

PROCEEDINGS
OF THE
BOARD OF
SUPERVISORS

Volume I

WYOMING COUNTY
NEW YORK

2019

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 **2019**.

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

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



*Wyoming County Court House
Warsaw, New York*



Wyoming County Board of Supervisors

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

Second row: **Brett Hastings** (T/Eagle); **James Wujcik** (County Attorney); **Cheryl Ketchum** (Board Clerk); **Eileen Hopkins** (District Op Mgr.-Sen. Gallivan)

Third row: **Dave Tallman** (T/Gainesville); **Daniel Leuer** (T/Middlebury); **Lisa Perez** (Deputy Board Clerk); **Janis Cook** (Budget & Reimbursement Officer); **James Brick** (T/Perry)

Fourth row: **John Copeland** (T/Wethersfield); **Bryan Kehl** (T/Attica); **A. Douglas Berwanger** (T/Arcade ~ Chairman of the Board); **Jerry Davis** (T/Covington); **Dan Farberman** (HR Dir.); **Michael Vasile** (T/Genesee Falls); **Keith Granger** (T/Castile)

Absent: **Brian Becker** (T/Sheldon)

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2019 Supervisors for Wyoming County

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

Wyoming County Board of Supervisors 2019 Standing Committees

***Effective January 2, 2019**

FINANCE COMMITTEE

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

AGRICULTURE COMMITTEE

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

AUDIT COMMITTEE

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

HUMAN RESOURCE COMMITTEE

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

HUMAN SERVICES COMMITTEE

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

PLANNING COMMITTEE

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

GREEN ENERGY COMMITTEE

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

PUBLIC HEALTH COMMITTEE

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

PUBLIC SAFETY COMMITTEE

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

PUBLIC WORKS COMMITTEE

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

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

Officers for Wyoming County ~ 2019

| | | |
|---|------------------------------|----------------|
| US Congressman, 27 th District | Chris Collins | Williamsville |
| NYS Senator, 59 th District | Patrick M. Gallivan | Warsaw |
| NYS Assemblyman, 147 th District | David DiPietro | East Aurora |
| Republican Comm. Chairman | James Schlick | Darien |
| Democratic Comm. Chairman | Cynthia Appleton | Warsaw |
| Board of Supervisors, Chairman | A. Douglas Berwanger | Arcade |
| Board of Supervisors, Vice Chair | Rebecca Ryan | Warsaw |
| Board of Supervisors, Clerk | Cheryl Ketchum | Eagle |
| Animal Control Officer | Justa D. Goodell | Castile |
| Budget Officer/Reimbursements | Janis Cook | Warsaw |
| Civil Service Commission | Timothy Moran | Attica |
| | Margaret Dadd | Attica |
| | Thomas Dutton | Eagle |
| Commissioner of Jurors | Marianne E. Kelly (05/30/19) | Perry |
| | Shelley DeVinney (05/30/19) | Silver Springs |
| Coroners | Michael Smith | Wyoming |
| | Neil Williams | Arcade |
| | Renee Hill | Attica |
| | Jennifer Prutsman-Pfeiffer | Darien Center |
| County Attorney | James Wujcik | Attica |
| County Clerk | Rhonda Pierce | Wethersfield |
| County Judge | Michael Mohun | Cowlesville |
| County Judge | Michael F. Griffith | Warsaw |
| District Attorney | Donald G. O'Geen | Warsaw |
| Election Commissioners | James Schlick (R) | Bennington |
| | Cynthia Appleton (D) | Warsaw |
| Fire & Building Code Officer | Donald Roberts | Pike |
| Fire & Emerg. Mgmt. Dir. | Anthony Santoro (03/12/19) | Attica |
| Fire & Emerg. Mgmt. Dir. | Brian Meyers (07/09/19) | Arcade |
| Health Dept. Commissioner | Gregory Collins, DO,MPH | Avon |
| Highway Superintendent | Todd Gadd | Cowlesville |
| Historian | Cynthia Amrhein | Perry |

| | | |
|----------------------------------|---|-------------|
| Hospital Administrator | Donald T. Eichenauer | Rush |
| Human Resource Director | Dan Farberman | Geneseo |
| Information Technology Director | Todd E. MacConnell | Warsaw |
| Mental Health Director | Kelly Dryja | Orangeville |
| Office for the Aging Director | Andrea Aldinger | Attica |
| Planning & Development Director | William Daly | Geneseo |
| Planning Board Chairman | Dana Grover | Perry |
| Probation Director | Joan Kibler | Varysburg |
| Public Defender | Norman P. Effman | Warsaw |
| Real Property Tax Serv. Director | James Kirsch | Sheldon |
| Records Retention Director | Gail Royce | Warsaw |
| Sheriff | Gregory Rudolph | Attica |
| Social Services Commissioner | Kimberley Barber | Perry |
| Traffic Safety Secretary | Dennis Hare | Gainesville |
| Treasurer | Cheryl Mayer | Pike |
| Veterans Services Director | Lisa Siemer-Harvey | Arcade |
| Weights & Measures Director | James Marley (11/11/19) Robert W. Jines (11/12/19) | Gainesville |
| Worker's Comp./Health Ins. Adm. | Dixie Perkins | Warsaw |
| Youth Bureau Director | Andrea Aldinger | Attica |

ANNUAL ORGANIZATIONAL MEETING

January 2, 2019

Tuesday

2:00 PM

The annual organizational meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Clerk to the Board, Cheryl Ketchum, called the 178th session of the Wyoming County Board of Supervisors to order at 2:00 pm.

The Veteran leading the Pledge of Allegiance for the January 2, 2019 Organizational Board Meeting is:

John R. Harzynski, II

Clerk Ketchum stated that she has the very distinct honor of introducing Mr. Harzynski, the Good Samaritan who came to the assistance of Wyoming County Sheriff, Gregory Rudolph on the morning of December 11, 2018. In the words of Sheriff Rudolph, “...*Their quick actions without regard to their safety undoubtedly altered the outcome and were nothing short of heroic.*”

The pledge was said by all.

Clerk Ketchum thanked Mr. Harzynski for his service in the United States Air Force and presented the customary Certificate of Appreciation. At that time, Clerk Ketchum turned the floor over to Senator Patrick Gallivan for the presentation of the New York State Senate Liberty Medal to Mr. Harzynski.

Senator Gallivan asked Sheriff Rudolph and District Attorney O'Geen join him at the podium for the presentation.

Senator Gallivan wished everyone a Happy New Year and assured all those gathered that he will continue to stand up for all the citizens of Wyoming County. However, the purpose for being here today is to award the one of the highest civilian honors that a New York State citizen can receive....the Liberty Medal. Very few people have been awarded this medal as it has very strict criteria. It is presented to individuals who have merited special accommodations for exceptional heroic or humanitarian acts and achievements on behalf of their community and New York State.

Senator Gallivan read the following...

January 2, 2019

**In Recognition of
John R. Harzynski II
Recipient of a Liberty Medal**

*The highest honor bestowed upon an individual by the
New York State Senate*

WHEREAS, It is incumbent upon the people of the State of New York to recognize and acknowledge those within our midst who have made significant contributions to the quality of life therein; and

WHEREAS, It is the sense of this Representative Body to recognize the caring concern and heroic acts of exemplary citizens who take prompt and appropriate action in emergency situations, and in doing so, help others to avert life-threatening danger; and

WHEREAS, The New York State Senate Liberty Medal was established by Resolution and is awarded to individuals who have merited special commendation for exceptional, heroic, or humanitarian acts on behalf of their fellow New Yorkers; and

WHEREAS, This Representative Body is justly proud to honor John “Jack” Harzynski II upon the occasion of his designation as recipient of a Liberty Medal, the highest honor bestowed by the New York State Senate; and

WHEREAS, On the morning of Tuesday, December 11, 2018, John was delivering The Buffalo News on a dark country road between Attica and Warsaw, when he came upon something that stopped him ---- an unmarked police car with lights flashing. To the side of the road, there were two men wrestling in a snow bank; and

WHEREAS, As John climbed out of his car, he heard the desperate pleas of Wyoming County Sheriff Greg Rudolph. Rudolph was on the ground with a knife to his neck; and

WHEREAS, John sprang into action by grabbing the suspect by the coat and hurled him into a snowbank. Both men fell. However, the suspect regained his footing, knife still in hand; and

WHEREAS, Subsequently, Sheriff Rudolph was able to tackle the suspect to the ground and immediately secure handcuffs; and

WHEREAS, According to Sheriff Rudolph, John’s “quick action, without regard to his safety, undoubtedly altered the outcome and was nothing short of heroic”; and

WHEREAS, Praised for his swift actions, John Harzynski demonstrated his true character and genuine compassion for the welfare of others, personifying, by virtue of his actions, the collective concern of ordinary citizens across the community of the State of New York who voluntarily respond when others are in need; and

WHEREAS, Justly recognized as a hero, John richly merits the admiration of this Representative Body and his community for his consummate courage and heroic actions; now, therefore, be it

PROCLAIMED, That this Representative Body pause in its deliberations to honor the John Harzynski upon the occasion of his designation as a recipient of a Liberty Medal, the highest honor bestowed by the New York State Senate.

Mr. Harzynski received a standing ovation! He was then provided an opportunity to address the board. He thanked everyone for being here and said he was overwhelmed by this recognition. Mr. Harzynski then recounted the events of that morning including the "football tackle" the Sheriff made on his assailant after he pulled the man off him. It was with that in mind that Mr. Harzynski presented Sheriff Rudolph with a football signed by him that said:

"Tuesday, December 11th - to Wyoming County Sheriff Gregory Rudolph from your unexpected friend, John Harzynski. God bless you."

Sheriff Rudolph said that Jack is his hero and thanked Senator Gallivan for recognizing Mr. Harzynski so appropriately.

After attending press exited the meeting, Father Joe Gullo of St. Mary's Church in East Arcade provided the invocation.

Clerk Ketchum then welcomed Judge Griffith who will be administering the Oaths of Offices today.

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

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

January 2, 2019

Supervisor Brick was declared Temporary Chairman over today's proceedings. *Judge M. Griffith administered the Oath of Office to Temporary Chairman Brick.*

Temporary Chairman Brick thanked his fellow Supervisors for the honor of presiding over today's proceedings as Temporary Chair. He then called for nominations for **Chairman of the Board** for the year 2019. Supervisor May, T/Orangeville nominated Supervisor Berwanger, T/Arcade; seconded by Supervisor Tallman, T/Gainesville.

Temporary Chairman Brick called for any further nominations. Supervisor Kehl, T/Attica nominated Supervisor Brick, T/Perry for the Chairman of the Board; seconded by Supervisor Becker, T/Sheldon. Temporary Chairman Brick called for any further nominations. As there were none, Supervisor Ryan, T/Warsaw moved that the nominations be closed; the motion was seconded by Supervisor Copeland, T/Wethersfield.

Temporary Chairman Brick the recognized Supervisor Brunner, T/Java. Supervisor Brunner offered her thanks to the entire Board of Supervisors. As the only Democrat on the Board, she appreciates the nonpartisan efforts and commends Chairman Berwanger for keeping her involved and up to date.

A roll call vote was taken with the following results:

Berwanger: (1126); Brick: (473)

Temporary Chairman Brick declared Supervisor Berwanger, T/Arcade as Chairman of the Wyoming County Board of Supervisors for the year 2019.

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

The Chairman called for nominations for **Vice-Chairman of the Board**. Supervisor May, T/Orangeville nominated Supervisor Ryan, T/Warsaw; seconded by Supervisor Brick, T/Perry. As there were no further nominations Supervisor Vasile, T/Genesee Falls moved that the nominations be closed; the motion was seconded by Supervisor Copeland, T/Wethersfield. A roll call vote was taken with the following results:

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

Supervisor Ryan, T/Warsaw was declared Vice-Chairman of the Wyoming County Board of Supervisors for the year 2019.

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

Chairman Berwanger called for nominations for ***Clerk to the Board*** for 2019. Supervisor Tallman, T/Gainesville nominated Cheryl J. Ketchum. Seconded by Supervisor Ryan, T/Warsaw. As there were no further nominations, Supervisor Leuer, T/Middlebury moved that nominations be closed. The motion was seconded by Supervisor King, T/Pike. A roll call vote was taken with the following results:

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

Cheryl J. Ketchum was declared Clerk to the Wyoming County Board of Supervisors for the year 2019.

Judge M. Griffith administered the Oath of Office to Board Clerk, Cheryl Ketchum.

Chairman Berwanger invited re-elected District Attorney Donald O'Geen to come forward and take his Oath of office. He was joined by his father and two daughters.

Judge M. Griffith administered the Oath of Office to District Attorney, Donald O'Geen.

District Attorney O'Geen addressed the board by thanking the Board of Supervisors and said there is no place to work like Wyoming County.

2019 Committees Announced ~

2/3 Majority
#1

RESOLUTION NO. 19-001
(January 2, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RULES OF PROCEDURE ADOPTED

BE IT RESOLVED, That this Board of Supervisors hereby adopts, as its temporary Rules of Procedure, the Rules of this Board as adopted June 09, 2009, as amended.

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

#2

RESOLUTION NO. 19-002

January 2, 2019

(January 2, 2019)

By Mr. Brick, Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

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

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

REPUBLICAN DESIGNATION TO PUBLISH

We, the undersigned Republican members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2019:

| Designation | Publication | Village of |
|---|--------------------|-------------------|
| Election Notice | Daily News | Batavia, New York |
| Sheriff's Proclamation | Daily News | Batavia, New York |
| Local laws, notices and other matters required by law to be published and for which NO OTHER specific designations has been made. | Daily News | Batavia, New York |
| Official Canvass | Country Courier | Warsaw, New York |
| Constitutional amendments and concurrent resolutions (including tax sales and redemptions). | Country Courier | Warsaw, New York |

Signed this 2nd day of January 2019:

s/ A.D. Berwangers/ Daniel Leuers/ Bryan Kehls/ Susan Mays/ Ellen Grants/ James Bricks/ Keith Grangers/ Sandra Kings/ Jerry Daviss/ Brian Beckers/ Brett Hastingss/ Rebecca Ryans/ David Tallmans/ John Copelands/ Michael Vasile

Organizational Meeting

DEMOCRATIC DESIGNATION TO PUBLISH

We, the undersigned Democratic members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2019:

| Designation | Publication | Village of |
|--|--------------------|-------------------|
| Election Notices | Perry Herald | Perry, New York |
| Sheriff's Proclamations | Perry Herald | Perry, New York |
| Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made. | Perry Herald | Perry, New York |
| Official Canvass | Arcade Herald | Arcade, New York |
| Constitutional amendments and concurrent resolutions (including tax sales and redemptions). | Arcade Herald | Arcade, New York |

Signed this 2nd day of January 2019:

s/ Angela Brunner

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

#3

**RESOLUTION NO. 19-003
(January 2, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

THREE (3) COPIES OF ANNUAL REPORTS REQUESTED

BE IT RESOLVED, That the Public Officials of this County present at least three (3) hard copies, in writing, and one (1) electronic copy of their annual report to the Clerk of this Board not later than March 31, 2019, said annual reports to contain a financial summary of the department; and be it

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

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

January 2, 2019

2019 Chairman's State of the County Address

January 2, 2019

Fellow Supervisors, Senator Gallivan, Judge Griffith, District Attorney O'Geen, Sheriff Rudolph, Treasurer Mayer, County Clerk Pierce, Father Joe Gullo, Department Heads, family and friends, welcome to the annual organizational meeting of the Wyoming County Board of Supervisors!!

Over the past 10 years, the Wyoming County Board of Supervisors have focused their energy on 5 specific areas which affect the lives of nearly every resident of Wyoming County, they are highway, Wyoming County Community Hospital, agriculture, law enforcement and budget. Going back over 20 years the Board made a commitment to rebuild every county road through the Better Pavement Program. 2018 realized the culmination of that effort! With the completion of the reconstruction of Simmons Road in the Town of Perry, the Better Pavement Program was complete. Some of the roads, starting with the first two rebuilds were Wethersfield and Curriers roads. Followed by Middle Reservation, Telegraph, East Arcade, Bixby Hill, Broughton Road, Dewitt, Lamont, Perry Road and Hermitage. The total cost for all of this construction was paid for through careful bonding by the Board of Supervisors. Millions of dollars invested in our road system was committed to. What is the benefit to better roads? Property values are better when located on a good road. The taxpayers receive a benefit for their property tax payment by having good roads to travel on and good roads should stimulate commerce and business within the county by travel ease.

The next area of focus by the Board of Supervisors is the Hospital and Skilled Nursing Facility. Wyoming County Community Health System is the largest county department and has been operating recently "in the black" for possibly the first time in its history! Much of the success is due to the superb and astute leadership of CEO, Don Eichenauer. Because of Don's vision and dedication to the hospital, new specialists have been recruited to practice at WCCHS. New primary care physicians will be starting to practice in the spring at clinics in Arcade, Castile and Attica! The specialists include an orthopedic practice of Dr. Paul Mason, Nephrology, operating under the practice of WCCH Medical Director, Dr. Mandip Panesar and a Neurology practice Dr. Lauren Loss. Other specialists include cardiac, OB and general surgery with Drs. Weissenberg and Cohen.

Also new at the hospital this year was the installation of the new MRI Unit and the Gamma and Radiology Units. Both units enhance diagnostic opportunities for our patients.

Representatives from the Board of Managers and the Board of Supervisors under the advisement of Don Eichenauer continue to work with the Erie County Medical Center to develop an even stronger and cooperative arrangement between both health systems so that they can continue to grow and prosper.

A great deal of the credit for the remarkable financial turnaround at WCCHS not only goes to Don Eichenauer, CFO, Jack Ormond and Financial Analyst, Amy Chase but to all of the doctors, nurses, senior management, aides and the staff in billing and collections, who by working together have been able to enhance the reputation of WCCHS as a place for great medical treatment and a caring and compassionate organization where the patients come first. That reputation will continue to lift the hospital to a successful future as a destination for health care serving Wyoming County and beyond.

Another point to note, Don Eichenauer has indicated that he is thinking about stepping away from the CEO position and taking on the responsibility of developing other clinics in the area which could serve as feeders for services at WCCHS for outpatient treatment, as well as, inpatient treatment. Don has agreed to continue on at least for another year to help groom his successor and work on setting up new clinics and addressing other projects. There are so many good things happening at Wyoming County Community Hospital.

The third area of focus by the Wyoming County Board of Supervisors is Agriculture. This Board made a commitment over 10 years ago to support agriculture as the primary industry in Wyoming County. We are still the #1 Dairy producing county and lead the state in overall agriculture production. The Board of Supervisors continues to fund Cornell Cooperative Extension, Wyoming County Soil and Water Conservation District, as well as, Quality Milk Production Services, a Cornell University program.

The Wyoming County Ag & Business Center continues to meet all expectations as a one-stop destination for not only Agriculture but Commerce and Business, as well. The central location of the Ag Center, here in Warsaw, the county seat, and the spacious meeting rooms and learning labs make this building a perfect location for all kinds of regional meetings and forums, in turn, bringing more visitors from outside Wyoming County to downtown Warsaw and other parts of the county.

Several years ago the Board of Supervisors approved membership to the New York State Agriculture Society, a Cornell University College of Ag and Life Sciences organization. Every year, four members of the Board of Supervisors, key representatives from the Wyoming County Industrial Development Agency, the Wyoming County Chamber of Commerce and of course, representatives from Cornell Cooperative Extension of Wyoming County travel to Syracuse in

early January to join in the meeting with 700 other agriculture friends from across New York State to attend the always informational meeting and workshops, along with the opportunity to set up a display featuring all of the great opportunities and products Wyoming County agriculture has to offer...

Wyoming County is the only county in the state to participate in this wonderful opportunity to network and display our county. The meeting concludes with the delivery of the state of Agriculture address by Ag & Markets Commissioner, Richard Ball. Also, this year the Pioneer Central School FFA will be honored at the Ag. Society meeting as FFA Chapter of the year!! Many of the members of the FFA are Wyoming County residents. So congratulations to them on winning such a prestigious award!

The following day the Empire State Council of Agriculture Organizations holds their meeting in the same location. Membership was approved to this organization during the same timeframe as the New York State Ag. Society. Representatives from Wyoming County also attend this meeting where addresses by Dr. Kathryn J. Boor; Dean of the College of Agriculture and Life Sciences (CALS) at Cornell University and Commissioner of Ag. & Markets, Richard Ball along with the Chairmen of the New York State Assembly and Senate Agriculture Committees all address the group. After which, resolutions pertaining to all aspects of Agriculture from New York State are forwarded to the state legislature for consideration. This discussion is very important as Wyoming County has representation on the New York State Association of Counties (NYSAC) Agriculture and Rural Affairs Committee, which meets in late January where these resolutions will also be reviewed and supported. NYSAC acts as a lobbyist for New York State counties. These workshops and meetings are important as Wyoming County's participation demonstrates our commitment to maintaining a strong Agricultural future here in Wyoming County.

The next area of focus is the commitment to law enforcement. Early in 2017 and 2018, after a series of meetings with the Sheriff, Village Police Departments, Mayors and School Superintendents and the Public Safety Committee a decision was made to ensure that there would be a School Resource Officer in every school in Wyoming County. By September of 2018, through funding secured by New York State Senator Patrick Gallivan, participating Towns, Villages and School budgets, there was an SRO in every participating school in the county. The message was clear. We needed to act and we did in an effort to protect our most valuable resource, our youth. So, thank you to all who helped make that a reality and thank you to Sheriff Rudolph and Undersheriff Linder for helping to coordinate the staffing and funding and to the Public Safety Committee for acting quickly and decisively. It was the responsible thing to do.

The final area of focus is budget. The tax payers' message to the members of the Board of Supervisors is, "...don't raise my taxes," and we all take that message very seriously. When one considers the entire county operations, \$150 million budget, 1,000 employees, all of the insurance costs, energy costs and all of the other expenses that comprise the county budget, it is virtually impossible to not see an annual increase in expenses.

The goal of this Board is to stay under the tax cap, which is determined by the Governor and the state legislature. This Board has been able to meet that mandate for the past 2 years, 2018 & 2019. Speaking of mandates, it is important to remember that 110% of the tax levy collected in the county goes to pay for 10 mandated state programs. This Board strives to be accountable to the taxpayers to make wise decisions in spending and making sure we get the biggest bang for our buck!

In closing, I want to say I am beginning my 20th year as Chairman of the Board of Supervisors. I want to thank the Supervisors who supported me today and I respect the ones who did not. We have accomplished a great deal and have much to be proud of! It is time to move on and do the best job we can for the residents of Wyoming County. Senator Gallivan, thank you for joining us today and given the situation our Sheriff experienced a few weeks ago, we are very thankful he is back to work and doing well... Thank you all for listening and attending today's meeting.

God bless Wyoming County...

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

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

January 2, 2019

REGULAR SESSION
(January 8, 2019)
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 Chairman Berwanger, T/Arcade and Supervisor Leuer, T/Middlebury. Also present for the County were Attorney James Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:30 PM Vice Chairman Ryan, T/Warsaw, called the meeting to order.

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

Roy Gary Yost

Mr. Yost was born in Buffalo, NY in 1947. He attended school at Pavilion Central School. He was drafted into the Army on November 22, 1966 and reported for basic training at Fort Dix, New Jersey. He remained at Fort Dix for his individual training as a Supply Specialist.

Mr. Yost had his first assignment at Fort Huachuca, Arizona working for the Headquarters Supply Officer delivering special orders around base such as blankets, tools, engine parts, and rifles.

Fort Huachuca is the product of Indian Wars of the 1870s and 1880s. In February 1877, Colonel August V. Kautz, Commander of the Department of Arizona, ordered that a camp be established in the Huachuca Mountains. The Fort was the home of the 10th Cavalry "Buffalo Soldiers" for 20 years and was replaced by the 25th Infantry Regiment in 1933. Fort Huachuca now houses the U.S. Army Intelligence Center and the U.S. Army's Network Enterprise Technology Command.

Mr. Yost continued his military career in Vietnam where he drove his Supply Officer and Battalion Commander around the area and to Saigon. Mr. Yost completed his time of service and earned his GED before heading home. For his valor and courageous service to his country, Mr. Yost was awarded the:

Vietnam Service Medal
Vietnam Campaign Metal w/Device 60

Regular Session

National Defense Service Medal
 Army Expert Marksman (M14)
 Army Sharp Shooter Badge (M16)

Mr. Yost married his wife Diane in July of 1970 and spent two years working for Coca-Cola running a vending machine route before deciding to go to Truck Driving School in Indianapolis, Indiana. He obtained his Class 1 Chauffeurs License and spent the next 13 years delivering gas and propane.

He then earned his certificate for heating and conditioning with high honors and worked for various companies until starting his own business in 1989. Yost Air Conditioning kept him busy until 1999 when he decided to start working for Kraft Foods doing refrigeration maintenance where he eventually retired from.

The pledge was said by all.

Vice Chairman Ryan invited Town of Covington Supervisor, Jerry Davis to join her in the presentation of the customary certificate of appreciation to Mr. Yost and offered him an opportunity to address the Board.

Mr. Yost thanked the board and stated it is an honor to be able to lead the pledge today.

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

Communications ~

- 01/03/19 Email from Sheriff Gregory Rudolph

Clerk Ketchum read the email...

Supervisors,

I want to express my gratitude for providing the forum at your Organizational Meeting for Senator Gallivan to so appropriately award Jack the Liberty Medal. It meant a lot to me for Jack to see a crowded room with your upmost support as honorable representatives of our entire county.

Many thanks!

*Gregory J. Rudolph
 Wyoming County Sheriff*

January 8, 2019

Open Public Hearing ~

- “Local Law No. 1, Year 2019 (Introductory G, Year 2018) Entitled, **“A Local Law Providing Salaries for Certain County Officers for the Year 2019”**”

Clerk Ketchum offered a correction to the appropriation for the County Treasurer. In lieu of “w/any funds available” it should read instead as “w/01.02.1000.1113 Bed Tax” in the same amount as listed.

#1

**RESOLUTION NO. 19-004
(January 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

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

| | | | |
|---|--------------------------------------|-------------------------|--------------------|
| Treasurer | | | |
| To: 01.42.6420.4.40901 Occupancy Tax w/01.02.1000.1113 Bed Tax Reason: Revise 2018 budget to reflect revenue and payments to Tourism. | \$3,712.55 | \$3,712.55 | |
| Treasurer Total | | | \$3,712.55 |
| Assigned Counsel | | | |
| To: 01.34.1421.4.42314 Family Court 01.34.1421.4.42315 Criminal Court w/01.11.1421.308905 State Aid Sec. 606 <i>w/any funds available</i> Reason: To cover the cost of NYS mandated assigned counsel. | \$10,000.00 10,000.00 | \$9,324.00 10,676.00 | |
| Assigned Counsel Total | | | \$20,000.00 |
| Zoning | | | |
| To: 01.48.8021.1.10001 Salaries Fixed Sch S/D/I 01.48.8021.8.83001 FICA 01.48.8021.8.85001 Medicare FICA w/01.06.8021.2590 Permits Reason: Due to hiring PT ZEO Assistant which was not budgeted. | \$2,063.88 119.75 28.39 | \$2,212.02 | |
| Zoning Total | | | \$2,212.02 |
| Buildings & Grounds (Co. Bldgs.) | | | |
| To: 01.34.1620.4.40002 Electric 01.34.1620.4.40001 GAS 01.34.1620.4.40005 Water <i>w/any funds available</i> Reason: In order to pay remaining utility bills for 2018 budget year. | \$21,100.80 12,497.72 2,306.46 | \$35,904.98 | |
| Buildings & Grounds (Co. Bldgs.) Total | | | \$35,904.98 |

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
 234 Total

#2

**RESOLUTION NO. 19-005
 (January 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2019 accounts as follows:

| | | | |
|---|---------------------------|--------------|---------------------|
| 911 | | | |
| To: 01.37.3020.2.20101 Tele. Equip. 01.37.3020.4.40601 Rental-Tower w/01.11.3020.3389 Other State Aid Reason: To appropriate Statewide Communications Grant funds FY 2018 to cover the cost of tower/land rental and FY 2017 to cover Sheriff's infrastructure upgrade. | \$269,501.06 10,908.00 | \$280,409.06 | |
| 911 Total | | | \$280,409.06 |
| Human Resource | | | |
| To: 01.34.1431.4.40401 Training <i>w/any funds available</i> Reason: To pay for in-depth remedial leadership skills training. | \$1,895.00 | \$1,895.00 | |
| Human Resource Total | | | \$1,895.00 |

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
 234 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,287,641.04** for the month of **December 2018**.

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
 234 Total

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #6. Hearing no objection resolution titles were read.

#3

**RESOLUTION NO. 19-006
 (January 8, 2019)**

January 8, 2019

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
 234 Total

#5

**RESOLUTION NO. 19-008
 (January 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 ELECTION SYSTEM AND SOFTWARE, INC. 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 *Election System and Software, Inc.*, 11128 John Galt Boulevard, Suite 200, Omaha, NY 68137 on behalf of the Board of Elections. Said contract to provide annual maintenance of software in an amount not to exceed five thousand three hundred forty-four dollars and forty-two cents (\$5,344.42); effective December 1, 2018 through November 30, 2019.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
 234 Total

#6

**RESOLUTION NO. 19-009
 (January 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS 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 the following contracts on behalf of Human Resource:

- *Educational Resource Associates*, 216 East Main Street, Batavia, NY 14020 for Employee Assistance Program services for County

January 8, 2019

**RESOLUTION NO. 19-011
(January 8, 2019)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A CONTRACT WITH SPECTRUM HUMAN SERVICES ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with *Spectrum Human Services*, 227 Thorn Avenue, P.O. Box 631, Orchard Park, NY 14127 on behalf of the Department of Social Services. Said contract to provide court ordered mental health evaluations, domestic violence intervention and anger management programs, drug and alcohol assessments, PROS –Personalized Recovery Oriented Services in an amount not to exceed thirteen thousand, six hundred thirty dollars (\$13,630.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1365 **Noes:** **Absent:** 172 (Arcade) **Abstain:**
62 (Middlebury)
234 Total

**RESOLUTION NO. 19-012
(January 8, 2019)**

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

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

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

January 8, 2019

County of Monroe

Medical Examiner Services

Per Price List

Based on Usage

January 1, 2019 through December 31, 2019

Not to exceed amount budgeted

WCJW

Radio Advertising

Based on Usage

Not to exceed amount budgeted

January 1, 2019 through December 31, 2019

Clark Patterson Lee

Professional Engineering Services

Based on Usage

Not to exceed amount budgeted

January 1, 2019 through December 31, 2019

Kara Eastwood, MD

Medical Director Services

\$5,000.00 Annually

January 1, 2019 through December 31, 2019

NMS Laboratories

Post Mortem Laboratory Services

Per Price List

Based on usage

January 1, 2019 through December 31, 2019

Not to exceed amount budgeted

The Village NP (Sarah Schafer, NP)

Practitioner Services (Jail Medical)

\$14,000.00 Annually (pd. quarterly)

\$12,000.00

Tuberculosis Control Program Medical Practitioner Services

\$2,000.00

January 1, 2019 through December 31, 2019

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:62 (Middlebury)

234 Total

#16

RESOLUTION NO. 19-019**(January 8, 2019)**

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

**EDWARD PIECHOCKI REAPPOINTED TO THE WYOMING COUNTY
BOARD OF HEALTH**

BE IT RESOLVED, That *Edward Piechocki, RPA-C*, Ryan Road, Wyoming, NY 14591 be hereby reappointed to the Wyoming County Board of Health as a Member for a six (6) year term; effective January 1, 2019 through December 31, 2024.

January 8, 2019

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
234 Total

#17

RESOLUTION NO. 19-020
(January 8, 2019)

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

RESOLUTION OF THE WYOMING COUNTY BOARD OF SUPERVISORS DESIGNATING THE WYOMING COUNTY HEALTH DEPARTMENT AS THE OFFICE OF THE CORONER

WHEREAS, Pursuant to Public Health Law §4100, the County shall have general supervision of vital statistics and shall provide suitably equipped offices for the permanent and safe preservation of all vital records; now therefore,

BE IT RESOLVED, That effective January 1, 2019 the Wyoming County Health Department is hereby designated as the Office of the Coroner for administrative purposes.

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
234 Total

Brian Krawczyk from S.C.O.P.E was recognized and given an opportunity to address the Board. Mr. Krawczyk expressed his thanks for Resolution #18 and said that citizens rely on the Board of Supervisors to be our voice and stand up in the areas that we cannot... This resolution is more about our entire Bill of Rights and that any changes will not only influence us but also will for generations to come. Part II of the Safe ACT is on its way we need to stop the overreach of our rights.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #18 through #22. Hearing no objection resolution titles were read.

Vice Chairman Ryan requested Clerk Ketchum read Resolution #18 in its entirety.

#18

RESOLUTION NO. 19-021
(January 8, 2019)

Regular Session

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

OPPOSING INFRINGEMENTS ON THE RIGHTS OF LEGITIMATE FIREARM OWNERS

WHEREAS, Members of the Wyoming County Board of Supervisors, being elected to represent the people of the sixteen towns of Wyoming County, are duly sworn by their oath of office to uphold the Constitution of the United States and the New York State Constitution and laws, including New York State Civil Rights law; and

WHEREAS, The *‘right of the people to keep and bear arms’* is guaranteed as an individual right under the Second Amendment to the United States Constitution; and

WHEREAS, The New York State Civil Rights Law Article 2 Section 4 (Right to keep and bear arms) clearly states; *“A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed”*; and

WHEREAS, The right of the people to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right of the people of Wyoming County; and

WHEREAS, The Wyoming County Board of Supervisors has gone on record opposing legislation which infringes upon the right of the people to keep and bear arms; and

WHEREAS, There are numerous Bills in the NYS Legislature under the guise of gun control that if passed would also violate a citizen’s right to free speech; the right to be secure in their persons, houses, papers and effects; the right to Life, Liberty and Property; the right to due process; and the right to equal protection of the law; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors stands in strong opposition to any and all legislation that would intentionally or non-intentionally violate the rights of lawful citizens that are guaranteed in the Constitution, the supreme law of the land; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors considers such bills, legislation and laws to be egregious and beyond lawful legislative authority granted to our State representatives; and be it

FURTHER RESOLVED, That a copy of this resolution be sent to

January 8, 2019

President Donald Trump, Vice President Michael Pence, Governor Andrew Cuomo, United States Senators Charles Schumer, and Kirsten Gillibrand, Congressman Chris Collins, NYS Senator Patrick Gallivan, NYS Senate Majority Leader Andrea Stewart-Cousins, NYS Senate Minority Leader John J. Flanagan, NYS Assemblyman David DiPietro, NYS Assembly Speaker Carl E. Heastie, NYS Assembly Minority Leader Brian M. Kolb.

Carried: XXX **Ayes:** 1365 **Noes:** **Absent:** 172 (Arcade) **Abstain:**
62 (Middlebury)
234 Total

#19

**RESOLUTION NO. 19-022
(January 8, 2019)**

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

CHAIRMAN TO ACCEPT THE “Warren County Bid Award for Assistance in Emergency Planning, Training and Exercise” AND EXERCISE THE RIGHT TO “PIGGYBACK” AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER GML §103 (16) ON BEHALF OF EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to accept the “*Warren County Bid Award for Assistance in Emergency Planning, Training and Exercise Services*” and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16) on behalf of Emergency Services. Bid awarded to **Tetra-Tech, Inc.**, 1000 The American Road, Morris Plains, NJ 07950; 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 **Tetra-Tech, Inc.**, 1000 The American Road, Morris Plains, NJ 07950 for updating and overhauling the current Comprehensive Emergency Response Plan in an amount not to exceed fifty thousand dollars (\$50,000.000; effective upon signing through completion of the project. (RFP #WC11-16)

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1365 **Noes:** **Absent:** 172 (Arcade) **Abstain:**
62 (Middlebury)
234 Total

Group, Inc. to *ION Media Television, Inc.*, 601 Clearwater Park Road, West Palm Beach, FL 33401.

All else remains the same.

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
234 Total

#22

**RESOLUTION NO. 19-025
(January 8, 2019)**

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH WYOMING COUNTY ATTICA LEGAL AID ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE 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 various contracts with *Wyoming County Attica Legal Aid Bureau, Inc.*, 18 Linwood Avenue, Warsaw, NY 14569 on behalf of the Public Defender’s Office as follows:

- ***Indigent Parolee Program*** in an amount not to exceed one hundred eighty-six thousand dollars (\$186,000.00); effective January 1, 2019 through December 31, 2019.
- ***Alternatives to Incarceration Program*** in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2019 through December 31, 2019.
- ***Part-Time Secretary to the Wyoming County Public Defender’s Office*** in an amount not to exceed fifteen thousand dollars (\$15,000.00) a year, plus an additional Stipend from the Indigent Legal Services contract in the amount of one thousand two hundred eighty-six dollars (\$1,286.00) for a total amount not to exceed sixteen thousand two hundred eighty-six dollars (\$16,286.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
234 Total

| Property Owner | Tax Map No. | Surveyor Map | Parcel No. | Acreage |
|--|--------------------|---------------------|-------------------|----------------|
| <i>Sunny Knoll Real Estate, LLC</i> 7429 Burke Hill Road Perry, NY 14530 | 65.00-1-7.11 | TE Map #1 | Parcel #2 | .026 ± |
| | | TE Map #1 | Parcel #3 | .008 ± |
| | | PE Map #2 | Parcel #1 | .038 ± |
| | | PE Map #2 | Parcel #4 | .055 ± |
| <i>Marc Fiegl Deborah A. Fiegl</i> 1914 Simmons Road Perry, NY 14530 | 52.00-2-9.4 | PE Map # 3 | Parcel # 5 | .083 ± |
| | | TE Map # 4 | Parcel # 6 | .020 ± |

WHEREAS, Said real property owners have agreed to graciously donate said real property so that said replacement may be completed; and

WHEREAS, It is necessary for the County to indemnify said property owners in connection with said replacement; now therefore,

BE IT RESOLVED, That the County of Wyoming shall indemnify and hold harmless the property owners listed from any claim, charge, expense or liability arising from any action or omission taken by the County in connection with exercising its rights under the Easements given to the County of Wyoming by the property owners; and be it

FURTHER RESOLVED, That the County of Wyoming is authorized to accept the donation of said real properties; said conveyances to be completed upon the recording of an Easement from the real property owners to the County of Wyoming.

Carried: XXX **Ayes:** 1365 **Noes:** **Absent:** 172 (Arcade) **Abstain:**
62 (Middlebury)
234 Total

#25

**RESOLUTION NO. 19-028
(January 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
BARTON & LOGUIDICE, D.P.C. 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,

Regular Session

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SPECTRUM ENTERPRISE, INC. ON BEHALF OF INFORMATION TECHNOLOGY

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Spectrum Enterprise Inc.*, 20 Century Hill Drive, Latham, NY 12110 on behalf of Information Technology. Said contract is for cable internet with static IP as the Department of Social Services in an amount not to exceed nine hundred dollars (\$900.00) for year one (1) and one thousand two hundred dollars (\$1,200.00) per year thereafter for a total contract amount not to exceed five thousand seven hundred dollars (\$5,700.00); effective December 17, 2018 through December 17, 2023.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1365 **Noes:** **Absent:** 172 (Arcade) **Abstain:**
62 (Middlebury)
234 Total

#28

**RESOLUTION NO. 19-031
(January 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN 2019 DENTAL INSURANCE RATES ON BEHALF OF THE COUNTY INSURANCE OFFICE

BE IT RESOLVED, That the Chairman of the Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign dental insurance rates with *Univera Healthcare*, 205 Park Club Lane, Buffalo, NY 14221 for County employees; effective March 1, 2019 to February 28, 2020:

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

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

IV. PRUDENCE

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

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

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

V. DIVERSIFICATION

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

VI. INTERNAL CONTROLS

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

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

VII. DESIGNATION OF DEPOSITARIES

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

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

VIII. COLLATERALIZING OF DEPOSITS

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

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

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

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default.

January 8, 2019

It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank.

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

Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

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

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Wyoming;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investments.
- Certificates of Participation (COP's) issued pursuant to GML Sec. 109b.

- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

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

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wyoming.

Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listings shall be evaluated at least annually.

The County may, in its discretion, authorize a bank designated for the deposit of County funds to arrange for the redeposit of such funds in one or more banking institutions, for the account of the County, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).

XII. PURCHASE OF INVESTMENTS

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

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

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

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

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

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

APPENDIX A

Schedule of Eligible Securities:

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-569 AMENDED

WHEREAS, Resolution Number 18-569 entitled, “**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL BUDGET OF TOWNS OF WYOMING COUNTY,**” passed by this Board of Supervisors on December 11, 2018; now therefore,

BE IT RESOLVED, That *Resolution Number 18-569* be hereby amended to reflect the corrected amounts for the Towns of Bennington and Genesee Falls as follows:

| NAME OF TOWN | GENERAL FUND TOWN WIDE | HIGHWAY FUND TOWN WIDE | TOTAL |
|---------------------|-------------------------------|-------------------------------|----------------|
| BENNINGTON | \$239,762.42 | \$788,515.00 | \$1,028,277.42 |
| GENESEE FALLS | \$128,374.00 | \$261,814.00 | \$390,188.00 |

All else remains the same.

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain: 62 (Middlebury) 234 Total

Vice Chairman Ryan asked Clerk Ketchum if there were any written requests to speak which there were not.

Public Hearing ~

- *Comment Period*

Vice Chairman Ryan explained that this is a local law because these positions have terms. She also stated why there are two entries for the Wyoming County Sheriff...it is because it follows the Road Patrol Union Contract which has increases in January and June.

Close Public Hearing ~

Motion to close the Public Hearing was made by Supervisor Hastings, T/Eagle. Seconded by Supervisor Tallman, T/Gainesville. Carried.

Local Law #38

**RESOLUTION NO. 19-041
(January 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**LOCAL LAW NO. 1 (INTRODUCTORY G, YEAR 2018) ~ YEAR 2019,
“County of Wyoming, Providing Salaries for Certain County Officers for the
Year 2019” ADOPTED**

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 11th day of December, 2018, a proposed local law of the County, designated as Local Law Introductory No. G, for the year 2018, entitled, “*County of Wyoming, Providing Salaries for Certain County Officers for the Year 2019*”; and

WHEREAS, In accordance with the provisions of Resolution Number 18-585 there was a public hearing held by this Board of Supervisors on this 8th day of January, 2019, 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 (7) days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above- mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 1, Year 2019, County of Wyoming, New York, as presented to this Board on the 11th day of December 2018, is hereby adopted, in its original form, as follows:

**LOCAL LAW NO. 1 ~ YEAR 2019
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:**

- 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**.

January 8, 2019

- 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 §24.
- Section 17. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York
December 11, 2018 (Introduced)
January 8, 2019 (Adopted)
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

Carried: XXX Ayes: 1365 Noes: Absent: 172 (Arcade) Abstain:
62 (Middlebury)
234 Total

Before adjourning the meeting, Vice Chairman Ryan recognized Clerk Ketchum who shared some history relative to the board meeting today.

The first and last time a woman presided over a Wyoming County Board of Supervisors meeting was Anne Humphry from the Town of Perry in 2001. The last time someone from the Town of Warsaw sat in this seat was Supervisor Ahl in 1985. A little history was made here today...

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

Respectfully submitted,
Cheryl J. Ketchum
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

REGULAR SESSION
(February 12, 2019)
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 for the County were Attorney James Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:30 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Master Sergeant Joseph M. Weber

Mr. Weber was born in Buffalo on February 12, 1949. He graduated from Amherst High School in June of 1968 and entered the United States Air Force in October 1968. He spent his basic training at Lackland Air Force Base, Texas and his individual training a few miles away at Randolph Air Force Base, Texas. These two bases are now part of the Joint Bases of San Antonio along with Fort Sam Houston.

Mr. Weber was nineteen years old and working as a Crew Chief at Ching Chuan Kang Air Base in Taiwan working with C-130 aircraft. There were approximately 87 C-130's on CCK Air Base. Mr. Weber was lucky enough to be chosen to work on one of the three that made diplomatic runs and was able to fly supplies for the Navy Seabee's and Army Corps of Engineers in the Micronesian Islands. In July 1969, he flew a medical crew and equipment to Johnson Island where, due to a storm, the lunar module from Apollo 11 piloted by Neil Armstrong made its splashdown on July 24th.

Mr. Weber spent time on Langley Air Force Base, VA as a Crew Chief and a Dock Maintenance Supervisor. He then became part of the Palace Chase Program for those Airmen interested in leaving active duty. He was assigned to Niagara Falls Air Force Base as a reservist for 4 months and became a full-time Air Reserve Technician training Air Force Reservists. He served in both Desert Shield and Desert Storm as well as Operations Noble Eagle and Enduring Freedom. He retired from the Air Force in 2004 when he came home to take care of his mother.

For his valor and courageous service to his country, Mr. Weber was awarded the:

- Air Force Achievement Medal
- Air Force Commendation Medal with 4 devices
- Humanitarian Service Medal
- Air Force Longevity Service Award with 6 devices
- National Defense Service Medal with 2 devices
- Air Force Overseas Short Tour Ribbon
- Small Arms Expert Marksmanship Ribbon for Rifle
- Southwest Asia Service Medal with 2 devices
- Air Force Training Ribbon
- Vietnam Service Medal
- Armed Forces Reserve Medal with M device
- Kuwait Liberation Medal Saudi Arabia
- Kuwait Liberation Medal Kuwait
- Republic of Vietnam Gallantry Cross with device
- Republic of Vietnam Campaign Medal
- Air Force Outstanding Unit Award with Valor with 3 devices

Mr. Weber married his wife Mary in 2008 and became a first time father of three stepchildren and now has seven grandchildren. He is a member of the Arcade American Legion and donates his time to The New St. Mary's Church, the Delevan Food Pantry, the Arcade Food Pantry and delivers Meals on Wheels every Wednesday. In addition, today is his birthday. ***Happy birthday Mr. Weber!!***

The pledge was said by all.

Chairman Berwanger joined Mr. Weber for the presentation of the customary certificate of appreciation and offered him an opportunity to address the Board.

Mr. Weber thanked the board and stated it is an honor to be able to lead the pledge today.

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

Communications ~

- 01/10/19 *Email from Brain Krawczyk*
 - Thanking the Board of Supervisors for the passage of Res. No. 19-021 regarding the infringements on the rights of legitimate firearm owners.
- 01/22/19 *Letter from Assemblyman DiPietro*
 - Acknowledging receipt of Resolution No. 19-021.
- 01/22/19 *Letter from Assembly Minority Leader Kolb*

February 12, 2019

- o Acknowledging receipt of Resolution No. 19-021

Clerk Ketchum requested to read the email from Brian Krawczak in its entirety, which she did...

Recognition ~

- *Chairman Berwanger introduced Eileen Hopkins from Senator Gallivan’s Office. She has taken the place of Mark Rieman who has retired.*

#1

**RESOLUTION NO. 19-042
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2019 accounts as follows:

| | | | |
|---|----------|----------|-----------------|
| Jail | | | |
| From: 01.38.4060.1.10202 Temporary Salary To: 01.38.4060.4.42301 Books, Publications, Subscriptions Reason: To cover S. Schafer annual EPCS License Key and ePreServices with Quest. Required for the Jail Medical Director. | \$600.00 | \$600.00 | |
| Jail Total | | | \$600.00 |

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

**RESOLUTION NO. 19-043
(February 12, 2019)**

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:

| | | | |
|---|---|----------------|-----------------------|
| Hospital | | | |
| To: 02.56.4510.1.10101 Full Time EA 02.56.4510.2.20801 Equipment 02.56.4510.4.42501 Hospital Contractual w/02.03.4510.1635 Hospital Income Reason: To cover 2018 expenses with hospital income in the amount of \$3,815,000.00. | \$1,725,000.00 90,000.00 2,000,000.00 | \$3,815,000.00 | |
| Hospital Total | | | \$3,815,000.00 |

| | | | |
|--|--|--------------|---------------------|
| Social Services | | | |
| To: 01.40.6129.4.42265 State Training w/01.09.6129.2.701 Refund Prior Year Exp. Reason: To cover 2018 projected expenses with 2017 projected expenses not expended due to State billing lag. | \$204,196.28 | \$204,196.28 | |
| Social Services Total | | | \$204,196.28 |
| County Attorney | | | |
| To: 01.34.1420.4.40902 Legal Services w/01.08.1420.2680 Insurance Recovery Reason: To pay Jennifer Wilkinson, Esq. voucher. | \$2,182.47 | \$2,182.47 | |
| County Attorney Total | | | \$2,182.47 |
| Highway | | | |
| To: 03.54.5130.4.40503 Gas 03.54.5130.4.40507 Hwy Dept./Repair 03.54.5130.4.40508 Private Auto Repair 03.54.5130.4.40510 Parts & Supplies w/03.08.5130.2665 Sale of Equipment Reason: To pay over budget gas and repairs. | \$25,000.00 20,000.00 5,000.00 5,000.00 | \$55,000.00 | |
| Highway Total | | | \$55,000.00 |

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

**RESOLUTION NO. 19-044
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2019 accounts as follows:

| | | | |
|--|----------------------|------------|-------------------|
| Information Technology | | | |
| To: 01.34.1681.4.41402 Computers 01.34.1681.4.41410 Software <i>w/any funds available</i> Reason: PO's done in 2018 and Invoiced in 2019. | \$510.00 3,562.50 | \$4,072.50 | |
| Information Technology Total | | | \$4,072.50 |
| Weights & Measures | | | |
| To: 01.43.6610.4.40301 Professional Svc Contract w/01.08.6610.2680 Insurance Recovery Reason: To provide short-term additional coverage to the Weights & Measures Department in the absence of the Director. | \$4,200.00 | \$4,200.00 | |
| Weights & Measures Total | | | \$4,200.00 |

February 12, 2019

| | | | |
|--|-------------------------|-------------------------|--------------------|
| Emergency Services | | | |
| To: 01.37.3020.2.20101 Telecommunications w/01.02.3020.114001 911 Wireless Surcharge Reason: To replace UPS at Wethersfield communications tower. | \$25,060.00 | \$25,060.00 | |
| To: 01.37.3645.4.41214 I Supplies 01.37.3645.4.40301J Profess. Serv. Cont. w/ 01.12.3645.43890I Federal Aid HSG2017 01.12.3645.43890J Federal Aid HSG2018 Reason: To rollover unspent grant funds from 2017 and 2018 budget years. | \$3,842.71 52,485.00 | \$3,842.71 52,485.00 | |
| Emergency Services Total | | | \$81,387.71 |
| Stop DWI | | | |
| To: 01.37.3315.4.41315 DWI Special Programs w/01.12.3315.4389 Federal Aid-DWI Crackdown Reason: Appropriate funds from DWI Crackdown Grant. | \$10,850.00 | \$10,850.00 | |
| Stop DWI Total | | | \$10,850.00 |

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,826,745.53** for the month of **January 2019**.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #11. Hearing no objection resolution titles were read.

#4

**RESOLUTION NO. 19-045
(February 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE FOR
THE AGING ON BEHALF OF WYOMING COUNTY
OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Office for the Aging*, Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging. Said grant to fund IIIB, C1, C2, D, E, EISEP, CSE, CSI, WIN, HIICAP, TRANS, Title V in a minimum amount of six hundred three thousand five hundred seventy-nine dollars (\$603,579.00); effective January 1, 2019 through December 31, 2019 and April 1, 2019 through March 31, 2020.

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

Regular Session

**RESOLUTION NO. 19-046
(February 12, 2019)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE OFFICE FOR THE
AGING ADVISORY COUNCIL**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Office For the Aging Advisory Council:

Town Reps

Three (3) year term effective January 1, 2019 through December 31, 2021

- **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569
- **Gail Meyer** (T/Gainesville), 5312 Hardy’s Road Gainesville, NY 14066

Supervisor Member

One (1) year term effective January 1, 2019 through December 31, 2019

- **Ellen Grant** (T/Bennington), 134 Clinton Street, Alden, NY 14004

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

**RESOLUTION NO. 19-047
(February 12, 2019)**

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

RESOLUTION NUMBER 16-246 AMENDED

WHEREAS, Resolution Number 16-246 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN VARIOUS CONTRACTS ON BEHALF OF THE YOUTH BUREAU,**” passed by this Board of Supervisors on June 14, 2016 and provides for various contracts as follows:

- **McDonald’s Bus Service, Inc.**, 248 Sargent Street, Cowelsville, NY 14037 for transportation services in an amount not to exceed the 2016 ~ 2018 budget, variable depending on number of services; effective July 1, 2016 through June 30, 2018.
- **Letchworth Central School District of Wyoming County**, 5550 School

Road, Gainesville, NY 14066 for transportation services in an amount not to exceed the 2016 ~ 2018 budget, variable depending on the number of services; effective July 1, 2016 through June 30, 2018.

Now therefore,

BE IT RESOLVED, That **Resolution Number 16-246** be hereby amended to correct the dates for both contracts from July 1, 2016 through June 30, 2018 to **July 1, 2016 through June 30, 2019**; and be it

FURTHER RESOLVED, That **Resolution Number 16-246** be hereby further amended to extend the contract term for both contracts through **June 30, 2020**. (*First of two 1-year extension options*)

All else remains the same.

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

**RESOLUTION NO. 19-048
(February 12, 2019)**

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

RESOLUTION NUMBER 16-247 AMENDED

WHEREAS, Resolution Number 16-247 entitled, “**CHAIRMAN AUTHORIZED TO EXERCISE THE “BEST VALUE AWARD” METHODOLOGY AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER GML §103 AND SIGN A CONTRACT WITH C & F TRANSPORT ON BEHALF OF THE YOUTH BUREAU,**” passed by this Board of Supervisors on June 14, 2016 and provides for the following contract:

- **C & F Transport**, 6398 Sonyea Road, Mt. Morris, NY 14510 for transportation services in an amount not to exceed the 2016 ~ 2018 budget, variable depending on the number of services; effective July 1, 2016 through June 30, 2018.

Now therefore,

BE IT RESOLVED, That **Resolution Number 16-247** be hereby amended to correct the contract dates from July 1, 2016 through June 30, 2018 to **July 1, 2016 through June 30, 2019**; and be it

FURTHER RESOLVED, That *Resolution Number 16-247* be hereby further amended to extend the contract term through **June 30, 2020**. (*First of two 1-year extension options*)

All else remains the same.

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

**RESOLUTION NO. 19-049
(February 12, 2019)**

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

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

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

Community Members

Three-year term effective January 1, 2019 through December 31, 2021

- **Rachel Webster**, 2584 Coe Road, Perry, NY 14530

Agency Representatives

Two (2) year term effective January 1, 2019 through December 31, 2020

- **Matt Hilton** (YMCA), 115 Linwood Avenue, Warsaw, New York 14569

Youth Members

One (1) year term; effective January 1, 2019 through December 31, 2019

- **Sam Matthews**, 3867 Sowerby Road, Silver Springs, NY 14550

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

**RESOLUTION NO. 19-050
(February 12, 2019)**

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

RESOLUTION NUMBER 19-011 AMENDED

WHEREAS, Resolution Number 19-011 entitled,

February 12, 2019

“CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A CONTRACT WITH SPECTRUM HUMAN SERVICES ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES,” passed by this Board of Supervisors on January 8, 2019 and provides court ordered mental health evaluations, domestic violence intervention and anger management programs, drug and alcohol assessments, PROS– Personalized Recovery Oriented Services in an amount not to exceed thirteen thousand, six hundred thirty dollars (\$13,630.00); effective January 1, 2019 through December 31, 2019; now therefore,

BE IT RESOLVED, That *Resolution Number 19-011* be hereby amended to add an additional fifty thousand dollars (\$50,000.00) grant for a *Behavioral Health Specialist* to conduct specific assessments; effective January 1, 2019 through December 31, 2019.

All else remains the same.

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

**RESOLUTION NO. 19-051
(February 12, 2019)**

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

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES

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

- *Allegany Rehabilitation Associates, Inc., 4222 Bolivar Road, Wellsville, NY 14895* for court ordered mental health evaluations and counseling through the Wyoming County Mental Health Clinic in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 1, 2019 through December 31, 2019.
- *Planned Parenthood (RESTORE Sexual Assault Services)*, 114 University Avenue, Rochester, NY 14605 to provide services 24 hours per day/7 days per week for coverage of the Domestic Violence Hotline in an amount not to exceed twenty thousand dollars (\$20,000.00);

effective January 1, 2019 through December 31, 2019

- ***Interpretek – Communication Services, Inc.***, 75 Highpower Road, Rochester, NY 14623 for sign language interpretation services in an amount not to exceed twelve thousand dollars (\$12,000.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-052
 (February 12, 2019)**

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 amounts depending upon the services provided:

- ***W.S. Davis Funeral Home, Inc.***, 358 Main Street, Arcade, NY 14009 for funeral home payments for indigents; effective January 1, 2019 through December 31, 2019.
- ***Eaton-Watson Funeral Home, LLC***, 98 North Main Street, Perry, NY 14530 for funeral home payments for indigents; effective January 1, 2019 through December 31, 2019.
- ***Marley Funeral Home, LLC***, 135 Main Street, Attica, NY 14011 for funeral home payments for indigents; effective January 1, 2019 through December 31, 2019.
- ***Center for Disability Rights***, 497 State Street, Rochester, NY 14608 for consumer directed personal care for a select few Medicaid cases where personal care is not appropriate; effective January 1, 2019 through December 31, 2019.

February 12, 2019

- **Early Bird Child Care Centers, Inc.**, 216 East Main Street, Arcade, NY 14009 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective January 1, 2019 through December 31, 2019.
- **Ivy Hnat**, 14 Leicester Street, Perry, NY 14530 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective January 1, 2019 through December 31, 2019.
- **Lucky Ducky Daycare**, 4007 Pearl Street, Batavia, NY 14020 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective January 1, 2019 through December 31, 2019.
- **Ms. Jean's Child Care**, 121 Prospect Street, Attica, NY 14011 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective January 1, 2019 through December 31, 2019.
- **Robin's Nest Child Care Center, LLC**, 7432 Olean Road, Holland, NY 14080 to provide subsidized childcare for temporary assistance families as well as eligible families not on temporary assistance; effective November 27, 2018 through December 31, 2019.
- **Response 4 Help – Self-Direct, Inc.**, 43 Oswego Street, Baldwinsville, NY 13027 to provide personal emergency response services for Medicaid eligible clients of Wyoming County who are also eligible for personal care services and in need of an emergency response service; effected January 1, 2019 through December 31, 2021.

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 #12 through #14. Hearing no objection resolution titles were read.

#12

**RESOLUTION NO. 19-053
(February 12, 2019)**

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

Regular Session

RESOLUTION NUMBER 19-017 RESCINDED

WHEREAS, Resolution Number 19-017 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK DEPARTMENT OF HEALTH ~ BUREAU OF COMMUNICABLE DISEASE CONTROL ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,**” passed by this Board of Supervisors on January 8, 2019 for grant funding of the Rabies Program in a minimum amount of eleven thousand four hundred eighty-five dollars (\$11,485.00) for a total minimum amount of thirty-four thousand four hundred fifty-five dollars (\$34,455.00); effective April 1, 2019 through March 31, 2022; now therefore,

BE IT RESOLVED, That *Resolution Number 19-017* be hereby rescinded in its entirety effective January 8, 2019 as a duplicate of Resolution Number 18-543 passed by this Board of Supervisors on December 11, 2018.

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

**RESOLUTION NO. 19-054
(February 12, 2019)**

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

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

BE IT RESOLVED, That *Rebecca Ryan* (T/Warsaw), 172 West Buffalo Street, Warsaw, New York 14569 be hereby reappointed to the *Wyoming County Board of Health* as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 19-055
(February 12, 2019)**

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

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

February 12, 2019

BE IT RESOLVED, That **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the **Mental Health Community Services Board** and **Mental Health Subcommittee** as the Supervisor Member 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. Kehl, T/Attica, to combine resolutions #15 through #18. Hearing no objection resolution titles were read.

#15

RESOLUTION NO. 19-056
(February 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

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

BE IT RESOLVED, That **James Brick** (T/Perry), 7618 Route 20A, Perry, NY 14530 be hereby reappointed to the **Cornell Cooperative Extension of Wyoming County Board of Directors** as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

#16

RESOLUTION NO. 19-057
(February 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

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

BE IT RESOLVED, That **Bryan Kehl** (T/Attica), 914 Route 98, Attica, NY 14011 be hereby reappointed to the **New York State Department of Environmental Conservation Advisory Committee** as the Supervisor Member/Alternate for a term of one (1) year; effective January 1, 2019 through December 31, 2019; and be it

FURTHER RESOLVED, That **John Copeland** (T/Wethersfield),

5888 Sheppard Road, Bliss, NY 14024 be hereby reappointed to the *New York State Department of Environmental Conservation Advisory Committee* as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

RESOLUTION NO. 19-058
(February 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

**JOHN KNAB AND ALAN FAGAN APPOINTED/REAPPOINTED TO
THE SENECA TRAIL RESOURCE CONSERVATION AND
DEVELOPMENT COUNCIL**

BE IT RESOLVED, That *John Knab*, 2246 Thomas Road, Varysburg, NY 14167 be hereby reappointed to the *Seneca Trail Resource Conservation and Development Council* as the Board of Supervisors Representative for a one (1) year term; effective January 1, 2019 through December 31, 2019; and be it

FURTHER RESOLVED, That *Alan Fagan*, Wyoming County Soil and Water, 36 Center Street, Suite D, Warsaw, NY 14569 be hereby appointed to the *Seneca Trail Resource Conservation and Development Council* as a Member at Large for a three (3) year term; effective January 1, 2019 through December 31, 2021. (*formerly held by Greg McKurth*)

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

RESOLUTION NO. 19-059
(February 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

**ANGELA BRUNNER AND JAMES BRICK REAPPOINTED TO THE
WYOMING COUNTY SOIL AND WATER CONSERVATION
DISTRICT BOARD**

BE IT RESOLVED, That *Angela Brunner* (T/Java), 1947 Chaffee Road, Arcade, NY 14009 be hereby reappointed to the *Wyoming County Soil and Water Conservation District Board* as the Supervisor Member for a one (1)

February 12, 2019

year term; effective January 1, 2019 through December 31, 2019; and be it

FURTHER RESOLVED, That *James Brick* (T/Perry), 7618 Route 20A, Perry, NY 14530 be hereby reappointed to the *Wyoming County Soil and Water Conservation District Board* as the Supervisor Member 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. Leuer, T/Middlebury, to combine resolutions #19 and #28. Hearing no objection resolution titles were read.

#19

**RESOLUTION NO. 19-060
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
GLOW REGIONAL SOLID WASTE MANAGEMENT COMMITTEE**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the *GLOW Regional Solid Waste Management Committee*:

Supervisor Member

One (1) year term effective January 1, 2019 through December 31, 2019

- **Sandra King**, (T/Pike) 4643 Safford Road, Gainesville, NY 14066
- **Jerry Davis**, (T/Covington), 7414 Court Road, POB 445, Pavilion, NY 14525

Alternate Supervisor Member

One (1) year term effective January 1, 2019 through December 31, 2019

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

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

**RESOLUTION NO. 19-061
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**SANDRA KING REAPPOINTED TO THE GLOW SOLID WASTE
ADVISORY COMMITTEE**

BE IT RESOLVED, That **Sandra King** (T/Pike), 4643 Safford Road, Gainesville, NY 14066 be hereby reappointed to the **GLOW Solid Waste Advisory Committee** as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 19-062
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the following members are hereby reappointed to the **Genesee/Finger Lakes Regional Planning Council** for one (1) year terms; effective January 1, 2019 through December 31, 2019:

Chairman Member

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

Chairman Member/Alternate

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

Supervisor Member

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

Executive Committee

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

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

**RESOLUTION NO. 19-063
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

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

WHEREAS, The County of Wyoming has appropriated the sum of six

February 12, 2019

thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2019 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

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

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

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of five hundred thousand dollars (\$500,000.00); now therefore

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

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

**RESOLUTION NO. 19-064
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the following members are hereby reappointed to the *Wyoming County Water Resource Agency Board of Directors* for one (1) year terms; effective January 1, 2019 through December 31, 2019:

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

And be it

FURTHER RESOLVED, That the following member is hereby reappointed to the *Wyoming County Water Resource Agency Board of Directors* for a three (3) year term; effective January 1, 2019 through December 31, 2021:

- **Terry Murphy**, 21 Liberty Street, Perry, NY 14530

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

**RESOLUTION NO. 19-065
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

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

BE IT RESOLVED, That That **Rebecca Ryan** (T/Warsaw) Supervisor, 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the *Wyoming County Industrial Development Agency Board of Directors* as a member for a one (1) year term; effective January 1, 2019 through December 31, 2019; and be it

FURTHER RESOLVED, That **A. Douglas Berwanger** (T/Arcade), Chairman of the Wyoming County Board of Supervisors, 6608 East Arcade Road, Arcade, NY 14009 be hereby reappointed to the *Wyoming County Industrial Development Agency Board of Directors* as a member for a one (1) year term; effective January 1, 2019 through December 31, 2019; and be it

FURTHER RESOLVED, That **Sandra Piridy**, Creekside Fabrics and Quilts, 237 Main Street, Arcade, NY 14009 be hereby reappointed to the *Wyoming County Industrial Development Agency Board of Directors* as a member for a three (3) year term; effective February 7, 2019 through February 6, 2022.

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

**RESOLUTION NO. 19-066
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A SUBLEASE AGREEMENT

February 12, 2019

**WITH WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY
ON BEHALF OF THE WYOMING COUNTY
AG AND BUSINESS CENTER**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Sublease Agreement with *Wyoming County Industrial Development Agency* for 5,121 sq. ft. of office space located in the Wyoming County Ag and Business Center, 36 Center Street, Suite D, Warsaw NY 14569. Base rent is in the amount of eleven dollars and forty-four cents (\$11.44) per square foot and utilities are at two dollars and eighty cents (\$2.80) per square foot; effective February 19, 2019 through February 18, 2020.

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

**RESOLUTION NO. 19-067
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

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

BE IT RESOLVED, That *Rebecca Ryan* (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the *Arts Council for Wyoming County Board of Directors* as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 19-068
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**BRETT HASTINGS AND KEITH GRANGER REAPPOINTED TO THE
BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That *Brett Hastings* (T/Eagle), 6032 Horton Road, Bliss, NY 14024 be hereby reappointed to the *Business Education Council* as the Supervisor Member/Alternate for a one (1) year term; effective January 1, 2019 through December 31, 2019; and be it

FURTHER RESOLVED, That *Keith Granger* (T/Castile), 31 East Mill Street, Castile, NY 14427 be hereby reappointed to the ***Business Education Council*** as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 19-069
(February 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**REBECCA RYAN REAPPOINTED TO THE
WYOMING COUNTY CHAMBER OF COMMERCE AND TOURISM
BOARD OF DIRECTORS**

BE IT RESOLVED, That *Rebecca Ryan* (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the ***Wyoming County Chamber of Commerce and Tourism Board of Directors*** as the Supervisor Member for a one (1) year term; effective January 1, 2019 through December 31, 2019.

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

Chairman Berwanger, T/Arcade recognized Supervisor Leuer, T/Middlebury and asked him to introduce Wyoming County Business Center Executive Director Jim Pierce, along with Jennifer Tyczka, Program Manager and Robin Marschilok, Director of Operations.

Presentation ~

- Wyoming County Business Center

Executive Director Pierce provided the background and current progress for a hotel in Wyoming County. He also updated the Board regarding the A & A Metal site and gave a PowerPoint presentation of their FastTrac Program that was recently recognized nationally.

Presentation ~

- Wyoming County Chamber of Commerce

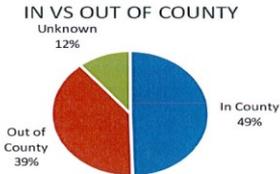
Supervisor Leuer then recognized President and CEO of the Chamber of Commerce and Tourism, Scott Gardner for the 8th Annual “SHOP WYOMING & WIN” CONTEST DRAWING ~

February 12, 2019

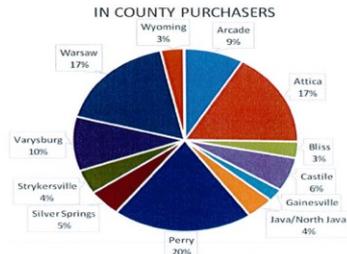
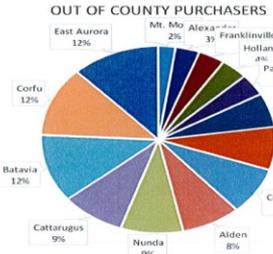
- *Supervisor Copeland, T/Wethersfield pulled the first ticket winner:*
 - **Dave Hensen** of East Aurora won the Char-Broil Grill donated by Ace Hardware of Attica and Warsaw
- *Supervisor Davis, T/Covington pulled the next ticket winner:*
 - **Addie Edwards** of Java Center won the Rocker Recliner donated by Harding’s Attica Furniture and Flooring in Attica
- *Chairman Berwanger, T/Arcade pulled the last ticket winner:*
 - **Carol Kirsch** of Varysburg won the \$100 Wyoming County Visa Gift Card



**8th Annual
"SHOP WYOMING & WIN"
2018-2019 RESULTS
"A Win for Wyoming County"**



Success by the Numbers:
756 Shoppers Participating
30 Business Box Locations
\$564,809 in Total Purchases
18% Increase over 2017-18
\$45,184 in est. Sales Taxes



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



There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #29 through #33. Hearing no objection resolution titles were read.

#29

**RESOLUTION NO. 19-070
(February 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BID
AND SIGN A CONTRACT WITH NYE AUTOMOTIVE GROUP ON
BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to accept the following New York State Office of General Services Vehicle Marketplace bids and sign contracts on behalf of the Sheriff's Department as follows:

- ***NYE Automotive Group***, 1479 Genesee Street, Oneida, NY 13421
 - Mini-Bid No. 19010157 for four (4) (marked) 2019 Dodge Charger Police AWD vehicles in an amount not to exceed one hundred four thousand nine hundred twelve thousand dollars (\$104,912.00); effective through delivery of vehicles
 - Mini-Bid No. 19010158 for one (1) (unmarked) 2019 Dodge Charger Police AWD vehicle in an amount not to exceed twenty-six thousand two hundred two dollars (\$26,202.00); effective through delivery of vehicle.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-071
(February 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SIMPLEX GRINNELL LP 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 ***Simplex Grinnell, LP***, 90 Goodway Drive, Rochester, NY 14623 on behalf of the Sheriff's Department. Said contract to provide fire alarm maintenance in an amount not to exceed five thousand two hundred thirty-seven dollars and seventy cents (\$5,237.70); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

February 12, 2019

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

**RESOLUTION NO. 19-072
(February 12, 2019)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEXIS NEXIS, DIVISION OF RELX, INC. 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 *Lexis Nexis*, a division of RELX, Inc., 9443 Springboro Pike, Miamisburg, OH 45342 on behalf of the District Attorney's Office. Said contract to provide online research in an amount not to exceed nine thousand nine hundred thirty-six dollars and forty-eight cents (\$9,936.48); effective March 1, 2019 through February 28, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-073
(February 12, 2019)**

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF PUBLIC DEFENDER'S OFFICE

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign various grant applications and acceptance awards on behalf of Public Defender's Office as follows:

- *New York State Division of Criminal Justice Services*, 80 South Swan Street, Albany, New York 12210 for the Indigent Parolee Program in a minimum amount of one hundred eighty-six thousand dollars (\$186,000.00); effective April 1, 2018 through March 31, 2019
 - *Project #LG 18-1507-D00*

- ***New York State Office of Indigent Legal Services***, Alfred E. Smith State Office Building, 80 South Swan Street #1147, Albany, New York 12210 for the Public Defender’s Office in a minimum amount of seventeen thousand twenty dollars (\$17,020.00) per year for a three-year period for a total minimum amount of fifty-one thousand sixty dollars (\$51,060.00); effective January 1, 2019 through December 31, 2021
 - *Contract No. C900056 ~ Distribution #9*

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

**RESOLUTION NO. 19-074
(February 12, 2019)**

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

RESOLUTION NUMBER 18-025 AMENDED

WHEREAS, Resolution Number 18-025 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE,**” passed by this Board of Supervisors on January 16, 2018 and provided, in part, for the following contract:

- ***Wyoming County Attica Legal Aid Bureau, Inc.***, 18 Linwood Avenue, Warsaw, New York 14569 to provide legal counsel for state mandated Indigent Parolee Program in an amount not to exceed one hundred eighty-six thousand dollars (\$186,000.00); effective January 1, 2018 through December 31, 2018.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 18-025*** be hereby amended to correct the contract amount from \$186,000.00 to one hundred eighty-seven thousand one hundred thirty-five dollars and eighty-eight cents (\$187,135.88).

All else remains the same.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #34 through #40. Hearing no objection resolution titles were read.

#34

February 12, 2019

**RESOLUTION NO. 19-075
(February 12, 2019)**

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 *Replacement of Hillside Road Bridge over Wiscoy Creek, Town of Eagle, Wyoming County, P.I.N. 4WY0.04; BIN 3319730* (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.

NOW, THEREFORE, The Wyoming County 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 **\$9,000.00** 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: #35

**RESOLUTION NO. 19-076
(February 12, 2019)**

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

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of PE/design and ROW.

NOW, THEREFORE, The Wyoming County Board of Supervisors, duly convened, does hereby

RESOLVED, That the Board of Supervisors hereby approves the

February 12, 2019

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 **\$185,000.00** 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: #36

**RESOLUTION NO. 19-077
(February 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
THE L. C. WHITFORD CO., 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 *The L. C. Whitford, Co., Inc.*, 164 North Main Street, Wellsville, NY 14895 on behalf of County Highway. Said contract is for PM#09 Preventative Maintenance of nine (9) bridges in Wyoming County; PIN 4WYO.01; BIN 3319440, 3321620, 3320100, 3320130, 3320200, 3320330, 3320250 and 3369830 for preventative maintenance work in an amount not to exceed seven hundred sixty thousand dollars (\$760,000.00); effective February 12, 2019 through completion of contract.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-078
(February 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WASTE MANAGEMENT OF NEW YORK, LLC ON BEHALF OF
BUILDING 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 *Waste Management of New York, LLC*, 10860 Olean Road, Chaffee, NY 14030 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract to provide garbage collection for the following Wyoming County Departments/Buildings:

- Wyo. Co. Courthouse Campus & Public Safety \$2,880.00
- Health Department \$1,440.00
- Department of Social Services \$980.00
- Ag & Business Center \$1,440.00

The total contract an amount not to exceed six thousand seven hundred twenty dollars (\$6,720.00); effective February 1, 2019 through January 31, 2020.

Contingent upon the availability of funds.

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

February 12, 2019

**RESOLUTION NO. 19-079
(February 12, 2019)**

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

APPROVING SOLE SOURCE PROCUREMENT WITH T. P. WOODSIDE, INC. / QUALITY PLUS, INC. ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

WHEREAS, Wyoming County Buildings and Grounds (Co. Bldgs.) has several McQuay units in various County buildings that require service and maintenance; and

WHEREAS, Buildings and Grounds (Co. Bldgs.) has received and retained on file a letter dated December 27, 2018 from *Quality Plus, Inc.* stating that *T. P. Woodside, Inc. / Quality Plus, Inc.* holds exclusive contracts with several manufacturers, including Daikin Applied (formerly McQuay); and

WHEREAS, These exclusive contracts are for sole representation of each manufacturer authorizing *T. P. Woodside, Inc. / Quality Plus, Inc.* to promote and supply the greater Western New York and surrounding counties with equipment, parts and factory service; and

WHEREAS, Based upon the above, the Public Works Committee has determined that *T. P. Woodside, Inc. / Quality Plus, Inc.* qualifies for sole source status; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes sole source status for *T. P. Woodside, Inc. / Quality Plus, Inc.* 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: #39

RESOLUTION NO. 19-080

Regular Session

(February 12, 2019)

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH BURT’S BUILDING SUPPLY ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Burt’s Building Supply*, 2 Washington Boulevard, Perry, NY 14530 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for the purchase of one new ceiling tile for the Wyoming County Courthouse in an amount not to exceed five thousand one hundred eighty-nine dollars and sixty-four cents (\$5,189.64); effective January 14, 2019 through delivery. Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-081
(February 12, 2019)**

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

HIGHWAY OFFICE BUILDING ROOF CAPITAL IMPROVEMENT PROJECT COMPLETE

BE IT RESOLVED, That the Wyoming County Board of Supervisors recognizes and accepts that the *Highway Office Building Roof Capital Improvement Project* as bid out and awarded to *Terry Mooney Construction, Inc.* on October 9, 2018 by Resolution Number 18-419 as complete.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #41
There was a motion by Mr. Brick, T/Perry, to combine resolutions #41 through #57. Hearing no objection resolution titles were read.

**RESOLUTION NO. 19-082
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON

February 12, 2019

**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:

- ***Becton Dickinson And Company***, 7 Loveton Circle, Sparks, MD 21152, a renewal of the Becton Dickinson Reagent Purchase Agreement to include rental of blood culture system/equipment in an amount not to exceed two thousand seventeen dollars and thirty-three cents (\$2,017.33) per month; effective January 1, 2019 through December 31, 2022.
- ***Costello, Cooney, Fearon***, PLLC, 500 Plum Street, Suite 300, Syracuse, NY 13204 for legal representation in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective January 1, 2019 through December 31, 2022.
- ***M*Modal***, 5000 Meridian Parkway, Suite 200, Franklin, TN 37067 for transcription services for medical records and radiology in an amount not to exceed one hundred seventy thousand dollars (\$170,000.00) per year; effective February 1, 2019 through February 1, 2021.
- ***Applied Medical Distribution Corporation***, 22872 Avenida Empressa, Rancho Santa Margarita, CA 92688 to price lock for energy hand pieces to be used in both laparoscopic and open general surgery and gynecology surgical procedures in an amount not to exceed forty-seven thousand two hundred fifty dollars (\$47,250.00) per year; effective January 1, 2019 through January 1, 2021.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-083
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

Regular Session

CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH DAVID M. PRIVITERA, MD 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 *David M. Privitera, MD.*, 16 Merryhill Lane, Pittsford, NY 14534 on behalf of the Wyoming County Community Health System. Said contract to provide Orthopaedic services in an amount not to exceed four hundred fifty thousand dollars (\$450,000.00) per year plus a one-time stipend in an amount not to exceed twenty thousand dollars (\$20,000.00); effective March 15, 2019 through March 14, 2020 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:**
#43

**RESOLUTION NO. 19-084
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-524 AMENDED

WHEREAS, Resolution Number 18-524 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on November 13, 2018 and provided in part for the following contract:

- *Kaleida Health*, 726 Exchange Street, Buffalo, NY 14210 for reference laboratory testing and anatomic pathology services in an amount not to exceed two million dollars (\$2,000,000.00) annually; effective December 1, 2018 through November 30, 2021.

Now therefore,

February 12, 2019

BE IT RESOLVED, That *Resolution Number 18-524* be hereby amended to correct the effective dates of the contract from December 1, 2018 through November 30, 2021 to ***January 1, 2019 through December 31, 2021.***

All else remains the same.

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

**RESOLUTION NO. 19-085
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-362 AMENDED

WHEREAS, Resolution Number 17-362 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on September 12, 2017 and provided in part for the following contract:

- *Aramark Healthcare Support Services, LLC*, 1101 Market Street, 19th Floor, Philadelphia, PA 19107-2988, to extend the term of the management services agreement for housekeeping management services and supplies for an additional one (1) year renewal term in an amount not to exceed two hundred eleven thousand seven hundred ninety-six dollars (\$211,796.00) per year; effective September 1, 2017 through August 31, 2018.

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-362* be hereby amended to extend the contract term for an additional year in an amount not to exceed two hundred seventeen thousand nine hundred thirty-eight dollars (\$217,938.00); effective September 1, 2018 through August 31, 2019.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #45

**RESOLUTION NO. 19-086
(February 12, 2019)**

Regular Session

By Mr. Brick, Chairman of the Finance Committee:

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

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

Salary Schedule “C”:

Wyoming County Community Health System

- Place one (1) position of ***Financial Analyst*** under FISCAL SERVICES and set the salary at \$65,000.00 per year; position available date is January 22, 2019.

Salary Schedule “P”:

Wyoming County Community Health System

- Place one (1) position of ***Certified Nurse Midwife*** under OB CLINIC and set the salary at \$100,000.00 per year; position available date is January 22, 2019.
- Place one (1) position of ***Orthopaedic Surgeon*** under ORTHOPAEDIC CLINIC and set the salary at \$450,000.00 per year; position available date January 22, 2019.
- Include a Stipend for ***Orthopaedic Surgeon*** under ORTHOPAEDIC CLINIC and set the amount at \$20,000.00; effective one-time upon start date.

Salary Schedule “S”:

County Attorney

- To reflect the ***Secretary to the County Attorney*** (position code 007.503) should be set to 1,565.2 hours per year at a rate of \$19.5509/hr.

Salary Schedule “G”:

District Attorney

- To reflect the ***Domestic Violence Coordinator*** annual hours are 856.88 at a rate of \$18.8299/hr. under the Violence Against Women Act Grant (*Cost Center 1167*)
- To reflect the ***Domestic Violence Coordinator*** annual hours are 970.12 at a rate of \$18.8296/hr. under the Office of Victim Services Grant (*Cost Center 1166*)

Public Defender

- Reduce stipend plus corresponding fringe to ***Assistant Public Defender (3rd)*** from \$10,000.00 annually to \$2,500.00 annually; effective February 11, 2019 through December 31, 2019.
 - Stipend for Indigent Legal Service/Council at First Appearance

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(CAFA 256 -Distribution #2)

Salary Schedule “D”:

Planning and Development

- To reflect a reduction in hours for ***Director of Planning and Development*** (position code 004.092) to a part time capacity (0.6 FTE) at a rate of \$44.2171/hr. (Annual Salary Equivalent of \$45,000.00 annually); effective January 1, 2019.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #46

**RESOLUTION NO. 19-087
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-039 AMENDED

WHEREAS, Resolution Number 18-039 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT WITH LAUREN LOSS, M.D. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this January 16, 2018 and authorized a contract to provide neurology services in an amount not to exceed two hundred thirty thousand dollars (\$230,000.00); effective January 16, 2018 and upon the completion of credentialing and obtaining malpractice insurance through January 15, 2019; now therefore,

BE IT RESOLVED, That ***Resolution Number 18-039*** be hereby amended to correct the contract dates from upon the completion of credentialing and obtaining malpractice insurance through January 15, 2019 to ***March 26, 2018 through March 25, 2019.***

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #47

**RESOLUTION NO. 19-088
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-166 AMENDED

Regular Session

WHEREAS, Resolution Number 17-166 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on March 14, 2017 and provided in part for the following contract:

- ***J. Joseph Lanigan, M.D. PLLC***, Girdle Road, East Aurora, NY 14052 to provide cardiologist physician services in non-invasive cardiology medicine at WCCHS clinic, inpatient and on-call services in an amount not to exceed three hundred five thousand dollars (\$305,000.00) per year (\$225,000.00 per year for professional services and \$80,000.00 per year for office operations and staff); effective March 1, 2017 through February 28, 2019.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-166*** be hereby amended to extend the contract expiration date through ***February 29, 2020***.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #48

**RESOLUTION NO. 19-089
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-325 AMENDED

WHEREAS, Resolution Number 17-325 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on August 17, 2017 and provided in part for the following contract:

- ***Buffalo Bone and Joint, PLLC***, 400 North Main Street, Warsaw, NY 14569 to provide orthopaedic surgery, clinic services and serve as the chief medical officer for orthopaedic services in an amount not to exceed one million five hundred fifty thousand dollars (\$1,550,000) per year plus two percent (2%) annual increase; effective on or about November 1, 2017 through October 31, 2022 and upon completion of insurance credentialing.

And,

February 12, 2019

WHEREAS, That Resolution Number 17-325 was previously amended by this Board of Supervisors on October 10, 2017 by **Resolution Number 17-432** to correct the providers name from Buffalo Bone and Joint, PLLC to **Buffalo Bone and Joint Surgery, PLLC.**; now therefore,

BE IT RESOLVED, That **Resolution Number 17-325** as previously amended by **Resolution Number 17-432** be hereby further amended to correct the annual increase of two percent (2%) to **two and one-half percent (2.50%)** to reflect the actual contract language.
All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
#49

RESOLUTION NO. 19-090
(February 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-199 AMENDED

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

- **Farkad Balaya, MD, PLLC**, 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216
 - For the professional medical services of one (1) or more qualified, board certified/eligible physicians specializing in OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services. Agreed upon periods of time will be scheduled and confirmed in writing or by email between the parties and will be paid in an amount not to exceed one hundred dollars (\$100.00) per hour (on average); effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.

And,

WHEREAS, That Resolution Number 17-199 was previously amended by this Board of Supervisors on April 10, 2018 by **Resolution Number 18-205** to extend the term of the contract from March 31, 2018 to **March 31, 2019**; now therefore

BE IT RESOLVED, That **Resolution Number 17-199** as previously amended by **Resolution Number 18-205** be hereby further amended as follows:

- Change the name of the contracting party from Farkad Balaya, MD, PLLC to **Farkad M. Balaya, MD P.C.** to match his official entity name.
- Change address from 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216 to **155 Main Street, Hamburg, NY 14075.**

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
#50

RESOLUTION NO. 19-091
(February 12, 2019)

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.

And,

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 was further amended by **Resolution Number 18-**

February 12, 2019

385 by this Board of Supervisors on September 11, 2018 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; now therefore,

BE IT RESOLVED, That *Resolution Number 15-386* as previously amended by *Resolution Number 18-276* and *Resolution Number 18-385* be hereby further amended to change the contracting party name for the Application Hosting and Technology Support Services contract from Conduent Government Systems to *Avenue Insights and Analytics, LLC*, 5860 Trinity Parkway, Suite 120, Centerville VA as this business has been sold.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #51

**RESOLUTION NO. 19-092
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
DRESCHER & MALECKI, LLP 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 *Drescher & Malecki, LLP*, 3083 William Street, Suite 5, Cheektowaga, NY 14227 on behalf of the County Treasurer. Said contract to provide audit services in an amount not to exceed eighty thousand five hundred dollars (\$80,500.00); effective January 1, 2020 through December 31, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #52

**RESOLUTION NO. 19-093
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL
AGREEMENTS WITH THE TOWN OF WETHERSFIELD FOR
COUNTYWIDE ASSESSING SERVICES**

WHEREAS, The Wyoming County Board of Supervisors offers Countywide Assessing Services to the municipalities within the borders of Wyoming County; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an Inter-Municipal Agreement with the *Town of Wethersfield* to participate in the *Countywide Assessing Services Program* per Real Property Tax Law §1537 in an amount not to exceed two thousand nine hundred ten dollars and fourteen cents (\$2,910.40); effective February 1, 2019 through March 31, 2019; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an Inter-Municipal Agreement with the *Town of Wethersfield* to participate in the *Countywide Assessing Services Program* per Real Property Tax Law §1537 and in accordance with the fee schedule negotiated by said municipality; effective April 1, 2019 through September 30, 2019.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
#53

**RESOLUTION NO. 19-094
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF
PARKS, RECREATION AND HISTORIC PRESERVATION ON
BEHALF OF THE BOARD OF SUPERVISORS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Office of Parks, Recreation and Historic Preservation*, 625 Broadway, Albany, NY 12207 on behalf of Board of Supervisors. Said grant is for the 2018/2019 New York State Grant-in-Aid Program funding in a minimum amount of one hundred forty-six thousand three hundred seventy-six dollars (\$146,376.00); effective April 1, 2018 through March 31, 2019.

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

February 12, 2019

RESOLUTION NO. 19-095
(February 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
THE WYOMING COUNTY SNOWMOBILE FEDERATION ON
BEHALF OF THE BOARD OF SUPERVISORS**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Wyoming County Snowmobile Federation*, 6083 Route 362, Bliss, NY 14024 on behalf of the Board of Supervisors. Said contract to provide the 2018/2019 New York State Snowmobile Grant-in-Aid Program funding in an amount not to exceed one hundred forty-six thousand three hundred seventy-six dollars (\$146,376.00); effective April 1, 2018 through March 31, 2019.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
#55

RESOLUTION NO. 19-096
(February 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

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

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

Member

One (1) year term effective January 1, 2019 through December 31, 2019

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

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Alternate Member

One (1) year term effective January 1, 2019 through December 31, 2019

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

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #56

**RESOLUTION NO. 19-097
(February 12, 2019)**

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:

CREATED:

Treasurer

- One (1) position of *Principal Account Clerk* (Temporary) on CSEA Schedule Grade 14 at \$20.67-23.85/hr.; position available February 13, 2019 through projected retirement of M. Saylor.

Fire and Building Code Enforcement

- One (1) position of *Account Clerk* (1.00 FTE) on CSEA Schedule, Grade 4 at \$16.69-18.36/hr.; position available February 13, 2019.

Zoning Department

- One (1) position of *Zoning Enforcement Officer* (1.00 FTE) and place on Schedule S at \$17.5824/hr. (Annual Salary Equivalent of \$32,000) with a \$2,000.00 increase upon the completion of the second year and satisfactory performance and meeting pre-established goals; position available February 13, 2019.

ABOLISHED:

Fire and Building Code Enforcement

- One (1) position of *Principal Account Clerk* on CSEA Schedule, Grade 14 at \$20.67-23.85/hr.; effective February 13, 2019.

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

February 12, 2019

**RESOLUTION NO. 19-098
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULE “C” HANDBOOK AMENDMENT APPROVED

BE IT RESOLVED, That the Salary Schedule “C” Handbook is hereby amended to replace ON CALL PAY and CALL IN PAY with language as presented below; effective February 12, 2019:

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.

(WCCHS Information Technology ONLY)

WCCHS Information Technology employees who are scheduled by the hospital shall receive on call pay in accordance with this schedule WCCHS Information Technology employees scheduled on call shall receive a \$100.00 pay allowance per day between Fridays at 5:00 P.M. through Mondays at 7:00 A.M., and on Holidays.

WCCHS Information Technology employees scheduled on call shall receive a \$50.00 pay allowance per shift each weekday shift beginning at 5:00 P.M. Monday through 7:00 A.M. Friday.

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. WCCHS IT employees are not eligible for call in pay.

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.

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

Before taking the vote, Chairman Berwanger explained that the former emergency room has been vacant and will be renovated to accommodate the orthopedic practice of Dr. Mason. His space (at the front of the hospital) will then be utilized by one of the new resident physicians for a family practice.

Chairman Berwanger asked Finance Committee Chairman Brick for his comments.

Supervisor Brick, T/Perry noted that the business plans shows that these renovations will be paid for with the proceeds generated by the orthopedic practice and will not use County tax dollars.

Chairman Berwanger stated there are more renovations to come as we grow the business.

Chairman Berwanger asked for comments from County Attorney Wujcik who stated it is a statutory requirement for a 2/3 vote on this resolution.

***2/3 Majority
#58***

**RESOLUTION NO. 19-099
(February 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION AUTHORIZING WYOMING COUNTY COMMUNITY HEALTH SYSTEM TO PROCEED WITH PLANS TO RENOVATE THE FORMER EMERGENCY DEPARTMENT INTO CLINICAL SPACE AND TO APPROVE FINANCING BY THE WYOMING COUNTY BOARD OF SUPERVISORS IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,250,000.00, AND AUTHORIZING THE ISSUANCE OF \$1,250,000.00 IN BONDS OF SAID COUNTY TO PAY THE COST THEREOF

February 12, 2019

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital project; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. Authorizes Wyoming County Community Health System to proceed with plans to renovate the former emergency department into clinical space, to apply for the Certificate of Need (CON), to accept the architectural plans (with potential modifications, as discussed), and to arrange financing by the Wyoming County Board of Supervisors in connection therewith, at a maximum estimated cost of \$1,250,000.00.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,250,000.00 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is *twenty-five years*, pursuant to subdivision 12-a(1) of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and

interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and

- an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Chairman Berwanger asked Director of Environmental Health Steve Perkins to update the board on the recent water emergency experienced in the Village of Warsaw.

Director Perkins provided the background of what happened and the manner in which it was corrected.

On February 7th, water production increased dramatically at the Warsaw Water Works in Rock Glen, about five miles south of the Village.

The water plant typically produces about 250,000 gallons daily, but its output suddenly increased to 500,000 gallons daily — a sure sign that water was being lost somewhere in the system.

The Village contacted the County Health Department and Water Resource Agency to track down the problem. They discovered Saturday afternoon that the issue was occurring at a creek crossing about 1,000 feet south of Keeney Road.

One of two main transmission pipes, which run north to the Village, had apparently been damaged by an ice jam. The 12-inch pipe had been underwater Friday and Saturday night, but as water levels dropped, a leak became visible. The Village contracted Morsch Pipeline Inc. to evaluate and fix the issue. The Village's engineer also assisted in determining what repairs would be made Monday.

Originally, they thought of boring underneath the creek, but that would be a two to three day process. On Monday morning, the situation was reevaluated and determined it was starting to fail even faster, so the decision was made to valve it off, rip it out, and put a new one in."

It was believed that the remaining 10-inch transmission line would be able to keep up with demand, so a voluntary water conservation advisory was issued.

However, the situation changed entirely later Monday morning when the Village's storage tank on Wyoming Street went dry. A mandatory "no unnecessary water use" advisory was issued along with a "boil water" notification.

The water line repairs were completed late Monday and the Village's water tank started refilling later that evening. The boil water advisory will remain in effect until two consecutive tests produce negative results.

Supervisor Ryan, T/Warsaw was recognized by Chairman Berwanger who complimented Director Perkins, Superintendent of Public Works Shane Evans and all those who went door to door for a job well done.

Before adjourning, Chairman Berwanger requested that everyone sing happy birthday to Mr. Weber. Mr. Weber appreciated the recognition.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:23 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

REGULAR SESSION
(March 12, 2019)
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 B. Hastings, T/Eagle and D. Tallman, T/Gainesville. Also present for the County were Attorney James Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:26 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 Gerald B. Ramsey

Mr. Ramsey was born in Batavia, New York on August 1, 1946. He attended Elba High School and was drafted into the United States Army in September of 1967. He completed his basic training at Fort Dix, New Jersey and individual training at Fort Sill, Oklahoma.

Fort Sill was named in honor of General Joshua Sill who was killed during the Civil War in 1862. All four of the Black Regiments that were later referred to as the "Buffalo Soldiers": the 9th and 10th US Cavalry and the 24th and 25th Infantry, served at Fort Sill during the late 19th Century. Fort Sill's primary purpose was to control the Comanche, Cheyenne, Kiowa and other tribes of the Southern Plains who were making frequent raids on settlements in Texas and Mexico. Fort Sill is now the largest field artillery complex in the free world, using a three-pronged approach to training and preparedness makes it one of the best training posts in the Army.

Mr. Ramsey went from Fort Sill straight to Vietnam serving most of his time in the military with A Battery, 6th Battalion of the 11th Artillery. When he returned to the states, it was back to Fort Sill where he finally shipped home in September of 1969.

For his valor and courageous service to his country, Mr. Ramsey was awarded the:

National Defense Service Medal
Vietnam Service Medal with Bronze Service Star

Republic of Vietnam Campaign Medal with Device 60
 2 Overseas Bars (Republic of Vietnam)
 Good Conduct Medal
 Sharpshooter Qualification Badge
 A Purple Heart

After returning home, Mr. Ramsey worked at Agway for 38 years. He married his wife, Donna, in May of 1971 and they live in the Town of Orangeville. Together they have one son. Mr. Ramsey is a member of the Warsaw American Legion, Warsaw VFW Post and the Vietnam Veterans of America Chapter 193.

Mr. Ramsey and his wife are also known to their next-door neighbors as the best neighbors anyone could ask for!

Supervisor B. Becker, T/Sheldon stepped out of the meeting prior to the passage of Resolutions No. 1 and No. 2.

The pledge was said by all.

Chairman Berwanger invited Supervisor May, T/Orangeville, to join him at the podium for the presentation of the customary certificate of appreciation to Mr. Ramsey and offered him an opportunity to address the Board.

Mr. Ramsey thanked the board for the honor to lead the pledge today.

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

Communications ~

- *None*

#1

**RESOLUTION NO. 19-100
 (March 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2019 accounts as follows:

March 12, 2019

| | | | |
|--|------------|------------|-------------------|
| Public Defender | | | |
| From: 12.61.9950.9.99004 Interfund Transfer To: 12.61.1620.2.21018 Linwood Ave (PD) CIP Reason: To cover remaining expenses to finish Public Defenders CIP project. | \$7,632.00 | \$7,632.00 | |
| Public Defender Total | | | \$7,632.00 |

Carried: XXX Ayes: 1353 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
102 (Sheldon)
246 Total

#2

**RESOLUTION NO. 19-101
(March 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2019 accounts as follows:

| | | | |
|--|-------------|-----------------------------------|--------------------|
| Treasurer | | | |
| To: 01.47.7989.4.40918 Snowmobile w/01.11.7989.3317 Snowmobile Revenue Reason: Adjust 2019 budget to match grant letter. | \$26,376.00 | \$26,376.00 | |
| Treasurer Total | | | \$26,376.00 |
| Historian | | | |
| To: 01.46.7510.4.42404 Grant Expense w/01.03.7510.128901 Other Dept. Income Grant Reason: To appropriate funds for the <i>Where in Wyoming is the History Gnome</i> summer history program. | \$3,500.00 | \$3,500.00 | |
| Historian Total | | | \$3,500.00 |
| Office for the Aging | | | |
| To: 01.44.6772.4.40802 Contr. Bldg. Repair Priv. w/ <i>any funds available</i> Reason: To appropriate funds to cover 60% of new mechanical door installation at the OFA building. Remaining 40% paid by grant funds. | \$2,964.00 | \$2,964.00 | |
| Office for the Total | | | \$2,964.00 |
| Social Services | | | |
| To: 01.39.6010.2.23001 Motor Vehicle w/01.12.6010.4610 Federal Revenue 01.11.6010.3610 State Revenue w/ <i>any other funds available</i> Reason: Re-Appropriate 2018 funds to 2019. Vehicle was ordered in 2018, but may not be delivered prior to closing 2018 books. | \$22,494.14 | 10,771.00 6,951.00 4,772.14 | |
| Social Services Total | | | \$22,494.14 |

| | | | |
|---|---------------|---------------|----------------------|
| Mental Health | | | |
| To: 01.38.4310.4.41801 Misc. Assess/Chg. Other Govt. <i>w/any funds available</i> Reason: To fund court ordered placement at state Forensic Unit for restoration to competency. | \$30,000.00 | \$30,000.00 | |
| Mental Health Total | | | \$30,000.00 |
| Stop DWI | | | |
| From: 01.12.3315.4389 Fed Aid-DWI Crackdown w/01.37.3315.4.41315 DWI Special Programs Reason: Funds were included with the STOP-DWI Budget. | (\$10,850.00) | (\$10,850.00) | |
| Stop DWI Total | | | (\$10,850.00) |

Carried: XXX Ayes: 1353 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
102 (Sheldon)
246 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,973,138.44** for the month of **February 2019**.

Supervisor Becker, T/Sheldon entered the meeting before the passage of the payment of bills.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

There was a motion by Mrs. King, T/Pike, to combine resolutions #3 through #9. Hearing no objection resolution titles were read.

#3

RESOLUTION NO. 19-102
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

**RESOLUTION URGING NEW YORK STATE TO FUND THE
PURCHASE ELECTRONIC POLL BOOKS FOR COUNTY
BOARDS OF ELECTIONS**

WHEREAS, Counties, through local Boards of Elections, are responsible for managing election operations, and paying for all or most of the costs of these operations; and

WHEREAS, In January, State Lawmakers have passed and the
March 12, 2019

Governor has signed into law series of voting reforms to the New York State Election Law; and

WHEREAS, These reforms include early voting, voter registration transfers, same day voter registrations, and pre-registering 16 and 17 year olds to vote; and

WHEREAS, Implementing these reforms will require counties to purchase and use electronic polling books, estimated to cost up to \$1 million per county; and

WHEREAS, Despite their desire to improve voter turnout, state leaders have not invested in our voting system infrastructure in more than a decade; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to fund the electronic poll books that counties will have to purchase to effectively implement many of the state's new voting reforms; and be it

FURTHER RESOLVED, That the state fund the costs associated with the new reforms of which include equipment, education and training for poll 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.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#4

RESOLUTION NO. 19-103
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

RESOLUTION URGING NEW YORK STATE TO FUND ALL COSTS
ASSOCIATED WITH NEW STATE-ENACTED VOTING REFORMS
IMPLEMENTED AT THE COUNTY LEVEL

WHEREAS, New York State has some of the lowest voter turnout rates in the nation; and

WHEREAS, State Lawmakers have passed and the Governor has enacted a series of reforms to state election law and the voting process, including early voting, consolidating the federal and state primary dates, voter registration transfers and same day voter registrations; and

WHEREAS, Counties, through local Boards of Elections, are responsible for managing election operations and paying for all or most of the costs of these operations; and

WHEREAS, The State's new early voting law requires counties to open polling sites for early voting for 10 days prior to any primary or general election, starting during the 2019 general election; and

WHEREAS, Another state proposal would allow for same day voter registration, which would enable voting-age residents to register to vote and vote on election day; and

WHEREAS, These reforms will likely require counties to purchase and use electronic polling books and make other investments in their election systems; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to create a task force of state and local officials to determine the costs associated with implementing these voting reforms; and be it

FURTHER RESOLVED, That the state fund the costs associated with the new reforms; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#5

RESOLUTION NO. 19-104
(March 12, 2019)

March 12, 2019

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

WHEREAS, Every county has unique challenges when hiring for certain skilled or knowledge-based positions due to each county having different populations, economics, and demographics including but not limited to retired corrections deputy sheriffs, school resource officers, public health nurses, registered nurses, caseworkers, mental health professionals, and other critical positions; and

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

WHEREAS, In 2018 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired; and

WHEREAS, Following said adjustment, future increases shall be tied to the ERS COLA for retirees, staff and occur annually; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and the New York State Legislature to enact legislation supporting an increase in this earnings rate as part of their 2019-20 state budget negotiations; and be it

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

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#8

RESOLUTION NO. 19-107
(March 12, 2019)

Regular Session

By Mrs. King, Vice-Chairman of the Human Resource Committee:

RESOLUTION CALLING UPON THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO REFRAIN FROM ENACTING NEW PUBLIC EMPLOYEE BENEFITS MANDATES

WHEREAS, New York State has one of the highest state and local tax burdens in the nation; and

WHEREAS, The Governor and legislative leaders have all pledged on numerous occasions to reduce the burden of local property taxes on businesses and home owners, including a cap on property taxes, as a way to stimulate the state's economy; and

WHEREAS, In 2012 the State enacted a property tax cap in order to help reduce and maintain tax levels throughout the State and the Governor is seeking to make the tax cap permanent in 2019; and

WHEREAS, New York counties have stepped up to meet the challenge with the vast majority staying under the cap level every budget year but it is becoming increasingly more difficult to do so; and

WHEREAS, The provisions of the Taylor Law and the Triborough Amendment, and mandates for new employee leave benefits contribute to higher personnel costs to counties; and

WHEREAS, The Wyoming County Board of Supervisors recognizes and supports recent efforts by the Governor to decrease the costs associated with binding arbitration; and

WHEREAS, These mandated personnel cost increases directly lead to budget increases for counties and translate to added burdens to local taxpayers who have to pay the costs of these new benefits; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to refrain from creating any new public employee benefits that would result in increased county cost unless these changes are fully funded by the State; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon the New York State Legislature not to enact and the Governor not to approve any new personnel cost mandates as a first step in achieving their promised reduction in the local property tax burden; and be it

March 12, 2019

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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#9

**RESOLUTION NO. 19-108
(March 12, 2019)**

By Mrs. King, Vice-Chairman of the Human Resource Committee:

**RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF
REVENUE COUNTIES RETAIN FOR PROVIDING STATE
DMV SERVICES**

WHEREAS, New York County Clerks play an historic and important role as public servants. Along with the Sheriff and District Attorney, they are one of three county officials named in the State Constitution; and

WHEREAS, Over 240 years later, the role of the county clerk as the chief record and filing officer for the county have remained consistent, but their duties have grown much more complex with changes in population, technology, and the state's laws, policies and regulations; and

WHEREAS, Today 51 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, Under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, The remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, The Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, Increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to residents or taxpayers and

will provide counties with revenue to support necessary local government services; and

WHEREAS, It is unfair when a county DMV provides all DMV services for our residents, including overhead and staffing, yet the State takes 87.3 percent of the revenue generated from these services; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the New York State Legislature to increase the county DMV revenue share; and be it

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

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #10 through #21. Hearing no objection resolution titles were read.

#10

RESOLUTION NO. 19-109
(March 12, 2019)

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

RESOLUTION NUMBER 18-539 AMENDED

WHEREAS, Resolution Number 18-539 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING**,” passed by this Board of Supervisors on December 11, 2018 and provides for various contracts, in part, as follows:

- *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).

Now therefore,

March 12, 2019

BE IT RESOLVED, That **Resolution Number 18-539** be hereby amended to increase the hourly rate to seventy-five dollars (\$75.00) per hour; effective January 1, 2019.

All else remains the same.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#11

**RESOLUTION NO. 19-110
(March 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE FOR
THE AGING ON BEHALF OF THE WYOMING COUNTY
OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Office for the Aging*, 2 Empire State Plaza, Corning Tower, Albany, New York, 12223-1251 on behalf of the Wyoming County Office for the Aging. Said grant funds to provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low-income subsidy programs in a minimum amount thirteen thousand three hundred seventeen dollars (\$13,317.00); effective September 30, 2018 through September 29, 2019.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#12

**RESOLUTION NO. 19-111
(March 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WCJW ON BEHALF OF THE OFFICE FOR THE AGING**

and are listed by county in the New York Early Intervention System (NYEIS) database; and

WHEREAS, Counties cannot accurately identify available providers due to the inadequacy of the NYEIS system such as untimely updates and regular maintenance; and

WHEREAS, Providers listed in the NYEIS database are frequently unavailable to provide services to a child due to a variety of factors, including the area in which the child resides, providers only accepting referrals for one or two children enrolled in the Early Intervention Program (EIP) due to other commitments, full caseloads, or outdated listings for providers who no longer participate with the Early Intervention Program; and

WHEREAS, Some providers left the Early Intervention Program due to implementation and payment delays related to the rollout of the statewide fiscal agent model, while others left the Early Intervention Program due to stagnant reimbursement rates; and

WHEREAS, Because of the decline of participating and available providers, resulting in counties not being able to provide the Early Intervention services required under the law, even to already enrolled eligible children, sometimes leading to placement on wait lists; and

WHEREAS, Research demonstrates that the growth and brain development of infants and toddlers is at its highest in years 0-2, and the developmental progress of children identified with special needs could be hampered by any delays in services; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and the New York State Legislature to implement reforms to the Early Intervention Program that hold the State responsible for ensuring there is sufficient provider capacity across the state to serve identified children in all types of early intervention services; and be it

FURTHER RESOLVED, These state responsibilities should include the implementation of a robust recruiting effort, focused orientation and training for new and existing providers, mentoring, and technical assistance to help providers operate efficiently and effectively in the new administrative model; and be it

FURTHER RESOLVED, The state shall work with county representation to develop incentive programs to address provider capacity in hard to recruit areas such as but not limited to travel reimbursement and partial reimbursement for no-shows; and be it

FURTHER RESOLVED, The Executive Budget proposal should include a 5% rate increase for all Early Intervention providers and all services; and be it

FURTHER RESOLVED, That the state should cap county costs, ensuring that the counties are held harmless by any increase in provider rates; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#14

RESOLUTION NO. 19-113
(March 12, 2019)

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

**RESOLUTION URGING THE GOVERNOR AND STATE
 LEGISLATURE TO ELIMINATE THE COUNTY FISCAL CAP ON
 PRESCHOOL SPECIAL EDUCATION TRANSPORTATION COSTS
 AND TO INCENTIVIZE THE USE OF EXISTING BUS FLEETS AND
 TRANSPORTATION SYSTEMS**

WHEREAS, The county cost of transporting preschool special education students is significant and counties cannot recoup all of these costs due to state-imposed transportation reimbursement caps and stringent Medicaid interpretation for reimbursement; and

WHEREAS, The fact that other states do not require county government to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes to New York's high property tax burden; and

WHEREAS, A gubernatorial statewide task force on reforming preschool special education determined that counties should be removed completely from financing the state's preschool special education program; and

WHEREAS, School districts make decisions on programs for children,

March 12, 2019

WHEREAS, The original law included a provision to limit the county fiscal responsibility to 25 percent by the 1993-94 school year; and

WHEREAS, A gubernatorial statewide Task Force on Reforming Preschool Special Education determined that counties should be removed completely from financing the State's preschool special education program; and

WHEREAS, The State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100 percent with State resources; and

WHEREAS, The State also requires counties to support 10 percent of summer school special education 4408 program costs for all children; and

WHEREAS, The fact that other states do not require county governments to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes directly to New York's highest in the nation property tax burden; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to implement a plan to gradually remove counties from the fiscal responsibility of paying for preschool and summer school special education programs; and be it

FURTHER RESOLVED, The first phase should include capping county fiscal liability for preschool special education and then implementing a three-year plan to incrementally reduce the county fiscal liability for this program to no more than 25 percent as intended at the inception of the program to help reduce pressure on property taxes; and be it

FURTHER RESOLVED, The second phase should gradually reduce the county fiscal responsibility to zero for both preschool and summer school special education costs; and be it

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

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

March 12, 2019

**RESOLUTION NO. 19-115
(March 12, 2019)**

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

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

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

- *Chances & Changes, Inc.*, PO Box 326, Geneseo, NY 14454 to provide residential domestic violence services; effective January 1, 2019 through December 31, 2019.
- *Harmony & Joy Child Care, Inc., d/b/a Pride & Joy Child Care of Geneseo*, 4624 Millennium Drive, Geneseo, NY 14454 to provide day care services; effective November 5, 2018 through December 31, 2019.
- *GCCA Child Care Center*, 1 College Road, Batavia, NY 14020 to provide day care services; effective January 1, 2019 through December 31, 2019.

All contracts have variable amounts depending upon services provided.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

**RESOLUTION NO. 19-116
(March 12, 2019)**

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

Regular Session

**RESOLUTION URGING NEW YORK STATE TO RENEW ITS
COMMITMENT TO PREVENT AND PROTECT CHILDREN FROM
ABUSE AND NEGLECT BY RESTORING STATE SHARE FUNDING
LEVELS TO 65 PERCENT UNDER THE EXISTING OPEN-ENDED
CHILD WELFARE FINANCING MECHANISM**

WHEREAS, The current 62 percent /38 percent preventive, protective, adoption funding stream reflects a reduction in the State's financial commitment to the wellbeing of children; and

WHEREAS, The reduction of State funding for these Child Welfare programs has made it more difficult and costly for counties to provide services designed to keep children safe and to provide them with permanent homes and reduced stays in foster care; and

WHEREAS, New York counties and New York City investigated over 183,000 reports and cared for 16,211 children in the foster care system (2016 KidsCount data); and

WHEREAS, The safety and welfare of children should remain the State's highest priority; and

WHEREAS, The prior uncapped child welfare funding stream at 65 percent state share provided counties with critical fiscal support allowing for the development of innovative community-based programs that led to a dramatic reduction in the number of children in the foster care system; and

WHEREAS, The gradual, but steady, pullback in State funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, youth detention and treatment, creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, effectively forcing this State constitutional responsibility on county government and local property taxpayers; and

WHEREAS, New York State enacted a two percent property tax cap which further exacerbates local budget pressures while additional costs are shifted from the state to counties for state mandated programs; and

WHEREAS, The Governor has indicated his desire to make the property tax cap permanent in 2019 with no indication additional state funding will be provided for child welfare, nor the restoration of prior state budget cuts; now therefore

March 12, 2019

BE IT RESOLVED, That the Wyoming County Board of Supervisors firmly believes the State should renew its commitment to the wellbeing of children by gradually restoring current funding levels to 65 percent state share to be matched with a 35 percent local share, under the existing open-ended child welfare financing mechanism; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#18

**RESOLUTION NO. 19-117
(March 12, 2019)**

By Ms. Grant, Chairman of the Human Service 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 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 as well as active outreach 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 services that are targeted to prevent homelessness in the first place and provide stability for families at risk; and

WHEREAS, Counties maintain that while it is important to provide help in a crisis, it is better policy to maintain stability and prevent emergencies by providing sufficient resources up front; and

WHEREAS, State policies are directing excessive attention on inspections of motels, hotels and shelters beyond what is required in state law to ensure health and safety, as well as conflict with inspections from the State Comptroller and local codes; 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 districts eligibility rules designed to help them overcome barriers (such as, drug and alcohol abuse, mental health treatment and employment) which impede their ability over the long term to achieve permanent housing and stability; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York 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, the Office for Temporary Disability Assistance, Office of Mental Health, Office of Alcohol

and Substance Abuse Services, 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#19

RESOLUTION NO. 19-118
(March 12, 2019)

By Ms. Grant, Chairman of the Human Service 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 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

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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 timeframes 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

Department of Health, 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#20

**RESOLUTION NO. 19-119
 (March 12, 2019)**

By Ms. Grant, Chairman of the Human Service 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 property tax freeze, the county-wide shared services initiative, and rebate check programs; 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

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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 two percent per year over the last decade, less than the rate of inflation over that time frame; and

WHEREAS, County officials believe that one of the best ways to improve New York's economic climate and competitiveness is to not just slow the rate of growth in property taxes, but to lower them from today's levels; and

WHEREAS, Counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in historic and sustainable reductions in county property taxes and establish a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, The cost of the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS, The benefits, scope, and ultimate cost of Medicaid has been set and controlled by the State for 50 years, but not fully financed with state resources, therefore transferring a significant burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York and other states; and

WHEREAS, Cornell University researchers have documented how New York's practice of shifting fiscal responsibilities from the state to lower levels of government including counties creates severe imbalances between New York and other states in relation to property taxes; and

WHEREAS, The Wyoming County Board of Supervisors attributes the practice of using local revenues to subsidize statewide spending initiatives as

the number one reason why New York's property taxes are the highest in the nation; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent, and measurable county property tax reductions and lower tax rates for New York City residents; and be it

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

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#21

RESOLUTION NO. 19-120
(March 12, 2019)

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

**RESOLUTION CALLING ON THE GOVERNOR AND STATE
 LEGISLATURE TO CONTINUE TO WORK WITH COUNTIES TO
 ENCOURAGE SELF SUFFICIENCY AND LONG-TERM
 INDEPENDENCE FOR RECIPIENTS OF TEMPORARY ASSISTANCE**

WHEREAS, Temporary Assistance for Needy Families and the Safety Net Program are federal- and state-designed programs administered by counties and New York City as a state-supervised, locally administered system and serve as a last line of services and support for low income families and individuals in the State of New York; and

WHEREAS, New York State continues to devolve away from their historic and constitutional responsibilities of providing social services and support for low income families and individuals, as demonstrated through significant reductions in State funding for Family Assistance and Safety Net Assistance programs and administrative costs; and

WHEREAS, The Governor's 2019-20 Budget includes new costs to

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New York City requiring them to pay a 10 percent share of the costs for their Family Assistance program with an expected cost of \$72 million on a full annual basis according to state estimates; and

WHEREAS, Targeting one social services district for higher costs is unacceptable and could be a precursor to expanded cost shifts statewide; and

WHEREAS, The current strong economy and low unemployment provide significant opportunities for recipients to connect with employment and gain valuable work skills that can lead to self-sufficiency and family independence; and

WHEREAS, Local Departments of Social Services have demonstrated significant success in achieving self-sufficiency when program resources are dedicated to employment and supporting the needs of individuals and families as they return, or connect, to the workforce; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to prioritize employment as a key to achieving self-sufficiency and long-term independence for residents receiving Family Assistance and Safety Net Assistance; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is calling on the Governor and New York State Legislature to recognize that effective public assistance policies are grounded in accountability, integrity and supporting the needs of recipients in entering the workforce; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is calling on the Governor and New York State Legislature to limit new legislation and regulations that limit accountability for recipients in gaining employment, self-sufficiency and long-term independence from public assistance as we believe this can ultimately hinder the success of these recipients in achieving self-sufficiency; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is calling on the Governor and New York State Legislature to reverse the devolution of the State's fiscal support for public assistance programs and administration, and begin to restore state supported administrative costs to counties in order to maximize effective and efficient management of state programs and to help ensure the joint state and local goal of achieving long term independence from public assistance for families and individuals is attainable; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

News Release ~

- ***Wyo. Co. Provides New Option for Proper Disposal for Worn U.S. Flags***



NEWS RELEASE

FOR IMMEDIATE RELEASE: [March 12, 2019]
Contact: [Lisa Harvey, Wyoming County Veteran Services Director]
lharvey@wyomingco.net, (585) 786-8860
NACo Media Contact: Paul Guequierre, pguequierre@naco.org
 (202) 942-4271

Wyoming County provides new option for proper disposal of worn U.S. flags

New flag disposal box installed at Health Department Near the Veteran Services entrance

WASHINGTON – In partnership with the National Association of Counties, the National Flag Foundation, Wyoming County, New York has installed a flag retirement box, at no cost to the county, at 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550 near the Veteran Services entrance. Flags should be folded respectfully before being placed in the box.

The United States Flag Code prescribes flag etiquette — everything from flying it near other flags to instructions on how to raise and lower it. “The flag, when it is in such condition that it is no longer a fitting emblem of display, should be destroyed in a dignified way, preferably by burning,” says the code.

Officials from the Wyoming County Veteran Services Department will be responsible for the proper disposal of the worn flags.

“This centrally-located drop-off provides convenience while respecting our national symbol,” said A. Douglas Berwanger, Chairman of the Board of Supervisors. “The county is unified in helping enable our citizens to respect our great nation while disposing of old or worn out flags.”

Said NACo Executive Director Matthew Chase, “We are pleased to provide these flag retirement boxes. Helping residents properly dispose of worn U.S. flags is consistent with our commitment to public service and community engagement.”

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The National Association of Counties (NACo) unites America's 3,069 county governments. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government and exercise exemplary leadership in public service. More information at: www.naco.org

NATIONAL ASSOCIATION OF COUNTIES | 690 NORTH CAPITOL ST., N.W. SUITE 400 | WASHINGTON, D.C. 20001 | 202.383.6225 | FAX 202.383.2630 | WWW.NACO.ORG



FB.COM/NACODC | TWITTER.COM/NACOTWEETS | YOUTUBE.COM/NACOVIDEO | LINKEDIN.COM/NACONNACDC

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There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #22 through #29. Hearing no objection resolution titles were read.

#22

**RESOLUTION NO. 19-121
(March 12, 2019)**

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

**DEVELOPMENTAL DISABILITIES AWARENESS MONTH
PROCLAIMED**

WHEREAS, Disability is a natural part of the human experience that does not diminish the right of individuals with developmental disabilities to live independently, to exert control and choice over their own lives and to fully participate in and contribute to their communities through full integration and inclusion in the economic, political, social, cultural and educational mainstream of society; and

WHEREAS, Developmental disability awareness encourages people to understand that when people with disabilities are welcomed into local neighborhoods, houses of worship and schools, and are expected to work and have careers, everyone wins; and

WHEREAS, Wyoming County celebrating the abilities and contributions of people with developmental disabilities can only serve to enrich the community and enhance our diversity; and

WHEREAS, Every person, regardless of their ability has valued strengths, a capacity to learn and the potential to make important contributions to their local community; and

WHEREAS, We recognize Wyoming County's advancements concerning persons with developmental disabilities, and also acknowledge that our work to ensure full inclusion and integrated communities is not yet done; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim March 2019 to be **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** in Wyoming County and urges our citizens to give full support to efforts towards enabling people with developmental disabilities to live full and productive lives of inclusion in our communities.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#23

RESOLUTION NO. 19-122
(March 12, 2019)

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

**PROPOSED RESOLUTION CALLING ON THE OFFICE OF
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE
GOVERNOR TO ESTABLISH PERMANENT JAIL-BASED
SUBSTANCE USE DISORDERS (SUD) TREATMENT AND
TRANSITION SERVICES PROGRAM IN 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 SFY 2018-19 Enacted Budget included \$3.75M to fund County Mental Hygiene /Departments Local Government Units (LGUs) to develop and expand substance use disorder treatment and transition services in county jails; and

WHEREAS, The Wyoming County Board of Supervisors, New York State Association of Counties, Conference of Local Mental Hygiene Directors, New York State Sheriffs' Association and are pleased with and appreciate the Governor's support for the continuation of programs established under last year's funding by including an additional \$3.75M in the SFY 2019-20 Executive Budget proposal; and

WHEREAS, This is a significant first step in addressing the need, however this level of funding will not adequately sustain or create any additional programs in counties beyond March 31, 2019; and

WHEREAS, The Wyoming County Board of Supervisors and its partners are requesting a total of \$7.2M in SFY 2019-20, increasing to \$12.8M in SFY 2020-21 annually thereafter to support comprehensive jail-based substance use disorder treatment and post-release transition service in all county correctional facilities; and

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WHEREAS, A 2017 report entitled, "Completing the Recovery Treatment Continuum: Jail Based Substance Use Disorder Services" conducted by Policy Research Associates on behalf of the New York State Conference of Local Mental Hygiene Directors discusses the vital need to address a gap in the Substance Use Disorder (SUD) treatment continuum by funding treatment and transition services in the jail setting; and

WHEREAS, Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are experiencing abstinence while incarcerated and upon planning for discharge and may be more receptive to accepting treatment; and

WHEREAS, The cost of any SUD treatment and services provided inside the county jails is borne by the county, and it is an ever-increasing burden which the Counties cannot meet; and

WHEREAS, Annual OASAS State Aid funding to the LGUs for comprehensive jail-based SUD treatment and re-entry planning is critically important to reducing drug use, overdoses and overdose deaths, recidivism, crime, and will save taxpayer dollars money and most importantly, save lives; and

WHEREAS, Data from a July 2018 study published in the American Journal of Public Health now indicates that inmates were 40 times more likely to die of an opioid overdose in the first two weeks after release; 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 sewed; and

WHEREAS, In the era of property tax caps and increasing workforce shortages, a dedicated annual State funding stream to the LGUs is desperately needed in order to provide jail-based SUD treatment and transition services, as well for supporting and retaining staff, including but not limited to, screening and assessments upon entry, education and counseling services, peer support, CASACs, supervising staff, and other SUD treatment providers, medication assisted treatment and discharge planners to facilitate treatment after release; and

WHEREAS, Securing \$7.2 million in SFY 2019-20 Enacted Executive Budget will provide the necessary resources for LGUs to sustain existing programs and create additional jail-based SUD treatment and transition services programs in counties without funding to address the existing gap in the SUD treatment continuum which will further support

efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the Office of Alcoholism and Substance Abuse Services, 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#24

RESOLUTION NO. 19-123
(March 12, 2019)

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

**RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH,
 OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, AND
 THE GOVERNOR TO ENSURE LONG TERM VIABILITY OF HOUSING
 PROGRAMS FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS
 AND SUBSTANCE USE DISORDER**

WHEREAS, Safe and affordable housing with supports is an essential component of recovery for many people with serious mental illness and substance use disorders; and

WHEREAS, Mental Hygiene housing program models were developed decades ago with much lower level requirements for types of services and levels of staffing than what is necessary to assist clients with much higher-needs today; and

WHEREAS, Supported & Supportive housing models are expected and required to serve the clients with the highest and most challenging needs, manage the health and mental health for many clients with a co-occurring

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substance use disorder, and manage complicated medication regimens to treat their behavioral and other co-morbid chronic conditions such as heart disease, diabetes, high blood pressure, high cholesterol and pulmonary disease; and

WHEREAS, Directors of Community Services throughout the State report significant waiting lists for mental health and addiction recovery housing and it is becoming increasingly more difficult to find units that offer both higher level services and the appropriate staffing to safely serve these medically-complex individuals; and

WHEREAS, It is critical that State policymakers recognize how maintaining outdated housing models and reimbursements for these higher-need clients negatively impacts a county's ability to provide appropriate access to care and drives up costs; and

WHEREAS, To illustrate the extent of these waiting lists, Suffolk County has approximately 589 clients (131 homeless), Sullivan County with over 200 (no homeless), Orange County with over 800, and in the Finger Lakes - Seneca County with 97; and

WHEREAS, The State has a constitutional responsibility to provide stable, dignified, and affordable housing to these high-needs clients, and by continuing to provide insufficient reimbursement rates and inadequate funding, the counties will see further reductions in capacity and limited access to care leading to increased homelessness in their communities; and

WHEREAS, Office of Mental Health (OMH) Supported Housing was introduced in 1990 as an initiative to facilitate an increase in long-term/permanent housing options for clients with mental illness coupled with individual supports; and

WHEREAS, There are approximately 19,000 OMH Supported Housing units statewide with per-unit reimbursement rates that provide for a minimal set of services, often as little as one staff to tenant contact per month which does not go far enough in providing stability for clients with extensive mental and physical health care needs; and

WHEREAS, OMH and OASAS Supportive Housing provides permanent and affordable housing with supportive services to individuals or families with disabilities (mental illness, SUD, domestic violence, etc.) who are homeless or at risk of homelessness; and

WHEREAS, These settings are typically comprised of two models; congregate and scattered-site with approximately 50,000 units statewide, 32,000

of which are located in NYC; and

WHEREAS, New York City Department of Health and Mental Hygiene currently contracts for 8,699 units of supportive housing for individuals and families; and

WHEREAS, On average over 80% of the total annual funding for scattered site apartments (\$29,897,960) is being used for apartment rents; and

WHEREAS, Being obligated to devote such a proportion of funding to apartment rents degrades the necessary social services to keep vulnerable clients housed with appropriate supports; and

WHEREAS, Vital supportive housing programs need the State to increase rates to address this immediate need that is getting worse every year and becoming untenable; and

WHEREAS, Without a funding increase, programs are at serious risk of closure, which will push clients into homelessness and higher risks of mental and physical health destabilization; and

WHEREAS, The State offers Permanent Supportive Housing (PSH) models for individuals suffering from addiction that include: Medicaid Re-Design PSH, NY/NY III PSH (NYC), Re-Entry for Parolees in NYC PSH, Upstate PSH, Empire State Supportive Housing Initiative (ESSHI), and Continuum of Care Case Management - all with varied admission requirements ranging from jurisdictional mandates to homelessness; and

WHEREAS, The Upstate PSH currently supports only 124 units (outside NYC and Long Island) and does not address the current need; and

WHEREAS, The State's ESSHI program provides operational and service funding for housing developers/providers interested in developing new or rehabbed properties, and offers a payment structure resembling the actual cost of operating programs with a payment escalator; and

WHEREAS, The goal of OMH and OASAS housing programs is to assist and support participants in their achievement for housing stability, employment and self-sufficiency which requires substantial State investments to housing programs to meet the needs in every county; and

WHEREAS, Without appropriate State investments, these achievements will be unobtainable for a vast majority of individuals, resulting in

increased costs of hospitalization, incarceration and homelessness; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor, Office of Mental Health and Office of Alcoholism and Substance Abuse Services to include funding in the 2019-20 Executive Budget to adequately maintain the current levels of housing programs across the state, and include additional appropriations for the expansion or creation of new housing program models that will fit the needs of every county; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the State Office of Alcoholism and Substance Abuse Services 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#25

**RESOLUTION NO. 19-124
 (March 12, 2019)**

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

**RESOLUTION CALLING FOR GOVERNOR ANDREW M. CUOMO
 AND THE NEW YORK STATE LEGISLATURE TO CLASSIFY AS
 CONTROLLED SUBSTANCES CERTAIN FENTANYL "ANALOGUES"
 THAT ARE RESPONSIBLE FOR
 OPIOID OVERDOSE DEATHS**

WHEREAS, For nearly a decade, New York State and the rest of the United States have been experiencing an unprecedented epidemic in the abuse of legal and illegal opioid drugs, resulting in the addiction of millions of people and the overdose deaths of hundreds of thousands; and

WHEREAS, Fentanyl, a prescription opioid painkiller that is a controlled substance in the State of New York, is responsible for some of those overdose deaths, as are many substances known as fentanyl "analogues," drugs that have been designed to mimic the pharmacological effects of fentanyl, but that are not controlled substances in the State of New York because they are not listed on the appropriate schedules that classify controlled substances in Public Health Law Section 3306; and

WHEREAS, The ability of law enforcement officers in New York State to investigate and prosecute sellers of deadly opioid drugs is hampered by the gap in the law that results in some fentanyl analogues not being classified as controlled substances because the New York State Legislature has not acted to add those analogues to the appropriate Public Health Law schedules; and

WHEREAS, Under federal law, pursuant to 21 CFR Section 1308.11(h)(30)(i), the Administrator of the United States Drug Enforcement Administration has lawfully defined "fentanyl-related substance" to mean any substance related to fentanyl by certain specified chemical modifications; and

WHEREAS, If New York State classified as controlled substances any substances that meet the above federal definition of "fentanyl-related substance," the aforementioned gap in the law with regard to fentanyl analogues would largely be closed, and law enforcement would be able to investigate and prosecute sellers of currently-legal fentanyl analogues that are responsible for many of the overdose deaths; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the Governor and the New York State Legislature to amend New York Public Health Law Section 3306 to include as a controlled substance any substance that meets the definition of "fentanyl-related substance," as defined in 21 CFR Section 1308 .11(h)(30)(i); 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#26

RESOLUTION NO. 19-125
(March 12, 2019)

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

**RESOLUTION FOR NEW YORK STATE TO APPROACH
 LEGALIZATION OF AN ADULT-USE PROGRAM FOR
 RECREATIONAL MARIJUANA SLOWLY AND CAUTIOUSLY,
 KEEPING RESEARCH AND THE ANTICIPATED ROLE OF LOCAL**

March 12, 2019

**HEALTH/MENTAL HEALTH DEPARTMENTS IN THE FOREFRONT
OF CONVERSATION AS POLICY AND REGULATIONS
ARE DEVELOPED**

WHEREAS, The State of New York is considering legalizing an adult-use program for recreational cannabis; and

WHEREAS, Currently available research and findings from across the nation identify significant public health ramifications including:

- Increased risk of unintentional exposures in children, including through edibles;
- Measurable levels of tetrahydrocannabinol in breast milk samples up to 6 days after reported maternal marijuana use;
- Increased risk of stroke in individuals younger than 55 years of age;
- Increased risk of motor vehicle crashes;
- Use associated with chronic bronchitis, cough, sputum production and wheezing;
- Use associated with impaired learning, memory, math and reading achievement; and

WHEREAS, There is limited research demonstrating health impact on long-term use of marijuana; and

WHEREAS, Local health departments, treatment providers, law enforcement and others are working to curb opioid addiction, overdose and death; and

WHEREAS, Marijuana use by adolescents and young adults- even less-than-weekly use- is associated with future high-risk use of tobacco and other drugs like cocaine, ecstasy, opioids and methamphetamine; and epidemiologic and preclinical data suggest that the use of marijuana in adolescence could influence multiple addictive behaviors in adulthood; and

WHEREAS, During the Governor's listening sessions on regulated marijuana, community members and stakeholders communicated the need for improved access and cost to medical marijuana products for those prescribed; and

WHEREAS, New York State has one of the worst racial disparities in marijuana arrests in the United States, with people of color being eight times more likely to be arrested for possession than white people, despite similar rates of use; and

WHEREAS, There are possible linkages between legalization of marijuana with the advancement of social and racial justice initiatives and there

is no question, families would benefit from alleviation of marijuana-related arrests and jail time that has is proportionately affected low income and communities of color; and

WHEREAS, If policy on regulated marijuana moves forward, this will increase workload for the already taxed public health workforce and numerous other county departments; and

WHEREAS, We anticipate local health departments, who are reliably at the front line of all emerging public health matters, will need to expand workforce capacity to educate and protect communities if regulated marijuana policy is signed into law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon Governor and the New York State Legislature to undertake a major publicity campaign to educate the citizens of New York that cannabis may have undetermined health effects; and be it

FURTHER RESOLVED, Local health departments must be provided additional funding to adequately address issues resulting from recreational cannabis impacting local public health programs, as well as to develop and disseminate targeted educational campaign messaging which will protect vulnerable populations including children and pregnant women from harmful effects of marijuana use; and be it

FURTHER RESOLVED, The State of New York will expand, improve and maintain separate independence of the Medical Marijuana program by establishing clinical trials, research programs and addressing barriers to access including cost; and be it

FURTHER RESOLVED, If the State of New York plans to legalize an adult use marijuana program, we recommend the legal age of sale to be set at 21 years of age in combination with adoption of Tobacco 21 Policy at the state-level; and be it

FURTHER RESOLVED, Full service (those providing environmental health services) local health departments must be adequately funded to expand their New York Adolescent Tobacco Use Prevention Act (ATUPA) services, which currently covers children and adolescents up to 18 years of age. A legal age of sale set to 21 years and older for marijuana and tobacco products would require program expansion and increase in staff to mitigate harm reduction and injury prevention; and be it

FURTHER RESOLVED, Marijuana should be incorporated within

New York's Clean Indoor Air Act Law. Legalization of recreational marijuana will increase the number of clean indoor air act complaints local health departments are required to respond to, thus requiring a need for increased funding for infrastructure and capacity-building within local health departments which will allow them to respond to additional workload; and be it

FURTHER RESOLVED, As regulations are developed, the following recommendations be considered:

- a. Fund surveillance and research efforts to monitor more closely the type of use, frequency of use and potency of marijuana used by all New Yorkers; and
- b. Put infrastructure in place before sales begin. Regulations and rules, appropriate testing of infrastructure and critical staff onboarding should be finalized prior to beginning of sales; and
- c. Addition of marijuana to New York's Clean Indoor Air Act which will ensure children, youth and other vulnerable populations are not exposed to marijuana use or second hand smoke; and
- d. Expand existing tobacco laws including statewide adoption of Tobacco 21 policy; and
- e. Include warning labels on all marijuana products to ensure consumer awareness of health dangers and risk; and
- f. Formulate edible safety regulations including child-resistant packaging and restrictions on products which may be enticing to children; and
- g. Fully fund enforcement and oversight. Enforcement regulations related to restaurant and environmental inspections must mirror inflation and industry growth; and
- h. Standardize and test packaging and potency. THC concentration regulations, particularly those relating to packaging, labeling and testing, must be in place before implementation; and
- i. Establish and fund studies to evaluate reliable methods of toxicology field-testing and impairment levels which will help set evidence-based regulations for impaired driving as it pertains to marijuana use; and
- j. Encourage and fund the scientific study of health effects among New Yorkers who use marijuana; and
- k. Develop regulations to ensure the safety of additives used in the growth, harvesting, and production of marijuana; and
- l. Fund education, prevention and treatment through the county mental health departments; 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: 1455** **Noes:** **Absent: 51 (Eagle)** **Abstain:**
93 (Gainesville)
144 Total

#27

RESOLUTION NO. 19-126
(March 12, 2019)

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 UNFUNDED MANDATES AND 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 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, Unfunded public health mandates continue to emerge routinely, examples including: expansion of responsibilities for children's camps, Zika virus/mosquito surveillance, monitoring of unregulated contaminants in drinking water, technical assistance to schools to address lead in school drinking water and most recently, registration of cooling towers; and

WHEREAS, The state aid share for core public health services has not kept up with growing public health needs, nor has it supported the implementation of new and expanded state mandates; and

WHEREAS, The 2019-2020 Executive Budget proposes a substantial cut in State Aid Reimbursement to New York City Department of Health and Mental Hygiene which would reduce the percent of reimbursement above the base grant from 36% to 20%; and

March 12, 2019

WHEREAS, The justification provided for this is that NYC has access to other sources of funding, such as federal grants yet this statement does not align with the current Article 6 claiming process which requires that earned and grant revenue be subtracted from eligible costs and or expenditures and thus are already factored into the net eligible expenditures submitted for reimbursement; 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 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 has been reduced year after year and new funding streams for emergency response activities are frequently accompanied with 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 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 demonstrate the State's commitment to public health preparedness and safety measures aimed to protect residents in New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to call to action and reinvest within the 2019-20 Budget by restoring COLA and expanding Article 6 State Aid for General Public Health Work base grants and reimbursement rates in the following ways:

1. Reject proposed cut in state aid reimbursement NYS department of health and mental hygiene which would reduce the percent of reimbursement above the base grant from 36% to 20%.
2. Fully restore the cola for DOH programs which was removed in the 2018-2019 state budget;
3. Allow reimbursement of fringe expenses under article 6 state md appropriation;
4. Increase base grants to ensure public health services are eligible for full reimbursement of local expenditures:
 - a. Increase the base grant to full service LHDS (i.e. those with environmental health units) from \$650,000 to \$750,000;
 - b. Increase the base grant to partial service LHDS (i.e. those without environmental health units) from \$500,000 to \$550,000;
 - c. Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30;
 - d. Increase the beyond-base-grant state md reimbursement rate from 36% to 40%.
5. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation.
6. Allow local health departments the increased flexibility in funding to respond to public health community needs; and be it

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

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

March 12, 2019

RESOLUTION NO. 19-127
(March 12, 2019)

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

**RESOLUTION IN SUPPORT OF STATEWIDE LEGISLATION
CONCERNING THE SALE AND POSSESSION OF
SYNTHETIC DRUGS**

WHEREAS, Communities throughout New York State have experienced increased crimes, emergency room cases, illnesses, and deaths linked to the use and abuse of synthetic drugs and other similar substances or compounds; and

WHEREAS, Such products are being openly sold and marketed through New York State and online; and

WHEREAS, While New York State has continued to update its schedule of controlled substances, many new variants of these substances are able to avoid prohibition by slightly changing their chemical composition; and

WHEREAS, The health, safety, and well-being of all New York State residents is furthered by prohibiting the sale, use, or possession of these substances; and

WHEREAS, Synthetic drugs are more effectively regulated on a statewide basis through a comprehensive regulatory plan that covers existing and newly created drug variants, rather than through a patchwork of regulations enacted by localities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the Governor and New York State Legislature to introduce, support and enact statewide legislation banning the sale and possession of synthetic drugs; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby respectfully urges the Governor to sign said bill(s) forthwith upon passage; 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

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 a public safety and not a public health function; and

WHEREAS, Just recently one medical provider used by a sixteen-county region in eastern New York doubled their fee for autopsy services and cut toxicology services; and

WHEREAS, Many counties across New York State are forced to use one provider as many medical institutions have suspended autopsy and toxicology services; and

WHEREAS, In addition to a lack of affordable autopsy and toxicology providers, our state and nation is experiencing a dramatic shortfall in pathologists, particularly forensic pathologists; and

WHEREAS, The New York State Association of Coroner and Medical Examiners and NYSAC have partnered together to bring awareness to this problem; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges Governor Andrew M. Cuomo and State lawmakers to restore funding to counties to help offset the costs for state-mandated autopsy services, which are rapidly increasing due to the changing pathology landscape in New York State and the opioid epidemic; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors further advocates that Governor Andrew M. Cuomo and the New York State Legislature shift coroner and medical examiner funding from the New York State Division of Criminal Justice Services back to the New York State Department of Health; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

and

WHEREAS, The Governor's 2019/20 proposed budget, allocated \$17 million to farmland preservation and \$29.5 million to agriculture local assistance programs; and

WHEREAS, New York's farmland protection and agriculture assistance programs help sustain this vital industry and must be sustained in future years; and

WHEREAS, More than 30 percent of New York State farmers, who cultivate two million acres of land, are 65 years of age or older; and

WHEREAS, Research shows that over 90 percent of these senior farmers do not have a young farmer working alongside them to help manage their business; and

WHEREAS, Farmland in transition is most vulnerable to being sold out of farming; and

WHEREAS, Access to affordable land suitable for starting a new farm operation is the number one barrier for new and beginning farmers; and

WHEREAS, There were 30 percent fewer young farmers in New York in 2012 than in 2002; and

WHEREAS, Farmland protection is an important contributor to successful farmland transition and affordable farmland access; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at \$18 million and agriculture local assistance programs at \$34.4 million in the FY 2019/20 budget; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

March 12, 2019

RESOLUTION NO. 19-132
(March 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION REQUESTING STATE ACTION TO PLACE A
MORATORIUM ON THE VALUE OF DISTRIBUTED ENERGY
RESOURCES POLICY AND REESTABLISH
NET ENERGY METERING**

WHEREAS, New York State has established a mandate to get 50 percent of electricity in the State from renewable sources by 2030; and

WHEREAS, New York State is making solar energy more accessible to homes, businesses, and communities through the \$1 billion NY-Sun initiative, which is designed to build a self-sustaining solar industry in New York and help achieve strategic energy goals under the State's Reforming the Energy Vision (REV) strategy; and

WHEREAS, In 2015 Governor Cuomo announced the launch of the State's community solar policy, which aims to expand access to renewable energy for millions of New Yorkers, unleash new investment and ensure that "all New Yorkers, regardless of their zip code or income, have the opportunity to access clean and affordable power;" and

WHEREAS, Many counties are interested in developing their solar resources under the auspices of the State's community solar policy; and

WHEREAS, The New York State Public Service Commission recently implemented a transition from simple but effective retail rate net-metering to a rate structure for solar and other distributed generation based the value those technologies bring to the grid and our society; and

WHEREAS, The development of this new tariff known as the Value of Distributed Energy Resources or "VDER" was the result of a flawed process that did not allow for the use of satisfactory methodology and data that accounts for the complete range of values of solar energy and other distributed generation to be included; and

WHEREAS, The implementation of VDER has reduced confidence, stability, and growth of the state's nascent community solar market, particularly in many counties in the upstate regions of the State; and

WHEREAS, Legislation was introduced in the last session of the State Assembly (A.10474) and State Senate (S.8273) that would have placed a moratorium on the implementation of the VDER tariff and directed the New York Public Service Commission to develop a simple, full and fair successor tariff to VDER; and

WHEREAS, The State Assembly passed A.10474 by a vote of 122-17 but the Senate legislation did not receive a vote in the last session; and

WHEREAS, The loss of these community solar projects will impede the ability of counties to meet their clean energy goals and result in the loss of thousands of jobs and hundreds of millions of dollars of investment; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor, the New York State Legislature and any relevant executive departments to provide immediate relief to developers and customers of solar energy and other distributed energy resources by placing a moratorium on VDER and allowing for the use of net energy metering tariffs as previously allowed by law; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors requests New York State to re-evaluate current net metering laws, policies, and administrative interpretations and to create a reasonable timeline and approach for the successor tariff that includes all important value components but also avoids a pace that could result in insufficient methodology or data being adopted, avoids setting negative precedent for future processes, and ensures that financiers have enough time to become comfortable with its elements and thus not threaten the ability of solar developers to finance projects; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#34

RESOLUTION NO. 19-133
(March 12, 2019)

March 12, 2019

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION REQUESTING STATE ACTION TO
PROMOTE RECYCLING**

WHEREAS, Local governments and counties hereby support recycling efforts in our communities; and

WHEREAS, Many counties operate solid waste transfer stations and 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, but China the largest 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 municipal cost to dispose of recycled materials, including electronic waste, to increase to the point of exceeding and now approaching the tipping fees for regular trash; 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 tipping fees and other costs associated with recycling often has detrimental environmental effects such as "dumping" on both private and public lands; and

WHEREAS, The New York State Electronic Recycling and Reuse Act was intended to remove the burden and expense of managing costly electronic waste acceptance programs from municipalities and introduce a producer responsibility approach to managing this expanding waste stream; however, the Act has not had the desired effect; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports recycling and encourages the protection, promotion, and preservation of the ability to effectively recycle; and be it

- *New York State Chapter of the Year*
 - Pioneer FFA Team





Supervisor Kehl, T/Attica presented members with certificates of recognition for their participation in several presentations...

Chairman's Presentation ~

- *Paul Harvey Video*

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #35 through #37. Hearing no objection resolution titles were read.

#35

RESOLUTION NO. 19-134 (March 12, 2019)

By Mr. Leuer, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR GLOW REGION 2019 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, In January of 2017 the GLOW Committee issued a Request for Proposals for professional services to hazardous waste service providers to conduct household hazardous waste collection days; and

WHEREAS, On May 24, 2017, the GLOW Committee adopted Resolution No. 17-3 recommending Environmental Enterprises, Inc. as the

March 12, 2019

contractor responsible for collection, transportation and disposal of unwanted and/or unusable household hazardous waste from GLOW region residents; and

WHEREAS, The term of this contract was for one (1) year, with a possible second year extension at the same pricing and a possible third year extension with pricing to be renegotiated; and

WHEREAS, The GLOW Committee exercised the first extension option in 2018 and desires to exercise the second extension in 2019; and

WHEREAS, The GLOW Committee desires to hold this collection on September 14, 2019 at the Genesee County Highway Facility, 153 Cedar Street, Batavia, NY 14020; and

WHEREAS, The GLOW Region Solid Waste Management Committee has applied for funding from the New York State Department of Environmental Conservation for a Household Hazardous Waste Collection Project in 2019 in the amount of thirty five thousand dollars (\$35,000.00); now therefore

BE IT RESOLVED, That upon approval of the contract by the County Attorney, and on behalf of the GLOW Region Solid Waste Management Committee, the Chairman of the Wyoming County Board of Supervisors is authorized to sign the contract with *Environmental Enterprises, Inc.*, as the contractor for the GLOW Region 2019 Household Hazardous Waste Collection Program in an amount not to exceed thirty-five thousand dollars (\$35,000.00) with the source of funds being GLOW County contributions and anticipated state revenues appropriated from the New York State Department of Environmental Conservation.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#36

**RESOLUTION NO. 19-135
(March 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE NEW YORK STATE LEGISLATURE TO ADDRESS THE LACK
OF CELLULAR PHONE COVERAGE FOR ALL NEW YORK STATE
RESIDENTS AND VISITORS**

WHEREAS, Cellular service and the ability to use individual wireless devices is no longer a luxury, but rather a public necessity; and

WHEREAS, Every area of the State, irrespective of financial means or the economics of the individual community, has a right to this critical piece of infrastructure; and

WHEREAS, Cell phones and the requisite cell phone coverage are in many cases the first link of our emergency response chain for first responders including fire, EMS, and law enforcement; and

WHEREAS, This infrastructure also drives commerce and tourism, and is a critical component to the success of our education system and our students; and

WHEREAS, There are many large tracts of New York that do not have access to this public utility; and

WHEREAS, Government has an obligation to provide for the public safety, education, and equal treatment and opportunity for all of our citizens; and

WHEREAS, The Governor in his 2019 State of the State address called for the creation of an Upstate Cellular Coverage taskforce to identify solutions and develop policies addressing the lack of cellular coverage throughout New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon Governor Andrew M. Cuomo and the New York State Legislature to invest in cellular infrastructure, and push providers to invest in counties and communities throughout 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#37

RESOLUTION NO. 19-136
(March 12, 2019)

March 12, 2019

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION SUPPORTING EFFORTS TO ALLOCATE NEW YORK STATE RESOURCES AND FUNDING TO REGIONS OR COUNTIES ESTABLISHING "FULL COUNT" COMMITTEES

WHEREAS, The US Census Bureau is preparing for the 2020 decennial census; and

WHEREAS, Decennial census counts help the federal government distribute more than \$400 billion in funds annually for infrastructure, programs, and services; and

WHEREAS, The decennial census helps communities plan for future needs and deal with population-based programs; and

WHEREAS, Decennial population counts affect state and federal congressional representation and redistricting; and

WHEREAS, New York State and county governments are committed to ensuring that every resident in the state is counted in the 2020 Census; and

WHEREAS, Last year, every county in New York State participated in the Local Update of Census Addresses Program (LUCA), which is the only opportunity for states and municipalities to review and comment on the U.S. Census Bureau's residential address list for their jurisdiction prior to the 2020 Census; and

WHEREAS, Now the State of New York is encouraging counties and other regional and community entities to create "Full Count" committees; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors encourages New York State to provide resources and funding to counties, municipalities, and regional planning commissions as incentives and seed funding to create "Full Count" committees; 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: 1455 Noes: Absent: 51 (Eagle) Abstain: 93 (Gainesville) 144 Total

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #38 through #47. Hearing no objection resolution titles were read.

#38

**RESOLUTION NO. 19-137
(March 12, 2019)**

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

SEXUAL ASSAULT AWARENESS MONTH PROCLAIMED

WHEREAS, Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every person in this community; and

WHEREAS, Rape, sexual assault, and sexual harassment harm our community, and statistics show one in 5 women and one in 71 men will be raped at some point in their lives (*Black et al., 2011*); and

WHEREAS, Child sexual abuse prevention must be a priority to confront the reality that one in 6 boys and one in 4 girls will experience a sexual assault before age 18 (*Dube et al., 2005*); and

WHEREAS, Young people experience heightened rates of sexual violence and youth ages 12-17 were two and one-half times as likely to be victims of rape or sexual assault (*Snyder & Sickmund, 2006*); and

WHEREAS, On campus, one in 5 women and one in 16 men are sexually assaulted during their time in college (*Krebs, Lindquist, Warner, Fisher, & Martin, 2007*); and

WHEREAS, We must work together to educate our community about sexual violence prevention, supporting survivors, and speaking out against harmful attitudes and actions; and

WHEREAS, Prevention is possible when everyone gets involved. The first step is increasing education, awareness, and community involvement. It's time for all of us to take action to create a safer environment for all; and

WHEREAS, the Wyoming County Board of Supervisors joins advocates and communities across the country in taking action to prevent sexual violence. April is Sexual Assault Awareness Month, and each day of the year is an opportunity to create change for the future; now therefore

March 12, 2019

BE IT RESOLVED, That the Wyoming County Board of Supervisors, does hereby proclaim **April 2019** as **SEXUAL ASSAULT AWARENESS MONTH** in Wyoming County.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#39

RESOLUTION NO. 19-138
(March 12, 2019)

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

CRIME VICTIMS' RIGHTS WEEK PROCLAIMED

WHEREAS, Americans are the victims of more than 26 million crimes each year, and crime can touch the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status; and

WHEREAS, Many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, deaf and hard of hearing victims, LGBTQ victims, tribal victims, elder victims, victims with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others. The entire community has a role to play; and

WHEREAS, Involving survivors helps victim service providers and criminal justice professionals understand the culture, values, and expectations of under and unserved victims who seek assistance and justice. Engaging victims' communities and learning from leaders about their unique needs helps service providers foster a supportive and culturally relevant atmosphere in which victims seek help and healing; and

WHEREAS, Incorporating communities' existing experts and trusted sources of support into efforts to fully serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime. Victims know best how to direct and manage their own lives, and true recovery from crime will incorporate a victim's cultural, religious, economic, social, and personal interests; and

WHEREAS, With the full weight of their community and victim service providers behind them, survivors will feel empowered to face their grief, loss, fear, anger, and shame, without fear of judgment and will feel understood

and worthy of support; and

WHEREAS, Wyoming County is hereby dedicated to building partnerships with trusted sources of support, including community leaders, religious groups, schools, and other agencies to better reach and serve all victims of crime, no matter their community; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim the week of April 7-13, 2019, as ***Crime Victims' Rights Week in Wyoming County***.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#40

**RESOLUTION NO. 19-139
 (March 12, 2019)**

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

2019 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, That the United Way of Wyoming County has raised much needed funding for vital services provided by a number of human services agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2019 campaign goal of one hundred twenty-five thousand dollars (\$125,000.00) for these much needed services to County residents; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2019 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the issues we face and no single solution. However, great things happen when we **“LIVE UNITED”!**

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#41

**RESOLUTION NO. 19-140
 (March 12, 2019)**

March 12, 2019

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

RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES THAT ARE SET AND CONTROLLED BY THE STATE

WHEREAS, On December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, On April 1, 2016 the State Legislature funded the Commission's recommendation and 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, 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, and prior to this increase, the State 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 requested in correspondences with state officials that the state fund this salary increase; and

WHEREAS, In 2016, 2017 and 2018 the State Legislature enacted separate \$150 billion State Budgets but did not include State funding for the \$1.8 million in costs for the increase in District Attorney salaries; and

WHEREAS, The State has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state-imposed property tax cap; and

WHEREAS, The Governor and State Legislature have recognized lowering property taxes is the main priority to ensure a healthy Upstate New York Economy; and

WHEREAS, For some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016, 2017 and 2018; and

WHEREAS, In 2019 and beyond this annual unfunded mandate will continue to increase as Judicial salaries, and the D.A. salary tied to them, receive annual COLA raises; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#42

RESOLUTION NO. 19-141
(March 12, 2019)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
 ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF
 INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC
 DEFENDER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Office of Indigent Legal Services*, 80 South Swan Street, Albany, New York, 12223 on behalf of the Public Defender's Office. Said grant is for the statewide expansion of Hurrell-Harring Contract in a minimum amount one million nine hundred forty-five thousand six hundred five dollars (\$1,945,605.00.00); effective April 1, 2018 through March 31, 2023.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#43

March 12, 2019

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#46

RESOLUTION NO. 19-145
(March 12, 2019)

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

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

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **SAIA Communications, Inc.**, 100 Stradtman Street, Buffalo, NY 14206 on behalf of Emergency Services. Said contract for the leasing of tower and building space for communications equipment in an amount not to exceed forty-five thousand dollars (\$45,000.00); effective January 1, 2019 through December 31, 2023.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#47

RESOLUTION NO. 19-146
(March 12, 2019)

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

RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE
PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW
YORK STATE TO PROTECT THE PUBLIC AND REDUCE RELIANCE
ON PRISONS, JAILS AND DETENTION

WHEREAS, County Probation Departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, It is the mission of Probation to protect the community

through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for Probation has been drastically reduced since 1990 from a 53.5 percent State share in 1990 to less than two percent in 2017, putting a huge strain on counties and costs to county property taxpayers; and

WHEREAS, At the same time there have been increases in the number of mandated programs and services county probation departments are required to provide; and

WHEREAS, The New York State Council of Probation Administrators, representing New York State Probation Directors, Administrators and Commissioners, has diligently worked with State leaders to bring more awareness to the important work that probation does to protect the public; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve probation and alternatives to incarceration in the following ways:

1. To support the Raise the Age Law:
 - Raise the minimum age that a youth can be charged as a juvenile delinquent from seven to twelve years old.
 - Increase the maximum timeframe for diversion services from four to six months for juvenile delinquents.
 - Mandate that the state's evidence-based criteria should account for existing local best programs.
 - Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
2. Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence-based programming associated with the Raise the Age Law.
3. Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.
4. Ensure that local probation departments receive 100% of all costs including but not limited to probation personnel associated with bail reform/cashless bail.

5. Authorize law enforcement agencies to issue appearance tickets, instead of physical arrests, when AO's and JO's are charged with D felonies.
6. Allow law enforcement agencies to deliver AO, JO, and JD to detention facilities after business hours without a securing order until the next business day or until court is in session.
7. Eliminate mandate that pre-sentence investigation must be conducted when a sentence of up to one-year in jail has been negotiated; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

Chairman Berwanger invited Supervisor Copeland to the podium to present the United Way Campaign proclamation.

Supervisor Copeland invited Andrea Aldinger to the podium to accept the proclamation.

Ms. Aldinger read the proclamation and thanked the board for always supporting the campaign. Ms. Aldinger serves as the current board chair... She added that the employees of Wyoming County contribute somewhere in the neighborhood of \$17,000 annually which makes up a large portion of the campaign.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #48 through #54. Hearing no objection resolution titles were read.

#48

RESOLUTION NO. 19-147
(March 12, 2019)

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**

Regular Session

WHEREAS, a Project for the *Preventative Maintenance on 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, ROW and Construction*.

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

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and 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 **\$953,000.00** 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 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

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WHEREAS, Under the proposed legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the mandatory competitive bid process; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the enactment of legislation or budget language that increases the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than \$500,000. This will allow more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#50

RESOLUTION NO. 19-149
(March 12, 2019)

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

**RESOLUTION URGING THE GOVERNOR AND STATE
 LAWMAKERS TO GRANT DESIGN-BUILD CONSTRUCTION
 AUTHORITY TO COUNTIES AND NEW YORK CITY**

WHEREAS, Current road, bridge, building, and infrastructure construction projects are cumbersome and expensive for local governments and taxpayers in New York State; and

WHEREAS, Design-build contracting saves time and money by eliminating time in procuring design services separately from construction services, and by making a single entity responsible for a project, reducing the possibility of contract claims related to design errors or omissions; and

WHEREAS, Design-build is a method of construction project delivery in which one entity works under a single contract to provide design and

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construction services; and

WHEREAS, Design-build projects minimize project risk for the owner, increase the accountability of contractors and streamlines the delivery schedule by compressing two procurements into one, eliminating one full procurement cycle; and

WHEREAS, Design-build further streamlines the delivery schedule by overlapping the design and construction phases of a project, and

WHEREAS, New York State already has granted itself the authority to use design-build on their construction projects with great success; and

WHEREAS, The State has proven this method saves both time and taxpayer spending all while minimizing project risk; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and State Lawmakers to grant New York City and county governments the authority to use design-build construction to achieve these needed construction project results; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#51

RESOLUTION NO. 19-150
(March 12, 2019)

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

**RESOLUTION URGING THE GOVERNOR AND STATE
 LAWMAKERS TO EXCLUDE LOCAL COSTS FOR ROAD, BRIDGE,
 AND INFRASTRUCTURE CAPITAL CONSTRUCTION PROJECTS
 FROM THE ANNUAL PROPERTY TAX CAP CALCULATION**

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, In 2011 the State Legislature enacted a state-imposed local property tax cap, which requires local governments and schools to limit their property tax increases to two percent or the rate of inflation, whichever is less; and

WHEREAS, Counties direct 90 percent of the property taxes collected statewide to fund state mandated programs and services, and they must pay for the mandates first before funding local quality of life programs; and

WHEREAS, At the time of passing the property tax cap, State Lawmakers pledged that they would provide extensive mandate relief to help counties and local governments meet the new property tax requirements; and

WHEREAS, State Leaders lowered the cost of future mandated costs by capping local Medicaid costs and enacting a new pension tier, but did not reduce the costs of state mandates on counties; and

WHEREAS, Since the enactment of the property tax cap counties and local governments have delayed or avoided critical infrastructure capital projects because they did not want to exceed the state-imposed property tax cap; and

WHEREAS, The longer these capital projects are ignored and forestalled, the more likely they will turn into emergencies and result in even greater costs to local taxpayers; and

WHEREAS, The current property tax cap law allows an exclusion for the local funds used in school district capital obligations but does not include a comparable exclusion for counties and other local governments that use local funds for capital projects; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and the New York State Legislature to amend the property tax cap to exclude local expenditures used for town and county highway, bridge, and other infrastructure capital projects with a design life of no less than two years, including but not limited to water, sewer, and storm water from the state's property tax cap calculation; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, New York State Senator Patrick Gallivan, New York State

March 12, 2019

Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#52

RESOLUTION NO. 19-151
(March 12, 2019)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Unified Court System*, 25 Beaver Street, New York, NY 10004 on behalf of Buildings and Grounds (Co. Bldgs.). Said grant to fund interest aide reimbursement on the equipment and labor for work done in accordance with the Danforth Project at the Wyoming County Courthouse, Government Center and Records Retention in a minimum amount of nineteen thousand six hundred twenty-two dollars and sixty-one cents (\$19,622.61); effective February 1, 2019 through March 31, 2020.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#53

RESOLUTION NO. 19-152
(March 12, 2019)

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH HERKIMER COUNTY HUMANE SOCIETY 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 *Herkimer County*

Humane Society, 514 State Route 5S, Mohawk, NY 13407 on behalf of Buildings and Grounds (Co. Bldgs.). Said **revenue** contract is for the purchase of disposed kennels from the Wyoming County Animal Shelter Project in an amount not to exceed two hundred (\$200.00); effective February 25, 2019 through date of pickup.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

#54

RESOLUTION NO. 19-153
(March 12, 2019)

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

**RESOLUTION URGING SUPPORT FOR INCREASED FUNDING TO
 LOCAL TRAFFIC SAFETY BOARDS IN ORDER THAT SUCH
 TRAFFIC SAFETY BOARDS CAN DEVELOP AND IMPLEMENT
 PROGRAMS AND ACTIVITIES THAT WILL MAKE OUR LOCAL
 ROADS SAFER**

WHEREAS, Under the authority of Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a county not wholly included within the City of New York may establish a local traffic safety board for such respective county; and

WHEREAS, Under Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a traffic safety board shall, among other things:

- Promote and encourage street and highway traffic safety;
- Formulate county-wide programs and coordinate efforts of interested parties and agencies engaged in traffic safety education;
- Corporate with local officials within the respective county in the formulation and execution of traffic safety programs and activities;
- Study traffic conditions on streets and highways within the respective counties, study and analyze reports of accidents and causes thereof, and recommend to the appropriate legislative bodies, departments or commissions, such changes in rules, orders; regulations, and existing laws as deemed advisable;
- Promote safety education for drivers and pedestrians;
- Obtain and assemble motor vehicle accident data and analyze, study and consolidate such data for educational and informational purposes; and

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Highway

- Set Salary of **Deputy Co. Highway Supt.** (Position code 005.503) at \$75,000.00 annually; effective on or about March 4, 2019.

Real Property Tax Services

- Set the salary of the **Assessor** at \$65,000.00 annually; effective February 1, 2019 due to the addition of the Town of Wethersfield in the assessment program.

Public Health

- Set the salary of **Fiscal Administrator** at \$53,939.00 annually; effective March 1, 2019.

Buildings and Grounds

- Set a one-time stipend of \$1,000.00 to the **Sec to Supt of Build & Gr (CB)**; effective March 12, 2019 or the first available date of pay, payable in one lump sum.

Board of Elections

- Set the salary of **Deputy Commissioner (R)** (1.00 FTE) (position code 004.502) at an hourly wage of \$19.2571 (annual salary equivalent of **\$35,048.00**); position available date is February 19, 2019.
 - Upon completion of four (4) months satisfactory performance and meeting pre-established goals, set hourly wage at \$20.9055 (annual salary equivalent of (\$38,048.00)
 - Upon completion of eight (8) months satisfactory performance and meeting pre-established goals, set hourly wage at \$22.5538 (annual salary equivalent of (\$41,048.00)
 - All other compensation and benefits as stipulated in Salary Schedule “S” and associated handbook.

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

- Place one (1) position of **Assistant Director of Nursing (Temp)** under NURSING FACILITY ADMINISTRATION and set an hourly wage at \$50.00 per hour, not to exceed 1,300 hours per year; position available date is February 24, 2019.
- Abolish stipend for **Director of Behavioral Health** under MENTAL HEALTH UNIT in the amount of \$384.62 plus corresponding fringes payable each bi-weekly payroll period while providing social work services for the Skilled Nursing Facility; effective March 23, 2019.

Salary Schedule “D”:

March 12, 2019

Real Property Tax Services

- Adjust the stipend for the **Director of Real Property Tax Services** to \$10,500.00 annually (\$1/parcel) for countywide assessing services; effective February 1, 2019 due to the addition of the Town of Wethersfield in the assessment program.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#56

**RESOLUTION NO. 19-155
 (March 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
 REFORM THE FORMULA FOR FUNDING THE STATE SHARE OF
 COMMUNITY COLLEGE**

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 of at least one-third, and up to 40%, of community college operating costs; and

WHEREAS, The state funding amount has declined over the years and is now below their historic one-third commitment, and far short of 40%; and

WHEREAS, The Legislature and Governor have been providing modest increases in state aid the last few years, but this year the state reduced community college base aid by \$11.6 million; and

WHEREAS, The State University of New York has proposed a new funding formula that requires the state to adhere to a maintenance of effort for funding community colleges, which will prohibit cuts to base aid and institute a funding “floor” for each campus; and

WHEREAS, The SUNY plan also calls for the increase of state funding for full time equivalent (FTE) students by \$125, from \$2,847 to \$2,972 per student; and

WHEREAS, These proposals are supported by the associations representing the community college presidents and community college faculty; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to adopt the State University of New York’s proposed new formula for funding the state share of community colleges; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#57

RESOLUTION NO. 19-156
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE
 LEGISLATURE TO ENACT LEGISLATION THAT ENSURES 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**

WHEREAS, The U.S. Supreme Court recently ruled in favor of all states to collect sales tax on Internet purchases made by consumers in their state under *South Dakota v. Wayfair*; and

WHEREAS, The *South Dakota v. Wayfair* decision declared that their prior ruling under “*Quill* creates rather than resolves market distortions”; and

WHEREAS, The Decision further declares, “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

March 12, 2019

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:

- ***Campus Construction Management Group, Inc.***, 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 to provide construction management services for the Orthopaedic Clinic Renovation project in an amount not to exceed eighty-two thousand dollars (\$82,000.00); effective February 1, 2019 through January 31, 2020.
- ***A. J. O'Dell Foundation***, 223 Park Street, Arcade, NY 14009 for approximately 3,130 square feet of space located at the A. J. O'Dell Foundation Medical Center located at 7846 Route 98 South, Arcade, NY for the purpose of providing medical services to the community in an amount not to exceed fifteen thousand dollars (\$15,000.00) per year with increases equal to inflation index, plus utilities and services for a total amount not to exceed seventy-five thousand dollars (\$75,000.00); effective May 1, 2019 or earlier if space is available through April 30, 2022 (with three additional three (3) year options to extend the lease at the discretion of WCCHS).
- ***Westside Podiatry Group, LLC***, 2236 Ridge Road West, Rochester, NY 14626 to provide Podiatrists and Physician Assistants to provide podiatry services to the Hospital's Podiatry Clinic and in surgery in an amount not to exceed one hundred seventy-five thousand dollars (\$175,000.00) per year; effective June 1, 2019 or upon credentialing and obtaining malpractice insurance through May 31, 2020.
- ***Mark Varallo, MD, PLLC***, P.O. Box 1207, Wilson, NY 14172 to provide behavioral health services required by patients at the Wyoming County Community Health System in amount not to exceed three hundred ten thousand dollars (\$310,000.00) per year; effective July 1, 2019 through June 30, 2022.
- ***Kideney Architects, P.C.***, 143 Genesee Street, Buffalo, NY 14203 for professional design services for the programmatic and schematic design of the potential new building (programs to be considered include laboratory, surgical suite, radiology, conference room, dialysis, among others) in an amount not to exceed ninety-six thousand five hundred

RESOLUTION NUMBER 17-199 AMENDED

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

- ***Eichenauer Group, LLC***, 35 Sylvan Knoll, Rush, NY 14543
 - To assist in operating, managing and supervising the Hospital in the name, for the account, and on behalf of the Hospital and Donald T. Eichenauer be hereby appointed to staff the position of CEO in an amount not to exceed twenty-five thousand two hundred forty-five dollars (\$25,245.00) per month for a total of three hundred two thousand nine hundred forty dollars (\$302,940.00) per year. Plus one thousand dollars (\$1,000.00) per month for the cost of computer, computer software and support, cell phone, professional organization memberships, dues and licensing and local business travel expenses; effective May 1, 2017 through April 30, 2018;

And,

WHEREAS, That Resolution Number 17-199 was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-246*** to extend the contract expiration date from April 30, 2018 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

And,

WHEREAS, That Resolution Number 17-199 as previously amended by Resolution Number 18-246 and Resolution Number 18-282 was further

amended by this Board of Supervisors on October 9, 2018 by **Resolution Number 18-430** as follows:

- The following language is removed from the contract and from **Resolution Number 18-282**:
 - 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
- The following language is added the Services Agreement:
 - Upon the date April 30, 2019 or earlier date Administrator is no longer serving as Administrator, the Eichenauer Group, LLC will be compensated **\$40,000.00** for additional assistance provided related to recruitment and onboarding of a replacement Administrator
 - If a replacement Administrator has not been appointed by May 1, 2019, Administrator agrees to continue to provide services as Administrator through December 31, 2019 and assist and participate in the recruitment and onboarding of a replacement Administrator and will be compensated **\$26,670.00** on December 31, 2019, or earlier date that Administrator is no longer serving as Administrator
 - Extend the contract expiration date from April 30, 2019 through **December 31, 2019**

Now therefore,

BE IT RESOLVED, That **Resolution Number 17-199**, as previously amended by **Resolution Number 18-246**, **Resolution Number 18-282** and **Resolution Number 18-430**, be hereby further amended by adding the following language to the contract:

- Upon the date of January 1, 2020 when Administrator is no longer serving as Administrator, **Donald T. Eichenauer** agrees to remain available and perform requested consulting and related services, as Special Advisor to the Board, and the Hospital agrees it will compensate the **Eichenauer Group, LLC** for such availability and services provided as follows:
 - For the twelve (12) month period of January 1, 2020 through December 31, 2020, **Donald T. Eichenauer** will be available for and/or perform requested consulting and related services for one hundred fifteen (115) hours per month, on average.

March 12, 2019

- In an amount not to exceed sixty-five thousand forty-three dollars and eighty-six cents (\$65,043.86) for 2019 plus a four percent (4%) increase each year thereafter.

All else remains the same.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#63

RESOLUTION NO. 19-162
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-076 AMENDED

WHEREAS, Resolution Number 17-076 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this Board of Supervisors on February 14, 2017 and provides for various contracts, in part, as follows:

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

And,

WHEREAS, That Resolution Number 17-076 was previously amended by this Board of Supervisors on April 11, 2017 by **Resolution Number 17-201** to rescind the contract in its entirety effective April 1, 2017 and replace it with the following contract:

- **General Physician, P.C.**, 726 Exchange Street, Suite 516, Buffalo, NY 14210 for a two-year Ear, Nose, and Throat Medicine Services Agreement to provide board certified physician services in otolaryngology (ear, nose and throat) and allergy medicine at WCCHS clinic, inpatient and call as per the contract three (3) days per week in an amount not to exceed:
 - twenty-nine thousand five hundred eighty-three dollars

periods of time providing clinic, surgery, emergency on-call or laborist services. Agreed upon periods of time will be scheduled and confirmed in writing or by email between the parties and will be paid in an amount not to exceed one hundred dollars (\$100.00) per hour (on average); effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.

And,

WHEREAS, That Resolution Number 17-199 was previously amended by this Board of Supervisors on April 10, 2018 by **Resolution Number 18-205** to extend the term of the contract from March 31, 2018 to **March 31, 2019**; and

WHEREAS, That Resolution Number 17-199 as previously amended by Resolution Number 18-205 was further amended by this Board of Supervisors on February 12, 2019 by **Resolution Number 19-090** as follows:

- Change the name of the contracting party from Farkad Balaya, MD, PLLC to **Farkad M. Balaya, MD P.C.** to match his official entity name.
- Change address from 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216 to **155 Main Street, Hamburg, NY 14075.**

Now therefore,

BE IT RESOLVED, That **Resolution Number 17-199** as previously amended by **Resolution Number 18-205** and **Resolution Number 19-090** be hereby further amended as follows:

- Change the effective date of the professional medical services agreement from April 1, 2017 and upon completion of credentialing and obtaining malpractice insurance through March 31, 2018 to **July 1, 2017 through June 30, 2018** to reflect actual contract start date.
- Extend the term of the agreement from July 1, 2017 through June 30, 2018 to **July 1, 2018 through June 30, 2019.**
- Further extend the term of the agreement from July 1, 2018 through June 30, 2019 to **July 1, 2019 through June 30, 2020.**

All else remains the same.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#65

RESOLUTION NO. 19-164
(March 12, 2019)

Regular Session

economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and critical emergency response for all of New York's local and regional communities and for the nation; and

WHEREAS, 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 State Budget schedules \$12.5 million for the Aviation Capital Grant Program for this fiscal year and the next; 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 New York State Legislature for the state's financial commitments to New York airports that will help fund critical

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, State-imposed mandates on counties require more than \$12 billion annually in locally raised taxes to be sent to the State Capitol so they can be used in lieu of state raised taxes to pay for statewide programs and initiatives; and

WHEREAS, state elected officials recognize that mandating local governments to finance state-designed and controlled programs directly impacts the property tax burden and to help mitigate this they have enacted important mandate relief for county property taxpayers including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and

WHEREAS, Since the enactment of these mandate relief initiatives the growth rate in aggregate county property taxes has slowed dramatically, generally averaging two percent per year over the last decade, less than the rate of inflation over that time frame; and

WHEREAS, County officials believe that one of the best ways to improve New York's economic climate and competitiveness is to not just slow the rate of growth in property taxes, but to lower them from today's levels; and

WHEREAS, Counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in historic and sustainable reductions in county property taxes and establish a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, The cost of the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS, The benefits, scope, and ultimate cost of Medicaid has been set and controlled by the State for 50 years, but not fully financed with

state resources, therefore transferring a significant burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York and other states; and

WHEREAS, Cornell University researchers have documented how New York's practice of shifting fiscal responsibilities from the state to lower levels of government including counties creates severe imbalances between New York and other states in relation to property taxes; and

WHEREAS, The Wyoming County Board of Supervisors attributes the practice of using local revenues to subsidize statewide spending initiatives as the number one reason why New York's property taxes are the highest in the nation; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent, and measurable county property tax reductions and lower tax rates for New York City residents; and be it

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

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#68

RESOLUTION NO. 19-167
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON PRESIDENT TRUMP AND CONGRESS
 TO PASS A FULL YEAR OF APPROPRIATIONS TO AVERT
 ANOTHER FEDERAL GOVERNMENT SHUTDOWN**

WHEREAS, An historic thirty-five-day partial federal government shutdown negatively affected the hardworking men and women that play a critical role in providing essential services to our communities and keeping them

March 12, 2019

safe;

WHEREAS, 14,000 members of the federal workforce in New York State worked for departments affected by the partial shutdown, including Agriculture, Justice, and Treasury; and

WHEREAS, Downstate was acutely affected because more than half of the 116,000 federal workers in New York State are concentrated in New York City's five boroughs and Nassau and Suffolk counties; and

WHEREAS, Employees who did show up to work in many cases worked longer hours and additional days, while others even performed side jobs to maintain a source of income; and

WHEREAS, 2.7 million New Yorkers that depend on Supplemental Nutrition Assistance Program (SNAP) benefits received their February benefits early because of the shutdown and now may run out of food before the end of March; and

WHEREAS, The shutdown resulted in the suspension of more than 1,000 contracts between the U.S. Department of Housing and Urban Development (HUD) and landlords who rent to the poor, affecting nearly 85,000 low-income households nationwide; and

WHEREAS, National Parks reduced staffing and limited access to facilities; and

WHEREAS, Federal loans that millions of college and university students rely on were delayed, leaving many unable to pay their tuition; and

WHEREAS, The shutdown resulted in billions in lost economic activity; and

WHEREAS, The Environmental Protection Agency (EPA) and Federal Drug Administration (FDA) reduced inspections of hazardous sites and food products, respectively; and

WHEREAS, Many federal cases were postponed because of the shutdown, denying Americans access to timely and just court proceedings; and

WHEREAS, There was an increase in the number of air Transportation Security Administration (TSA) workers and air traffic controllers calling in absent and working extra shifts without pay, jeopardizing the safety of travelers and causing delays; and

WHEREAS, Local jails that house federal inmates across the country scrambled to pay their bills because they rely on money from federal agencies to house these inmates and those checks stopped flowing; and

WHEREAS, Federal Bureau of Investigation (FBI) agents postponed indictments and undercover operations, put off meeting with informants, delayed interviews with child sexual- assault victims, cancelled trainings with state and local law enforcement agencies, and suspended payments for investigation collaborations with local law enforcement; and

WHEREAS, The President and Congress should never let politics put the safety of the American people in jeopardy; and

WHEREAS, On January 25, 2019, President Donald J. Trump announced a deal to temporarily reopen the government; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the President and Congress to come to a lasting resolution and pass a full year of appropriations to avert another government shutdown; and be it

FURTHER RESOLVED, That the federal government hold counties harmless for funding lost during the shutdown; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#69

RESOLUTION NO. 19-168
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE
 LEGISLATIVE LEADERS TO PROVIDE COUNTIES WITH
 PERMANENT LOCAL AUTHORITY OVER THEIR SALES TAX**

March 12, 2019

**RATES, WHILE ALSO REFORMING THE ENTIRE 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, The Governor has indicated his desire to make the property tax cap permanent; 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 five different counties have seen their home rule revenue authority held hostage in unrelated state policy fights, resulting in the lapsing of local sales tax and mortgage recording tax authority; and

WHEREAS, The loss of these revenues causes fiscal stress and budget uncertainty for counties, while increasing pressure on property tax rates; and

WHEREAS, In the case of sales tax, counties often share the revenues 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, and villages will likely exceed \$1.9 billion in 2018; and

WHEREAS, Enacting longer home rule revenue authorizations, or making them permanent, still allows for appropriate state legislative review in the future upon any change; and

WHEREAS, New York City was granted permanent local authority over their sales tax rate nearly a decade ago, while county requests for the same authority have been repeatedly denied; and

WHEREAS, Permanent home rule sales tax authority would provide more budget certainty and stability, while reducing 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 the New York State Legislature to provide parity with New York City by granting permanent home rule sales tax authority to counties; and be it

FURTHER RESOLVED, That counties urge State leaders to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state and local level, while retaining state legislative review; 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: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
 144 Total

#70

RESOLUTION NO. 19-169
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE
 LEGISLATURE TO ENACT NO NEW UNFUNDED MANDATES
 LEGISLATION**

WHEREAS, There has been a long-documented history of the impact that unfunded and underfunded state and federal mandates have on local tax burdens; and

WHEREAS, This mandate problem has been particularly acute for the counties of New York with the vast majority of most counties' spending being directly linked to paying for state and federally mandated expenses; and

March 12, 2019

WHEREAS, There are state mandated programs where, each year, the state consistently underfunds their legally required (or promised) share of program costs; and

WHEREAS, Legislative actions that ignore state law reimbursement requirements, or fail to fully support promised funding, forces local taxpayers to finance hundreds of millions of dollars annually in state program costs with locally raised revenues; and

WHEREAS, Most states do not impose so many unfunded mandates on their local governments; and

WHEREAS, The state's failure to pay its promised share of costs directly leads to a higher local tax burden compared to other states; and

WHEREAS, The Governor and State Legislature have recently taken steps that recognize and begin to address some of the impact these mandates impose on local property taxpayers, including:

- Establishment of a 2 percent property tax cap;
- Enacting a no growth cap in county Medicaid costs; and
- Creation of a new pension tier; and

WHEREAS, The state promised significantly more mandate relief for local governments under the property tax cap, which has failed to materialize; and

WHEREAS, The Governor is proposing to make the property tax cap permanent; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to enact a freeze in costs to all local governments on existing state mandates and implement a ban on the imposition of new unfunded mandates on local governments; and be it

FURTHER RESOLVED, This ban on unfunded mandates and freeze on existing mandates, should be statutory in the first instance and then enshrined in the State Constitution in order to protect local taxpayers; and be it

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

**RESOLUTION NO. 19-172
(March 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**WILLIAM STREICHER APPOINTED ACTING DIRECTOR OF
FIRE AND EMERGENCY MANAGEMENT**

BE IT RESOLVED, That *William Streicher*, 486 Sanders Hill Road, Strykersville, NY 14145 be hereby appointed to the position of Director of Fire and Emergency Management on an acting, temporary basis; effective March 4, 2019; and be it

FURTHER RESOLVED, That Salary Schedule “D” be hereby amended to set the salary of the Acting Director of Fire and Emergency Management at \$50,000.00 annually; effective March 4, 2019.

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

Prior to the presentation of the next resolution WCCH CEO, D. Eichenauer had the following power point presentation he wanted to share with the board...

**What's Happening at WCCHS
March 12, 2019**

- Quality hospital compare
- Joint certification
- Financial performance – 2018
- Family practice and specialty clinics
- New family medicine residents
- New services in 2019
- Growth in surgeries
- Orthopaedic clinic renovation project
- Laboratory renovation project
- Proposed new surgical suite
- ECMC relationship
- Areas of concern

WCCHS
Western Cayuga Community Health System

Quality Hospital Compare

- The latest Hospital.gov effective February 2019 **WCCHS is rated as a 3 star Hospital.**
- There are 29 hospitals within 50 miles of Buffalo included in the information. The rankings are as follows:

| | |
|-------------------|---|
| 5 Star – 0 | 2 Star – 15 |
| 4 Star – 2 | 1 Star – 4 |
| 3 Star – 5 | Too small / not enough data to report - 3 |
- Skilled Nursing Facility continues to be **5 out of 5 stars** in quality.

Joint Certification

- Another first for WCCHS. WCCHS is one of seven hospitals in NYS to earn a Gold Seal of Approval® for advanced total hip and total knee replacement surgery from The Joint Commission and helps build the structure for our first-class orthopedic program.



Financial Performance - 2018

- Achieved operating profit and bottom line net income
- Strong performance in most areas – Skilled Nursing Facility 99% occupancy throughout year

Family Practice and Specialty Clinics

- Current Specialty Clinics revenue grew 42% from previous year
- Family Practice to be added to clinic offerings in 2019
- Services to be expanded to other areas of County

New Family Medicine Residents

- Sydney Domanowski
- Tracy Fabian
- Vincent Newman



August 1, 2019



New Services in 2019

- New orthopaedic surgeon joining the team
- Podiatry services coming Summer of 2019

Growth in Surgeries

| | 2018 vs 2017 |
|---------------------|-----------------------------|
| Inpatient surgery | 45.4% |
| Ambulatory surgery | 23.8% |
| TOTAL | 27.7% |
| | Primary Contributors |
| Orthopaedic surgery | 58.5% |
| General surgery | 9.9% |
| OBGYN surgery | 39.0% |

Orthopaedic Clinic Renovation

- \$1.25 million approved to convert the hospital's former emergency department into space for orthopedic services

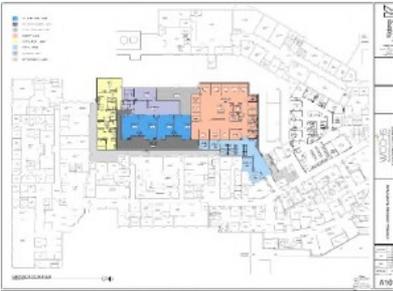


Laboratory Renovations

- \$3.1 million grant awarded to renovate and modernize the hospital's laboratory

Proposed New Surgical Suite

- Approved hiring architects for the programmatic and schematic design of the proposed addition
 - laboratory, surgical suite
- \$13 million expansion, including lab



ECMC Relationship

- Continued expansions of ECMC relationship as ECMC's reputation continues to develop as a high quality, full service healthcare facility

Areas of Concern

- Proposed State and Federal budget cuts impacting healthcare
- State and Federal programs supporting healthcare initiatives due to expire
- Continued uncertainty in healthcare insurance market and actions taken by insurers

2/3 Majority
#74

RESOLUTION NO. 19-173 **(March 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

A RESOLUTION AUTHORIZING RENOVATIONS AT THE WYOMING COUNTY COMMUNITY HOSPITAL IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$10,000,000, AND AUTHORIZING THE ISSUANCE OF \$10,000,000 IN BONDS OF SAID COUNTY TO PAY THE COST THEREOF

Regular Session

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital improvements; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The financing of renovations to surgical suites and laboratory areas in the Wyoming County Community Hospital in and for the County of Wyoming, New York, Wyoming County Community Hospital is hereby authorized at a maximum estimated cost of \$10,000,000.00.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$10,000,000.00 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object(s) or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the

taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or

proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried: XXX Ayes: 1343 Noes: Absent: 45 (Eagle) Abstain:
83 (Gainesville)
128 Total

Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #75 and 76. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #75 prior to the roll call vote.

**UC Resolution
#75**

**RESOLUTION NO. 19-174
(March 12, 2019)**

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

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

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

| | | | |
|--|--------------|--------------|---------------------|
| WCCH | | | |
| To: 02.56.4510.4.42501 Contractual - WCCH w/02.03.4510.1635 Hospital Income | \$135,000.00 | \$135,000.00 | |
| Reason: To cover additional A/R Contractual Cost. | | | |
| WCCH Total | | | \$135,000.00 |

Carried: XXX Ayes: 1455 Noes: Absent: 51 (Eagle) Abstain:
93 (Gainesville)
144 Total

Chairman Berwanger shared a video of Senator Gallivan speaking to the New York State Senate prior to his no vote on NYS Senate Bill S.240.

<https://www.nysenate.gov/newsroom/video/patrick-m-gallivan/senator-gallivan-votes-against-reproductive-health-act>

March 12, 2019

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 4:13 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

REGULAR SESSION
(April 9, 2019)
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 Chairman Berwanger, T/Arcade and Supervisor Becker, T/Sheldon. Also present for the County were Attorney James Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:27 PM Vice Chairman Ryan, T/Warsaw, called the meeting to order.

Rev. Frank Fraser, Family Life Church Parishioner, offered a prayer to open the board meeting.

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

Sergeant Daryl P. Klump

Mr. Klump was born in May of 1983. He attended Letchworth Central School and Alfred State College. He spent some time working for Agway and Empire Drag Strip before joining the US Army in September 2005. His basic training was completed at Fort Knox, Kentucky and his individual training at Fort Leonard Wood, Missouri where he was originally trained as a crane operator. His first duty station was at Fort Lewis, Washington.

On January 6, 1917, 86 percent of Washington's Pierce County Electorate voted to bond themselves for 20 years for two million dollars to purchase 70,000 acres to be donated to the federal government for use as a military base. Before the County could actually acquire the land in question, the United States entered World War I. Construction of the new Camp Lewis was begun before legal action started, and these proceedings were not completed until after the end of the war. The people worked night and day for two weeks to get title to 6,000 acres so the Army could begin construction on the cantonment. Camp Lewis was the first military installation in the history of our nation to be created as the direct result of an outright gift of land by citizens themselves.

While Mr. Klump was at Fort Lewis he deployed twice to Afghanistan. One 15-month deployment was part of a surge of troops spending time in the Paktika

Province, one of the 34 providences of Afghanistan and located in the eastern part of the country.

Mr. Klump reenlisted and was sent much closer to home to Fort Drum, NY. He advanced in rank and became an equipment Engineer and the Assistant Non-Commissioned Officer in Charge. In his two and a half years at Fort Drum, he spent nine months in Iraq, in an area known as the "Triangle of Death.

For his valor and courageous service to his country, Mr. Klump was awarded the:

- National Defense Service Medal
- Marksmanship Badge (M16)
- Army Service Ribbon
- 2 Overseas Service Ribbons
- Army Good Conduct Medal
- 2 Army Commendation Medals
- Afghanistan Campaign Medal w/ campaign star
- Army Achievement Medal
- Global War on Terrorism Service Medal
- Iraq Campaign Medal w/ campaign star
- NATO Medal

Mr. Klump separated from the US Army in 2010 and trained at National Tractor Trailer School becoming a truck driver for Baskin Livestock for the last five years. He is married to Denisa, a Strykersville native and has two children, Landon and Nichole. As of February 12th of this year, he has taken over as our Wyoming County Animal Control Deputy Director.

The pledge was said by all.

Vice Chairman Ryan presented the customary certificate of appreciation to Mr. Klump and offered him an opportunity to address the Board.

Mr. Klump thanked the board and stated it was a great privilege to lead the pledge today.

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

Communications ~

- *March 29, 2019 correspondence from Assemblyman DiPietro acknowledging receipt of Res. No. 19-175 supporting Sen. Gallivan's opposition to the passage of the Reproductive Health Act and various NYSAC resolutions.*

April 9, 2019

| | | | |
|--|--|---------------------------------------|---------------------|
| Mental Health | | | |
| To: 01.38.4220.4.40932 You(th) Decide Grant w/01.03.4220.1289 Other Dept. Income Reason: To accommodate grant acceptance. | \$11,417.00 | \$11,417.00 | |
| Mental Health Total | | | \$11,417.00 |
| Animal Control | | | |
| To: 01.37.3510.1.10601 Unused Benefit Time <i>w/any funds available</i> Reason: Cover unused benefit time paid to resigned employee. | \$5,822.93 | \$5,822.93 | |
| Animal Control Total | | | \$5,822.93 |
| Sheriff | | | |
| To: 01.37.3112.4.40009L Cellphone 01.37.3112.4.40016L Internet Service 01.37.3112.4.40009M Cellphone 01.37.3112.4.40016M Internet Svc w/01.12.3112.43890L Homeland Security 2017 01.12.3112.43890M Homeland Security 2018 Reason: To cover expenses relating to Homeland Security Grant. | \$600.00 8,904.27 1,200.00 16,295.00 | \$9,504.27 17,495.00 | |
| Sheriff Total | | | \$26,999.27 |
| Jail | | | |
| To: 01.37.3152.1.10001 Salaries Fixed Sch. S/D 01.37.3152.2.20701 Industrial Equipment 01.37.3152.4.40009 Cellular Phone 01.37.3152.4.40401 Training 01.37.3152.4.40405 Employee Expense 01.37.3152.4.40406 Employee Mileage 01.37.3152.4.40709 Permits 01.37.3152.4.40806 Cleaning Supplies-Purchase 01.37.3152.4.41010 Office Supplies 01.37.3152.4.41111 Computers and Technology 01.37.3152.4.41204 Advertising 01.37.3152.4.41214 Supplies Purchased 01.37.3152.4.41306 Uniform Allowance 01.37.3152.4.41401 Maintenance Agreements 01.37.3152.4.41414 Misc. Repairs 01.37.3152.4.41701 Employee-Phyl/Drug Test 01.37.3152.4.42301 Books, Publications, Subscr 01.37.3152.4.42306 Other 01.37.3152.8.83001 FICA 01.37.3152.8.85001 Medicare-FICA 01.37.3152.8.89001 Medical/Hospitalization In 01.37.3152.8.89002 Health Reim Acct-Employ 01.37.3152.8.89003 HealthReimAcct-Admin Ex w/01.03.3152.1289 Other Department Income 01.08.3152.2655 Sales <i>w/any funds available</i> Reason: To establish a budget for a new Jail kitchen operation to serve the Jail, OFA home delivered meals and OFA congregate meal sites programs | \$130,000.00 5,000.00 240.00 250.00 100.00 100.00 500.00 500.00 350.00 3,500.00 100.00 252,500.00 350.00 3,500.00 500.00 3,510.00 200.00 300.00 8,060.00 1,885.00 35,500 15,000 288.00 | \$427,408.00 9,000.00 25,825.00 | |
| Jail Total | | | \$462,233.00 |

| Emergency Services | | | |
|---|------------|------------|-------------------|
| To: 01.37.3020.4.40601 Rental - Tower w/01.11.3020.3389 Other State Aid Reason: To appropriate FY2018 Statewide Interoperable Communications Grant funds to cover the cost of tower lease with Saia Communications. | \$9,000.00 | \$9,000.00 | |
| Emergency Services Total | | | \$9,000.00 |

Before the vote was taken, Finance Committee Chair Brick, T/Perry offered an explanation for the large appropriation for the Jail. The Jail has taken over the operation of congregate meals and the "Meals on Wheels" program for the Office for the Aging in lieu of contracting out for this service, and as such, a budget needed to be established.

Carried: XXX Ayes: 1325 Noes: Absent: 172 (Arcade) Abstain:
102 (Sheldon)
 274 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,086,758.13** for the month of **March 2019**.

Carried: XXX Ayes: 1325 Noes: Absent: 172 (Arcade) Abstain:
102 (Sheldon)
 274 Total

#3

**RESOLUTION NO. 19-178
(April 9, 2019)**

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

RESOLUTION NUMBER 12-157 AMENDED

WHEREAS, Resolution Number 12-157 entitled, "**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE BOARD OF ELECTIONS ON BEHALF OF WYOMING COUNTY BOARD OF ELECTIONS,**" passed by this Board of Supervisors on May 8, 2012 and provides for HAVA Funds (contract #C003253) and submission of HAVA operations expenses by Boards of Elections (SHOEBOX) in a minimum amount of sixty-five thousand seven hundred forty-seven dollars and sixty-six cents (\$65,747.66); effective April 01, 2004 through March 31, 2014; and

WHEREAS, That Resolution Number 12-157 was previously amended by this Board of Supervisors on July 8, 2014 by **Resolution Number 14-233** to extend the contract through March 31, 2016; and

Regular Session

amount of three hundred ninety-one thousand eight hundred forty-two dollars (\$391,842.00).

All else remains the same.

| | | | | |
|---------------------|-------------------|--------------|-----------------------------|----------------------|
| Carried: XXX | Ayes: 1325 | Noes: | Absent: 172 (Arcade) | Abstain: |
| | | | | <u>102</u> (Sheldon) |
| | | | | 274 Total |

#10

RESOLUTION NO. 19-185
(April 9, 2019)

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

And,

WHEREAS, That Resolution Number 13-263 was previously by this Board of Supervisors on September 11, 2018 by **Resolution Number 18-363** 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

has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

| | |
|------------------------|--|
| TAX MAP PARCEL: | Tax Map #177.2-1-22.2 ~ Town of Eagle |
| LOCATION: | 4003 Telegraph Road |
| OWNER: | Chester & Annette Bulas, et al 40 Bernice Drive, West Seneca, NY 14224 |
| ORIGINAL BILL | \$3,344.54 |
| CORRECTED BILL | \$0 |
| CREDIT | \$3,344.54 |
| REASON: | Clerical Error |
| AUTHORITY: | RPTL §550.2(f) <i>“a duplicate entry on an assessment roll or tax roll of the description or assessed valuation, or both, of an entire single parcel.”</i> |

| | | | | |
|---------------------|-------------------|--------------|-----------------------------|-----------------|
| Carried: XXX | Ayes: 1325 | Noes: | Absent: 172 (Arcade) | Abstain: |
| | | | 102 (Sheldon) | |
| | | | 274 Total | |

#31

**RESOLUTION NO. 19-206
(April 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES “C”, “G”, “I” 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 *Assistant Director of Nursing (Nursing Facility)* under NURSING FACILITY ADMINISTRATION at \$80,000.00 per year; position available date is March 26, 2019.

Salary Schedule G:

- One (1) position of **Secretary to Highway Superintendent (FT) (Temp)** and place on Schedule S at an annual salary of \$44,700.00, not to exceed twelve (12) months in duration; position available date April 10, 2019.

Public Defender

- One (1) position of **Staff Social Worker (PT)** and place on Schedule S at an hourly rate of \$33.6539 at 1,040 hrs./yr. (annual salary equivalent \$35,000.00); position available date April 10, 2019.
- One (1) position of **Data Management Account Clerk (FT)** and place on Schedule S at an hourly rate of \$19.2307 at 1,820 hrs./yr. (annual salary equivalent \$35,000.00); position available date April 10, 2019.

District Attorney

- One (1) position of **Secretary to the District Attorney (PT) (Temp)** and place on Schedule S at \$20.0000/hr., not to exceed six (6) months in duration; position available date March 13, 2019 (*per emergency fill documents*)

Jail

- One (1) position of **Director of Food Services (FT)** and place on Schedule S at a rate of \$19.25/hr. (\$40,040.00 annual salary equivalent); position available date April 1, 2019.
- One (1) position of **Senior Cook (FT)** and place on Schedule S at a rate of \$16.00/hr. (\$33,280 annual salary equivalent); position available date April 1, 2019.
- One (1) position of **Cook (FT)** and place on Schedule S at \$11.94/hr. (\$24,835.00 annual salary equivalent); position available April 1, 2019.
- One (1) position of **Cook (PT)** and place on Schedule S at \$13.25/hr. (\$22,048.00 annual salary equivalent); position available date April 1, 2019.
- Ten (10) positions of **Meal Deliverer (PT)** and place on Schedule S at \$11.2500/hr. (~2-3 hours per day expected); position available date April 1, 2019.

Carried: XXX **Ayes:** 1161 **Noes:** 164 (Attica) **Absent:** 172 (Arcade) **Abstain:**
102 (Sheldon)
 274 Total

Vice-Chairman Ryan asked if any Supervisor objected to the presentation of unanimous consent resolutions 40 and #41. Hearing no opposition to the presentation, there was a motion by Vice-Chairman Ryan to combine unanimous consent resolutions #40 and #41. Hearing no objection resolution titles were read.

UC#40

RESOLUTION NO. 19-215
(April 9, 2019)

By Mrs. Ryan, Vice Chair of the Committee of the Whole:

TRAVEL AND TOURISM WEEK PROCLAIMED

WHEREAS, National Travel and Tourism Week is May 5-11th, 2019. It is an annual tradition that was established by a Congressional Resolution in 1983 and first celebrated the following year. This nationwide week of events serves to champion the power of the travel and tourism industry; and

WHEREAS, Travel and tourism is one of America’s largest industries, generating \$2.4 trillion in economic output, with \$1 trillion spent directly by domestic and international travelers; and

WHEREAS, According to the US Travel Association, tourism directly generated \$170.9 billion in tax revenue for local, state and federal governments. Travel and tourism is America’s second largest industry export and is one of America’s largest employers. Travel is among the top 10 industries and supported 15.7 million jobs, including 8.9 million directly in the travel industry and 6.8 million in other industries. One out of every 10 jobs in the U.S. depends on travel and tourism. Each U.S. household would pay \$1,340 more in taxes without the tax revenue generated by the travel and tourism industry; and

WHEREAS, Tourism is critical to the economic health of Wyoming County. There are almost two-hundred tourism related businesses in Wyoming County. Travelers spend more than \$46.2 million annually in Wyoming County which generates \$25 million in labor income. Wyoming County sees a return of \$5.5 million in state and local sales tax, and the average savings per Wyoming County household from tourism generated taxes is \$348; and

WHEREAS, From the natural beauty of Letchworth State Park to the historic landmarks, rural character and agriculture, family friendly attractions,

Supervisor Leuer, T/Middlebury was invited to the podium to present the Travel and Tourism Week Proclamation. Supervisor Leuer invited the Director of Tourism and Marketing, Eric Szucs, to join him for the reading of the proclamation.

Dir. E. Szucs thanked the board of the proclamation and mentioned that tourism is a critical part of our economy and the quality of life in Wyoming County.

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, ^{CMC}

Clerk to the Board

REGULAR SESSION
(May 14, 2019)
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 with the exception of Supervisor Becker, T/Sheldon and Supervisor 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 2:29 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Rev. Frank Fraser, Family Life Church Parishioner, offered a prayer to open the board meeting.

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

Staff Sargent Craig Woodworth

Mr. Woodworth grew up in Mount Morris, New York graduating from high school in 1986. He attended Auburn University and then joined the United States Air Force in July of 1989. His basic training was completed at Lockland Air Force Base in San Antonio, Texas and he trained as a Structural Journeyman at Chanute Air Force Base, Illinois. His first duty assignment as a civil engineer landed him at Ramstein Air Force Base, Germany when Desert Shield/Desert Storm started. Next, it was off to Maxwell Air Force Base in Montgomery, Alabama.

The airstrip that would become Maxwell Air Force Base was originally used as the nation's first civilian flying school by Wilber and Orville Wright back in the spring of 1910. The school was short-lived, but the location became a place to repair aircraft during World War I. After the war, the 22nd Squadron carried out observation missions and supported army units at both Fort Barrancas and Fort Benning. The flying missions paved way for the establishment of permanent airmail service in the southeast and became Maxwell Field in 1922. By 1931, the location was again a training center, this time for the Air Corps and continues to provide military education as The Air University.

Mr. Woodworth also spent time providing humanitarian relief during Operation Provide Comfort. His final duty station was Wright Paterson Air Force Base in

Dayton, Ohio where he was honorably discharged from the Air Force in 1998. For his valor and courageous service to his country, Mr. Woodworth was awarded the:

Air Force Achievement Medal w/ 1 device
 Air Force Commendation Medal
 Air Force Longevity Service Award w/ 1 device
 Air Force Training Ribbon
 Southwest Asia Service Medal w/ 2 devices
 Air Force Overseas Short Tour Ribbon
 Air Force Overseas Long Tour Ribbon
 National Defense Service Medal
 Humanitarian Service Medal
 NCO Professional Military Education Ribbon
 Air Force Outstanding Unit Award w/ 2 devices
 Air Force Good Conduct Medal w/ 2 devices

Mr. Woodworth worked for a time at General Motors in Dayton, Ohio before deciding it was time to head closer to home. He worked briefly for Elcon, Inc. in Batavia before starting his career at Perry Central School as Supervisor of Buildings and Grounds. He received his certification from Mohawk Valley Community College and became Director of the Facility at Perry Central. He ended his 18 years at PCS this past year to become the Director of Plant Operations at Wyoming County Community Health System.

Mr. Woodworth married his wife, Rochelle, in August of 1991 in Perry, New York and together they have two children, Branden and Brittnay, who both graduated from Perry High School.

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. Woodworth and an opportunity to address the Board. At which time, Mr. Woodworth thanked the Board for recognizing veterans and declared Wyoming County a great place to work ...

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

Communications ~

- ***Assembly Minority Leader, Brian Kolb ~ 04/09/19 correspondence acknowledging receipt of Resolution Number 19-175 in support of Senator Gallivan's opposition to the passage of the Reproductive Health Act, Senate Bill S240/Assembly Bill A.21***

| Historian Total | | | | \$6,150.00 |
|---|-------------|-------------|--|--------------------|
| Human Resource | | | | |
| To: 01.34.1431.1.10001 Salary S/D/I | \$32,700.00 | | | |
| 01.34.1431.1.10302 Overtime S/D/I | 3,600.00 | | | |
| 01.34.1431.8.81001 Retirement | 5,700.00 | | | |
| 01.34.1431.8.82001 Disability | 63.00 | | | |
| 01.34.1431.8.83001 FICA | 2,260.00 | | | |
| 01.34.1431.8.85001 Medicare | 530.00 | | | |
| 01.34.1431.8.89001 Health Insurance | 4,700.00 | | | |
| 01.34.1431.8.89002 HRA | 2,500.00 | | | |
| 01.34.1431.8.89003 HRA Admin | 30.00 | | | |
| w/01.10.1431.2801 Interfund Rev HR | | \$52,083.00 | | |
| Reason: To amend the 2019 budget to include (1) new position. (Payroll Clerk transferred from WCCH). | | | | |
| Human Resource Total | | | | \$52,083.00 |
| Social Services | | | | |
| To: 01.39.6070.4.42247 Serv Recipient/Contract/Othr | \$50,000.00 | | | |
| w/01.12.6070.4670 Federal Revenue | | \$50,000.00 | | |
| Reason: Appropriate comprehensive addiction and recovery funds. (100% Federal). | | | | |
| Social Services Total | | | | \$50,000.00 |
| Animal Control | | | | |
| To: 01.37.3510.1.10001 Salaries Fixed Sch. S/D/I | \$4,600.00 | | | |
| 01.37.3510.1.10601 Unused Benefit Time | 850.00 | | | |
| 01.37.3510.2.23001 Motor Vehicles | 3,170.00 | | | |
| 01.37.3510.4.40009 Cell Phone | 240.00 | | | |
| 01.37.3510.4.40507 Highway Repair | 500.00 | | | |
| 01.37.3510.4.41701 Employee physical/drug test | 906.00 | | | |
| w/ <i>any funds available</i> | | \$10,266.00 | | |
| Reason: To cover cost of new employee and associated expenses and new truck with cap. | | | | |
| Animal Control Total | | | | \$10,266.00 |
| District Attorney | | | | |
| To: 01.32.1165.1.10202 Salaries – Temp | \$10,000.00 | | | |
| 01.32.1165.8.83001 FICA | 620.00 | | | |
| 01.32.1165.8.85001 Medicare – FICA | 145.00 | | | |
| w/ <i>any funds available</i> | | \$10,765.00 | | |
| Reason: For temporary person filling in for maternity leave employee. | | | | |
| District Attorney Total | | | | \$10,765.00 |
| Public Defender | | | | |
| To: 01.32.1170.1.10001 Salaries | \$47,250.00 | | | |
| 01.32.1170.8.83001 FICA | 3,000.00 | | | |
| 01.32.1170.8.85001 Medicare | 690.00 | | | |
| 01.32.1170.4.42495 Expenses | 18,500.00 | | | |
| w/01.11.1170.302504 QIRC Grant | | \$69,440.00 | | |
| Reason: Appropriate funds for Second Quality Improvement and Caseload Reduction expenses from NYS Indigent Legal Services. | | | | |
| To: 01.32.1170.4.42499 D-8 Expenses | \$1,786.00 | | | |
| w/01.11.1170.302508 D-8 Revenues | | \$1,786.00 | | |
| Reason: Distribution from NYS ILS. | | | | |
| Public Defender Total | | | | \$71,226.00 |

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,351,334.70** for the month of **April, 2019**.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #6. Hearing no objection, resolution titles were read.

#3

RESOLUTION NO. 19-219
(May 14, 2019)

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

**RESOLUTION OPPOSING DRIVER’S LICENSE ACCESS AND
PRIVACY ACT CONCERNING UNDOCUMENTED INDIVIDUALS**

WHEREAS, Holding a driver’s license in New York State is a privilege, not a right; and

WHEREAS, The Driver’s License Access and Privacy Act, if passed, would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver’s license; and

WHEREAS, New York State presently suspends or revokes driver’s licenses for various illegal acts, including non-payment of child support, delinquent taxes and refusal to submit to a breath test, yet this Act would reward entry into the United States with a driver’s license; and

WHEREAS, New York State REAL ID compliant documents cannot be issued to an undocumented individual under federal law; and

WHEREAS, Adoption of the Act would create unacceptable security risks because:

- There is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act’s proposed privacy protections may frustrate federal immigration enforcement efforts.

Carried: XXX **Ayes:** 1459 **Noes:** **Absent:** 38 (Wethersfield) **Abstain:**
102 (Sheldon)
140 Total

#5

**RESOLUTION NO. 19-221
(May 14, 2019)**

By Mr. Tallman, Chairman of the Human Resource Committee:
RESOLUTION NUMBER 14-266 AMENDED

WHEREAS, Resolution Number 14-266 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS ON BEHALF OF WEIGHTS AND MEASURES**,” passed by this Board of Supervisors on August 12, 2014 and provides for a reimbursement agreement for the Wyoming County Petroleum Product Quality Program in an amount not to exceed fifteen thousand six hundred eighty dollars (\$15,680.00); effective April 1, 2014 through March 31, 2019; now therefore

BE IT RESOLVED, That *Resolution Number 14-266* be hereby amended to extend the contract end date from March 31, 2019 through *March 31, 2024* in an amount not to exceed three thousand one hundred thirty-six dollars (\$3,136.00) per year. All else remains the same.

Carried: XXX **Ayes:** 1459 **Noes:** **Absent:** 38 (Wethersfield) **Abstain:**
102 (Sheldon)
140 Total

#6

**RESOLUTION NO. 19-222
(May 14, 2019)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BOND, SCHOENECK AND KING, PLLC 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 *Bond, Schoeneck and King, PLLC*, Avant Building, Suite 900, 200 Delaware Avenue, Buffalo, NY 14202 on behalf of Human Resource. Said contract to provide as-needed legal

urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

#8

RESOLUTION NO. 19-224
(May 14, 2019)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BARBARA BELLAMY 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 *Barbara Bellamy*, 6962 Newcomb Road, Gainesville, NY 14066 on behalf of the Youth Bureau. Said contract to provide physical therapy services in amount not to exceed 2019 ~ 2021 budget; effective May 1, 2019 through June 30, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

#9

RESOLUTION NO. 19-225
(May 14, 2019)

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

COMMUNITY ACTION MONTH PROCLAIMED

WHEREAS, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law and for more than 50 years, they have provided much needed services and opportunities to millions of individuals and families with low incomes; and

WHEREAS, Community Action for Wyoming County is committed to

County; and be it

FURTHER RESOLVED, That the Board of Supervisors urge all citizens to come forward and do something positive that will help change a lifetime for children and youth in foster care.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
 140 Total

After the passage of the Human Services Committee resolutions, #7 through #12, Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium for the presentation of the Older Americans Month proclamation, Community Action Month proclamation and the Foster Care Month proclamation...

Supervisor Grant, T/Bennington invited the Director of OFA & Youth, Andrea Aldinger to join her. Director Aldinger read the proclamation and thanked that Board for their continued support...

Supervisor Grant, T/Bennington read the Foster Care Month proclamation while joined by Commissioner of Social Services, Kim Barber at the podium. Commissioner Barber briefly thanked the Board of Supervisors for their continued support of the Wyoming County Foster Care program. She explained that it takes a special person or couple to take foster children into their homes to help guide them...

Supervisor Davis, T/Covington and Supervisor Grant, T/Bennington as members of the Community Action Board represented the agency for the Community Action Month proclamation. Supervisor Grant, T/Bennington read the proclamation to attendees...

Supervisor Grant, T/Bennington (somewhat tongue in cheek) stated that she and Supervisor Ryan, T/Warsaw would like to proclaim May as Proclamation month in Wyoming County. She added that while she's pretty sure she and Supervisor Ryan hold the record for the most proclamations, the proclamations bring important recognition to the many programs and agencies available within Wyoming County. In addition to that she very graciously thanked the Clerk to the Board and the Deputy Clerk to the Board for all of their work in preparing the beautiful proclamations that get distributed... Most of the agencies put these proclamations up for display...

There was a motion by Mrs. Ryan, T/Warsaw, to withdraw resolution #14 for further review by the Public Health Committee and to combine resolution #13

and joint resolution #15. Hearing no objection resolution titles were read.

#13

RESOLUTION NO. 19-229
(May 14, 2019)

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

MENTAL HEALTH AWARENESS MONTH PROCLAIMED

WHEREAS, Mental health is essential to everyone's overall health and well-being; and

WHEREAS, All Americans experience times of difficulty and stress in their lives; and

WHEREAS, Prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, Mental health conditions are real and prevalent in our community; and

WHEREAS, With effective treatment, those individuals with mental health and other chronic health conditions can recover and lead full, productive lives; and

WHEREAS, Each business, school, government agency, healthcare provider, organization and citizen shares the burden of mental health challenges and has a responsibility to promote mental wellness and support prevention efforts; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 2019 to be **MENTAL HEALTH AWARENESS MONTH**.

Carried: XXX **Ayes:** 1459 **Noes:** **Absent:** 38 (Wethersfield) **Abstain:**
102 (Sheldon)
140 Total

#14

RESOLUTION NO. 19-
(May 14, 2019)

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

May 14, 2019

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A CONTRACT WITH MAILFINANCE ON BEHALF OF THE PUBLIC
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with *Mail Finance*, 78 Wheelers Farm Road, Milford, CT 06461 on behalf of the Public Health Department. Said contract for the leasing of a IN-600 HR Digital Mailing System with five pound scale in an amount not to exceed one hundred ten dollars and seventy-six cents (\$110.76) per month with a total contract amount not to exceed six thousand nine hundred seventy-seven dollars and eighty-eight cents (\$6,977.88); effective June 2019 through September 2024.

Withdrawn

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

***Joint Resolution
#15***

**RESOLUTION NO. 19-230
(May 14, 2019)**

By Ms. Ryan, Chairman of the Public Health Committee and Mr. Brick, Chairman of the Finance Committee:

NATIONAL NURSES WEEK PROCLAIMED

WHEREAS, There are 220 registered nurses, licensed practical nurses and nurse practitioners working for Wyoming County; representing more than 20% of the total workforce. Nursing professionals are employed at the Public Health Department, Youth Bureau, Social Services Department and at the Wyoming County Community Health System, in the hospital, nursing facility and clinics. Collectively, they are a cornerstone of patient care and true leaders in improving quality of care. Individually, Nurses can be direct and objective, sometimes even stern. They can be sympathetic and appreciative. They are, by nature and training, consoling and caring. Compassion defines and motivates them. They set high standards for themselves and constantly strive to exceed those standards; each of us in this room has been cared for by a nursing professional; and

WHEREAS, Nursing professions meet the health care needs of

Wyoming County residents in a wide range of settings including in-patient, outpatient, residential, office-based, homecare and others; and

WHEREAS, Even as healthcare delivery continues to evolve, and greater responsibilities are being placed on nursing professionals, nurses continue to demonstrate deep ongoing commitment to patient outcomes, safety and quality of care for their patients; and

WHEREAS, Demand for qualified nursing services will grow to meet increasingly complex needs of health care consumers in Wyoming County with emphasis on preventative care; growing rates of chronic conditions, such as diabetes and obesity; and demand for healthcare services from the baby boomer population, as they live longer and more active lives; and

WHEREAS, The American Nurses Association has named May 6 - 12, 2019 as National Nurses Week with the theme of “*4 Million Reasons to Celebrate*”, in recognition of nurses’ accomplishments and dedicated efforts to improve our health care system, and with appreciation to nursing professionals, not just during this week, but at every opportunity throughout the year; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim May 6 – 12, 2019 as **NATIONAL NURSES WEEK** in Wyoming County and urges all to join in recognizing nursing professionals for their compassionate care of Wyoming County residents.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
 140 Total

After the passage of the Public Health Committee resolution #13, and Joint resolution #15 Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium for the presentation of the Mental Health Awareness Month proclamation... Community Services Director, Kelly Dryja joined Supervisor Ryan at the podium. She thanked the Board for their support and encouraged everyone to watch out for each other and support those with mental health issues making sure they seek necessary treatments.

Next Supervisor Ryan, T/Warsaw invited Connie Almeter, Director of Nursing at the hospital to join her at the podium along with a few representatives of the Nursing Staff for the reading of the National Nurses Week proclamation.

Joining Director Almeter were ~

May 14, 2019

- **Trisha Millen**, Director of Utilization Review and Health Information Management
- **Margaret Ronan**, Quality Assurance Specialist/Infection Prevention
- **Deb Stone**, Director of Medical/Surgical, Intensive Care
- **Staci Bartz**, Director of Emergency Services
- **Michelle Grohs**, Director of Surgical Services & Maternity and Women’s Health

In addition, Director Almeter thanked the Board for their continued support of Wyoming County Community Hospital...

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #16 and #17. Hearing no objection resolution titles were read.

#16

**RESOLUTION NO. 19-231
(May 14, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

RESOLUTION OF THE WYOMING COUNTY BOARD OF SUPERVISORS IN SUPPORT OF NEW YORK STATE SENATE BILL S.5486, AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW, IN RELATION TO TAKING BIG AND SMALL GAME BY CROSSBOW IN WYOMING COUNTY

WHEREAS, Current Environmental Conservation law allows, *“that any crossbow use during an archery-only season shall only take place during the last fourteen consecutive days of such archery-only season in the southern zone provided that such archery-only season shall consist of not less than forty-five days”*; and

WHEREAS, During the May 01, 2019 Wyoming County Board of Supervisors Agriculture and Green Energy Standing Committee meeting a representative from the Wyoming County Wildlife Federation presented a request to support amending current language in Section 1. Subdivision 10 of section 11-0907 of the environmental conservation law to add:

“...except that the department shall authorize the use of such crossbow for the taking of big game by any licensed person for use during the entirety of the archery-only season within Wyoming county,” and

WHEREAS, The following language be added to paragraph a of subdivision two of section 11-0907 of this title in which a shotgun or muzzle

General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Jam In The Valley***, 1629 Route 20A, Varysburg, NY 14167 on behalf of the Sheriff’s Department. Said contract is for supplement law enforcement services for security and crowd control and in an amount not to exceed thirty-two dollars and fifty-two cents (\$32.52) to ninety-six dollars and fifty-three cents (\$96.53) per hour, plus an additional five thousand dollars (\$5,000.00) to defray the County’s Worker’s Compensation expenses; effective July 11, 2019 through July 13, 2019.
(Revenue Contract)

Contingent upon the availability of funds.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

#21

**RESOLUTION NO. 19-236
(May 14, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SINCLAIR PHARMACY ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Sinclair Pharmacy***, 75 North Main Street, Warsaw, NY 14569 on behalf of the County Jail. Said contract to provided inmate pharmaceuticals at the current contract rate or lower; effective April 1, 2019 through March 31, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

There was a motion by Mr. Davis, T/Covington, to combine resolutions #22 through #24. Hearing no objection resolution titles were read.

#22

**RESOLUTION NO. 19-237
(May 14, 2019)**

Regular Session

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

#24

RESOLUTION NO. 19-239
(May 14, 2019)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
FERGUSON ELECTRIC SERVICE CO., 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 *Ferguson Electric Service Co., Inc.*, 321 Ellicott Street, Buffalo, NY 14203 on behalf of the Buildings and Grounds (Co. Bldgs.). Said contract is for electrical preventive maintenance in an amount not to exceed thirteen thousand four hundred seventy-three dollars (\$13,473.00); effective July 20, 2019 through July 19, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

There was a motion by Mr. Brick, T/Perry, to combine resolutions #25 through #32. Hearing no objection resolution titles were read.

#25

RESOLUTION NO. 19-240
(May 14, 2019)

By Mr. Brick, Chairman of the Finance Committee:

SEMI-ANNUAL MORTGAGE TAX REPORT PRESENTED

Mr. Brick, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 1, 2018 through March 31, 2019 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 **\$251,785.44** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

| TAX DISTRICTS | MORTGAGE TAX DISTRIBUTED | VILLAGE | TOWN |
|------------------------|--------------------------|---------------------|---------------------|
| Arcade | \$25,628.93 | \$5,492.86 | \$20,136.07 |
| Attica | \$16,200.60 | \$3,012.86 | \$13,187.74 |
| Bennington | \$16,474.84 | | \$16,474.84 |
| Castile | \$19,694.63 | \$1,294.89 | \$17,297.65 |
| Perry Village | | \$1,102.09 | |
| Covington | \$4,759.15 | | \$4,759.15 |
| Eagle | \$6,706.25 | | \$6,706.25 |
| Gainesville | \$10,415.33 | \$338.78 | \$8,972.35 |
| Silver Springs Village | | \$1,104.20 | |
| Genesee Falls | \$3,583.87 | | \$3,583.87 |
| Java | \$13,372.57 | | \$13,372.57 |
| Middlebury | \$4,366.51 | \$334.30 | \$4,032.21 |
| Orangeville | \$6,491.21 | | \$6,491.21 |
| Perry | \$29,789.03 | \$5,909.47 | \$23,879.56 |
| Pike | \$29,012.43 | | \$29,012.43 |
| Sheldon | \$11,233.82 | | \$11,233.82 |
| Warsaw | \$50,618.71 | \$14,847.12 | \$35,771.59 |
| Wethersfield | \$3,437.56 | | \$3,437.56 |
| Total: | | \$33,436.57 | \$218,348.87 |
| Grand Totals: | | \$251,785.44 | |

Let This Be Your Warrant for Such Payment: **\$251,785.44** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 14th day of May 2019.

s/Cheryl J. Ketchum, Clerk

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
 102 (Sheldon)
 140 Total

#26

**RESOLUTION NO. 19-241
 (May 14, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULE "C", "S" AND "G" AMENDED

May 14, 2019

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

- Abolish one (1) position of ***Assistant Director of Nursing (Temp)*** under NURSING FACILITY ADMINISTRATION; effective April 23, 2019.
- Set the salary for the position of ***Network Administrator I*** under INFORMATION SYSTEMS at \$52,000.00 annually; effective April 23, 2019.
 - o Upon completion of six (6) months satisfactory performance and meeting pre-established goals, set salary at \$54,000.00 annually; effective October 23, 2019.
- Set the salary for the position of ***Program Director*** under ADULT DAY CARE (SNF) at \$55,000.00 annually; effective April 23, 2019.
- Set the salary for the position of ***Director of Nursing (Nursing Facility)*** under NURSING FACILITY ADMINISTRATION at \$92,000.00 annually; effective April 23, 2019.

Salary Schedule “S”:

Public Defender

- Remove positions of ***Data Management Account Clerk*** and ***Staff Social Worker, PT*** from Salary Schedule S.

Real Property Tax Services

- To adjust/update the hourly rate for the ***Secretary to the Director of Real Property Tax Services (FT)*** (position code 019.543) from \$17.4924 to \$18.4065/hr. (\$33,500 annual salary equivalent is correct). No change to annual hours or annual salary equivalent.

Animal Control

- Update position of ***Animal Control Assistant*** to an 8-hour workday (in lieu of 7-hour workday) to reflect current reality. New annual salary equivalent based on those hours will be \$40,250.00 (from \$35,219.00).

Jail:

- Update ***Director of Food Services*** rate of pay to \$22.0000/hr. from \$19.2500/hr. (annual salary equivalent from \$40,040.00 to \$45,760.00) as negotiated and set FLSA status to Exempt; effective April 1, 2019.

(\$250,000.00) per year for the contract period *May 1, 2019 through April 30, 2020.*

All else remains the same.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

#30

**RESOLUTION NO. 19-245
(May 14, 2019)**

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, in part, for the following contract:

- ***AMN Healthcare Company (including Nursefinders, LLC)***, 1900 South Clinton Avenue, Rochester, NY 14618 for the purpose of using healthcare clinicians to provide temporary professional services in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective April 19, 2017 through April 30, 2019.

Now therefore,

BE IT RESOLVED, That *Resolution Number 17-272* be hereby amended to extend the contract term from April 30, 2019 through *April 30, 2020.*

All else remains the same.

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

#31

**RESOLUTION NO. 19-246
(May 14, 2019)**

Regular Session

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

BE IT ENACTED, That Local Law 2, Year 2019, County of Wyoming, New York, as presented to this Board on the 9th day of April 2019, is hereby adopted, in its original form, as follows:

LOCAL LAW NO. 2 ~ YEAR 2019

A Local Law entitled

“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:

- Section 1. Effective as hereafter provided, the annual salary for the ***Coroners of the County*** (four (4) total) shall be increased by ***\$100.00*** per case for a new per case amount of ***\$200.00*** plus mileage reimbursement for only those cases at the Attica Correctional Facility and the Wyoming Correctional Facility.
- Section 2. All salaries set forth in Section 1 above shall be effective as of ***July 1, 2019.***
- 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
April 9, 2019 (Introduced)
May 14, 2019 (Adopted)
Cheryl J. Ketchum,^{CMC}
Clerk to the Board

Carried: XXX Ayes: 1459 Noes: Absent: 38 (Wethersfield) Abstain:
102 (Sheldon)
140 Total

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:11 PM with a rap on his desk.

Respectfully submitted,
Cheryl J. Ketchum
Cheryl J. Ketchum,^{CMC}
Clerk to the Board

May 14, 2019

REGULAR SESSION
(June 11, 2019)
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 with the exception of Supervisor Hastings, T/Eagle, Supervisor Brick, T/Perry and Supervisor Becker, T/Sheldon. Also present were County Attorney, Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:29 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Tom Weber, Family Life Church, Attica, NY offered a prayer to open the board meeting.

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

Airman 2nd Class Wayne A. Eisenhauer, Sr.

Mr. Eisenhauer was born in Yates, New York and attended school in Depew. He joined the United States Air Force just after his 18th birthday in 1955 and completed his basic training at Sampson Air Force Base in Geneva, NY.

Sampson Air Force Base started out as the Sampson Naval Training Station back in 1942 until 1946 and then used for a 2-year junior college and youth camp. In 1950, it became an Air Force training base, but again closed after only six years.

Mr. Eisenhauer left the base in January and it was closed in April of 1956. His individual training was in masonry and runway repair. His first duty station was Forbes Air Force Base, Topeka, Kansas when it was part of the Strategic Air Command (SAC). Later, he went to Parks Air Force Base for a brief three weeks and then it was off to Kimpo Air Base, South Korea for a year, where Mr. Eisenhauer drove trucks, snowplows, did some masonry, and of course, pulled guard duty.

Kimpo Air Base was built by Japanese occupation forces, taken over by US troops in 1945 and used to train Koreans how to run an air base. The Republic of Korea took control in 1949, just to have the US Marines reclaim the air base in 1950. Again, Mr. Eisenhauer left another base just before it became

something else. In this case, Kimpo Air Force Base became Gimpo International Airport in 1958. His final duty station was at Shaw Air Force Base, South Carolina where he was honorable discharged from active duty in October 1959. For his valor and courageous service to his country, Mr. Eisenhower was awarded the:

Air Force Good Conduct Medal
Korean Defense Service Medal
Cold War Victory Medal
New York State Medal for Merit

Since his time in the service, Mr. Eisenhower has worked for the railroad as a messenger, at Fedders making air conditioning parts for Chrysler, and finally Moog, Inc. as a lathe machinist.

He is currently married to Katheren, his wife since 2013. He is the Arcade American Legion Vice-Commander and Arcade VFW Trustee. Three years ago, he was blessed with the opportunity to join his brother on an Honor Flight trip out of Rochester.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation to Mr. Eisenhower and an opportunity to address the Board. At which time, Mr. Eisenhower graciously accepted the certificate. He encouraged attendees who know of a veteran wanting to go to Washington, D.C. to go through Rochester Honor Flight.

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

Chairman Berwanger also presented Mr. Eisenhower with his High School Diploma from Depew High School and read the following:

Created by Section 305 of New York's Education Law, *Operation Recognition* was signed into law by New York Governor George Pataki in May of 2000.

This law honors the devotion and sacrifice of World War II, Korean War and Vietnam Era veterans who left school early without graduating by awarding them a high school diploma.

Mr. Eisenhower attended Depew High School prior to his active duty military service and earned his GED while in the Air Force.

June 11, 2019

Due to his service and sacrifice to our country, Mr. Eisenhower did not have the opportunity to receive his high school diploma or enjoy a graduation celebration.

Through *Operation Recognition*, Mr. Eisenhower is eligible to receive his high school diploma from Depew High School and that diploma is being presented to him today.

Also, please join the Wyoming County Board of Supervisors in presenting Mr. Eisenhower with his own graduation celebration and cake, which will be served by our Wyoming County Dairy Princess (Alternate) at the conclusion of this meeting.

Communications ~

- *05-16-19 Correspondence from NYSAC Executive Director Stephen Acquario acknowledging receipt of Resolution No. 19-232*
- *05-21-19 Correspondence from Assemblyman DiPietro acknowledging receipt of Resolution Nos. 19-219, 19-231 and 19-232*
- *Chairman Berwanger read a communication he received addressed to WCCH CEO, D. Eichenauer, from a Wyoming County resident advocating for dialysis in Wyoming County Community Hospital. Chairman Berwanger informed meeting attendees that the topic of including these services is indeed on the top of the priority list and will be a topic of discussion tomorrow night with ECMC Administration.*

Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to make the introduction of Eagle Scout Kenneth Huffer and recognize Mr. Huffer's volunteerism at the Animal Shelter for the last 7 years and for his generous donation of a handmade bench and lean-to for the dogs to enjoy at the Animal Shelter.

Presentation ~

- *Kenneth Huffer ~ Eagle Scout*

#1

**RESOLUTION NO. 19-249
(June 11, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

JUNE 2019 PROCLAIMED DAIRY MONTH IN WYOMING COUNTY

WHEREAS, The month of June as Dairy Month started out as National Milk Month in 1937 as a way to promote drinking milk. It was initially

Regular Session

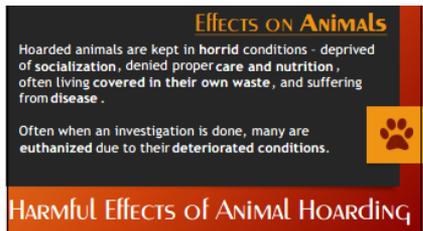
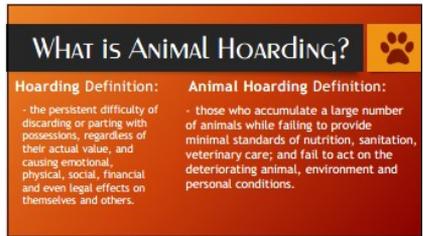
Certificate of Recognition will be provided to Ms. McCormick immediately following the meeting...

Wyoming County Dairy Princess ~

- Alternates:
 - Brooke Noel
 - Daughter of Dwayne and Kellie Noel, T/ Castile
 - Emily McCormick
 - Daughter of Walter and Vanessa McCormick, T/Java

Presentation ~

- Animal Control PowerPoint Presentation on Hoarding
 - By Animal Control Officer, Justa Goodell



EFFECTS ON People

Not only does the animal suffer, the conditions that the humans live in are horrid.

The air quality, filth and exposure to disease to those living in the home often causes a public health problem and makes the hoarders home unlivable.



HARMFUL EFFECTS OF ANIMAL HOARDING

EFFECTS ON COMMUNITY

Animal Hoarding spills out into our communities -

- Large Number of Stray Cats
- Sound of Barking Dogs
- Smell of Animal Waste



HARMFUL EFFECTS OF ANIMAL HOARDING

Characteristics by the #'s

- Hoarding affects 4% of the US population.
- About 40% of hoarders hoard animals
- 3,500 animal hoarders are reported yearly
- This affects at least 250,000 animals
- Approx more than 80% have a deceased animal on property from the hoarding
- The majority of animal hoarders, approx 70%, are single women - divorced, widowed, or have suffered emotional trauma.
- Unless they receive proper treatment, all animal hoarders will have a 100% chance of relapsing



CHARACTERISTICS & TYPES OF ANIMAL HOARDERS

3 Common Types of Animal Hoarders

- The Overwhelmed Caregiver
- The Rescue Hoarder
- The Exploiter Hoarder



CHARACTERISTICS & TYPES OF ANIMAL HOARDERS

- Hard to Treat - Each Case is Unique
- Cognitive-Behavior Therapy with an experienced animal hoarding therapist
- No Drugs Found to Work

POSSIBLE ANIMAL HOARDING TREATMENTS

MOST IMPORTANT:
The Hoarder Must Recognize the Problem and be Willing to Seek Help!

- Continued Monitoring



ANIMAL HOARDING LAWS

US States with **Established Laws**
2 States

- Illinois - "Humane Care for Animals Act" -2001 -specifies who is an animal hoarder
- Hawaii - Hoarding Law added to Penal Code -2008 -Strictest Law, but has Loopholes



ANIMAL HOARDING LAWS

US States with **Pending Laws**
2 States as of 2010

- Michigan
- New Jersey



ANIMAL HOARDING LAWS

US States with **Unsuccessful Laws**
3 States

- Montana
- New Mexico
- Vermont



DOCUMENTED CASES

- Famous/Well Known Cases
- Local/Wyoming County Cases






Inside Animal Hoarding: The Case of Barbara Erickson and Her 552 Dogs

Book written by Arnold Ariuke B. Chelsea Killgren

FAMOUS/Well KNOWN CASES

Case in Oregon - *Overwhelmed Caregiver*



• Operated a "rescue" that was closed down in 2010

• Hoarded at least 205 dogs

Kimi Peck
Arrested Hoarding Dogs in a Recreational Vehicle

FAMOUS/Well KNOWN CASES

- Case in Colorado - "Rescue Hoarder"

FAMOUS/Well KNOWN CASES

Vikki Kittles
History of Animal Hoarding from 1993 to 2006

- History of Animal Hoarding Spanned all over US - from the South East to the North West
- Acq'd Over 100 Dogs, Over 100 Cats and several Chickens in a School Bus used to travel around
- Has also hoarded Horses
- Known by Many Names from place to place
- Had multiple run-ins with the law
- Unknown Number of Animals Hoarded between 1993 to 2006.



"Exploiter Hoarder"

Wyoming SPCA target of animal cruelty probe

Wyoming County SPCA Raid
February 15th, 2012

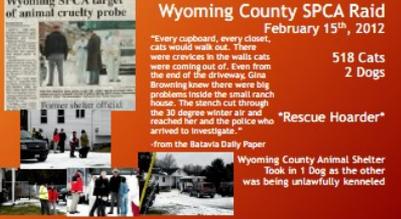
518 Cats
2 Dogs

"Rescue Hoarder"

Wyoming County Animal Shelter Took in 1 Dog as the other was being unlawfully kennelled

"Every cupboard, every closet, cats would walk out. There were crannies in the walls cats were coming out of. Even from the end of the driveway. Gina Browning knew there were big problems inside the small ranch house. The search cut through the 30 degree winter air and reached her and the police who arrived to investigate."

-from the Batavia Daily Paper



Middlebury Chihuahua Case
April 28th, 2013

44 Dogs
1 dog found dead when apprehending "Exploiter Hoarder"

Suspect was held on a \$10,000 bond
He was charged with 44 counts of animal abuse and falsify reporting an incident.

Dogs had varying health conditions from mammary tumors, dental disease, matted feces, urine scalding, inbreeding.

Wyoming County Animal Shelter rehomed all dogs!



Smallwood Cat Case
September 16th, 2014

Over 100 Cats
8 found dead & 17 euthanized for health reasons
1 Dog found dead on property
"Rescue Hoarder"

Wyoming County Animal Shelter was used as the head of investigating

Suspects were arrested and charged with animal cruelty, obstructing governmental administration and animal neglect

Suspects served 100 hrs of community service
3 years probation, \$3,000 charges
Never allowed to own or live with another animal



THANK YOU!

If you know or suspect someone to be hoarding animals, please call your local county animal shelter.

Justa Goodell has been serving Wyoming County, NY, for over 20 years as the animal control officer. During her time Justa has seen, processed and taken action on animal neglect and abuse cases including 3 animal hoarding cases. Justa goes beyond the call of duty to keep animals in Wyoming County safe and well taken care for. In an effort to not only educate herself, but to also educate the community, Justa's desire to learn about animal hoarding and neglect has grown and developed into this program you have witnessed to today. Justa's desire and hope is that you take in the information presented to you today and apply it to your perspective in your every day life. Knowledge is power and with that power we can bring about a better tomorrow. On behalf of Justa, thank you for your time and your presence. May God bless you all!

- Samuel Goodell, Justa's Son

ABOUT THE PRESENTER



| | | | |
|--|-------------|--------------------|--------------------|
| Mental Health | | | |
| To: 01.38.4322.4.42408 Livingston/Wyo. ARC w/01.11.4322.3490 MH State Aid-ARC Reason: To appropriate additional state aid. | \$2,312.00 | \$2,312.00 | |
| To: 01.38.4310.4.41801 Misc Assess/Chg.owed Oth. Govt. <i>w/any funds available</i> Reason: To pay for an inmate placed at RPC. | \$67,600.00 | \$67,600.00 | |
| Mental Health Total | | | \$69,312.00 |
| Public Health | | | |
| To: 01.38.4010.2.23001 PH – Motor Vehicles w/01.08.4010.2665 Sale of Equipment 01.11.4010.340104 Additional State Aid Reason: For purchase of 2019 Malibu 4DSD from Spurr Chevrolet (auction proceeds iao \$285.34 and NYSDOH Year 6 Performance Incentive award iao \$19,211.66). | \$19,497.00 | \$285.34 19,211.66 | |
| To: 01.38.4010.4.41706 Medical & Safety Supplies w/01.03.4010.1601 Public Health Fees Reason: To purchase vaccines for HD (73% of 2019 budgeted revenue received as of April 2019) | \$4,000.00 | \$4,000.00 | |
| Public Health Total | | | \$23,497.00 |
| Public Defender | | | |
| To: 01.32.1170.4.42497 ILS Distribution 6 w/01.11.1170.302506 ILS D-6 increased by Reason: To purchase furniture and technology. | \$8,382.36 | \$8,382.36 | |
| Public Defender Total | | | \$8,382.36 |

Carried: XXX **Ayes:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,405,789.82** for the month of **May, 2019**.

Carried: XXX **Ayes:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

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

#4

**RESOLUTION NO. 19-252
(June 11, 2019)**

Regular Session

You are the only person authorized to use your card and it is only to be used for **authorized** county purchases.

This policy provides the guidelines under which you may utilize your Purchasing Card. Please read it carefully. Your signature on the Cardholder Authorization Form indicates that you understand the intent of the program and agree to adhere to the policy established for the program.

Critical elements of this program are the retention of all receipts and prompt reconciliation of statements to these receipts.

The County of Wyoming is a tax-exempt organization. Therefore, **DO NOT** pay sales tax on purchases made with the Purchasing Card.

Cardholder Responsibilities

The Purchasing Card is intended for purchases such as services, supplies, materials, lodging and conference registration. The Purchasing Card will not be used for any of the items on the list of prohibited transactions and should be used in conformity with current purchasing guidelines. Individual authorizations for dollar limits and types of transactions will vary by department.

- ❖ **ONLY AUTHORIZED PURCHASES FOR WYOMING COUNTY ARE ALLOWABLE. Use of the Purchasing Card for personal purchases is not permitted at any time.**
- ❖ Misuse of the Purchasing Card will result in revocation of the Card and if necessary, appropriate disciplinary action, up to and including discharge from employment and criminal penalties.
- ❖ Violations may include, but not limited to:
 - Purchasing items for personal use.
 - Failure to reconcile expenses, attach receipts and forward to Audit by the deadline established.
 - Using the Card for items clearly defined as “Not for Card use”.
 - Allowing someone else to use your card.
- ❖ The Purchasing Card may be used in person, via telephone, mail, Internet or fax.
- ❖ Cardholders are responsible for informing the vendors that Wyoming County is exempt from sales tax. The County’s tax-exempt information is printed on the card. When using your card in person if a vendor will not process the transaction as tax exempt **DO NOT**

complete the transaction. If you are assessed sales tax on phone, Internet or mail orders the tax is to be adjusted by you on your statement before processing for approvals.

- ❖ Refunds and exchanges must be credited directly back to the Purchasing Card account. **Under no circumstances shall cash be received for refunds or exchanges.**
- ❖ If the purchase is for a service, the necessary insurance information must be on file with Purchasing before the transaction can be processed. Purchases of products only do not require insurance.
- ❖ If your purchase is software or computer related you must first receive written approval from the Information Technology Department.
- ❖ A transaction report is provided on-line for each account. It is a **Monthly Statement printed with detail** available after the first day of each month. The Cardholder will reconcile all receipts with the monthly detailed statement, attach all receipts to the statement and forward it to the department head for approval. After approval all documentation must be forwarded to the Audit Unit for payment by the 7th day of each month.
- ❖ The Purchasing Card should be treated with the same level of security as cardholders treat their own personal credit cards. Lost or stolen cards must be immediately reported to your Department Head and the County Treasurer. Replacement of the Purchasing Card must be authorized by the Department Head and the Treasurer's Office.

Purchasing Card Controls

Each card issued will have certain controls/restrictions placed on them. The types of controls consist of:

Card Limits:

- ❖ Each card will have a maximum amount that can be spent per month. Maximum amounts are approved by the Department's Home Standing Committee of the Board of Supervisors; this includes modifications (increases and/or decreases). TEMPORARY Credit limits may be increased as required for travel or unusual expenses as pre-approved, in writing, by the Home Committee Chair and presented to the home committee for formal approval during the next available round of committee meetings.

Exclusions by Merchant Category Code (MCC):

Specific vendors are excluded from use on all the County Purchasing Cards. Any attempt to use these vendors will cause the card to be declined and will be reported to the County Treasurer. Examples of excluded vendors include, but not limited to:

- ❖ Banks, ATM's, and Financial Institutions
- ❖ Liquor Stores
- ❖ Medical Services
- ❖ Restaurants
- ❖ Utility Companies
- ❖ Insurance Agencies
- ❖ Personal Service Providers (Dry cleaners, beauty salons, spas, etc.)
- ❖ Amusement & Entertainment (golf courses, theaters, country clubs)
- ❖ Phone Services

How to obtain a Purchasing Card

In order to obtain a Purchasing Card, the Department Head must request the Card on behalf of the employee. The request must be in writing using the "Purchasing Card Request" form and must be signed by the Employee and Department Head, and presented to the Department's Home committee for approval prior to being forwarded to the County Treasurer for processing.

At that time, a Purchasing Card application form will be sent to the employee for completion, it will then be returned to the County Treasurer for processing. When the County Treasurer receives your card, you will be required to sign the cardholders' agreement and receive training at the office of the County Treasurer.

How the Process Works

Step 1 – Make a Purchase

Purchases can be made in person, over the telephone, by fax, by email or by US mail by completing an order form or via the Internet. Documentation/receipts will be required for all purchases.

- ❖ Make sure the vendor accepts Visa
- ❖ Identify yourself as an Wyoming County Employee
- ❖ Inform the vendor that you are making a tax-exempt purchase prior to completing the transaction
- ❖ Each card will have the Wyoming County tax-exempt information on the front of the card

- ❖ If you have prior approval to make a purchase over \$500, the purchasing policy requires 3 quotes, attach a copy of the telephone quotes or other documentation to the back of your statement when submitting it to Audit
- ❖ Make sure that the proper insurance is on file with Purchasing if you are charging a service

Step 2 – Receive the Goods

Upon pick up or delivery of your goods, it is important to retain the receipt or packing list (if one is not provided you need to contact the vendor immediately for this documentation). **Every** purchase made on your Purchasing Card must be documented with a receipt, which could be in the form of a sales receipt, packing slip, and order form or registration application. You need to keep all receipts and charge slips for reconciliation of your statement.

All receipts must contain the following information:

- ❖ Merchant name
- ❖ Purchase date
- ❖ A description of each item purchased, including quantity
- ❖ Per item cost
- ❖ Total cost
- ❖ Cardholder name

If this information is not on the receipt the Cardholder is to handwrite it on the receipt prior to attaching it to the statement. If a receipt is lost and cannot be replaced by the vendor a copy can be secured by M&T Bank for a fee, the Cardholder is personally responsible for payment of this fee.

If an item has been ordered by mail that has not yet arrived (therefore no receipt), this should be noted on the statement and a copy of the order form included if available, and the receipt forwarded to Audit as soon as it is received.

Step 3 – Verification of Goods Received

The Cardholder is responsible for working with the vendor to correct any problems, exchanges or credits. Your statement of account is available on line for you to review 24/7. You are responsible for locating any errors and reporting them to the Purchasing Card Customer Service available **24-hours at 1-800-443-8671**. Audit will request complete details of the dispute in writing on county department letterhead in order to research the item in question.

If you believe the supplier has charged you incorrectly or there are outstanding quality or service issues, you must first contact the supplier and try to resolve the matter directly with the vendor. If a credit or adjustment is due be sure to

highlight the line item on your copy of your monthly statement to verify receipt on your next monthly statement.

The Treasurer's Office must receive any charge dispute within 60 days of your statement date. While pending resolution, the Purchasing Card vendor will credit your account for the amount of the disputed transaction. Although the vendor acts as the arbitrator in any dispute, you should never assume that a dispute will be resolved in your favor.

If the dispute is not resolved to your satisfaction, and you believe you have been unfairly treated by the supplier, please notify the Treasurer's Office or Audit with the relevant details.

Any fraudulent charges must be reported immediately to the 24-hour Customer Service Center, the Treasurer's Office and home department. Prompt reporting of any such charges will help to prevent the county from being held responsible.

Step 4 – Reallocate the Charges

All charges made against the purchasing card shall be assigned an account number by the cardholder by the 1st day of each month, to allow time to download a report of transactions. This is done online monthly prior to printing the statement copy being sent to Audit. The Department Head is responsible for the review and verification that all transactions are charged to the correct account.

The Department Head shall confirm that all purchases are reasonable, authorized for departmental business, and that the transactions were not in violation of the Purchasing Card policies. The Department Head shall review and approve the Cardholder statements by signing and dating it and forwarding it to Audit. Once approved by Audit, charges will be forwarded to the Treasurer's Office for interface with the GFS system of ACS and charges will appear in your expenditure lines.

- ❖ The vendor number will be the same as the expenditure item and recorded automatically by the computer system providing transaction type. (40503 M&T Bank PC-Gasoline)
- ❖ The check number will appear as the last 4 digits of the purchasing card completing the transaction or user.
- ❖ The description will show where and when the transaction occurred.
- ❖ The invoice will be recorded from transaction receipt.

Approved statements with the attached receipts are due in Audit by the 7th of each month. Card billings will be closed on the last day of each month. On the first working day of each month the cardholders should reconcile their

account on line, print the statement, attach all receipts and secure Department Head approval.

If this information is not submitted on time, your card will be cancelled.

Separation of Employment

When a Cardholder leaves County employment, he/she must return their Purchasing Card to their Department Head. The Department Head is responsible for ensuring the card is reconciled and returned to the Treasurer's Office to be cancelled prior to the separation of employment or actual ending date. The Purchasing Card shall be cut in half and returned to the County Treasurer. The Department Head is responsible for submitting the final statement to Audit with all receipts attached.

If an employee is on extended leave or disability, the Department Head should contact the County Treasurer to have the card "suspended" until the Cardholder returns to work.

Audits of the Program

All card purchases will be audited to confirm the Purchasing Cards are being utilized responsibly, receipts are being retained and the Cardholder's statements are being reconciled on a timely basis.

Conferences & Lodging

For lodging within New York State, you will still need to secure a lodging tax exemption ST-129 form and a sales tax exemption ST-121 form from the Public Directory to be presented upon check in. If traveling out of state you should also present these forms, some vendors do accept it and not charge lodging tax or sales tax.

Meals will continue to be paid by employees and reimbursed per the Purchasing Policy and will be processed with appropriate receipts directly reimbursing the employee. Restaurants will be blocked from use on all cards.

Phone charges are not allowable applied to lodging receipts. If charges occur, a reimbursement check must be made out to "Wyoming County Treasurer" and will have to accompany your monthly statement.

A Conference & Training Over-Night Travel form must be completed and approved by the Department Head prior to booking and charging to the Purchasing Card.

Wyoming County Purchasing Card Request

Please fill in all information as requested

June 11, 2019

Employee Name (as it will appear on card): _____
 Employee Department: _____
 Employee/Individual responsible for on-line record keeping: _____
 Requested Maximum Limit: \$ _____
 Last 4 of SS#: (000-00-XXXX) _____
 Date of Birth: _____
 Employee Signature: _____ Date: _____
 Department Head: _____ Date: _____
 Committee/Committee Chair Approval Date: _____
 County Treasurer: _____ Date: _____

**Wyoming County Purchasing Card
 Acknowledgment of Card Receipt
 And Card Holder Agreement**

Please read and sign page two of this form.

Employee Name: _____
 Department: _____
 Card Number: _____
 Monthly limits: \$ _____

You are being entrusted with a Wyoming County Purchasing Card issued by Visa through M&T Bank. The card is provided to you to take care of your need to purchase materials for the County. The card may be revoked at any time without your permission. Your signature below indicates that you have read the Purchasing Card Policy manual and will comply with the manual and the terms of this user agreement.

I understand that I will be making financial commitments on behalf of the County and will strive to obtain the best value for the County when making purchases.

This purchasing card is issued in my name. I will not allow any other person to use my assigned card.

I have read the Wyoming County Purchasing Card Policy Manual as well as this cardholder agreement, understand them, and I will comply with both. Failure to do so may be considered misappropriation of funds, and may subject me to revocation of card privileges and disciplinary action.

I understand that the policies and procedures related to the Purchasing Card Program may be updated or changed at any time. The Card Administrator will notify me of these changes. I agree to and will be responsible for the execution of any program changes.

I will review and approve transactions on a regular basis via the Internet and reconcile my monthly statement.

I will use the card only for authorized purchases.

I will obtain a hard copy receipt from the vendor each time the card is used. When ordering by phone or via the Internet, I will request the vendor provide me with a receipt. If the receipt is lost and cannot be replaced by the vendor, any charges for a copy through M&T Bank will be paid at my expense.

I understand that my card account is subject to internal control reviews and audits to protect the interests of Wyoming County and I agree to comply with these reviews and audits.

I am responsible for immediately notifying M&T Bank, my supervisor and the County Treasurer if the card is lost or stolen. I will complete the Lost or Stolen Card form and submit it to the County Treasurer.

Upon resignation/separation, or the request of my Department Head or the County Treasurer, I will turn in the card to the Department Head.

As I am responsible for all charges on the card, I will reconcile the statement and resolve any discrepancies by either contacting the vendor or M&T Bank.

Employee Signature: _____ Date _____

County Treasurer: _____ Date _____

**Wyoming County – Purchasing Card
Bank - Visa
Lost/Stolen Card Notification Form**

Name of Cardholder: _____

Cardholder Account Number _____

I certify that my Visa card has been lost/stolen. I first noticed it was missing on _____ (Date). I have called M&T Bank at 1-800-443-8671 and have also spoken with my Department Head to notify them that the card is lost/stolen so that no more charges may be made on it.

Cardholder Signature _____

Department Head Signature _____

Upon completion of this form please email or fax it directly to the County Treasurer

**RESOLUTION NO. 19-253
(June 11, 2019)**

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

SALARY SCHEDULE “X” HANDBOOK APPROVED

BE IT RESOLVED, That Salary Schedule “X”, Wyoming County Community Health System – Family Clinic Facilities Handbook is hereby adopted; effective June 11, 2019 and annexed hereto.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total



SCHEDULE X

WCCHS – FAMILY CLINIC FACILITIES

EMPLOYEE HANDBOOK/BENEFITS MANUAL

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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 X. The provisions contained herein are intended to establish

June 11, 2019

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 X 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 (1) of three (3) 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.
3. **CLINICAL:** These are employees are directly involved with patient care appointed by a Department Manager and make work under the direction and supervision a clinic physician.

Specific benefits or responsibilities that pertain to certain employees or groups of employees have been so noted.

ELIGIBILITY FOR BENEFITS

Part Time (with benefits)

A part time Schedule X employee works a **0.6 FTE** or more per year shall be eligible for health insurance with 80% of the applicable premiums to be paid by the employer and 20% to be paid by the employee for single plans and 60% of the applicable premiums to be paid by the employer and 40% to be paid by the employee for family plans.

Part Time (without benefits)

A part time Schedule X employee who works less than **0.6 FTE** 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

A Full time Schedule X employees shall receive all benefits mandated by law and shall be eligible for health insurance with 80% of the applicable premiums to be paid by the employer and 20% to be paid by the employee for single plans and 60% of the applicable premiums to be paid by the employer and 40% to be paid by the employee for family plans.

Regular Session

An employee appointed to a Schedule X 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 X by using his/her first date of hire or permanent appointment in the County to a full-time or part-time Schedule X 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 X, then the employee shall not receive any additional sick leave accruals under Schedule X until the accruals fall below the maximum. If the amount of vacation carryover exceeds the maximum for such leave in Schedule X, 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 X position.

COVERED EMPLOYEES BY CLASSIFICATION

| Title | Status | Civil Service Classification | Category |
|------------------------------------|--------|------------------------------|----------|
| Physician's Assistant (PA) | | Competitive | C |
| Nurse Practitioner (NP) | | Competitive | C |
| Registered Professional Nurse (RN) | | Non-Competitive | C |
| Medical Office Assistant | | Competitive | C |
| Medical Biller | | Competitive | MS |
| Licensed Practical Nurse (LPN) | | Competitive | C |
| Medical Receptionist | | Competitive | MS |
| Practice Manager | | Competitive | M |
| Physicians | | Competitive | C |

TERM: All positions listed above are Continuous Service.

NOTE: Covered employees may be amended by management at any time.

CATEGORY: M-Management
MS-Management Support
C - Clinical

PRE-EMPLOYMENT DRUG TEST AND PHYSICAL

All individuals seeking employment must pass a pre-employment physical and a drug/alcohol screening administered by WPHS. No Schedule X 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 X 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 X 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 X Management employees (M) personnel shall not be entitled to receive overtime or compensatory time off

ANNUAL/VACATION LEAVE

All full-time Schedule X employees shall be granted annual vacation leave in accordance with the following schedule, to a maximum of sixty (60) days:

| | |
|-----------------------------|---------|
| After completing 1 year | 5 Days |
| After completing 2-5 years | 10 Days |
| After completing 6-10 years | 15 Days |
| After completing 10+ years | 15 Days |

Part-time employees 0.6 FTE and above shall granted vacation on a pro-rated basis.

Vacation day requests for all Schedule X employees, must be approved by the Clinic Manager, CEO or Designee (whichever is the immediate supervisor).

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 X 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 X 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.

Note: Management shall have the right on a case by case basis to credit Schedule X employees' years of service with another employer, if that employer is purchased or incorporated into Wyoming County Community Health System for the purpose of longevity payments in accordance with this section.

| Consecutive years of service | Per Annum Effective 01/01/20 (paid in normal paycheck) |
|------------------------------|--|
| 10 years | \$420 |
| 15 years | \$510 |
| 20 years | \$630 |
| 25 years | \$690 |
| 30 years | \$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 CEO or Designee or his designated representative. 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 while

working at a 0.6 FTE or above.

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 six (6) paid holidays per year: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. 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 X with one (1) year of service or greater employees shall earn three (3) personal leave days per year. Part Time employees with a 0.6 FTE or greater will accumulate personal days on a pro-rated basis. Part Time employees with less than 0.6 FTE shall not receive personal days. 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 dental/medical appointment for the employee.

All full time Schedule X employees shall accrue annual sick leave biweekly based on four (4) days per calendar year following upon successful completion of the six (6) months probationary period to a total one hundred (100) days. Part-Time employees with a 0.6 FTE or greater shall receive sick days 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.

BEREAVEMENT LEAVE

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

| 5 WORK DAYS | 3 WORK DAYS | 1 WORK DAY |
|--|---------------------|-----------------------|
| Parent/Step Parent | Brother/Sister | Brother/Sister-in-law |
| Spouse/Domestic Partner | Grandparent | Aunt/Uncle |
| Child/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 X 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 annual 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

The employer will pay 80% of the cost of single health insurance coverage and 60% of the cost of family health insurance coverage for Schedule X employees who are eligible for employer provided medical benefits. Premiums will be deducted over 24 pay periods per year on a pre-tax basis.

FLEXIBLE BENEFITS PLAN (FSA)

An employee who works 30 or more hours per week or 130 hours or more per month and are eligible for health insurance in accordance with the requirements of this Schedule shall be eligible to participate in the Wyoming County Flexible Benefits Plan (effective 1/1/19) as of the first day of the next month following their date of hire, in accordance with the plan provisions.

DENTAL INSURANCE

All employees who elect to join shall contribute 100% towards the cost of dental insurance.

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, the supervisor shall assist the employee in the completion of the employee incident report.

The Department Manager or Designee shall be responsible for completing and submitting the employee incident report to Workplace Health Services within three (3) working days of the work related injury or illness.

DEFERRED COMPENSATION

All Schedule X employees are eligible to voluntarily participate in the County sponsored 457 B Deferred Compensation Program effective upon hiring. 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 X employees will be evaluated on a yearly basis. Senior Managers will be evaluated by the CEO and Managers will be evaluated by their Senior Manager.

SECONDARY EMPLOYMENT

The employees covered by this policy 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 X 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.

CONTINUING MEDICAL EDUCATION (CME)

Full time employees classified at "Mid-Levels" covered under this Schedule will be eligible to receive continuing medical education reimbursement payments up to \$1,500.00 annually and up to three (3) days additional paid time off each calendar year. Part time eligible employee will receive a pro-rate payment in accordance with their FTE. Reimbursement payments will only be made upon written submission of successful completion and attendance with

required receipts. Employees must have completed one year of service to be eligible for this benefit. Unused CME benefits will not carry over from year to year.

Full time employees classified at Physicians covered under this Schedule will be eligible to receive continuing medical education reimbursement payments up to \$2,500.00 annually and up to five (5) days additional paid time off each calendar year. Part time eligible employee will receive a pro-rate payment in accordance with their FTE. Reimbursement payments will only be made upon written submission of successful completion and attendance with required receipts. Employees must have completed one year of service to be eligible for this benefit. Unused CME benefits will not carry over from year to year. Physicians covered under this schedule will be eligible for annual reimbursement, up to \$1,000.00, for required licensure and related fees, including New York State Licensure, Board Registration fees, and DEA certificates. Part time Physicians will be eligible for a pro-rata reimbursement.

AMENDMENT AND CLARIFICATION

Despite the County's best effort to clarify the guidelines for benefits and conditions of employment governing Schedule X employees, it is understood that questions will arise concerning interpretation of the Schedule X 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 X 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 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 X Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule X. 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 X 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 X Employee Handbook/Benefits Manual.

SIGNATURE

DATE

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 through #10. Hearing no objection, resolution titles were read.

#6

**RESOLUTION NO. 19-254
(June 11, 2019)**

June 11, 2019

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

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH CHILDREN AWAITING PARENTS, INC., D/B/A DONALD J. CORBETT ADOPTION AGENCY ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with *Children Awaiting Parents, Inc., d/b/a Donald J. Corbett Adoption Agency*, 274 North Goodman Street, Suite D103, Rochester, NY 14607 on behalf of the Department of Social Services. Said contract to provide adoption transition services for children in the care and custody of Social Services in an amount not to exceed sixty thousand dollars (\$60,000.00); effective June 1, 2019 through May 31, 2020.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

#7

**RESOLUTION NO. 19-255
(June 11, 2019)**

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 to sign a grant application and acceptance award with the *New York State Division of Veterans' Affairs*, Matthew Courcelle, Office of General Services, Division of Financial Administration, P.O. Box 2166, Empire State Plaza, Albany, NY 12220-0282 on behalf of Veterans Services. Said grant funds for services to veterans in our locality in a minimum amount of ten thousand dollars (\$10,000.00); effective April 1, 2019 through March 31, 2020.

authorized to sign a grant application and acceptance award with the *New York State Office for the Aging*, 2 Empire State Plaza Albany, NY 12223 on behalf of Wyoming County Office for the Aging. Said grant to provide funds to continue the implementation of the expansion and enhancement of NY Connects in a minimum amount of one hundred seventy-five thousand nine hundred eighty-two dollars (\$175,982.00); effective April 1, 2019 through March 31, 2020.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

#10

**RESOLUTION NO. 19-258
(June 11, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BRANDI
DUVALL 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 *Brandi Duvall*, 8526 Oramel Hill Road, Caneadea, NY 14717 on behalf of the Youth Bureau. Said contract for pre-school related services in an amount not to exceed the 2019 ~ 2021 budget; effective August 1, 2019 through June 30, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolution #11 through #16. Hearing no objection resolution titles were read.

#11

**RESOLUTION NO. 19-259
(June 11, 2019)**

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

Regular Session

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

#13

**RESOLUTION NO. 19-261
(June 11, 2019)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A GRANT APPLICATION AND ACCEPTANCE AWARD WITH
HEALTH RESEARCH, INC. ON BEHALF OF THE COUNTY
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized to sign a grant application and acceptance award with the *Health Research, Inc.*, 150 Broadway, Suite 516, Riverview Center, Menands, NY 12204 on behalf of the County Health Department. Said grant to provide funds for the “*Public Health Emergency Preparedness Program*” in a minimum amount of forty-nine thousand six hundred twenty-five dollars (\$49,625.00); effective July 1, 2019 through June 30, 2020.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

#14

**RESOLUTION NO. 19-262
(June 11, 2019)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A CONTRACT WITH MAILFINANCE, INC. 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 *MailFinance, Inc.*, 478 Wheelers Farm Road, Milford, CT

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

**RESOLUTION IN OPPOSITION TO THE IMPLEMENTATION
TIMELINE FOR NEW LEAD POISONING REGULATIONS**

WHEREAS, Protecting children from exposure to lead is a key public health priority. Even low levels of lead in blood have been shown to affect IQ, ability to pay attention, and academic achievement; there is no safe level of lead exposure and the neurological and behavioral effects of lead are believed to be irreversible; and

WHEREAS, New York State has lowered the definition of elevated blood lead level (EBLL) to five micrograms per deciliter (5 µg/dL); this policy change is important to addressing the long-term health and economic impact that lead poisoning has on individual children and families and our communities as a whole; and

WHEREAS, The change in the law was not accompanied with the resources needed to assure swift and effective implementation; in their recent regulatory impact statement, the New York State Department of Health indicates that lowering the EBLL to 5 µg/dL will result in a six fold increase in children requiring public health interventions statewide; and

WHEREAS, Counties anticipate that the statutory change will result in renewed efforts to assure compliance with current lead testing requirements on the part of physicians, which may further increase the number of reported cases; and

WHEREAS, The regulatory impact statement provides an average nursing cost of \$713.00 per case and an average environmental management cost of \$2,123.00 per case; and

WHEREAS, Based on the average projected number of cases and the average costs provided, the NYS 2019-20 fiscal year investment of \$9.4 million for local health department services leaves approximately \$36.6 million – or 80% – of the costs to be paid by local governments; and

WHEREAS, Local health departments report that they will incur additional personnel and non-personnel costs relative to the increased number of lead cases; and

WHEREAS, Article Six state aid reimbursement does not allow for reimbursement of fringe or indirect costs, which are a 100% county cost; and

WHEREAS, The costs associated with this expanded mandate may

**RESOLUTION NO. 19-265
(June 11, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. B
YEAR 2019**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11th day of June 2019, a proposed local law entitled, “Local Law Introductory No. B, Year 2019, A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN THE COUNTY OF WYOMING”; and

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

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **9th day of July, 2019 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

INTRODUCTION OF LOCAL LAW B – YEAR 2019

A Local Law entitled “*A Local Law to Establish a Sustainable Energy Loan Program (Open C-Pace) in the County of Wyoming*”

BE IT ENACTED by the County of Wyoming (the “Municipality”) as follows:

Local Law No. 1 of the Year 2017 entitled “A Local Law Establishing a Sustainable Energy Loan Program in the County of Wyoming” and Local Law No. 1 of 2018 entitled “A Local Law Amending Local Law No. 1 of the Year 2017 entitled “A Local Law Establishing a Sustainable Energy Loan Program in the County of Wyoming” are hereby repealed in their entirety and replaced with the following local law:

SECTION 1. This local law shall be known as the “***Energize NY Open C-PACE Financing Program***” and shall read as follows:

ARTICLE I

§1. Legislative Findings, Intent and Purpose, Authority

- A. It is the policy of both the Municipality and the State of New York (the “State”) to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The Municipality finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of the Municipality pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between the Municipality and EIC, to make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. The Municipality is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

§2. Definitions

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:
- **Annual Installment Amount** – shall have the meaning assigned in Section 8, paragraph B.
 - **Annual Installment Lien** – shall have the meaning assigned in Section 8 paragraph B.

- **Authority** – the New York State Energy Research and Development Authority.
- **Benefit Assessment Lien** – shall have the meaning assigned in Section 3, paragraph A.
- **Benefited Property** – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.
- **Benefited Property Owner** – the owner of record of a Benefited Property.
- **EIC** – the Energy Improvement Corporation, a local development corporation, duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of the Municipality to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of the Municipality as a charge to be levied on the real property.
- **Eligible Costs** – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC’s Program administration fee, closing costs and fees, title and appraisal fees, professionals’ fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement.
- **Enabling Act** – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.
- **Finance Agreement** – the finance agreement described in Section 6A of this local law.
- **Financing Charges** – all charges, fees and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys’ fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.
- **Financing Parties** – Third party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in the Municipality.
- **Municipality** – the County of Wyoming, a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL of the State.
- **Municipal Lien** – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or

governmentally imposed assessments in respect of services or benefits to a Qualified Property.

- **Non-Municipal Lien** – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.
- **Program** – the Energize NY Open C-PACE Financing Program authorized hereby.
- **Qualified Project** – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.
- **Qualified Property** – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of the Municipality that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.
- **Qualified Property Owner** – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.
- **RPTL** – the Real Property Tax Law of the State, as amended from time to time.
- **Secured Amount** – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.
- **State** – the State of New York.

§3. Establishment of an Energize NY Open C-PACE Financing Program

- A. An Energize NY Open C-PACE Financing Program is hereby established by the Municipality, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation

of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of the Municipality, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records for the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality.

- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

§4. Procedures for Eligibility

- A. Any property owner in the Municipality may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the Municipality’s offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of the Municipality, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 0 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of the Municipality, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 0 of this local law.

§5. Application Criteria

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

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;

- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current in payments on any real property taxes on the Qualified Property; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, the Municipality, or EIC acting on its behalf, or other Financing Parties may set from time to time.

§6. Energize NY Finance Agreement

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of the Municipality, shall be a third-party beneficiary (the “Finance Agreement”). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a “Benefited Property”).
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

§7. Terms and Conditions of Repayment

The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records on which liens are recorded for properties within the Municipality. The special benefit assessment shall constitute a “charge” within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed and collected by EIC, on behalf of the Municipality, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of the Municipality.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of the Municipality, as provided in the Finance Agreement.

§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of the Municipality. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of the Municipality, in the land records for properties in the Municipality. Such recording shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by the Municipality.
- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a

schedule attached to the Benefit Assessment Lien (the “Annual Installment Amount”). The Annual Installment Amount shall be levied by EIC, on behalf of the Municipality, on the Benefited Property in the same manner as levies for municipal charges, shall become a lien on the Benefited Property as of the first day of January of the fiscal year for which levied (the “Annual Installment Lien”) and shall remain a lien until paid. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax or other fee in the same manner as if recorded by the Municipality. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.

- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created by Section 902 of the RPTL or by any other State or local law. No portion of a Secured Amount shall be recovered by the Municipality, EIC, or an assignee upon foreclosure, sale or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of the Municipality, at the same time and in the same manner as real property taxes or municipal charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of the Municipality, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as the Municipality’s agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolution #18 through #21. Hearing no objection resolution titles were read.

**RESOLUTION NO. 19-266
(June 11, 2019)**

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

**A RESOLUTION OF THE WYOMING COUNTY BOARD OF
SUPERVISORS OPPOSING THE PLANNED CLOSURE OF THE
LIVINGSTON CORRECTIONAL FACILITY AND CALLING ON
LEADERSHIP IN ALBANY TO RECONSIDER
THE PLANNED CLOSURE**

WHEREAS, During the 2019-2020 New York State Budget negotiation process, the Governor requested and subsequently received expanded authority to have discretion to arbitrarily close prisons with merely a 90-day notice; and

WHEREAS, The New York State Department of Corrections and Community Supervision (DOCCS) announced the closure of two (2) state prisons via press release on May 18, 2019; and

WHEREAS, Neither DOCCs, the Executive Branch nor any other New York State Agency had a single public hearing or public comment period on the announced closure of the Livingston Correctional Facility; and

WHEREAS, 327 people work in some capacity at the Livingston Correctional Facility and these jobs are good, middle-class, public sector positions; and

WHEREAS, The public deserves a more informed, more transparent process with more opportunity for comment than a 90-day, definitive closing announcement; and

WHEREAS, The Livingston Correctional Facility was well-occupied at 92% and was recently improved with millions of dollars in taxpayer-funded capital upgrades; and

WHEREAS, There has been no word from DOCCS officials on any plan for development or re-use for the to-be-closed prison; and

WHEREAS, The Wyoming County Board of Supervisors stands

June 11, 2019

330

simply for good government and has recognized and thanked the Governor and State government when decisions were of positive impact and conversely has taken to task and opposed the same parties when actions were of negative consequences; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby strongly opposes the planned closure of the Livingston Correctional Facility and the complete lack of fair process and transparency in reaching this decision and respectfully calls on leadership in Albany to reconsider the decision.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

#19

**RESOLUTION NO. 19-267
(June 11, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
CHAUTAUQUA COUNTY SHERIFF’S OFFICE 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 *Chautauqua County Sheriff’s Office*, 15 East Chautauqua Street, Mayville, NY 14757 on behalf of the Sheriff’s Department. Said contract to provide prisoner housing for Wyoming County inmates at the Chautauqua County Jail in an amount not to exceed eighty-five dollars (\$85.00) per day or an amount not to exceed one hundred seventy dollars (\$170.00) per day for prisoners under constant watch; effective December 14, 2018 through December 31, 2020.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

#20

RESOLUTION NO. 19-268
(June 11, 2019)

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

FIRE ADVISORY BOARD DELEGATES APPOINTED/REAPPOINTED

BE IT RESOLVED, That the following named persons are hereby appointed/ reappointed to the Wyoming County Fire Advisory Board in accordance with Section 225-a of the County Law for a term of one (1) year; effective **July 1, 2019 through June 30, 2020**:

| | | |
|-----------------|-----------------------|--|
| Arcade | Gregory Landis | 782 Geer Road, Arcade, NY 14009 |
| Attica* | Jay Myers | 297 Main Street, Attica, NY 14011 |
| Bennington | Chester Zymowski, Jr. | 1931 Route 354, Attica, NY 14011 |
| Bliss | Trapper Sampson | 6809 Centerville Road, Bliss, NY 14024 |
| Castile | William Dake | 73 West Park Road, Castile, NY 14427 |
| Cowlesville | Jeff Anderson | 361 Clinton Street, Cowlesville, NY 14037 |
| Gainesville | Brian Hill | 4341 East Hillside Road, Bliss, NY 14024 |
| Harris Corners* | Edward Mest | 869 Centerline Road, Strykersville, NY 14545 |
| North Java* | Jeremy Boorman | 1549 Beaver Meadow Road, Java Center, NY 14082 |
| Perry* | Paul Hinsken | PO Box 243, Perry, NY 14530 |
| Perry Center | James Brick | 7618 Route 20A, Perry, NY 14530 |
| Pike* | Nathan Lyke | 34 Telegraph Road, Bliss, NY 14024 |
| Sheldon* | Francis George | 287 Sinn Road, Cowlesville, NY 14037 |
| Silver Springs | John Proper | 80 Orchard S0.t, POB 183, Silver Springs, NY 14550 |
| Strykersville | Donald Simons | 425 Factory Road, Strykersville, NY 14145 |
| Varysburg | James Kelly | 2757 Buffalo Road, Varysburg, NY 14167 |
| Warsaw | Joseph Cummins | 5400 Toolhouse Road, Warsaw, NY 14569 |
| Wyoming | John Moore | 911 Tower Road, Wyoming, NY 14591 |

**denotes new delegates*

Members At-Large for Towns without Departments:

| | | |
|-------------|-----------------|---------------------|
| Orangeville | Town Supervisor | Town of Orangeville |
| Covington | Town Supervisor | Town of Covington |

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

June 11, 2019

RESOLUTION NO. 19-269
(June 11, 2019)

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 EMERGENCY
MANAGEMENT ON BEHALF OF EMERGENCY SERVICES**

WHEREAS, During the November 30, 3017 Public Safety Committee Meeting, approval was granted for the submission of this grant application; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the *New York State Division of Homeland Security and Emergency Services Office of Emergency Management*, 1220 Washington Avenue, Building 22, Suite 101, Albany, NY 12226-2251 on behalf of Emergency Services. Said grant to provide funds to update the *Wyoming County Multi-Jurisdictional All-Hazard Mitigation Plan* in a minimum amount of one hundred thousand dollars (\$100,000.00); effective February 20, 2019 through March 22, 2021.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

Supervisor Ryan, T/Warsaw expressed her gratitude towards the Board of Supervisors for their presentation of Resolution Number 18 in opposition to closing Livingston Correctional Facility. She explained the impact is also to employees that live in Wyoming County and there will be an impact in the business sent to Wyoming County Community Hospital.

There was a motion by Mr. Davis, T/Covington, to combine resolution #22 through #25. Hearing no objection resolution titles were read.

RESOLUTION NO. 19-270
(June 11, 2019)

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

**AUTHORIZING THE IMPLEMENTATION AND FUNDING OF
THE COSTS OF 100% OF COSTS OF A TRANSPORTATION
PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR
STATE-AID OR REIMBURSEMENT FROM BRIDGE NY FUNDS**

WHEREAS, A Project for the *Replacement of Hillside Road Bridge over Wiscoy Creek, Town of Eagle, Wyoming County, P.I.N. 4BNY.30; BIN 3319730* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, The sponsor will design, let and construct the Project:
and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

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

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and bit it

FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay 100% of the cost or PE/design and ROW work for the Project or portions thereof; with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and be it

FURTHER RESOLVED, That the sum of *\$231,000.00* 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 the Board of Supervisors hereby agrees that the Chairman shall be responsible for all cost of the project which exceed the amount of the federal-aid, state-aid, or NY Bridge Funding awarded to the County of Wyoming; and be it

FURTHER RESOLVED, That in the event the Project costs not covered by federal-aid. State-aid, or NY Bridge funding exceed 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

June 11, 2019

FURTHER RESOLVED, That the County of Wyoming hereby agrees that the construction of the Project shall begin no later than twenty-four (24) months after award and construction phase of the project shall be completed within thirty (30) months; and be it

FURTHER RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute on behalf of Wyoming County all necessary agreements, certifications or reimbursement requests for federal-aid and/or state- aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's 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:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

#23

**RESOLUTION NO. 19-271
(June 11, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
VILLAGER CONSTRUCTION, 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 the *Villager Construction, Inc.*, 425 Old Macedon Center Road, Fairport, NY 14450 on behalf of County Highway. Said contract to provide material crushing services in an amount not to exceed thirty-five thousand dollars (\$35,000.00); effective June 12, 2019 through October 31, 2019.

- Paid out of Traffic Diversion Funds (1161).

Public Defender

- Set one-time stipends plus corresponding fringes to the following:
 - ***Public Defender*** \$6,000.00
 - ***Assistant Public Defender (1st)*** \$10,000.00
 - ***Assistant Public Defender (2nd)*** \$5,000.00
 - ***Assistant Public Defender (3rd)*** \$10,000.00
 - ***Assistant Public Defender (4th)***
\$6,000.00
 - ***Investigator*** \$5,000.00
 - ***Secretary to Public Defender , PT*** \$7,080.00
 - ***Secretary I*** \$5,000.00
 - Said amounts to be paid immediately.
 - Funds are provided through ILS grant Second Quality Improvement and Caseload Reduction (*Contract C2ND656*)
- Increase salary with corresponding fringes to the following:
 - ***Assistant Public Defender (4th)*** \$6,000.00
 - Said amount to be paid bi-weekly and retroactive from July 1, 2018 through June 30, 2020.
 - Funds provided through ILS Second Quality and Caseload Reduction (*Contract C2ND656*)

Salary Schedule “I”:

District Attorney

- Set the salary of the ***District Attorney*** within the District Attorney’s Office at \$200,400.00 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; effective retroactively to April 1, 2019.

Salary Schedule “C”:

Wyoming County Community Health System

- Abolish one (1) position of ***Assistant Director of Finance*** under FISCAL SERVICES; effective June 15, 2019.
- Place one (1) position of ***Senior Executive Officer*** under ADMINISTRATION and set the salary at \$260,000.00 per year; position available date is May 28, 2019.
- Include a stipend for the ***Senior Executive Officer*** under ADMINISTRATION and set the amount at \$15,000.00; effective one-time, upon start date.

**RESOLUTION NO. 19-279
(June 11, 2019)**

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

CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH RACHEL MUROFF, RN, BSN 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 ***Rachel Muroff, RN, BSN***, 472 Breckenridge Street, Buffalo, NY 14113 on behalf of the Wyoming County Community Health System. Said contract to provide inpatient and outpatient midwifery services in an amount not to exceed one hundred five thousand dollars (\$105,000.00) per year; effective August 1, 2019 through July 31, 2021 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
187 (Perry)
102 (Sheldon)
340 Total

#32

**RESOLUTION NO. 19-280
(June 11, 2019)**

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

RESOLUTION NUMBER 17-166 AMENDED

WHEREAS, Resolution Number 17-166 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed

June 11, 2019

- **Gustave Ruckert, DO**, 21 Willow Pond Way, Penfield, NY 14526 for the professional medical services of a board certified/eligible OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.
- **J. Steven Burkhart, MD**, 21 Willow Pond Way, Penfield, NY 14526 for the professional medical services of a board certified/eligible OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.
- **Mary Wilsch, MD**, 21 Willow Pond Way, Penfield, NY 14526 for the professional medical services of a board certified/eligible OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services in an amount not to exceed one hundred dollars (\$100.00) per hour; effective on or about April 1, 2017 through March 31, 2018 and upon credentialing

And

WHEREAS, That Resolution Number 17-238 was previously amended by this Board of Supervisor on July 11, 2017 by **Resolution Number 17-295** as follows:

- **Gustave Ruckert, DO**
 - Correct the address to 57 Old Stonefield Way, Pittsford, NY 14534
 - Correct the effective dates from April 1, 2017 through March 31, 2018 to **May 1, 2017 through May 1, 2018**.
- **J. Steven Burkhart, MD**
 - Correct the address to 202 Heatherstone Lane, Rochester, NY 14618
 - Correct the effective dates from April 1, 2017 through March 31, 2018 to **May 1, 2017 through May 1, 2018**.
- **Mary Wilsch, MD**
 - Correct the address to 77 Gramercy Park, Rochester, NY 14610
 - Correct the effective dates from April 1, 2017 through March 31, 2018 to **May 1, 2017 through May 1, 2018**.

Now therefore,

BE IT RESOLVED, That **Resolution Number 17-238** as previously amended by **Resolution Number 17-295** be hereby further amended to extend the **Gustave Ruckert, DO**, contract end date through **May 1, 2020**.

350

Enterprise, LLC, 82 Covington Street, Perry, NY 14530 on behalf of the Wyoming County Community Health System. Said contract is for the parking lot pavement project in an amount not to exceed two hundred sixty thousand three hundred seventy dollars and ninety-six cents (\$260,370.96); effective June 12, 2019 through October 15, 2019.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

#38

**RESOLUTION NO. 19-286
(June 11, 2019)**

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

**WYOMING COUNTY PURCHASE ORDER/PAYMENT POLICY
APPROVED**

BE IT RESOLVED, That the Wyoming County Purchase Order/Payment Policy is hereby approved; effective July 2, 2019 and annexed hereto.

**WYOMING COUNTY
POLICY AND PROCEDURE**

| | | |
|---|--|---------------------------|
| EFFECTIVE DATE: July 2, 2019 | REVIEWED BY: (Individuals/Committees) Human Resources, Finance, Treasurer, Budget & Reimbursement | |
| DATE DEVELOPED: September 28, 2018 | PREPARED BY: Lumsden & McCormick | SUPERSEDES: N/A |
| CHIEF EXECUTIVE OFFICER'S SIGNATURE: | | REFERENCES: |

POLICY:
Purchase Order/Payment Policy

Regular Session

PURPOSE:

The following procedures are designed to provide internal controls over Wyoming County funds and follow State and local laws where applicable. Note that segregation of duties for proper internal controls should be monitored at an individual employee level, not necessarily by department. Below is a summary of Department responsibilities:

PROCEDURE:**County Treasurer**

In accordance with County Law, the County Treasurer is the Chief Fiscal Officer of the County and is the official custodian for all County funds. The County Treasurer is also responsible for keeping a true accounting of all receipts and expenditures.

County Auditor

The County Auditor shall audit all claims otherwise required to be audited by the Board of Supervisors. Every payment (including, but not limited to, checks, money orders, cash, or electronic fund transfers) using County funds must be audited by the County Auditor except for the following:

- Salaries and related withholdings
- Principal and interest on debt
- Payments made pursuant to a court order
- Retirement contributions

Budget Officer

The Budget Officer is responsible for reviewing proposed budgets submitted by department heads and preparing a tentative budget. During the year, the Budget Officer shall monitor appropriations and inform the Board of Supervisors when potential shortfalls exist. The Budget Officer requires accurate accounting records from the County Treasurer in order to appropriately monitor the County budget.

Purchasing Official

The purchasing official has delegated responsibilities to the Vice Chair of the Board. Purchase orders should be approved by the Purchasing Official or designee. Currently, the purchasing process is assisted by the Budget and Audit department staff.

Audit Committee

An audit committee is typically responsible for approving County disbursements prior to payment. Since the Board of Supervisors has appointed a County Auditor, there is no formal requirement to have the Audit Committee review disbursements prior to payment.

SUBJECT: PURCHASE REQUISITION PREPARATION**• GENERAL:**

The purchasing requisition is the document used to alert the purchasing agent the goods or services are required for the County. It is the basis for the preparation of the purchase order.

• STEPS:

1. At the department level, individual departments complete a requisition electronically within ACS. ACS does not allow creation of a requisition without available budget space, therefore departments are unable to create a requisition for a budget line for which there is no available space.
2. Once the requisition is completed, it should be submitted electronically to the Audit department for initial review. Such review should include review of vendor, description, budget codes, fully executed contract, and other pertinent details for accuracy and completeness.
3. If the requisition is not accurate or complete, it should be returned to the applicable department for correction and resubmission.
4. If the requisition is accurate and complete, it should be printed and given to the purchasing official (delegated to the Vice-Chair of the Board of Supervisors) for final approval and creation of the purchase order.

SUBJECT: PURCHASE ORDER PREPARATION AND DISTRIBUTION**• GENERAL:**

The purchase order is used to initiate and control purchases. It should therefore be completed and approved prior to making a purchase so that effective managerial control can be continually maintained. Purchase orders and quotes/bids/etc. should be prepared in accordance with the County's existing purchasing policy and General Municipal Law.

• STEPS:

1. Purchasing official receives printed requisitions in the form of unposted purchase orders from the Audit department.
2. Purchasing official should evaluate the need for the goods or services requested and verify available budget space.
3. Purchasing official should determine whether bids are required, and if so, ensure bids and fully executed contract were obtained.
4. If all information is appropriate, the purchasing official should sign the requisition, formally making it the purchase order.

5. The purchasing official should give the original purchase order to the Audit department.
6. The Audit department should scan and send electronic copies of purchase orders back to the applicable departments, with electronic copies to the Treasurer's office.
7. The Treasurer's office posts the approved purchase orders in ACS.
8. The departments should send their purchase orders to the applicable vendors.

SUBJECT: RECEIPT OF GOODS OR SERVICES BY DEPARTMENTS

- **GENERAL:**

This procedure discusses the receipt of good or services by the responsible department.

- **STEPS:**

1. Ideally, purchase orders are created in advance of purchases; however, if a purchase order does not exist when the goods or services are received, the department responsible for the purchase should create a purchase order at that time.
2. The department receiving the goods or services should match the invoice to the department's copy of the purchase order to ensure details are correct regarding amount, payee, items (quality and quantity), etc.
3. Discrepancies should be resolved by the department receiving the goods or services. When necessary, the applicable department should contact Purchasing (Audit) for assistance.
4. Once satisfied, the department should sign and date the purchase order, attach the invoice and any other required documentation, and forward to the Audit department for review.
5. If the invoice/delivery does not completely match the purchase order, the department shall provide sufficient detail to the Audit department to prepare a partial payment if necessary.

SUBJECT: APPROVAL OF PURCHASES BY THE COUNTY AUDITOR

- **GENERAL:**

As authorized by County Law Section 600, the Board of Supervisors can appoint a County Auditor to audit all claims on their behalf. Such process provides comfort that claims are paid only for valid County purposes.

Except as otherwise authorized by law, every payment by the County should be audited. Exceptions include the following, which should not be included on the Schedule of Bills:

- Salaries and related withholdings

- Principal and interest payments on debt
- Payments made pursuant to a court order
- Retirement contributions

In addition, certain payments are allowed to be made in advance of approval.

Such claims should also be included on the Schedule of Bills subsequent to payment:

- Utilities (electric, gas, water, sewer, phone)
- Postage
- Freight
- Petty cash reimbursements
- Time sensitive disbursements

Finally, the County allows the use of purchasing cards in certain circumstances, in accordance with the Wyoming County Purchasing Card User's Guidelines for Cardholders and Department Heads. Such policy sets parameters around purchases and requires all receipts for a given month be forwarded to the Audit department for approval by the 7th day of the following month.

- **STEPS:**
 1. The Audit department receives the voucher packet, including signed purchase order or voucher, invoice and receiving information, from the applicable department.
 2. For purchasing card activity, the Audit department receives a signed voucher with attached receipts or other documentation from individuals for their purchases. Such purchases should be matched against the statement to create a voucher packet.
 3. As groups of voucher packets are received, the Audit department creates batches for payment. As part of this process, the Audit department is reviewing the documentation and denoting audit approval by initialing each voucher packet within the batch.
 4. The information for each batch is input into the ACS payables module. After everything is entered for that pay date, a report is delivered to the Treasurer's office for preparation of check (or wire) for payment.

SUBJECT: PAYMENT OF CLAIMS

- **GENERAL:**
This procedure discusses the payment process once the invoice batch detail is approved for payment by the Audit Department.
- **STEPS:**

1. The Treasurer's office receives a batch report from the Audit Department.
2. The Treasurer's office runs the Schedule of Bills report from ACS and provides it to the Audit Department.
3. The Treasurer's office prepares electronic fund transfers EFTs (when applicable) but does not release funds until after the Audit department notifies them of the Audit committee's review and approval.
4. The Audit Department reviews the Schedule of Bills and provides it to the Audit Committee with the voucher packets.
5. The Audit committee reviews the Schedule of Bills and corresponding documentation, then, completes the Authorization of Payment form, returning it and all documents to the Audit Department as approved.
6. The Audit department requests that the Treasurer's office prepare disbursements.
7. The Treasurer's office prints checks and provides them to the Audit department at least one business day prior to the check date. Such checks are secured in a locked cabinet in the Audit department.
8. The Treasurer's office releases EFTs (when applicable) according to the payment schedule.
9. The Audit department matches remittance advice, as necessary, with the checks, and stuffs the envelopes. Such matching is supported through read-only access to the check register, which includes all EFT transactions.
10. The Audit department separately mails remittances related to EFTs, as necessary.
11. Other than those required to be delivered to a department to make a specific payment directly, such as for payments required immediately upon time of service, the Audit department mails the checks once satisfied that printed checks agree to the previously audited Schedule of Bills. No checks should be held for later payment.

*** To ensure all claims required to be audited have in fact been approved for payment (the 'completeness' assertion), the Audit department can access PDF copies of bank statements directly from the Treasurer's office and can view electronic check registers through read-only access to ACS. Although the verification would be after the fact, this would allow for review of electronic payments and review for continuity of check numbers as proof that all payments required have been submitted through the Audit department.*

**SUBJECT: ADDITION OF NEW VENDORS AND VENDOR
 MAINTENANCE**

- GENERAL:

June 11, 2019

accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

| TOWNS | REVENUE SHARING DISTRIBUTIED |
|----------------------|---|
| Arcade | \$3,825.84 |
| Attica | \$2,418.39 |
| Bennington | \$2,459.33 |
| Castile | \$2,939.97 |
| Covington | \$710.43 |
| Eagle | \$1,001.09 |
| Gainesville | \$1,554.78 |
| Genesee Falls | \$535.00 |
| Java | \$1,996.23 |
| Middlebury | \$651.82 |
| Orangeville | \$969.00 |
| Perry | \$4,446.85 |
| Pike | \$4,330.91 |
| Sheldon | \$1,676.96 |
| Warsaw | \$7,556.26 |
| Wethersfield | \$513.16 |
| Grand Totals: | \$37,586.02 |

Let this be your Warrant for Such Payment: **\$37,586.02** (*thirty-seven thousand five hundred eighty-six dollars and two cents*). IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 11th day of June, 2019.

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

Carried: XXX **Ayes:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

#40

RESOLUTION NO. 19-288
(June 11, 2019)

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

June 11, 2019

**RESOLUTION OPPOSING A PORTION OF PROPOSED
LEGISLATIVE BILLS 54676A/A4863 CHANGING THE ORDER IN
WHICH MULTIPLE TAX LIENS ARE TO BE REDEEMED**

WHEREAS, Since the adoption of the Uniform Delinquent Tax Act in 1995, the County of Wyoming, New York (the "County") enforces real property taxes pursuant to Article 11 of the New York State Real Property Tax Law ("Article 11"); and

WHEREAS, Under Article 11, the County is responsible for enforcing school, village, town and County taxes within its boundaries; and

WHEREAS, The County is responsible for guaranteeing town, school and village taxes; and

WHEREAS, For the year 2019, the County enforces taxes on approximately 24,275 parcels having a total taxable assessed value of approximately \$2,347,723,719 and a total tax amount of approximately \$21,587,177; and

WHEREAS, Enforcement of taxes under the current Article 11 has resulted in 99.99% of the parcels in the County being paid by the redemption date; and

WHEREAS, Legislative bills 54676A/A4863 (the "Bill"), have been introduced proposing to amend Article 11; and

WHEREAS, The Bill proposes to amend Article 11, Section 1112(1), by changing the order in which a tax lien must be redeemed when the County holds more than one tax lien; and

WHEREAS, Article 11, Section 1112(1), currently provides that multiple tax liens must be paid in reverse chronological order. In other words, the most recent lien must be redeemed first; and

WHEREAS, The Bill proposes to amend Article 11 so that tax liens must be paid in chronological order. In other words, the oldest tax lien must be paid first; and

WHEREAS, The Bill as proposed will have detrimental effects on both tax payers and the municipality collecting taxes; and

WHEREAS, The purpose for requiring that tax liens be paid in reverse chronological order is that pursuant to Article 11, Section 1123, the County

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

BE IT RESOLVED, That the County of Wyoming hereby establishes the following as standard work days for elected and appointed officials whose term begins on or after August 12, 2009 and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

| 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) |
|--------------------------|-----------------------------|------------------------------|--|-----------------------|--|---------------------------|------------------------------|--|
| Elected Officials | | | | | | | | |
| District Attorney | 7 | O’Geen, Donald | XXXX | XXXXXXXXXX | | 01/01/19 - 12/31/22 | 22 | |
| Coroner | 6 | Pruitsman-Pfeiffer, Jennifer | XXXX | XXXXXXXXXX | | 01/01/19 - 12/31/21 | N/A | |

Carried: XXX Ayes: 1259 Noes: Absent: 51 (Eagle) Abstain:
 187 (Perry)
 102 (Sheldon)
 340 Total

#42

**RESOLUTION NO. 19-290
 (June 11, 2019)**

By Ms. Grant, Vice-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:

CREATED:

362

Carried: XXX **Ayes:** 1259 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
187 (Perry)
102 (Sheldon)
340 Total

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:30 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

| |
|----------|
| A |
|----------|

Agriculture Committee**Appointments**

New York State Department of Environmental Conservation Advisory Committee
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 J. Knab, A. Fagan, Res. #19-058 65

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New York State Department of Environmental Conservation Advisory Committee
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Seneca Trail Resource Conservation and Development Council
 J. Knab, A. Fagan, Res. #19-058 65

Emergency Services**Acting Director**

W. Streicher, Res. #19-172 204

Fire Advisory Board Delegates

G. Landis, J. Myers, C. Zymowski, Jr., T. Sampson, W. Dake, J. Anderson, B. Hill, E. Mest, J. Boorman, P. Hinsken, J. Brick, N. Lyke, F. George, J. Proper, D. Simons, J. Kelly, J. Cummins, J. Moore, Orangeville Town

Supervisor, Covington Town
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Mental Health**Alcohol and Substance Abuse Subcommittee**

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Community Services Board

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Developmentally Disabled Subcommittee

V. McCormick, M. Miskell, Res. #19-014 21

Mental Health Subcommittee

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 Hinsken, J. Brick, N. Lyke, F.
 George, J. Proper, D.
 Simons, J. Kelly, J. Cummins,
 J. Moore, Orangeville Town
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G. Jackson, J. Foley, A.
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**Developmentally Disabled
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Highway

One (1) Position of Motor
Equipment Operator
(Seasonal) (Res. #19-171),
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Created

Board of Elections

One (1) Position of Personal
Transition Trainer
(Elections) (D) (Per Diem)
(Temp), Res. #19-171 202
One (1) Position of Personal
Transition Trainer
(Elections) (R) (Per Diem)
(Temp), Res. #19-171 202

Buildings and Grounds (CIP)

One (1) Position of Working
Supervisor (1.00 FTE), Res.
#19-211 241

**Buildings and Grounds (Co.
Bldgs.)**

One (1) Position of Building
Maintenance Mechanic,
(1.00 FTE) 360
One (1) Position of Working
Supervisor (1.00 FTE), Res.
#19-211 241

District Attorney

One (1) Position of Secretary
to the District Attorney (PT)
(Temp), Res. #19-211 241

Fire and Building Codes

One (1) Position of Account
Clerk (1.00 FTE), Res. #19-
097 93

Highway

One (1) Position of Deputy
County Highway
Superintendent (Per Diem)
(Temp), Res. #19-171 202
One (1) Position of Motor
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