary Market Adjustment Procedure Policy Adopted, Res. #18-443 .....	190

**Employee**

Sexual Harassment Policy, Res. #18-405 .....	137
---	-----

**Employee Handbooks**

**"C"**

Res. #18-399 .....	116
--------------------	-----

**"D"**

Res. #18-398 .....	115
Res. #18-433 .....	171

**"P"**

Res. #18-350 .....	71
--------------------	----

**"S"**

Res. #18-397 .....	114
Res. #18-432 .....	169

**Positions**

**Abolished**

**Human Resource**

One (1) Position of Human Resources Assistant (1.00 Fte), Res. #18-343 .....	66
--	----

**Office for the Aging**

One (1) Position of Clerk (PT), Res. #18-532 .....	294
---	-----

**Public Health**

One (1) Position of Fiscal Officer I (1.00 Fte), Res. #18-343 .....	66
---	----

**Amended**

**Office for the Aging**

One (1) Position of Aging Services Aide (PT), Res. #18- 532 .....	294
---	-----

**Created**

**Buildings and Grounds (Co.**

**Bldgs.)**

One (1) Positions of Carpenter (Per Diem) (Temp), Res. #18-396 .....	114
--	-----

One (1) Positions of Laborer (Per Diem) (Temp), Res. #18-396 .....	114
--	-----

**Highway**

One (1) Position of Deputy County Highway Superintendent (Temp.), Res. #18-312 .....	31
---	----

**Human Resource**



One (1) Position of Human Resources Assistant II (1.00 Fte), Res. #18-343 .....	66
<b>Public Health</b>	
One (1) Position of Fiscal Officer (Public Health) (1.00 Fte), Res. #18-343 .....	66
<b>Real Property Tax Services</b>	
One (1) Position of Assessment Account Specialist, PT, Res. #18-312 .....	31
One (1) Position of Real Property Appraiser (Per Diem), Res. #18-312 .....	31
<b>Sheriff</b>	
One (1) Position of Deputy Sheriff, Res. #18-343 .....	67
Two (2) Positions of Deputy Sheriff (PT), Res. #18-396 .....	114
<b>Social Services</b>	
One (1) Position of Caseworker Trainee, Res. #18-343.....	66
<b>Zoning</b>	
One (1) Position of Zoning Enforcement Officer Assistant (.3 FTE), Res. #18-532 .....	294
<b>Modified</b>	
<b>Civil Defense</b>	
One (1) Position of County Fire Coordinator, PT increased to FT, Res. #18-584.....	360
<b>Probation</b>	
<b>Grant Amended</b>	
New York State Division of Criminal Justice Services ~ Office of Probation and Correctional Alternatives (Res. #18-193), Res. #18-552.....	323
<b>Proclamations</b>	
<b>Board of Supervisors</b>	
Wyoming County Fair Week, Res. #18-316 .....	38
<b>District Attorney</b>	
Domestic Violence Awareness, Res. #18-409 .....	148
<b>Mental Health</b>	
Suicide Prevention Awareness, Res. #18-359 .....	83
<b>Office for the Aging</b>	
Family Caregiver Month, Res. #18-446 .....	194
<b>Sheriff</b>	
Sheriff's Week, Res. #18-372 ...	93
<b>Social Services</b>	
Adoption Awareness Month, Res. #18-457 .....	205
Child Support Awareness, Res. #18-323 .....	49
Domestic Violence Awareness, Res. #18-409 .....	148
Hunger Action Month, Res. #18-358.....	81
<b>Wyo. Co. Chamber of Commerce</b>	
Small Business Saturday, Res. #18-484 .....	234
<b>Youth Bureau</b>	
National Youth Court Month, Res. #18-357 .....	80
<b>Public Health</b>	
<b>Appointments</b>	
Medical Director, G. Collins, Res. #18-544 .....	318
<b>Bid Awards</b>	
Spurr Chevrolet, Inc., Res. #18-452.....	219
<b>Contracts / Agreements</b>	
Davis Ulmer, Res. #18-365 .....	88
Freed Maxick, CPA's, PC, Res. #18-413 .....	152
Integra Medical Services, LLC, Res. #18-292 .....	9
MRB Group Engineering, Architecture & Surveying, D.P.C., Res. #18-292 .....	9
United Memorial Medical Center, Res. #18-412 .....	151
<b>Contracts / Agreements Amended</b>	
Chatfield Engineers, P.C. (Res. #18-022), Res. #18-291.....	8
New York State Department of Health Office of Health Insurance Programs/Bureau of	

Children Health Plus Policy and Exchange Consumer Assistance (Res. #13-263), Res. #18-363 .....	86
Wyo. Co. Chamber of Commerce (Res. #17-518), Res. #18-36486	
Wyo. Co. Community Action (Res. #17-518), Res. #18-364.....	86

#### **Grants**

New York State Department of Health, Res. #18-293 .....	10
New York State Department of Health, Res. #18-543 .....	318
New York State Governor's Traffic Safety Committee, Res. #18- 366.....	88

#### **Positions**

##### **Abolished**

One (1) Position of Fiscal Officer I (1.00 Fte), Res. #18-343 .....	66
---	----

##### **Created**

One (1) Position of Fiscal Officer (Public Health) (1.00 Fte), Res. #18-343 .....	66
---	----

## **R**

### **Real Property Tax Services**

#### **Contracts / Agreements**

Town of Orangeville, Res. #18- 303.....	19
Town of Warsaw, Res. #18-303	19

#### **Contracts / Agreements Amended**

Cathedral Corporation (Res. #18- 239), Res. #18-388.....	106
---	-----

#### **Corrections of Errors Approved**

RPTS Director (under \$1,000), Res. #18-568 .....	334
--	-----

#### **Positions**

##### **Created**

One (1) Position of Assessment Account Specialist, PT, Res. #18-232 .....	31
One (1) Position of Real Property Appraiser (Per Diem), Res. #18-232 .....	31

### **Region 9**

#### **Appointments**

##### **Fish & Wildlife Management**

##### **Board**

J. Meyer, Res. #18-545 .....	319
------------------------------	-----

##### **Forest Practice Board**

J. Meyer, Res. #18-545 .....	319
------------------------------	-----

#### **Resolutions**

18-285, Funds Transferred to Various 2018 Accounts .....	2
18-286, Funds Appropriated to Various 2018 Accounts .....	4
18-287, Chairman Authorized to Sign a Contract with CSEA Employee Benefit Fund on Behalf of the Human Resource .....	5
18-288, Chairman Authorized to Sign A Grant Application and Acceptance Award with Coordinated Care Services, Inc. (CCSI) on Behalf of the Youth Bureau .....	6
18-289, Chairman/Commissioner of Social Services Authorized to Sign a Contract with Lucky Ducky Daycare on Behalf of the Department of Social Services ...	7
18-290, Chairman Authorized to Sign a Grant Application and Acceptance Award with the Suicide Prevention Center New York (SPC-NY) on Behalf of Mental Health .....	7
18-291, Resolution Number 18-022 Amended .....	8
18-292, Chairman/Commissioner of Health Authorized to Sign Various Contracts on Behalf of the County Health Department .....	9
18-293, Chairman/Commissioner of Health Authorized to Sign a Grant Application and Acceptance Award with the New York State Department of Health on Behalf of the County Health Department .....	10
18-294, Authorizing the Board of Supervisors to Endorse the	

Application for a Farmland Protection Implementation Grant through the New York State Department of Agriculture and Markets for the Gary Swede Farm in Covington, NY as Part of the County's Purchase of Development Rights Program..	10	and Warsaw for Countywide Assessing Services.....	19
18-295, Authorizing the Board of Supervisors to Endorse the Application for a Farmland Protection Implementation Grant through the New York State Department of Agriculture and Markets for the Silver Meadows Farm in Castile, NY as Part of the County's Purchase of Development Rights Program..	11	18-304, Chairman Authorized to Sign Various Contracts with on Behalf of the Wyoming County Community Health System .....	20
18-296, Finding to Modify Agricultural District No. 4.....	13	18-305, Resolution Number 16-265 Amended .....	21
18-297, Chairman Authorized to Sign a Contract with Sunnking, Inc. on Behalf of Wyoming County.....	14	18-306, Chairman Authorized to Sign an Employment Agreement with Sydney Domanowski, DO on Behalf of the Wyoming County Community Health System .....	22
18-298, Chairman Authorized to Sign a Contract with Sinclair Television Group, Inc. on Behalf of Emergency Services .....	15	18-307, Resolution Number 18-307 Amended .....	23
18-299, Location and Time of August 2018 Regular Session Changed	15	18-308, Wyoming County Community Health System Salary Schedule "P" Benefit Package Summary Adopted .....	24
18-300, Chairman Authorized to Sign a Contract with Empire Access on Behalf of Information Technology.....	16	18-309, Salary Schedule "C", "S" and "D" Amended .....	26
18-301, Standard Work Day and Reporting Resolution .....	17	18-310, Resolution Number 18-129 Rescinded.....	27
18-302, Voluntary Clean-Up Agreement with the New York State Department of Environmental Conservation for Long Term Monitoring According to the Approved Site Management Plan.....	19	18-311, Transfer and Appropriation Policy Approved .....	28
18-303, Chairman Authorized to Sign Inter-Municipal Agreement with the Towns of Orangeville		18-312, Position(s) Approved .....	31
		18-313, Public Defender Two Story Addition Capital Improvement Project Established .....	31
		18-314, Local Law Introductory No. C (3) Year 2018, Adopted .....	32
		18-315, Resolution Number 17-306 Amended .....	34
		18-316, Wyoming County Fair Week Proclaimed .....	38
		18-317, Funds Transferred to Various 2018 Accounts .....	42
		18-318, Funds Appropriated to Various 2018 Accounts .....	42
		18-319, Set Public Hearing – Introductory Local Law No. D Year 2018.....	44
		18-320, Members Appointed to the GLOW Workforce Development Board .....	47
		18-321, Chairman Authorized to Sign a Contract with Independent	

Living of the Genesee Region on Behalf of the Office for the Aging .....	48	on Behalf of Emergency Services .....	55
18-322, Chairman/Commissioner of Social Services Authorized to Sign a Contract with Toshiba Business Solutions on Behalf of the Department of Social Services .	48	18-332, Chairman Authorized to Sign a Contract with Motorola Solutions, Inc. on Behalf of Emergency Services .....	56
18-323, Child Support Awareness Month Proclaimed .....	49	18-333, Resolution Number 18-270 Amended .....	56
18-324, Chairman Authorized to Sign a Grant Application with the New York State Department of Agriculture and Markets on Behalf of Planning and Development .....	50	18-334, Chairman Authorized to sign a Memorandum of Agreement with the New York State Division of Homeland Security and Emergency Services on Behalf of Wyoming County Emergency Services .....	57
18-325, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Environmental Facilities Corporation on Behalf of the Wyoming County Water Resource Agency.....	51	18-335, Chairman Authorized to Award Bid and Sign a Contract with Ed Hulme, Inc. on Behalf of Public Defender Two Story Addition Capital Improvement Project.....	58
18-326, Chairman Authorized to Sign Various Grant Applications and Acceptance Awards with the New York State Division of Criminal Justice Services (DCJS) on Behalf of the District Attorney's Office.....	52	18-336, Highway Office Building Roof Capital Improvement Project Established and Transferring Funds Therefore ..	58
18-327, Chairman Authorized to Sign a Contract with Gary J. Horwitz, MD on Behalf of the District Attorney's Office .....	53	18-337, 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.....	59
18-328, Resolution Number 17-347 Amended .....	53	18-338, County Highway Superintendent Authorized to Extend the Snow Agreement with Towns and Villages for 2019/2020 .....	61
18-329, Chairman Authorized to Sign a Contract with Attica Central School District on Behalf of the Sheriff's Department .....	54	18-339, Chairman Authorized to Sign 2019 Insurance Rates on Behalf of Current and Retired County Employees .....	61
18-330, Approving Sole Source Procurement with Wraith Tactical on Behalf of Emergency Services .....	54	18-340, Chairman Authorized to Sign a Contract with Foote & Meyer, PLLC on Behalf of the County Treasurer .....	62
18-331, Chairman Authorized to Award Bid and Sign a Contract with SAIA Communications, Inc.		18-341, Chairman Authorized to Sign a Contract with Napoli	

Shkolnik, PLLC on Behalf of the County Treasurer .....	63	18-356, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Office for the Aging on Behalf of Wyoming County Office for the Aging .....	80
18-342, Approves Property Auction Sales .....	63	18-357, National Youth Court Month Proclaimed .....	80
18-343, Position(s) Approved .....	66	18-358, Hunger Action Month Proclaimed .....	81
18-344, Creation of Deputy Sheriff Position Approved .....	67	18-359, Suicide Prevention Awareness Month Proclaimed .....	83
18-345, Salary Schedule "G" and "C" Amended .....	67	18-360, Resolution Number 17-462 Amended .....	83
18-346, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System .....	68	18-361, Resolution Number 17-461 Amended .....	84
18-347, Resolution Number 18-092 Amended .....	69	18-362, Resolution Number 17-384 Amended .....	85
18-348, Chairman Authorized to Sign a Contract with GE Healthcare on Behalf of the Wyoming County Community Health System .....	70	18-363, Resolution Number 13-263 Amended .....	86
18-349, Resolution Number 18-304 Amended .....	70	18-364, Resolution Number 17-518 Amended .....	86
18-350, Wyoming County Community Health System Salary Schedule "P" Benefit Package Summary Adopted .....	71	18-365, Chairman/Commissioner of Health Authorized to Sign a Contract with Davis Ulmer on Behalf of the County Health Department .....	88
18-351, Chairman Authorized to Award Bid and Sign a Contract with J & S Agen, Inc. on Behalf of the Wyoming County Community Health System .....	73	18-366, Chairman/Commissioner of Health Authorized to Sign a Grant Application and Acceptance Award with the New York State Governor's Traffic Safety Committee on Behalf of the County Health Department .....	88
18-352, Funds Transferred to Various 2018 Accounts .....	76	18-367, 2018 Matching Funds Program Approved on Behalf of the Wyoming County Chamber of Commerce .....	89
18-353, Funds Appropriated to Various 2018 Accounts .....	77	18-368, Chairman Authorized to Award Bid and Sign a Contract with CIR Electrical Construction Corp on Behalf of Planning and Development .....	90
18-354, Chairman Authorized to Sign a Contract with NTS Data Services on Behalf of the Board of Elections .....	79	18-369, Members Appointed/Reappointed to the Wyoming County Industrial	
18-355, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Division of Veterans Affairs on Behalf of Veterans Services .....	79		

Development Agency Board of Directors .....	90	18-381, Chairman Authorized to Award Bid and Sign a Contract with Valley Fab Equipment, Inc. on Behalf of County Highway.	102
18-370, Resolution to Amend Subrecipient Agreements with the Wyoming County Business Assistance Corporation .....	91	18-382 Resolution Number 16-474 Amended .....	102
18-371, 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 .....	93	18-383, Chairman Authorized to Sign a Contract with Triad Group, LLC on Behalf of the County Insurance Office .....	103
18-372, Wyoming County Sheriff's Week Proclaimed .....	93	18-384, Relevy of Unpaid School and Village Taxes .....	104
18-373, 2019 Stop DWI Plan Approved .....	94	18-385, Resolution Number 15-386 Amended .....	104
18-374, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Governor's Traffic Safety Committee on Behalf of Stop DWI .....	95	18-386, Resolution Number 16-432 Amended .....	105
18-375, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Division of Homeland Security and Emergency Services on Behalf of Wyoming County Emergency Services .....	95	18-387, Chairman Authorized to Sign a Contract with Systems East, Inc. on Behalf of the County Treasurer .....	106
18-376, Chairman Authorized to Sign a Grant Acceptance Award with the New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications on Behalf of Wyoming County Emergency Services .....	96	18-388, Resolution Number 18-239 Amended .....	106
18-377, Chairman Authorized to Award Bids and Sign Various Contracts on Behalf of Buildings and Grounds (Co. Bldgs.) .....	96	18-389, Resolution Number 18-092 Amended .....	107
18-378, Resolution Number 18-274 Amended .....	97	18-390, Chairman Authorized to Award Bid Award and Sign a Contract with Edward Hulme, Inc. on Behalf of the Wyoming County Community Health System ....	108
18-379, Resolution Number 16-356 Amended .....	98	18-391, Salary Schedule "C", "P", "S" and "G" Amended .....	108
18-380, Annual Highway Material Bids Approved .....	99	18-392, Resolution Number 15-181 Amended .....	110
		18-393, Resolution Number 17-293 Amended .....	111
		18-394, Resolution Number 18-304 Amended .....	112
		18-395, Chairman Authorized to Sign an Employment Agreement – Salary Schedule P with Vincent C. Newman, DO on Behalf of the Wyoming County Community Health System .....	113
		18-396, Position(s) Approved .....	114
		18-397, Salary Schedule "S" Handbook Amendments Approved .....	114

18-398, Salary Schedule "D"	PC on Behalf of the County
Handbook Amendments	Health Department..... 152
Approved ..... 115	18-414, Chairman Authorized to
18-399, Salary Schedule "C"	Sign a Contract with Livingston
Handbook Approved ..... 116	County Sheriff's Department on
18-400, Local Law Introductory No.	Behalf of the Sheriff's
D (4) Year 2018, Adopted..... 129	Department ..... 152
18-401, Funds Transferred to	18-415, Chairman Authorized to
Various 2018 Accounts ..... 134	Sign Grant Application and
18-402, Funds Appropriated to	Acceptance Award with the New
Various 2018 Accounts ..... 135	York State Division of Homeland
18-403, Resolution Number 18-254	Security and Emergency Services
Amended ..... 136	on Behalf of Wyoming County
18-404, Chairman Authorized to	Emergency Services ..... 153
Sign a Contract with Indeed, Inc.	18-416, Wyoming County Animal
on Behalf of Human Resource 137	Shelter Capital Improvement
18-405, Wyoming County Sexual	Project Established ..... 154
Harassment Policy Approved. 137	18-417, Chairman Authorized to
18-406, Jonathan Fuzak Appointed	Award Bid and Sign a Contract
to the GLOW Workforce	with Perry Lumber & Hardware,
Development Board..... 146	Inc., d/b/a Burt's Lumber,
18-407, Chairman Authorized to	Healthy Home Insulation on
Sign Annual GLOW CEO	Behalf of Buildings and Grounds
Workforce Development Board	(CIP) ..... 155
(WDB) Multi-Jurisdictional CEO	18-418, Chairman Authorized to
Agreement ..... 147	Sign Grant Application and
18-408, Chairman/Commissioner of	Acceptance Award with the New
Social Services Authorized to Sign	York State Unified Court System
Various Welfare Management	on Behalf of Wyoming County
System Contracts on Behalf of	Buildings and Grounds (Co.
the Department of Social Services	Bldgs.) ..... 155
..... 147	18-419, Chairman Authorized to
18-409, Domestic Violence	Award Bid and Sign a Contract
Awareness Month Proclaimed 148	with Terry Mooney Construction,
18-410, Order of Protection for Deer	Inc. on Behalf of the Buildings
Approved ..... 150	and Grounds (CIP)..... 156
18-411, Confinement of Dogs in	18-420, Chairman Authorized to
Wyoming County Authorized. 150	Sign a Contract with Feedwater
18-412, Chairman/Commission of	Treatment Systems, Inc. on
Health Authorized to Sign a	Behalf of Buildings and Grounds
Contract with United Memorial	(Co. Bldgs.) ..... 156
Medical Center on Behalf of the	18-421, Resolution Number 18-238
County Health Department.... 151	Amended ..... 157
18-413, Chairman/Commission of	18-422, Set Public Hearing –
Health Authorized to Sign a	Introductory Local Law No. E Year
Contract with Freed Maxick CPA's	2018 ..... 158

18-423, Resolution Number 16-088	
Amended .....	160
18-424, Resolution Number 17-431	
Amended .....	161
18-425, Chairman Authorized to	
Sign Various Contracts on Behalf	
of the Wyoming County	
Community Health System ....	162
18-426, Resolution Number 18-390	
Amended .....	163
18-427, Chairman Authorized to	
Sign an Employment Agreement	
– Salary Schedule P with Tracy E.	
Fabian, DO on Behalf of the	
Wyoming County Community	
Health System .....	164
18-428, Resolution Number 16-534	
Amended .....	164
18-429, Resolution Number 17-034	
Amended .....	165
18-430, Resolution Number 17-199	
Amended .....	166
18-431, Resolution Number 17-493	
Amended .....	168
18-432, Salary Schedule “S”	
Handbook Amendment Approved	
.....	169
18-433, Salary Schedule “D”	
Handbook Amendment Approved	
.....	171
18-434, Chairman Authorized to	
Sign a Contract with Pro-Flex	
Administrators, LLC on Behalf of	
the County Insurance	
Department .....	173
18-435, Salary Schedule “C”, “G”,	
“I”, and “P” Amended .....	174
18-436, Set the Hourly Wage of	
Laborer (Per Diem) (Temp) and	
Carpenter (Per Diem) (Temp) in	
Buildings and Grounds (Co.	
Bldgs.) .....	178
18-437, Funds Transferred to	
Various 2018 Accounts .....	184
18-438, Funds Appropriated to	
Various 2018 Accounts .....	185

18-439, Chairman Authorized to	
Sign Various Contracts on Behalf	
of the County Attorney .....	187
18-440, Resolution Calling for an	
Increase in the Share of Revenue	
Counties Retain for Providing	
State DMV Services .....	187
18-441, Harold Bush Reappointed	
Election Commissioner (D) .....	193
18-442, Resolution Calling for the	
Full Repeal of the New York State	
Scaffold Law or Reform to Include	
a Pure Standard of Comparative	
Negligence .....	189
18-443, Wyoming County Wage and	
Salary Market Adjustment	
Procedure Policy Approved ...	190
18-444, James Schlick Reappointed	
Election Commissioner (R) .....	193
18-445, Dennis Martinez and Tom	
Thomus Appointed to the GLOW	
Workforce Development Board	
.....	194
18-446, Family Caregiver Month	
Proclaimed .....	194
18-447, Members	
Appointed/Reappointed to the	
Office for the Aging Advisory	
Council .....	195
18-448, Members	
Appointed/Reappointed to the	
Wyoming County Youth Board	
.....	196
18-449, Chairman Authorized to	
Sign a Contract with Pamela Gallo	
on Behalf of the Youth Bureau	
.....	196
18-450, Resolution Urging the	
Governor and the New York State	
Legislature to Improve the Early	
Intervention Program to Better	
Serve Children and Families	
through Reforms that Address	
the Lack of Available Providers in	
Many Areas of the State .....	197
18-451, Resolution Urging the	
Department of Health and the	
Division of Budget to Require	



Providers to Maximize Reimbursement from All Third Party Payers .....	198	Permanent Housing the Central Focus, while Developing a More Effective Emergency Shelter Model.....	207
18-452, Resolution Calling on the Governor and State Legislature to Provide Incentives to Ensure There is a Necessary Supply of Personal Care Aides and Related Workers to Ensure Eligible Recipients get the Care They Need in a Timely Manner.....	200	18-460, Resolution Urging the Governor and Legislature to Maintain our Mutual Goals of not Shifting New Costs to Counties, while Maintaining Reasonable Local Flexibility over Administrative Functions, as the State Realigns Medicaid Administrative Functions and Human Services Programs .....	210
18-453, Chairman/Commissioner of Social Services Authorized to Sign a Contract with New Directions on Behalf of the Department of Social Services.....	202	18-461, Chairman Authorized to Sign a Contract with Living Opportunities of DePaul on Behalf of Mental Health.....	212
18-454, Chairman/Commissioner of Social Services Authorized to Sign Various Welfare Management System Contracts on Behalf of the Department of Social Services .....	202	18-462, Chairman Authorized to Sign a Contract with Peers Together of Wyoming County on Behalf of Mental Health.....	213
18-455, Resolution Number 17-512 Amended .....	203	18-463, Chairman Authorized to Sign a Contract with Camp Get-A- Way on Behalf of Mental Health .....	213
18-456, Chairman/Commissioner of Social Services Authorized to Accept the New York State Office of General Services Vehicle Marketplace Bids and Sign Various Contracts on Behalf of the Department of Social Services .....	204	18-464, Chairman Authorized to Sign a Contract with Hillside Children's Center on Behalf of Mental Health .....	214
18-457, Adoption Awareness Month Proclaimed .....	205	18-465, Chairman Authorized to Sign a Contract with Spectrum Human Services, Inc. on Behalf of Mental Health .....	214
18-458, Resolution In Support of Continuing Efforts Between Local Departments of Social Services and the Office of Children and Family Services to Find a Solution that Ensures Counties not Located Near the Training Center, Especially in Western New York, are not Adversely Impacted by Travel and Cost Constraints ...	206	18-466, Chairman Authorized to Sign a Contract with Livingston/Wyoming ARC on Behalf of Mental Health.....	215
18-459, Resolution Urging the State to Clarify its Homelessness Prevention Goals by Making		18-467, Chairman Authorized to Sign a Contract with Suburban Adult Services, Inc. on Behalf of Mental Health .....	215
		18-468, Chairman Authorized to Sign a Contract with Coordinated Care Services, Inc. (CCSI) on Behalf of Mental Health.....	216

18-469, Jenn Claud Appointed to the Developmentally Disabled Subcommittee of the Mental Health Community Services Board ..... 216

18-470, Resolution Number 18-255 Amended ..... 217

18-471, Resolution Calling on the New York State Office of Alcoholism and Substance Abuse Services and the Governor to Establish Permanent Jail-Based Substance Use Disorders Treatment and Transition Services Programs in All County Correctional Facilities ..... 217

18-472, Chairman/Commissioner of Health Authorized to Award Bid and Sign a Contract with Spurr Chevrolet, Inc. on Behalf of the County Health Department..... 219

18-473, Resolution to Expand Infrastructure for Public Health and Safety throughout New York State, Reinvesting in Core Public Health Activities and Response to Emerging Issues Addressed by Local Health Departments ..... 220

18-474, Resolution to Expand Infrastructure for Public Health and Safety throughout New York State, Reinvesting in Core Public Health Activities and Response to Emerging Issues Addressed by Local Health Departments ..... 222

18-475, Resolution Calling on Governor Andrew M. Cuomo and the New York State Legislature to Restore Funding Support for Unattended Death Investigations ..... 223

18-476, Resolution Calling for Increased State Support for Cornell Cooperative Extension County Associations in the State of New York ..... 225

18-477, Resolution to Promote Consumption of Whole Milk and

Flavored Milk in New York State Breakfast, Lunch and Afterschool Snack Programs..... 226

18-478, Resolution Calling on the State to Support the Dairy Industry by Developing a Statewide Supplemental Price Support System to Address Price Fluctuations in Fluid Milk ..... 228

18-479, Resolution to Publicly Disclose a Conflict of Interest Arising out of an Application for Community Development Block Grant Funding ..... 230

18-480, 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 ..... 231

18-481, Resolution Supporting Investment in Shovel-Ready/Market Ready Sites to make New York more Competitive for Economic Development Projects ..... 232

18-482, Richard Fish and Jeremy Satchell Reappointed to the Wyoming County Business Center Board of Directors..... 233

18-483, Members Appointed/Reappointed to the Wyoming County Planning Board ..... 233

18-484, Small Business Saturday Proclaimed ..... 234

18-485, Resolution Requesting State Action to Promote Recycling.. 235

18-486, Chairman Authorized to Sign Various Grant Acceptance Awards on Behalf of the Sheriff's Department ..... 237

18-487, Chairman Authorized to Sign Various Contracts on Behalf of the Sheriff's Department ... 238

18-488, Chairman Authorized to Sign a Grant Application and

Acceptance Award with the New York State Department of Division of Criminal Justice Services on Behalf of the Sheriff's Department .....	239	Communications, to more Equitable and Efficiently Release the Interoperable Emergency Communication Funds Authorized .....	247
18-489, Resolution Calling on the State to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities .....	239	18-497, Resolution in Support of Federal Legislation that Requires States to End the Practice of Diverting Fees and Surcharges Raised for the Purpose of Maintaining and Improving 9-1-1 Emergency Systems to Unrelated Purposes .....	248
18-490, Resolution Calling on the Governor and State Legislature to Allocate Resources Sufficient to Provide a School Resource Officer in Every School District in New York State.....	240	18-498, 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 .....	249
18-491, Resolution Calling on the State to Cover all Expenses if Cashless Bail is Enacted in 2019 and Beyond.....	241	18-499, 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 Counties and New York Cities Begin Implementing the Law .	251
18-492, Chairman Authorized to Sign a Grant Acceptance Award with the New York State Department of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications on Wyoming County Emergency Services .....	243	18-500, Resolution Urging Airport Capital Funding Programs be made Permanent in the State Budget.....	254
18-493, Chairman Authorized to Sign Various Contracts with Frontier Communications on Behalf of Emergency Services	244	18-501, Resolution Urging State Action to Assure Effective Control of Wildlife Populations at Airports .....	256
18-494, Resolution Calling on the Governor and State Legislature to Increase the New York State Income Tax Credit for Volunteer Firefighters and EMS Workers	245	18-502, Resolution Number 18-026 Amended .....	257
18-495, Resolution Calling for an Increase in Flexibility for Local Governments to Provide Needed EMS Services .....	245	18-503, Resolution Number 18-335 Amended .....	258
18-496, Resolution Calling on Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services Office of Interoperable		18-504, Resolution Number 18-198 Amended .....	259
		18-505, Resolution Urging the State to Increase its Commitment to	

the Consolidated Local Streets and Highway Improvement Program (CHIPS) and Other Local Road, Bridge and Culvert Programs . 259

18-506, Resolution Urging the Enactment of an Increase in the Statutory CHIPS Bidding Threshold ..... 261

18-507, Chairman Authorized to Sign a Contract with Ivergent, Inc. on Behalf of Information Technology..... 263

18-508, Resolution Commending the State’s Efforts to Improve Cyber Security for County Information Systems, Including Election Systems ..... 263

18-509, Chairman Authorized to Sign 2019 Medicare Health Insurance Rates for Retirees.. 265

18-510, 2019 Workers’ Compensation Costs Approved ..... 265

18-511, Resolution Urging Governor Cuomo and the State Legislature to Amend State Insurance Law to make it Easier to Create Shared Municipal Health Insurance Consortiums..... 267

18-512, Semi-Annual Mortgage Tax Report..... 269

18-513, Resolution Calling on the State to Continue Providing State Matching Funds for Savings Generated Through County-Wide Shared Services Programs..... 270

18-514, Resolution Calling on the Governor and State Legislative Leaders to Reform the Home Rule Revenue Process by Enacting Longer Extension Periods with the Goal of Making Most of These Measures Permanent ..... 272

18-515, 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 Mandated Programs, Starting with Medicaid ..... 274

18-516, Susan May Appointed to the Western Region Off Track Betting Corporation Board of Directors ..... 294

**18-517, Resolution Calling on the State to Equitably Distribute Sports Wagering Revenue to all New York Counties ..... 276**

18-518, Resolution Calling for the State of New York and the Seneca Nation to Agree on Gaming Revenue Sharing ..... 278

18-519, 2018 Town Balances Approved ..... 279

18-520, Resolution Urging the Governor and Legislature to Fully Fund the Costs of FIT Chargebacks for Students Attending for Credits for Bachelors and Masters Degrees ..... 280

18-521, Resolution Urging the Governor and Legislature to Renew Their Commitment to Fully Funding the State Share of Community College..... 281

**18-522, Resolution Urging the Governor and State Legislature to Enact Legislation that Ensured a Fair and Level Playing Fiel for all Retailers by Updating the State Sales Tax Code in Recognition of the Recent Supreme Court Decision that Ruled States have the Right to Collect Sales Tax on Purchases Made Over the Internet ..... 282**

18-523, Members Appointed/Reappointed to the Wyoming County Community Hospital Board of Managers .. 284

18-524, Chairman Authorized to Sign Various Contracts on Behalf

of the Wyoming County Community Health System .....	285
18-525, Chairman Authorized to Sign an Employment Agreement ~ Salary Schedule "P" with Leslie J. Lehmann, DO on Behalf of the Wyoming County Community Health System .....	287
18-526, Salary Schedule "P", "G" and "S" Amended .....	287
18-527, Resolution Number 18-304 Amended .....	289
18-528, Resolution Number 16-148 Amended .....	290
18-529, 2019 Equalization Table Presented and Tabled .....	291
18-530, Date of Public Hearing for the Consideration of the 2019 Tentative County Budget Set .	292
18-531, 2019 Recycling Fees Levied .....	293
18-532, Position(s) Approved .....	294
18-533, Lift the 2019 Equalization Table and Adopt .....	307
18-534, Tentative 2019 Budget for Wyoming County Adopted .....	308
18-535, Funds Transferred to Various 2018 Accounts .....	311
18-536, Funds Appropriated to Various 2018 Accounts .....	312
18-537, 2018 Election Expenses Apportioned .....	313
18-538, Members Appointed/Reappointed to the 211 Advisory Board .....	314
18-539, Chairman/Director of the Office of the Aging Authorized to Sign Various Contracts on Behalf of the Office for the Aging .....	315
18-540, Chairman Authorized to Sign a Contract with Clinical Associates of the Finger Lakes on Behalf of the Youth Bureau .....	316
18-541, Chairman /Commissioner of Social Services Authorized to Sign Various Welfare Management System Contracts on Behalf of	

the Department of Social Services for the Year 2019 .....	316
18-542, Chairman Authorized to Sign a Contract with Wyoming County YMCA on Behalf of Mental Health .....	317
18-543, Chairman/Commissioner of Health Authorized to Sign a Grant Application and Acceptance Award with the New York State Department of Health on Behalf of the County Health Department .....	318
18-544, Gregory J. Collins, DO MPH Reappointed Medical Director, PT .....	318
18-545, Joseph Meyer Reappointed to the Region 9 ~ Fish & Wildlife Management Board and Forest Practice Board .....	319
18-546, Roberta Curry Reappointed to the GLOW Solid Waste Planning Committee and GLOW Regional Solid Waste Management Committee .....	320
18-547, Joan Petzen Reappointed to the GLOW Solid Waste Advisory Committee .....	320
18-548, Chairman Authorized to Sign a Contract with EM Systems, Inc. on Behalf of the Sheriff's Department .....	321
18-549, Chairman Authorized to Sign Various Contracts on Behalf of the County Jail .....	321
18-550, David Linder Reappointed as the Stop DWI Coordinator, PT .....	322
18-551, Chairman Authorized to Sign a Contract with EM Systems, Inc. on Behalf of the Emergency Services .....	322
18-552, Resolution Number 18-193 Amended .....	323
18-553, Chairman Authorized to Sign Various Contracts on Behalf of County Highway .....	324

18-554, 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.....	324
18-555, Chairman Authorized to Sign a Contract with Labella Associates on Behalf of County Highway .....	326
18-556, Chairman Authorized to Sign a Contract (Supplemental No. 1) with Labella Associates on Behalf of County Highway.....	326
18-557, Chairman to Accept the "Sourcewell Contract Number 052015" and Exercise the Right to "Piggyback" as an Eligible Political Subdivision Under GML §103(16) .....	327
18-558, Chairman Authorized to Sign a Contract with Xylem Dewatering Solutions, Inc. on Behalf of County Highway.....	327
18-559, Resolution Number 18-420 Amended .....	328
18-560, Resolution Number 18-026 Amended .....	328
18-561, Chairman Authorized to Sign a Contract with U & S Services on Behalf of Buildings and Grounds (Co. Bldgs.) .....	329
18-562, Resolution Number 17-535 Amended .....	330
18-563, Chairman Authorized to Sign a Contract with Real Vision Software, Inc. on Behalf of Information Technology .....	331
18-564, Chairman Authorized to Sign a Contract with Fiscal Advisors and Marketing on Behalf of the County Treasurer.....	331
18-565, Semi-Annual Revenue Sharing for the Towns.....	332
18-566, Date Set for Annual Organizational Meeting .....	333

18-567, Authorize Chairman and Clerk to Sign Tax Warrants.....	333
18-568, Real Property Tax Services Director Authorized to Approve Corrections of Errors.....	334
18-569, Resolution of the Board of Supervisors Levying Taxes and Assessments Required for Purpose of Annual Budget of Towns of Wyoming County....	334
18-570, Janis Cook Reappointed Wyoming County Budget Officer .....	337
18-571, Chairman Authorized to Sign Letters of Understanding with Contract Agencies for 2019 .....	337
18-572, Chairman Authorized to Sign a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County for the Year 2019.....	338
18-573, HIPAA Officer Reappointed .....	339
18-574, Salary Schedule "P", "C", "D", "S" and "F" Amended.....	339
18-575, Salary Schedule "C", "D", "S" and "I" Approved .....	341
18-576, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System ....	351
18-577, Resolution Number 17-272 Amended .....	353
18-578, Resolution Number 15-004 Amended .....	353
18-579, Resolution Number 18-348 Amended .....	355
18-580, Resolution Number 18-092 Amended .....	355
18-581, Resolution Number 16-088 Amended .....	356
18-582, Resolution Number 18-304 Amended .....	357
18-583, Resolution Number 18-164 Amended .....	359
18-584, Position(s) Approved.....	360

18-585, Set Public Hearing – Introductory Local Law No. G Year 2018.....	361	Res. #18-395 .....	391
18-586, Rules of Procedure Amended and Adopted.....	363	Res. #18-427 .....	113
18-587, Funds Transferred to Various 2018 Accounts .....	364	Res. #18-435 .....	164
18-XXX, (WITHDRAWN) Local Law Introductory No. 5 (Introductory E, Year 2018) ~ Year 2018, Adopted .....	295	Res. #18-525 .....	174
18-XXX, (WITHDRAWN) Resolution Number 15-286 Amended .....	16	Res. #18-526 .....	287
18-XXX, (WITHDRAWN) Set Public Hearing ~ Introductory Local Law F Year 2018 .....	172	Res. #18-574 .....	287

## S

### Salary Schedules Amended

<b>"C"</b>	
Res. #18-309 .....	26
Res. #18-391 .....	108
Res. #18-435 .....	174
Res. #18-574 .....	339
Res. #18-575 .....	341
<b>"D"</b>	
Res. #18-309 .....	26
Res. #18-574 .....	339
Res. #18-575 .....	341
Res. #18-583 .....	359
<b>"F"</b>	
Res. #18-574 .....	339
<b>"G"</b>	
Res. #18-345 .....	67
Res. #18-391 .....	108
Res. #18-435 .....	174
Res. #18-526 .....	287
Res. #18-583 .....	359
<b>"I"</b>	
Res. #18-435 .....	174
Res. #18-575 .....	341
<b>"P"</b>	
Res. #18-307 .....	23
Res. #18-308 .....	24
Res. #18-391 .....	108

<b>"S"</b>	
Res. #18-309 .....	26
Res. #18-345 .....	67
Res. #18-391 .....	108
Res. #18-526 .....	287
Res. #18-574 .....	339
Res. #18-575 .....	341
Res. #18-583 .....	359

### Salary/Hourly Wage Set

<b>Buildings and Grounds (Co. Bldgs.)</b>	
Carpenter (Per Diem) (Temp), Res. #18-436 .....	178
Laborer (Per Diem) (Temp), Res. #18-436 .....	178

### Sheriff

<b>Contracts / Agreements</b>	
Attica Central School District, Res. #18-329 .....	54
County of Monroe, Res. #18-487 .....	238
EMS Systems, Inc., Res. #18-548 .....	321
Livingston County Sheriff's Department, Res. #18-414	152
New York State Unified Court System, Res. #18-487 .....	238

### Contracts / Agreements Amended

State of New York Unified Court System (Res. #18-307), Res. #18-328 .....	53
---	----

### County Jail

<b>Contracts / Agreements</b>	
Black Creek Integrated System Corp., Res. #18-549 .....	321
EMS Systems, Inc., Res. #18- 549 .....	321

### Grants

New York State Department of Division of Criminal Justice Services, Res. #18-488 .....	239
--	-----

New York State Department of Homeland Security, Res. #18- 486.....	237
New York State Governor's Traffic Safety Committee, Res. #18- 371.....	93
US Department of Justice, Res. #18-486 .....	237
<b>Positions</b>	
<b>Created</b>	
One (1) Position of Deputy Sheriff , Res. #18-343 .....	67
Two (2) Positions of Deputy Sheriff (PT), Res. #18-396 .....	114
<b>Proclamations</b>	
Sheriff's Week, Res. #18-372 ...	93
<b>Stop DWI</b>	
2019 Stop DWI Plan Approved, Res. #18-373 .....	94
<b>Grants</b>	
New York State Governor's Traffic Safety Committee, Res. #18-374 .....	95
<b>Social Services</b>	
<b>Bid Awards</b>	
Van Bortel Ford, Res. #18-456	204
<b>Contracts / Agreements</b>	
Amy Yencer ~ Precious Panda Daycare, Res. #18-408 .....	147
Consumer Directed Personal Care Services, d/b/a Independent Living of the Genesee Region ~ WNY Independent Living, Inc., Res. #18-292 .....	316
Delevan Latchkey ~ Yorkshire Pioneer CSD, Res. #18-454	202
Home Care & Hospice, Res., #18- 292.....	316
Kelly's Imagination Station, Inc., Res. #18-292 .....	316
Lucky Ducky Daycare, Res. #18- 289.....	7
New Directions, Res. #18-453	202
Pioneer Latchkey Program, Res. #18-454 .....	202
Precious People Daycare, Res. #18-408 .....	147

Precious People Daycare, Res., #18-292 .....	316
Toshiba Business Solutions, Res. #18-322 .....	48
Wyoming County YMCA School- age Child Care Res., #18-292 .....	316
<b>Contracts / Agreements Amended</b>	
Santo Bentivegna, Ph.D. (Res. #17-512), Res. #18-455.....	203
<b>Position</b>	
<b>Created</b>	
One (1) Position of Caseworker Trainee, Res. #18-343.....	66
<b>Proclamations</b>	
Adoption Awareness Month, Res. #18-457 .....	205
Child Support Awareness, Res. #18-323 .....	49
Domestic Violence Awareness, Res. #18-409 .....	148
Hunger Action Month, Res. #18- 358.....	81
<b>Sole Source Procurement</b>	
<b>Buildings and Grounds (Co. Bldgs.)</b>	
Penn Properties Solutions, LLC (Res. #18-274), Res. #18-37897	
<b>Emergency Services</b>	
Wraith Tactical, Res. #18-330 ..	54
<b>Stop DWI</b>	
<b>Appointments</b>	
Stop DWI Coordinator, D. Linder, Res. #18-550 .....	322

<b>T</b>
----------

<b>Treasurer</b>	
2018 Town Balances Approved, Res. #18-519 .....	279
2019 Recycling Fees Levied, Res. #18-431 .....	293
<b>Approves</b> Property Auction Sales, Res. #18-342 .....	63
<b>Contracts / Agreements</b>	
Fiscal Advisors and Marketing, Res. #18-564 .....	331



Foot & Meyer, PLLC, Res. #18-340.....	62
Napoli Shkolnik, PLLC, Res. #18-341.....	63
Systems East, Inc., Res. #18-387 .....	106

#### **Contracts / Agreements Amended**

D&T Ventures. (Res. #16-432), Res. #18-386 .....	105
--	-----

<b>Relevy</b> of Unpaid School and Village Taxes, Res. #18-418 .....	104
--	-----

## V

### **Veterans Services**

#### **Grants**

New York State Division of Veterans Affairs, Res. #18-355 .....	79
---	----

#### **Monthly Veteran**

07/10/18 – Scott Dieter .....	1
08/14/18 – Robin Kruppa .....	37
09/11/18 – SGT. Donald L. Daugherty .....	75
10/09/18 – Corporal William C. Clester, Sr. ....	133
11/13/18 – MSgt Scott A. Woolley .....	182
12/11/18 – George R. West ...	310

#### **Special Session Veteran**

11/27/18 – John Copeland.....	298
-------------------------------	-----

## W

### **Wyo. Co. Business Assistance Corp.**

#### **Contracts / Agreements**

Subrecipient Agreements, Res. #18-370 .....	91
---	----

### **Wyo. Co. Chamber of Commerce**

#### **Matching Funds Program**

2019 Approved, Res. #18-367..	89
-------------------------------	----

#### **Proclamations**

Small Business Saturday, Res. #18-484 .....	234
---	-----

### **Wyo. Co. Comm. Hospital**

### **Appointments**

#### **Board of Managers**

B. Kehl, C. Elbow, F. Vitagliano, R. Kosmerl, L. Paolucci, A. D. Berwanger, Res. #18-523 .....	284
--	-----

#### **Contracts / Agreements**

Alliance Recruiting Resources, Inc., Res. #18-524 .....	285
AMO Sales And Service, Inc. (J&J Vision), Res. #18-576 .....	351
Edward Hulme, Inc., Res. #18-390 .....	108
Fujifilm Medical Systems USA Inc., Res. #18-576 .....	351
GE Healthcare, Res. #18-348....	70
Honeylee D. Agustin, MD, Res. #18-304 .....	20
J & S Agen, Inc., Res. #18-351 ..	73
Jamestown Psychiatric PC, Res. #18-304 .....	20
Jamestown Psychiatric PC, Res. #18-576 .....	351
Kaleida Health, Res. #18-524 .	285
Kideney Architects, PC, Res. #18-524.....	285
Leslie J. Lehmann, DO, (Salary Schedule “P”) Res. #18-525	287
NCB Medical Coding Specialist, Inc., Res. #18-524 .....	285
Nova Biomedical, Res. #18-346	68
Optum 360 Solutions, LLC, Res. #18-576 .....	351
Philips Healthcare, Res. #18-576 .....	351
Pipeline Health Holdings, LLC, Res. #18-304 .....	20
Premier Purchasing Partners, LP, (purchasing distribution with Cardinal Health), Res. #18-576 .....	351
Quinlan’s Pharmacy, Inc., d/b/a Quinlan’s LTC Pharmacy, Res. #18-346 .....	68
Roche Diagnostics Corporation, Res. #18-524 .....	285
Spectrum, Res. #18-425 .....	162

Stephen Giardino, LLC, Res. #18-524285  
 Steven Bruce Gustin, DPM, PC,  
 Res. #18-524 ..... 285  
 Stroudwater Associates, Res. #18-  
 524..... 285  
 Sunbelt Staffing, Res. #18-346. 68  
 Sydney Domanowski, DO, Res.  
 #18-306 ..... 22  
 Trubridge, LLC, Res. #18-576 . 351  
 Trustaff Travel Nurses, LLC, Res.  
 #18-576 ..... 351  
 University at Buffalo Pathologists,  
 Inc. (UPB), Res. #18-524 .... 285  
 Weatherby Loccums, Inc., Res.  
 #18-524 ..... 285  
 Western New York Physicians,  
 PLLC, Res. #18-425..... 162  
 Western New York Physicians,  
 PLLC, Res. #18-524..... 285  
**Contracts / Agreements Amended**  
 Costello, Cooney, Fearon, PLLC  
 (Res. #16-148), Res. #18-528  
 ..... 290  
 Dentserv Dental Services, PC  
 (Res. #16-088), Res. #18-423  
 ..... 160  
 Edward Hulme, Inc., PC (Res. #18-  
 390), Res. #18-426..... 163  
 Eichenauer Group, LLC (Res. #17-  
 199), Res. #18-430..... 166  
 GE Healthcare (Res. #18-092),  
 Res. #18-347 ..... 69  
 GE Healthcare (Res. #18-092),  
 Res. #18-389 ..... 107  
 GE Healthcare, (Res. #18-092),  
 Res. #18-580 ..... 355  
 GE Healthcare, (Res. #18-348),  
 Res. #18-579 ..... 355  
 Healthdirect Institutional  
 Pharmacy Services, Inc.  
 (HDIPS) (Res. #18-265), Res.  
 #18-305 ..... 21  
 Honeylee D. Agustin, MD (Res.  
 #18-304), Res. #18-349..... 70  
 Honeylee D. Agustin, MD, (Res.  
 #18-304), Res. #18-582..... 357  
 Jamestown Psychiatric, PC (Res.  
 #18-304), Res. #18-349..... 70

Jamestown Psychiatric, PC (Res.  
 #18-304), Res. #18-394..... 112  
 Jamestown Psychiatric, PC (Res.  
 #18-304), Res. #18-527..... 289  
 Jamestown Psychiatric, PC, (Res.  
 #18-304), Res. #18-582..... 357  
 Jean Jurek Associates, Inc. (Res.  
 #17-034), Res. #18-429..... 165  
 Kimberly Heeb, CST, RN, WHNP,  
 CNM (Res. #16-088), Res. #18-  
 581..... 356  
 Margaret Wright, PA (Res. #16-  
 534), Res. #18-428..... 164  
 Oak Openings Medical, PLLC (Res.  
 #17-293), Res. #18-393..... 111  
 Phuc T. Nguyen, M.D. (Res. #17-  
 298), Res. #18-307..... 23  
 S.C.I. Anesthesia, PLLC, (Res. #17-  
 272), Res. #18-577 ..... 353  
 Strong Memorial Hospital (Res.  
 #15-181), Res. #18-392..... 110  
 Surgery Specialists at the River,  
 PLLC (Ronald Weissenberg, D.  
 O.), (Res. #15-004), Res. #18-  
 578..... 353  
 Tarun Ohri, MD, PC (Res. #17-  
 431), Res. #18-424..... 161  
 Western New York Physicians,  
 PLLC (Res. #17-493), Res. #18-  
 431..... 168  
**Employment Agreements**  
**Salary Schedule “P”**  
 Tracy E. Fabian, DO, Res. #18-  
 427 ..... 164  
 Vincent C. Newman, DO, Res.  
 #18-395 ..... 113  
**Wyo. Co. Industrial Development**  
**Agency**  
**Appointments**  
**Board of Directors**  
 J. Hardie, Res. #18-369 ..... 90  
 M. Dadd, Res. #18-369 ..... 90  
**Wyo. Co. Local Development Corp.**  
**Appointments**  
**Board of Directors**  
 R. Fish, J. Satchell, Res. #18-  
 482 ..... 233  
**Wyo. Co. Water Resource Agency**

**Grants**

New York State Environmental  
Facilities Corporation, Res.  
#18-325 ..... 51

<b>Y</b>
----------

**Youth Bureau****Appointments****Youth Board**

R. Farnsworth, J. Calvert, M.  
Wixner, Res. #18-448 .... 196

**Contracts / Agreements**

Clinical Associates of the Finger  
Lakes, Res. #18-540 ..... 316  
Pamela Gallo, Res. #18-449 ... 196

**Grants**

Coordinated Care Services, Inc.  
(CCSI), Res. #18-288..... 6

**Proclamations**

National Youth Court Month, Res.  
#18-357 ..... 80

<b>Z</b>
----------

**Zoning****Positions****Created**

One (1) Position of Zoning  
Enforcement Officer  
Assistant (.3 FTE), Res. #18-  
532 ..... 294