

PROCEEDINGS  
OF THE  
BOARD OF  
SUPERVISORS

Volume II

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*

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**REGULAR SESSION****(July 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 Supervisor Ryan, T/Warsaw. Also present were County Attorney, Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:43 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Res. Frank Fraser, 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:

**Sergeant Edward V. Redding**

Mr. Redding was born June 28, 1919 in Java Center, New York. At twenty-five years old, he was married, owned a milk hauling business and maintained all of his own equipment. Mr. Redding entered the U.S. Army in December of 1944 and became a Heavy Machine Gunner, Paratrooper and Demolition Specialist at Fort Benning, Georgia.

By August 1945, Mr. Redding departed for Manila in the Philippines joining D Company of the 341<sup>st</sup> Infantry Paratrooper Regiment under the Asiatic Pacific Command. He executed eleven jumps helping complete the Philippines Campaign to expel the Imperial Japanese forces during WWII. Having saved one of these silk parachutes, he had it redesigned into a baptismal gown, which his son and nine grandchildren wore for their baptisms.

Mr. Redding was honorably discharged from the Army in 1946. For his valor and courageous service to his country, Mr. Redding was awarded the:

Army Good Conduct Medal  
Asiatic Pacific Campaign Medal  
Philippines Liberation Ribbon  
World War II Victory Medal

After leaving Fort Dix, New Jersey, Mr. Redding came home and found employment as a truck driver for the Town of Java. Once he earned enough money, he repurchased his milk hauling business and operated it until 1957. After selling the business, he drove truck for the Buffalo News until his official retirement.

He served two terms as Supervisor for the Town of Java thereby also serving as a member of the Wyoming County Board of Supervisors from 1964 to 1967.

Mr. Redding just celebrated his 100<sup>th</sup> birthday on June 28<sup>th</sup> and is the oldest living WWII Veteran in the Town of Arcade. He is an avid card player and enjoys that pastime at the VFW with family and friends. Mr. Redding is also a loyal patron at Nellie's Restaurant in Arcade.

The Wyoming County Board of Supervisors honored Mr. Redding last year with Veteran's Day 2018 being proclaimed *Edward V. Redding Day in Wyoming County*.

*The pledge was said by all.*

*Chairman Berwanger presented the customary certificate of appreciation to Mr. Redding and an opportunity to address the Board. At which time, Mr. Redding graciously accepted the certificate and shared a humorous story about one of his jumps while in the Army.*

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

### **Communications ~**

- 06-20-19 Correspondence from Senator Gallivan and 06-21-19 correspondence from Assemblyman DiPietro both acknowledging receipt of Resolution Nos. 19-264, 19-266 and 19-288
- 06-21-19 Correspondence from Assembly Minority Leader Kolb acknowledging receipt of Resolution No. 19-288
- 06-28-19 Correspondence from NYSAC Exe. Dir. Acquario acknowledging receipt of Resolution Nos. 19-264 and 19-288

### **Open Public Hearing ~**

- Local Law No. 3, Year 2019 (Introductory B, Year 2019) Entitled, "*A Local Law to Establish a Sustainable Energy Loan Program (Open C-Pace) in the County of Wyoming*"

#1

## **RESOLUTION NO. 19-292 (July 9, 2019)**

Regular Session

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			
<b>To:</b> 01.33.1325.1.10001 Salary S/D/I 01.33.1325.1.10101 CSEA Wages 01.33.1325.1.10601 Unused Benefit 01.33.1325.8.83001 FICA 01.33.1325.8.85001 Medicare 01.33.1325.8.89001 Medical Ins. <i>w/any funds available</i>	\$24,260.00 500.00 1,065.00 1,600.00 375.00 5,000.00		\$32,800.00
<b>Reason:</b> Cover staffing changes for balance of FY 2019.			
<b>Treasurer Total</b>			<b>\$32,800.00</b>
DSS/Medicaid			
<b>To:</b> 01.40.6102.4.42250 MMIS IGT/DSH Pymt <i>w/any funds available</i>	\$162,000.00	\$162,000.00	
<b>Reason:</b> To cover the 50% county share of the DSH payment (SFY 2015-2016 reconciliation).			
<b>DSS/Medicaid Total</b>			<b>\$162,000.00</b>
Human Resource			
<b>To:</b> 01.34.1431.4.41204 Advertising Expense <i>w/any funds available</i>	\$11,000.00	\$11,000.00	
<b>Reason:</b> For planned recruiting expenses for 2019.			
<b>Human Resource Total</b>			<b>\$11,000.00</b>
Sheriff Seized Assets			
<b>To:</b> 01.37.3113.4.42306 Other w/01.07.3113.2626 Forfeiture Crime Proceeds	\$2,495.00	\$2,495.00	
<b>Reason:</b> To purchase Live Link Encoder App for Drug Task Force.			
<b>Sheriff Seized Assets Total</b>			<b>\$2,495.00</b>
Sheriff			
<b>To:</b> 01.37.3110.1.10001 Salary S/D/I 01.37.3110.1.10502 On Call Pay 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare 01.37.3110.8.89001 Medical Ins 01.37.3110.8.89002 Health Reim. Emp. 01.37.3110.8.89003 Health Reim. Admin. <i>w/any funds available</i>	\$42,340.00 14,000.00 9,015.00 3,493.00 817.00 11,008.00 3,500.00 42.00		\$84,215.00
<b>Reason:</b> To cover new 911 Coordinator position.			
<b>Sheriff Total</b>			<b>\$84,215.00</b>

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:**

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,806,725.10** for the month of **June, 2019**.

July 9, 2019

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #2 through #4. Hearing no objection, resolution titles were read.*

#2

**RESOLUTION NO. 19-293**  
**(July 9, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT  
APPLICATIONS AND ACCEPTANCE AWARDS WITH NEW YORK  
STATE BOARD OF ELECTIONS ON BEHALF OF WYOMING  
COUNTY BOARD OF ELECTIONS**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign various grant applications and acceptance awards with *New York State Board of Elections*, 40 North Pearl Street, Suite 5, Albany, NY 12207 on behalf of Wyoming County Board of Elections as follows:

- For reimbursement of costs related to the implementation of early voting and eligible expenses such as additional voting equipment, staffing and poll site expenses in a minimum amount of twenty-seven thousand four hundred seventy-seven dollars (\$27,477.00); effective dates to be determined.
- For initial technology costs of electronic poll books, associated software, on-demand ballot printers and cyber security software required to implement early voting in a minimum amount of thirty-five thousand three hundred sixty-eight dollars (\$35,368.00); effective dates to be determined.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**  
#3

**RESOLUTION NO. 19-294**  
**(July 9, 2019)**

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

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

Regular Session

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

***Jail Kitchen***

- Amend **Cook** (position code 077.061) to become a **Food Service Helper** within the unit on CSEA Schedule B, Grade 2; effective June 19, 2019.
- Amend **Cook, PT** (position code 078.061) to become an **Assistant Cook** within the unit on CSEA Schedule B, Grade 3; effective June 19, 2019.

***Wyoming County Community Health System***

- Create a new position of **Rad Tech IV** within the unit on CSEA Schedule WCCHS at grade 18A; effective July 1, 2019.

All else remains unchanged.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #4

**RESOLUTION NO. 19-295**  
**(July 9, 2019)**

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

**SALARY SCHEDULE "X" HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule "X" Handbook is hereby amended to include the following language, in **BOLD**, under **CONTINUING MEDICAL EDUCATION (CME)**; effective July 9, 2019:

**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

July 9, 2019

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.

***Mid-Levels*** and 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.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #7. Hearing no objection, resolution titles were read.*

#5

**RESOLUTION NO. 19-296  
(July 9, 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 hereby 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

Regular Session

Aging. Said grant funds are for unmet needs in a minimum amount of forty-three thousand five hundred sixty-two dollars (\$43,562.00); effective April 1, 2019 through March 31, 2020.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #6

**RESOLUTION NO. 19-297**  
**(July 9, 2019)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH  
AMY'S AFTER SCHOOL ADVENTURES ~ AMY YENCER ON  
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with *Amy's After School Adventures ~ Amy Yencer*, 10 Erie Street, Mt. Morris, NY 14510 on behalf of the Department of Social Services. Said contract to provide day care services in a variable amount depending upon services provided; effective May 22, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #7

**RESOLUTION NO. 19-298**  
**(July 9, 2019)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A CONTRACT WITH U & S SERVICES, INC. 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 *U & S Services Inc.*, 95 Stark Street,

July 9, 2019

Tonawanda, NY 14150 on behalf of the Department of Social Services. Said contract to provide fire alarm preventative maintenance in an amount not to exceed one thousand nine hundred twenty dollars (\$1,920.00) annually; effective July 1, 2019 and shall automatically renew until written notice of intent to terminate is received. (*State Contract Number PT 63600.*)

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #8 and #9. Hearing no objection, resolution titles were read.*

#8

**RESOLUTION NO. 19-299  
(July 9, 2019)**

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

**RESOLUTION NUMBER 19-015 AMENDED**

**WHEREAS**, Resolution Number 19-015 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK COUNCIL ON PROBLEM GAMBLING ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on January 8, 2019 and provides funds for underage gambling prevention education in a minimum amount of fifteen thousand dollars (\$15,000.00); effective January 1, 2019 through November 6, 2019; now therefore

**BE IT RESOLVED**, That ***Resolution Number 19-015*** be hereby amended to correct the actual grant amount from fifteen thousand dollars (\$15,000.00) to ***eleven thousand four hundred seventeen dollars (\$11,417.00)***.

All else remains the same.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

#9

**RESOLUTION NO. 19-300  
(July 9, 2019)**

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

Regular Session

## RESOLUTION NUMBER 17-518 AMENDED

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

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

And

WHEREAS, That Resolution Number 17-518 was previously amended by this Board of Supervisors on September 11, 2018 by ***Resolution Number 18-364*** as follows:

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

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 17-518*** as previously amended by ***Resolution Number 18-364*** be hereby further amended as follows:

- *Wyoming County Community Action*, 6470 Route 20A, Suite 1, Perry, NY
  - Extend the contract end date from April 30, 2019 through ***July 31, 2019*** in an amount not to exceed ***\$13,644.00*** for a new

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total contract amount of **\$93,287.00**

All else remains the same.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:**

*There was a motion by Mr. Kehl, T/Attica, to combine resolutions #10 and #11. Hearing no objection, resolution titles were read.*

**#10**

**RESOLUTION NO. 19-301**  
**(July 9, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**LOCATION AND TIME OF AUGUST 2019 REGULAR SESSION  
CHANGED**

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

**BE IT RESOLVED**, That the Regular Session of the Wyoming County Board of Supervisors will be held on *Tuesday, August 13, 2019 at 2:00 PM* in the *Youth Building* of the *Wyoming County Fairgrounds in Pike, New York*.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:**

**#11**

**RESOLUTION NO. 19-302**  
**(July 9, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**AUTHORIZING THE BOARD OF SUPERVISORS TO ENDORSE THE  
APPLICATION FOR A FARMLAND PROTECTION  
IMPLEMENTATION GRANT THROUGH THE NEW YORK STATE  
DEPARTMENT OF AGRICULTURE AND MARKETS FOR EMERLING  
F FARMS, LLC, TOWN OF PERRY, NEW YORK AS PART OF THE  
COUNTY'S PURCHASE OF DEVELOPMENT RIGHTS PROGRAM**

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

Regular Session

protection plans; and

**WHEREAS**, Wyoming Board of Supervisors Resolution No. 05-309 approved the Wyoming County Agricultural Development and Farmland Protection Plan, and by letter dated October 25, 2005, Nathan L. Rudgers, Commissioner of the New York State Department of Agriculture and Markets, approved the Wyoming County Agricultural Development and Farmland Protection Plan; and

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

**WHEREAS**, The Wyoming County Board of Supervisors supports a Purchase of Development Rights program and authorizes the Wyoming County Agricultural and Farmland Protection Board (AFPB) to solicit applications from county property owners who wish to voluntarily participate in the PDR program; now therefore

**BE IT RESOLVED**, That the County of Wyoming endorses the application for a Farmland Protection Implementation Grant for approximately ***1,310 acres of the Emerling Farms, LLC located in the Town of Perry, New York*** as recommended by the Wyoming County Agriculture and Farmland Protection Board on June 20, 2019 and per the County's participation in the New York State Purchase of Development Rights (PDR) Program.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:**

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #12 and #13. Hearing no objection, resolution titles were read.*

**#12**

**RESOLUTION NO. 19-303**  
**(July 9, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN INTER-MUNICIPAL  
COOPERATIVE AGREEMENT WITH GLOW SOLID WASTE  
MANAGEMENT COMMITTEE ON BEHALF OF WYOMING COUNTY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney,

July 9, 2019

is hereby authorized and directed to sign the Inter-Municipal Cooperative Agreement with the ***GLOW Solid Waste Management Committee***, Genesee County Building 2, 3837 West Main Street Road, Batavia, NY 14020 on behalf of Wyoming County. Said Agreement to carry out GLOW Solid Waste Pharmaceutical and Household Hazardous Waste Collection programs and services in an amount not to exceed eighteen thousand one hundred seven dollars (\$18,107.00) per year for a total of thirty-six thousand two hundred fourteen dollars (\$36,214.00) for two (2) years; effective January 1, 2020 through December 31, 2021. Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #13

**RESOLUTION NO. 19-304**  
**(July 9, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE NEW YORK STATE DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION ON BEHALF OF THE  
BOARD OF SUPERVISORS**

**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 Department of Environmental Conservation***, E-Waste Assistance Grants, Division of Materials Management, 625 Broadway, Albany, NY 12233-7253 on behalf of the Board of Supervisors. Said grant funds to cover fifty percent (50%) of the May 12, 2019 Countywide Electronics Collection Day in a minimum amount of seven thousand one hundred fifty-one dollars and eighty-two cents (\$7,151.82); effective January 1, 2018 through December 31, 2018.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:**

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #14 and #18. Hearing no objection, resolution titles were read.*

#14

**RESOLUTION NO. 19-305**  
**(July 9, 2019)**

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

Regular Session

**APPROVING SOLE SOURCE PROCUREMENT WITH LEA-AID, INC.  
ON BEHALF OF THE SHERIFF'S DEPARTMENT**

**WHEREAS**, Wyoming County Sheriff's Department has identified a need for covert surveillance equipment; and

**WHEREAS**, The Sheriff's Department has researched several possible entities to provide this type of equipment and has determined that there are no other entities, other than **LEA-AID, Inc.**, capable of offering an "equal" product for the specific surveillance equipment needed; and

**WHEREAS**, The Sheriff's Department has received and retained on file a letter from **LEA-AID, Inc.** indicating that they are headquartered in Raleigh, North Carolina and manufacture their own pole cameras, transmitters, repeaters, receivers, video systems and devices and the same is only available through their offices and are the only manufacturer of the LEA Encoder APP; and

**WHEREAS, LEA-AID, Inc.** is a global leader in USA made electronic surveillance equipment and ensures excellent customer support, services and training; and

**WHEREAS**, Based upon the above, the Public Safety Committee has determined that **LEA-AID, Inc.** qualifies for sole source status; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby authorizes sole source status for **LEA-AID, 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: 1398    Noes:    Absent: 201 (Warsaw)    Abstain: #15**

**RESOLUTION NO. 19-306  
(July 9, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BRUCE  
JAMES D/B/A B-COM ON BEHALF OF 9-1-1**

July 9, 2019

**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 **Bruce James, d/b/a B-Com**, 355 Liberty Street, Warsaw, NY 14569 on behalf of 9-1-1. Said contract to provide maintenance, training and other related assistance with Wyoming County's radio system in an amount not to exceed eight thousand dollars (\$8,000.00) annually; effective January 1, 2019 and shall automatically renew until written notice of intent to terminate is received.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #16

**RESOLUTION NO. 19-307**  
**(July 9, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UBMD  
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 **UBMD**, 77 Goodell Street, Suite 340, Buffalo, NY 14203 on behalf of Emergency Services. Said contract to provide medical direction for pre-hospital care in an amount not to exceed thirty-eight thousand two hundred fifty dollars (\$38,250.00); effective August 1, 2019 through December 31, 2020.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #17

**RESOLUTION NO. 19-308**  
**(July 9, 2019)**

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

**BRIAN MEYERS APPOINTED DIRECTOR OF FIRE AND  
EMERGENCY MANAGEMENT**

**BE IT RESOLVED**, That **Brian Meyers**, 5 Clearview Drive, Arcade,

Regular Session

NY 14009 be hereby appointed to the position of ***Director of Fire and Emergency Management***; effective July 1, 2019; and be it

**FURTHER RESOLVED**, That Salary Schedule "D" be hereby amended to set the salary of the ***Director of Fire and Emergency Management*** at \$57,500.00 annually; effective July 1, 2019; and be it

**FURTHER RESOLVED**, That upon completion of six (6) months employment and contingent upon satisfactory performance and meeting pre-established goals, set the salary of the ***Director of Fire and Emergency Management*** at \$60,000.00 annually; effective on or about January 1, 2020.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain: #18**

**RESOLUTION NO. 19-309  
(July 9, 2019)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH CONROY MOTORS CORPORATION ON BEHALF  
OF WYOMING COUNTY FIRE AND BUILDING  
CODE ENFORCEMENT**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Conroy Motors Corporation***, P.O. Box 176, Java Center, NY 14085 on behalf of Wyoming County Fire and Building Code Enforcement. Said contract is for the purchase of a new mid-size SUV, all-wheel drive (AWD) in an amount not to exceed twenty-three thousand sixty-four dollars (\$23,064.00); effective June 27, 2019 through delivery of vehicle.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

*Before moving on, Chairman Berwanger took an opportunity to introduce Brian Meyers, the new director of Fire and Emergency Management.*

*Mr. Meyers thanked the Board for this opportunity and said he was looking forward to working with the Supervisors, towns, villages, and County departments to ensure public safety*

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*There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 and #20. Hearing no objection, resolution titles were read.*

#19

**RESOLUTION NO. 19-310**  
**(July 9, 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 SUPPLEMENT #1 AND  
APPROPRIATING FUNDS THEREFORE**

**WHEREAS**, A Project for the *Rehabilitation of Schoellkopf Road Bridge, Town of Bennington, Wyoming County, P.I.N. 4WY0.03; BIN 3319610* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

**NOW, THEREFORE**, The Board of Supervisors, duly convened does hereby

**RESOLVE**, That the Board of Supervisors hereby approves the above-subject project; and it is hereby further

**RESOLVED**, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

**RESOLVED**, That the sum of **\$167,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED**, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

**RESOLVED**, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

**RESOLVED**, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

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

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #20

**RESOLUTION NO. 19-311**  
**(July 9, 2019)**

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

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

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

- ***WYCO Construction, Inc.***, 4608 Liberty Street Road, Warsaw, NY 14569 for the removal and installation of a new grease trap at the Wyoming County Jail kitchen in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective October 1, 2019 through completion of project.
- ***Seal-A-Deal Pavement Maintenance***, 5957 Bauer Road, Warsaw, NY 14569 for the sealing, striping and hot crack filling at the Wyoming County Health Department in an amount not to exceed five thousand two hundred dollars (\$5,200.00); effective July 15, 2019 through completion of project.

Contingent upon the availability of funds.

July 9, 2019

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

*There was a motion by Mr. Brick, T/Perry to combine resolutions #21 and #28. Hearing no objection, resolution titles were read.*

**#21**

**RESOLUTION NO. 19-312**  
**(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**INSURANCE PREMIUMS FOR THE 2019 ~ 2020 POLICY TERM  
 THROUGH TOMPKINS INSURANCE AGENCIES, INC. APPROVED**

**BE IT RESOLVED**, That the various premiums offered by the following insurance companies for the 2019 ~ 2020 policy term through ***Tompkins Insurance Agencies, Inc.***, 90 Main Street, Batavia, NY 14020 for the County of Wyoming are hereby approved as follows:

- ***New York Municipal Insurance Reciprocal (NYMIR)***
  - Auto \$83,714.40
  - Inland Marine-EMS \$5,284.40
  - Owners Contractor Protective – HWY \$275.00
  - Owners Contractor Protective – IDA \$275.00
  - Property \$108,540.30
  - General Liability \$109,265.20
  - Police Professional \$52,994.70
  - Public Officials \$45,136.30
  - Excess Liability \$31,675.60
  - Soldiers/Sailors Monument \$1,050.00
- ***American International Group (AIG)***
  - Cyber \$46,237.28
- ***Cincinnati Insurance Company***
  - Boiler Coverage \$10,848.00
- ***Travelers Insurance***
  - Crime \$1,863.00
- ***Selective Insurance***
  - Inland Marine
    - Highway \$13,240.00
    - Sheriff, Voting Machines, Electronic Data Processing \$8,870.00

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

Regular Session

**RESOLUTION NO. 19-313**  
**(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

By Mr. Brick, Chairman of the Finance Committee:

**JAMES KIRSCH REAPPOINTED REAL PROPERTY TAX SERVICES  
DIRECTOR**

**BE IT RESOLVED**, That *James Kirsch*, 3454 Humphrey Road, Varysburg, NY 14167 be hereby reappointed to the position of Real Property Tax Services Director per RPTL §1530 for a statutory term of six (6) years; effective October 1, 2019 through September 30, 2025.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #23

**RESOLUTION NO. 19-314**  
**(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “C”, “P”, “G”, “D”, “S” AND “X” 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 effective date of the *Controller* under FISCAL SERVICES as May 28, 2019.
- Place one (1) position of *Chief Financial Officer* under FISCAL SERVICES and set the salary at \$110,000.00 annually; effective September 1, 2019.
  - In six (6) months from the effective date, the CFO will be evaluated by the CEO with a report back to the BOM Compensation Committee.
  - This position will not be eligible for a cost of living increase during the calendar year January 1, 2020 through December 31, 2020.
- Place one (1) position of *Chief Nursing Officer* under NURSING

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ADMINISTRATION and set the salary at \$110,000.00 annually; effective June 25, 2019.

- This position will be eligible for a cost of living increase effective January 1, 2020.

### Salary Schedule “P”:

#### *Wyoming County Community Health System*

- Set the salary for one (1) position of ***Certified Nurse Midwife, FT*** (position code 17.111.519) under OB CLINIC at \$100,000.00 annually; position available date is June 25, 2019.

### Salary Schedule “G”:

#### *County Health Department & OFA*

- Extend current Navigator Grant stipends under CONSUMER ASSISTANCE FOR NEW YORK STATE HEALTH ~ WYOMING COUNTY NAVIGATOR PROGRAM through July 31, 2024 per Resolution Number 19-260 approved on June 11, 2019 extending funding for the following positions:

○ Director of Aging and Youth	\$1,000.00
○ Public Health Administrator	\$3,516.00
○ Fiscal Officer I (Office for the Aging)	\$1,000.00
○ PH Fiscal Administrator	\$3,516.00

- Remove the current Navigator Grant stipend under CONSUMER ASSISTANCE FOR NEW YORK STATE HEALTH ~ WYOMING COUNTY NAVIGATOR PROGRAM for the following position; effective July 27, 2019:
  - Director of Nursing (Public Health) \$2,516.00

### Salary Schedule “D”:

#### *Public Health Dept*

- Set the stipend for the ***Medical Director, PT*** (position code 116.403) at \$16,945.00 annually; effective August 1, 2019.

### Salary Schedule “S”:

#### *Jail*

- Remove the following two (2) position titles; effective June 19, 2019:
  - ***Cook*** (position code 077.061)
  - ***Cook, PT*** (position code 078.061)
    - Positions added to the CSEA General Unit

### *Civil Defense*

- Set the salary of the ***County Fire Coordinator*** (position code 008.352) at \$45,000.00 annually and change the position FLSA status to *Exempt*;

effective July 1, 2019.

**Salary Schedule "X":**

***Wyoming County Community Health System***

- Amend Salary Schedule X to set the salaries for the job titles covered on Salary Schedule X; effective July 1, 2019 or as otherwise noted and annexed hereto.

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

2019 WYOMING COUNTY EXTERNAL FAMILY CLINIC SALARY SCHEDULE "X"											
Official Civil Service Titles	Position Code	FLSA Status	Res. #	Effective Date	FTE	Hours/day	Annual Hours	Hourly Wage	Annual Wage Equivalent	Salary	Notes
Wyoming County Family Practice - Arcade Clinic Office Manager	02.208.5215	Exempt		07/01/19	1.00	8					
Nurse Practitioner	17.112.3119	Non-exempt		07/01/19	0.80	6.4	1670.4	45,177.4	75,164		
Physician's Assistant	17.113.0617	Non-exempt		07/01/19	1.00	8	2088.0	40,574.5	84,220		
Physician's Assistant	17.114.0617	Non-exempt		07/01/19	1.00	8	2088.0	40,590.0	84,334		
Physician's Assistant	17.115.0617	Non-exempt		07/01/19	0.80	6.4	1670.4	40,602.8	67,734		
Physician's Assistant	17.116.0617	Non-exempt		07/01/19	0.80	6.4	1670.4	42,501.11	70,994		
Medical Office Assistant	12.181.4800	Non-exempt		07/01/19	0.50	4	1044.0	17,473.0	18,242		
Medical Office Assistant	12.182.4800	Non-exempt		07/01/19	0.70	5.6	1461.6	14,544.0	21,258		
Medical Office Assistant	12.183.4800	Non-exempt		07/01/19	0.80	6.4	1670.4	14,000.0	23,986		
Medical Office Assistant	12.184.4800	Non-exempt		07/01/19	1.00	8	2088.0	13,332.0	27,337		
Medical Office Assistant	12.185.4800	Non-exempt		07/01/19	0.50	4	1044.0	0	0		
Medical Biller	12.185.4713	Non-exempt		07/01/19	1.00	8	2088.0	16,160.0	33,742		
Registered Nurse	03.880.2019	Non-exempt		07/01/19	0.80	6.4	1670.4	21,412.0	35,767		
Registered Nurse	03.881.2019	Non-exempt		07/01/19	1.00	8	2088.0	22,321.0	46,606		
Registered Nurse	03.882.2019	Non-exempt		07/01/19	1.00	8	2088.0	21,700	44,886		
Registered Nurse	03.883.2019	Non-exempt		07/01/19	1.00	8	2088.0	20,200.0	42,178		
Registered Nurse	03.884.2019	Non-exempt		07/01/19	Per Diem	N/A	N/A	21,816.0	N/A		
Medical Receptionist	12.187.1513	Non-exempt		07/01/19	1.00	8	2088.0	17,473.0	36,844		
Medical Receptionist	12.188.1513	Non-exempt		07/01/19	0.80	6.4	1670.4	16,968.0	28,343		
Medical Receptionist	12.189.1513	Non-exempt		07/01/19	0.80	6.4	1670.4	14,140.0	23,219		
Medical Receptionist	12.190.1513	Non-exempt		07/01/19	1.00	8	2088.0	14,645.0	30,519		
Medical Receptionist	12.191.1513	Non-exempt		07/01/19	1.00	8	2088.0	14,140.0	29,524		
Wyoming County Family Practice - O'Dell Physician's Assistant	17.117.0617	Exempt		07/01/19	0.80	6.4	1670.4		78,780		
Physician's Assistant	pending	Exempt		06/30/2019	1	8	2088				
Nurse Practitioner	pending	Non-exempt		06/30/2019	1	8	2088				
Phlebotomist Par Diem				06/30/2019	Per Diem	N/A	N/A				
Medical Receptionist	12.192.1513	Non-exempt		07/01/19	1.00	8	2088.0	17,170.0	35,351		
Medical Receptionist	12.193.1513	Non-exempt		07/01/19	0.80	6.4	1670.4	14,544.0	21,258		
Registered Nurse	03.885.2019	Non-exempt		07/01/19	1.00	8	2088.0	17,170.0	35,351		
Licensed Practical Nurse	04.580.1417	Non-exempt		07/01/19	0.80	6.4	1670.4	14,544.0	21,258		
Wyoming County Family Practice - Warsaw Medical Receptionist	12.194.1513	Non-exempt		07/01/19	0.80	6.4	1670.4	14,544.0	21,258		
Registered Nurse	03.886.2019	Non-exempt		07/01/19	0.80	6.4	1670.4	14,544.0	21,258		
Licensed Practical Nurse	04.581.1417	Non-exempt		07/01/19	0.80	6.4	1670.4	14,544.0	21,258		
Licensed Practical Nurse	04.582.1417	Non-exempt		07/01/19	0.80	6.4	1670.4	14,544.0	21,258		
WCCIS Orthopedic Clinic Licensed Practical Nurse	04.583.1417	Non-exempt		07/01/19	0	0	0.0	0	0		

Approved by BOM  
05/28/2019 rjp  
Approved by Board of Supervisors' Office  
06/11/2019 cjk

**RESOLUTION NO. 19-315  
(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH  
DALE L. DEAHN, MD, PC ON BEHALF OF THE WYOMING COUNTY  
COMMUNITY HEALTH SYSTEM**

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

- ***Dale L. Deahn, M.D., P.C.***, 401 Main Street, Arcade, NY 14009:
  - ***Personal Services Agreement*** to provide medical services, physician assistant supervision, medical director services, strategic and operational oversight for WCCHS’s family medicine locations in the Arcade area in an amount not to exceed two hundred seventy-five thousand dollars (\$275,000.00) annually based on an acceptable valuation report substantiating the fair market value and commercial reasonableness plus office management, billing, code oversight through the services of Elizabeth Deahn for mutually agreed upon hours at the rate not to exceed twenty-five dollars and sixty-one cents (\$25.61) per hour, effective July 15, 2019 through July 14, 2022.
  - ***P.C. Stock Escrow Agreement*** whereby Physician establishes and is the sole shareholder of Wyoming County Family Medicine, P.C. and Physician delivers his shares of stock to the Hospital to hold in escrow during the term of an agreement whereby Physician agrees to ensure that the P.C. is operated exclusively for the purposes of providing professional family practice medical services to the residents of Wyoming County and as part of the Wyoming County Community Health System; effective July 15, 2019.

- **Asset Purchase Agreement** to purchase substantially all tangible and intangible assets including, without limitation, medical and office equipment, furnishings, computers, software, telephone numbers, website, medical, pharmaceutical and office supplies and active patient medical records in an amount not to exceed three hundred twenty thousand dollars (\$320,000.00); effective July 15, 2019 and subject to the receipt of an acceptable valuation report substantiating the fair market value and commercial reasonableness.
- **Real Estate Purchase Agreement** for the real property located at 401-403 Main Street, Arcade, NY 14009 consisting of approximately 0.675 acres and a 4,830 ± square foot medical office building in an amount not to exceed three hundred eighty thousand dollars (\$380,000.00) based on an acceptable appraisal substantiating the fair market value; effective July 15, 2019.
- **GE Healthcare**, PO Box 641936, Pittsburg, PA 15264-1936 for four (4) anesthesia machines in an amount not to exceed eleven thousand six hundred seventy-three dollars and sixty cents (\$11,673.60) annually for a total contract amount not to exceed fifty-eight thousand three hundred sixty-eight dollars (\$58,368.00); effective May 29, 2019 through June 30, 2024.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #25

**RESOLUTION NO. 19-316**  
**(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-395 RESCINDED**

**WHEREAS**, Resolution Number 18-395 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT – SALARY SCHEDULE P WITH VINCENT C. NEWMAN, DO ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on September 11, 2018 for an Employment Agreement to provide family practice services in an amount not to exceed two hundred thirty-three thousand dollars (\$233,000.00) plus a one-time fee of thirty-six thousand dollars (\$36,000.00); effective August 1, 2019 through

July 31, 2022 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-395* be hereby rescinded in its entirety and the contract terminated effective immediately.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #26

**RESOLUTION NO. 19-317**  
**(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-279 AMENDED**

**WHEREAS**, Resolution Number 19-015 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH RACHEL MUROFF, RN, BSN ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on June 11, 2019 and provides 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; now therefore

**BE IT RESOLVED**, That *Resolution Number 19-279* be hereby amended to correct the contract amount from one hundred five thousand dollars (\$105,000.00) annually to an amount not to exceed ***one hundred fifteen thousand dollars (\$115,000.00) annually***.

All else remains the same.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #27

**RESOLUTION NO. 19-318**  
**(July 9, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AWARD BID AND SIGN A CONTRACT WITH FOUR BROTHERS BUILDERS, LLC ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

July 9, 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 award bid and sign a contract with **Four Brothers Builders, LLC**, 8491 Cole Road, Colden, NY 14033 on behalf of the Wyoming County Community Health System. Said contract is for the construction of a garage in Parking Lot 7 at the Wyoming County Community Health System in an amount not to exceed one hundred three thousand one hundred eighty dollars; effective June 25, 2019 through October 28, 2019.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:** #28

**RESOLUTION NO. 19-319**  
**(July 9, 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:**

***Health Department***

- One (1) position of ***Health Insurance Enrollment Specialist*** (0.6 FTE) on Salary Schedule G at a rate of \$23.00/hr.; effective August 1, 2019 through July 31, 2024.

**Carried:** XXX    **Ayes:** 1398    **Noes:**    **Absent:** 201 (Warsaw)    **Abstain:**

**Public Hearing ~**

- *Comment Period*
  - *No written requests received*
  - *County Attorney Wujcik was recognized by Chairman Berwanger and offered that this local law is necessary to enter into the Energy Loan Program which is a pool of state money providing low interest loans to fund clean energy projects. Anyone that is*

interested should contact B. Daly at the Planning Department.

**Close Public Hearing ~**

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

**Local Law  
#29**

**RESOLUTION NO. 19-320  
(July 9, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

LOCAL LAW NO. 3 (INTRODUCTORY B, YEAR 2019) ~ YEAR 2019  
ENTITLED, ***“To Establish a Sustainable Energy Loan Program (Open C-Pace) in the County of Wyoming”*** ADOPTED

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 11<sup>th</sup> day of June, 2019, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2019, entitled, ***“To Establish a Sustainable Energy Loan Program (Open C-Pace) in the County of Wyoming”***; and

**WHEREAS**, In accordance with the provisions of Resolution Number 19-265 there was a public hearing held by this Board of Supervisors on this 9<sup>th</sup> day of July, 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 3, Year 2019, County of Wyoming, New York, as presented to this Board on the 11<sup>th</sup> day of June 2019, is hereby adopted, in its original form, as follows:

**LOCAL LAW NO. 3 ~ YEAR 2019**

A Local Law entitled, ***“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

July 9, 2019

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
- C. Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- D. 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.

- E. 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.
- F. 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 thereon, and thereafter shall have the right to collect any amounts in respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.
- G. EIC, on behalf of the Municipality, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as the Municipality would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection.

## **§9. Verification and Report**

EIC, on behalf of the Municipality, shall verify and report on the

installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

#### **§10. Separability**

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

### **SECTION 2.**

This local law shall take effect upon filing with the Secretary of State.

DATED at Warsaw, New York

June 11, 2019 (Introduced)

July 9, 2019 (Adopted)

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

Clerk to the Board

**Carried: XXX    Ayes: 1398    Noes:    Absent: 201 (Warsaw)    Abstain:**

*Chairman Berwanger reminded all that the August 13<sup>th</sup> board meeting will be held at the Wyoming County Fair at 2:00 PM in the Youth Building!*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:07 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

**REGULAR SESSION**  
**(August 13, 2019)**  
**Tuesday**  
**2:00 PM**

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

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

**Acknowledgement of Colors ~**

- *By Dedicated Retired Veterans of Wyoming County*

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

**Master Sergeant Michael P. Jones**

Mr. Jones was born August 29, 1951 and graduated from Delevan High School. He spent two years at SUNY Morrisville College and married his wife, Carole, on September 11, 1971.

Mr. Jones entered the U.S. Navy in December of 1971 and completed basic training at Great Lakes Naval Training Station. He became a Personnel Clerk at the Naval Support Activity Base Orlando, Florida. His first duty station was aboard the USS America whose homeport was Norfolk, Virginia.

The USS America's first deployment was to the Mediterranean in 1965. By June 1967, she was helping the USS Liberty after Israeli torpedo boats and jet fighters attacked the Liberty. The USS America sent medical staff and aid to the USS Liberty and took 50 wounded and nine dead aboard. The USS America sailed to Vietnam in 1968, 1970 and 1972 taking up a place on the line at Yankee Station for approximately 100 days each time, completing six runs. The USS America earned five battle stars for her Vietnam War Service. Over the next few years, she would distinguish herself in the Middle East off the coast of Lebanon, in Operation Desert Shield, Desert Storm, peacekeeping in Bosnia, and Operation Southern Watch before becoming a target for firing exercises and sunk off the coast of North Carolina on May 14, 2005.

After his service in the Navy, Mr. Jones continued to serve his country for another 14 years in the Army Reserve. Upon his retirement from the 98<sup>th</sup>

Division, Rochester, NY, Mr. Jones was honorably discharged from the military. For his valor and courageous service to his country, Mr. Jones was awarded the:

- Army Good Conduct Medal
- National Defense Service Medal
- Vietnam Service Medal
- Vietnam Campaign Medal
- Meritorious Unit Commendation

Mr. Jones worked at Koike Aronson in Arcade, T. L. Smith in Springville, and Concrete Mixer Supply in Olean. He and his wife have two sons and five grandchildren. Mr. Jones is a life member of the VFW in Arcade and a 10-year member of the Arcade American Legion. He also serves as Treasurer for the Arcade Winterfest.

*The pledge was said by all.*

*Chairman Berwanger presented the customary certificate of appreciation to Mr. Jones and an opportunity to address the Board. At which time, Mr. Jones thanked the board for the opportunity and for recognizing the veterans who have served.*

*Chairman Berwanger asked Rev. Frank Fraser from the Family Life Church to offer a prayer for the meeting.*

#1

**RESOLUTION NO. 19-321  
(August 13, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**WYOMING COUNTY FAIR WEEK PROCLAIMED**

**WHEREAS**, The Wyoming County Fair will be held from August 10<sup>th</sup> through August 17<sup>th</sup>, 2019 in the Town of Pike, Wyoming County, New York; and

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

**WHEREAS**, The Fair's 2019 theme celebrates the “**Bounty of the County**”; and

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

Regular Session

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby proclaims the week of August 10<sup>th</sup> through August 17<sup>th</sup> in the year 2019 as “**WYOMING COUNTY FAIR WEEK**”; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors does hereby applaud the untiring efforts of the Wyoming County Fair Association!

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

#### **PRESENTATIONS ~**

*Chairman Berwanger invited Supervisor Kehl, T/Attica to the microphone to present a certificate of recognition to Fair Queen Brooke Noel. Diary Princess Ashley Covert and Alternate Princess Emily McCormick accepted the certificate on behalf of the newly crowned 2019 Fair Queen, as she was just called back to the show ring... Brooke Noel is the daughter of Dwayne and Kellie Noel from the Town of Castile and sponsored by Luke Hackett Masonry.*

*Princesses Covert and McCormick joined Supervisor Kehl at the microphone and graciously accepted the certificate.*

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

*After reading the Proclamation, Supervisor Kehl presented the Proclamation to Superintendent Roche who thanked the Board for their continued support of the fair.*

*Chairman Berwanger continued the meeting with the introductions of the elected officials of Wyoming County:*

- **County Sheriff, Greg Rudolph**
- **District Attorney, Donald O'Geen**
- **County Treasurer, Cheryl Mayer**
- **County Clerk, Rhonda Pierce**

*Chairman Berwanger then introduced the special guests attending today's meeting:*

- **New York State Senator ~ Hon. Patrick Gallivan**
- **New York State Assemblyman ~ Hon. David DiPietro**
- **New York Senator ~ Chris Jacobs**

Next Chairman Berwanger invited Senator Gallivan to make his presentations.

Senator Gallivan recognized the following people from Wyoming County:

- **Roxanne Dueppengiesser**
  - New York State Senate Woman of Distinction – An opportunity to recognize the outstanding work of extraordinary women throughout NYS with one honoree selected from each State Senate District
    - *Mrs. Dueppengiesser expressed her sincere appreciation and gratitude for the recognition and thanked her family, friends and co-workers. She also shared a personal story about when she was first hired by Larry Rogers for this position.*
- **Larry Becker**
  - New York State Senate Commendation Award – Identifies exceptional individuals who have shown dedication and made lasting contributions to their community
    - *Mr. Becker thanked the Senator and acknowledged the support of his wife and conservation groups; stating it is a team effort.*
- **Pioneer Central School District FFA Chapter**
  - New York State Senate Youth Leadership Recognition Award – Recognizes juniors and seniors for achievements and community work
    - *Two FFA members came forward to accept the award on behalf of the Chapter*
- **Norma Spencer, Town Of Perry Historian**
  - 30-Year Service Award – Recognition of individuals who have performed many years of service
    - *Mrs. Spencer spoke about teaching and being an historian, stating that this was the happiest time in her life.*

Senator Gallivan recognized New York State Assemblyman David DiPietro and offered him the floor to make his presentations.

Assemblyman David DiPietro recognized the following people from Wyoming County:

- **Linda Kehl**
  - Excellence in Education Award – Recognizing teachers who have demonstrated excellence in the classroom
    - *Her husband Supervisor Kehl, T/Attica and Superintendent*

*Bryce Thompson from the Attica Central School District joined Mrs. Kehl at the microphone. Mrs. Kehl expressed her love for teaching and encouraged everyone to keep learning. She said that the quality of education in Wyoming County is “top notch”.*

- **PFC David P. Coveny**
  - Hometown Heroes Road and Bridge Program Award – To honor those deceased wartime veterans who gave the ultimate sacrifice for our country in the line of duty
    - *A stretch of Route 19 will be renamed “PFC David P. Coveny Memorial Highway” between Sayre and Fox roads. Nicholas Fisher who submitted the necessary research of his military service nominated PFC Coveny for this recognition. PFC Coveny’s brother spoke about what an honor this is for their entire family. The dedication ceremony will be on September 8, 2019 at 11:00 am.*
- **Stevens Memorial Library**
  - \$13,000 Check Award for Interior Renovations
    - *Supervisor Kehl was joined by the Mayor of the Village of Attica and Library Director Karen Rosolowski to accept the check on behalf of the library.*

*Chairman Berwanger continued the meeting by reading the last two paragraphs of the proclamation presented to Mrs. Dueppengiesser for her years of service as an Educator for Cornell Cooperative Extension...*

## **ROXANNE DUEPPENGIESSER DAY IN WYOMING COUNTY PROCLAIMED**

**WHEREAS,** *Roxanne Dueppengiesser* has been involved in the Wyoming County 4-H Program nearly her entire life. First, as a 4-H member in her youth and then as a 4-H youth development program educator since January 1996; and

**WHEREAS,** In that time, *Roxanne Dueppengiesser* has built and maintained one of the largest 4-H youth family and consumer science programs in New York State; and

**WHEREAS,** Over the past 23 years, *Roxanne Dueppengiesser* has worked hard to maintain the traditional 4-H club program in Wyoming County. She has offered her expertise and support for time-tested projects in the areas of clothing and textiles, food and nutrition, home environment, arts and crafts; while expanding each of those areas with new offerings in the form of

workshops and curriculum. Roxanne has also managed the local 4-H public presentations program, teen programs, award trips, fundraising and much more; and

**WHEREAS,** *Roxanne Dueppengiesser* has graciously served the community on the Wyoming County Business Education Council Board, Perry Central School Shared Decision Making Team, New York Holstein Association Committees, Wyoming County Tourist Promotion Agency Board, Genesee Community College Advisory Council, Wyoming County Youth Board and the New York State Farm Bureau Young Farmer and Rancher Committee; and

**WHEREAS,** For her professional accomplishments, *Roxanne Dueppengiesser*, in 1998 received the NYSACCE4-HE Special Service recognition, the Distinguished Service Award in 2007 and Meritorious Service Awards in 2015. She was honored with the Wyoming County Youth Bureau Outstanding Career Service to Youth Award in 2001. Most recently in 2019, she was awarded the Friend of Wyoming County Agriculture Award and the New York State Women of Distinction Award from Senator Patrick M. Gallivan; and

**WHEREAS,** *Roxanne Dueppengiesser* has served Wyoming County's 4-H and agricultural communities with integrity, enthusiasm, a strong work ethic and true professionalism. She has been able to engage youth and volunteers in a way that they feel a sense of belonging within her programs and pride in their accomplishments; now therefore

**BE IT RESOLVED,** That in celebration of *Roxanne Dueppengiesser*'s extraordinary achievements, it is with great respect and admiration that the Chairman of the Wyoming County Board of Supervisors does hereby proclaim August 13, 2019 as:

***Roxanne Dueppengiesser Day in Wyoming County***

*Chairman Berwanger then recognized District Attorney, Donald O'Geen and Town of Warsaw Supervisor, Rebecca Ryan to present the Certificates of Recognition to the Warsaw Central School Varsity Softball Team honoring them for an outstanding 2019 season.*

- ***Warsaw Central School Varsity Softball Team***
  - **Outstanding Season Recognition**
    - *The team finished 20-1 overall with 7-0 in their league. They ranked 14<sup>th</sup> in New York State and 685 nationally. The following players were recognized with the ones present receiving their certificates:*

*Ceanne Ellsworth	*Cristen Green	*Katie Kersch
*Sammie Kilner	*Marie Mann	*Riley Marshall
*Anna O'Geen	*Leah O'Geen	*Trinese Perez
*Mackenzie Ryan	*Madison Schillaci	*Lizzy Standerda
*Nicole Till	*Savannah Till	*Maddie Young

- **Wyoming County Farm Bureau President, Russ Klein**
  - Scholarship Award
    - President Klein stated he was looking for a public forum to make this announcement. Nathan Swede will receive a \$1,500.00 scholarship award. Unfortunately, Nathan was unable to attend today.
- **Wyoming County Community Health System CEO, Don Eichenauer**
  - Hospital Update
    - Two new Family Practitioners in Arcade/Warsaw
    - Orthopedic Clinic to open mid-September
    - \$10M for new operating suites
    - \$3M from NYS Department of Health for hospital laboratory renovations
    - Introduced Senior Executor Officer Joseph McTernan who will transition into the CEO role January 1, 2020

#### Correspondence ~

- 08-12-19 Email from NYS Governor Cuomo's Executive Chambers expressing regrets in not being able to attend the Wyoming County Board of Supervisors' meeting at the Fair

#2

## RESOLUTION NO. 19-322 (August 13, 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:

<b>District Attorney</b>			
<b>From:</b>	01.32.1167.4.40402 Conf/Conv	\$3,640.89	
	01.32.1167.4.40406 Emp. Mileage	162.76	
	01.32.1167.4.41010 Office Supplies	192.85	
	01.32.1167.4.41111 Comp/Tech	749.00	
	01.32.1167.4.41303 Stenographers	600.00	
<b>To:</b>	01.32.1167.1.10101 Personnel		\$4,208.39

August 13, 2019

01.32.1167.8.81001 Retirement		11.32	
01.32.1167.8.82002 CSEA Disab.		17.68	
01.32.1167.8.83001 FICA		263.17	
01.32.1167.8.85001 Medicare		61.52	
01.32.1167.8.89001 Medical		299.59	
01.32.1167.8.89002 HRA		475.22	
01.32.1167.8.89003 HRA – Admin		8.61	
<b>Reason:</b> To cover the costs of DV Coordinator due to funding cut in another grant.			
	<b>District Attorney Total</b>		<b>\$5,345.50</b>

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

**RESOLUTION NO. 19-323**  
**(August 13, 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:

<b>Real Property Tax Services</b>			
<b>To:</b> 01.33.1355.1.10001 Salaries S/D/I	\$9,126.00		
01.33.1355.1.10401 Longevity of Benefit	370.00		
01.33.1355.8.83001 FICA	566.00		
01.33.1355.8.85001 Medicare	133.00		
01.33.1355.8.89001 Medical Insurance	5,661.28		
w/01.04.1355.221003 Town assessment support		\$15,856.28	
<b>Reason:</b> To cover the cost of increasing the hours of the PT Real Property Appraiser and the PT Assessment Account Specialist. Also unbudgeted longevity benefit.			
<b>Real Property Tax Services Total</b>			<b>\$15,856.28</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.41010 Office Supplies	\$101.81		
01.46.7510.4.41410 Software	355.19		
w/01.09.7510.2705 Gifts & Donations		\$457.00	
<b>Reason:</b> Funds donated by people for use in the office and yard sale, to purchase supplies and Microsoft software needed for new laptop.			
<b>Historian Total</b>			<b>\$457.00</b>
<b>Human Resource</b>			
<b>To:</b> 01.34.1431.4.41206 Operating Exp.–Other	\$10,000.00		
w/any funds available		\$10,000.00	
<b>Reason:</b> To cover unbudgeted background check expenses due to acquisition of Clinics.			
<b>Human Resource Total</b>			<b>\$10,000.00</b>

<b>Office for the Aging</b>			
To: 01.44.6772.4.42466 Unmet Needs Grant w/01.11.6772.377206 Unmet Needs	\$35,562.00	\$35,562.00	
<b>Reason:</b> To appropriate funds from the state to use for the new unmet needs grant. Total grant for 04/1/19 – 3/31/20 is \$43,562; \$8,000 balance for 1/1/20-3/31/20.			
<b>Office for the Aging Total</b>			<b>\$35,562.00</b>
<b>Public Health</b>			
To: 01.38.4010.4.42429 Rabies Treatment <i>w/any funds available</i>	\$28,000.00	\$28,000.00	
<b>Reason:</b> To cover cost of post-exposure rabies treatmt.			
<b>Public Health Total</b>			<b>\$28,000.00</b>
<b>Sheriff/911</b>			
To: 01.37.3020.4.40012 Emergency 911 w/01.02.3020.1140 911 Surcharge	\$30,000.00	\$30,000.00	
<b>Reason:</b> To cover large additional monthly Frontier charge due to upgrade at the backup 911 Center.			
<b>Sheriff/911 Total</b>			<b>\$30,000.00</b>
<b>Emergency Services</b>			
To: 01.37.3640.4.40301 Professional Service Contract <i>w/any funds available</i>	\$8,100.00	\$8,100.00	
<b>Reason:</b> To cover expense for new Medical Director contract through year-end.			
<b>Emergency Services Total</b>			<b>\$8,100.00</b>
<b>Buildings &amp; Grounds (Co. Bldgs.)</b>			
To: 01.34.1620.1.10601 Unused Benefit Time 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare-FICA <i>w/any funds available</i>	\$29,824.43 1,464.61 343.81		\$31,632.85
<b>Reason:</b> To cover .1 increase and fringes for new hire.			
<b>Buildings &amp; Grounds (Co. Bldgs.) Total</b>			<b>\$31,632.85</b>

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

Mr. Granger T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,647,322.19** for the month of **July 2019**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #9. Hearing no objection resolution titles were read.*

#4

**RESOLUTION NO. 19-324**  
**(August 13, 2019)**

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

**WYOMING COUNTY VOTING LEAVE POLICY ADOPTED**

August 13, 2019

**BE IT RESOLVED**, That the Wyoming County Voting Leave Policy is hereby adopted; effective August 13, 2019 and annexed hereto.

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

**WYOMING COUNTY  
POLICY AND PROCEDURE**

<b>EFFECTIVE DATE:</b> June 1, 2019	<b>REVIEWED BY:</b> (Individuals/Committees) Human Resources, Finance, Compensation	
<b>DATE DEVELOPED:</b> May 2, 2019	<b>PREPARED BY:</b> Daniel J. Farberman Director of Human Resources	<b>SUPERSEDES:</b>
<b>CHIEF EXECUTIVE OFFICER'S SIGNATURE:</b>		<b>REFERENCES:</b> NYS Election Law § 3- 110

**POLICY:**      **Wyoming County Voting Leave Policy**

**INTRODUCTION:**

Wyoming County supports citizen engagement in the democratic process and provides leave, consistent with New York State Law, to allow employees to vote.

**PURPOSE:**

To establish a policy and procedure to be followed by all employees who elect to vote.

The New York Election Law is provides employees with up to three (3) hours of paid leave in order to vote in any election. This includes all federal, state, and local public elections.

**PROCEDURE:**

Employees who wish to take time off during their regular work hours, to exercise their right to vote, must notify their supervisor no less than two days prior to the election. This time off must be at either the beginning or end of the scheduled shift and approved by the supervisor.

Benefit time is to be used in the following order: vacation, holiday, personal, then sick.

**RESOLUTION NO. 19-325**  
**(August 13, 2019)**

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

**SALARY SCHEDULE “P” HANDBOOK ADOPTED**

**BE IT RESOLVED**, That Salary Schedule “P” Handbook is hereby adopted; effective August 13, 2019 and annexed hereto.

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



**SCHEDULE P**  
WCCHS – Physicians & Mid-Levels

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**EMPLOYEE HANDBOOK/BENEFITS MANUAL**

August 13, 2019

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## **PURPOSE**

The WYOMING COUNTY BOARD OF SUPERVISORS and WCCH BOARD OF MANAGERS value the dedication and service of its WCCH Clinical employees; otherwise, referred to as SCHEDULE P. The provisions contained herein are intended to establish guidelines for the terms and condition of employment for this important segment of Wyoming County's workforce. As such, these guidelines are subject to change by direction of the Board of Supervisors.

## **GUIDELINES**

The term "employee" or Schedule P as used in this manual refers to those employees who occupy positions that are exempt from any County bargaining unit under the Taylor Law, who are employed as Physicians or Mid-Levels.

## **HEALTH INSURANCE BENEFITS**

### **Part Time (with benefits)**

A part time Schedule P employee works a **0.6 FTE** or more per year shall be eligible for health insurance with a prorated Hospital contribution based upon their percentage approved FTE, and participate in the Wyoming County High Deductible Health Plan with a Health Reimbursement Account (HRA). The WCCHS will contribute on an annual basis an amount equal to the plan deductible to the (HRA). Any unused amounts in the (HRA) at the end of each plan year shall be forfeited. Employee contributions for premiums will be deducted from paychecks over a 24 pay periods per year on a pre-tax basis.

Schedule P employees are not eligible for repudiation.

### **Part Time (without benefits)**

A part time Schedule P 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 or based upon the terms of any individual employment agreement independently agreed upon between WCCHS and the employee.

### **Full Time**

A Full time Schedule P employee shall receive all benefits mandated by law and will participate in the Wyoming County High Deductible Health Plan with a Health Reimbursement Account (HRA). WCCHS will contribute on an annual basis an amount equal to the plan deductible to the (HRA). Any unused amounts in the (HRA) at the end of each plan year shall be forfeited. Full time employees will contribute 8% of the total premium for a Single plan and 20% of the premium for a Family plan. Employee contributions for premiums will be deducted from paychecks over a 24 pay periods per year on a pre-tax basis.

Schedule P employees are not eligible for repudiation.

An employee appointed to a Schedule P 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 P by using his/her first date of hire or permanent appointment in the County to a full-time or part-time Schedule P 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 P, then the employee shall not receive any additional sick leave accruals under Schedule P until the accruals fall below the maximum. If the amount of vacation carryover exceeds the maximum for such leave in Schedule P, 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 P position.

### **COVERED EMPLOYEES BY CLASSIFICATION**

Title	Status	Civil Service Classification	Category
Physician's Assistant (PA)		Competitive	Clinical
Nurse Practitioner (NP)		Competitive	Clinical
Physicians		Competitive	Clinical

TERM: All positions listed above are Continuous Service.

NOTE: Covered employees may be amended by management at any time.

### **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 P 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 P employment will be reviewed by the WCCCH 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

Regular Session

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 P 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.

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

Full Time Schedule P employees shall be granted annual Paid Time Off (PTO) at the beginning of each anniversary in accordance with the following schedule:

30 PTO Days	Employees working five (5) days per week
24 PTO Days	Employees working four (4) days per week
18 PTO Days	Employees working three (3) days per week

Paid Time Off (PTO) during the first year of employment will be accrued monthly at a rate of one twelfth (1/12) rate of the total annual PTO days.

PTO days include, Vacation, Sick, Holiday, and must be used within the anniversary year or it will be forfeited. All requests for PTO must be made in advance in writing and approved by proper supervisory authority.

### **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.

### **BEREAVEMENT LEAVE**

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

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

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

### **LEAVE OF ABSENCE**

A leave of absence without pay, not to exceed one (1) year, may be granted to full-time Schedule 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.

### **DISABILITY INSURANCE**

Full time Schedule P employees are covered under the enhanced Disability Insurance Plan for injury or illness NOT arising out or in the course of their employment. The weekly benefit is 50% of basis weekly earnings up to a maximum of \$500.00 per week for up to 52 weeks. Accrued PTO time must be exhausted prior to receiving benefits under this plan, and all benefits are subject to the terms and provisions of the plan. This insurance coverage is provided to Schedule P employees at no cost to the employee. Part time employees are NOT eligible for statutory New York State Disability Insurance.

### **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 P 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 P 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 P 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 as "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 P employees, it is understood that questions will arise concerning interpretation of the Schedule P 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 Wyoming County Board of Supervisors and 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 P 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 P Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule P. 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 P 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 P Employee Handbook/Benefits Manual.

---

**SIGNATURE**

---

**DATE**

**#6**

### **RESOLUTION NO. 19-326** **(August 13, 2019)**

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

#### **SALARY SCHEDULE "S" HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule "S" Handbook is hereby amended to remove the following text as noted below under **JURY DUTY**, effective August 13, 2019:

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

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

and replace the removed text as noted above with the following under **JURY DUTY**; effective August 13, 2019:

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

*Employees should advise the Court that the employee will be paid by the employer during their jury duty service.*

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

Regular Session

**RESOLUTION NO. 19-327**  
**(August 13, 2019)**

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

**SALARY SCHEDULE “D” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “D” Handbook is hereby amended to include the text as noted below, under **JURY DUTY**; effective August 13, 2019:

*Employees should advise the Court that the employee will be paid by the employer during their jury duty service.*

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

**RESOLUTION NO. 19-328**  
**(August 13, 2019)**

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

**SALARY SCHEDULE “C” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “C” Handbook is hereby amended to delete the text as noted below, under **JURY DUTY**; effective August 13, 2019:

*Any juror pay received by the employee, with the exception of mileage payment, shall be turned over to the WCCH Business Office.*

and replace the text as noted above with the following, under **JURY DUTY**; effective August 13, 2019:

*Employees should advise the Court that the employee will be paid by the employer during their jury duty service.*

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

**RESOLUTION NO. 19-329**  
**(August 13, 2019)**

August 13, 2019

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

## **SALARY SCHEDULE “X” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “X” Handbook is hereby amended to add the text as noted below in **bold**, under **CONTINUING MEDICAL EDUCATION (CME)**; effective August 13, 2019:

### **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 and Mid-Levels 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 **and** Mid-Levels will be eligible for a pro-rata reimbursement.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #10 through #14. Hearing no objection resolution titles were read.*

Regular Session

**RESOLUTION NO. 19-330  
(August 13, 2019)**

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

**RESOLUTION NUMBER 16-014 AMENDED**

**WHEREAS**, Resolution Number 16-014 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF WYOMING COUNTY OFFICE FOR THE AGING**” passed by this Board of Supervisors on January 19, 2016 and provides, in part, for the following contract:

- **VNA Homecare Options, LLC**, 1050 West Genesee Street, Syracuse, NY 13204 for contracted services for home delivered meals for managed long-term care enrollees.
  - Receivables are variable costs depending on need; effective January 1, 2016

Now therefore,

**BE IT RESOLVED**, That **Resolution Number 16-014** be hereby amended to change the contracting party’s name from VNA Homecare Options, LLC to **Nascentia Health Option**.

All else remains the same.

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

#11

**RESOLUTION NO. 19-331  
(August 13, 2019)**

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

**RESOLUTION NUMBER 18-262 RESCINDED**

**WHEREAS**, Resolution Number 18-262 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH TRINITY SERVICES GROUP, INC. ON BEHALF OF THE OFFICE FOR THE AGING AND THE COUNTY JAIL**”, passed by this Board of Supervisors on June 12, 2018 and provides for food services; effective June 1, 2018 through May 31, 2023 as follows:

August 13, 2019

- ***Office for the Aging***
  - Home delivered meals at a cost of five dollars and thirteen cents (\$5.13) per meal
- ***County Jail***
  - Two dollars and ninety-five cents (\$2.95) per meal when prison population is forty (40) inmates or more
  - Four dollars and sixty-four cents (\$4.64) per meal when prison population is under forty (40) inmates

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-262*** be hereby rescinded in its entirety terminating the contract with Trinity Services Group, Inc.; effective ***April 1, 2019***.

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

**RESOLUTION NO. 19-332**  
**(August 13, 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 OF  
 CHILDREN AND FAMILY SERVICES ON BEHALF OF THE  
 YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the ***New York State Office of Children and Family Services***, Capital View Office Park, 52 Washington Street, Rensselaer, NY 12144 on behalf of the Youth Bureau. Said grant is for the funding of Stars of Tomorrow, Omega, Youth Court, Parenting Program and Youth Bureau administration costs in a minimum amount of thirty-eight thousand three hundred thirty-three dollars (\$38,333.00); effective January 1, 2019 through December 31, 2019.

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

**RESOLUTION NO. 19-333**  
**(August 13, 2019)**

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

Regular Session

**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 Welfare Management System contracts with the following agencies for foster care services for Wyoming County children and youth, as well as, “Raise the Age” (RTA) standards as enacted by Part WWW of Chapter 59 of the Laws of 2017; effective July 1, 2019 through June 30, 2020:

- ***Gustavus Adolphus – Lutheran Social Services***, 200 Gustavus Avenue, Jamestown, NY 14701 in an amount not to exceed one hundred forty-three thousand three hundred fifty dollars (\$143,350.00) for approximately two (2) children.
- ***New Directions***, 6395 Old Niagara Road, Lockport, NY 14094-1499 in an amount not to exceed seven hundred thirty thousand dollars (\$730,000.00) for seven (7) children.
- ***Berkshire Farm Center & Services for Youth***, 13640 Route 22, Canaan, NY 12029 in an amount not to exceed ninety-one thousand nine hundred dollars (\$91,900.00) for one (1) child.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-334  
(August 13, 2019)**

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

**CHILD SUPPORT AWARENESS MONTH PROCLAIMED**

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

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

August 13, 2019

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

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

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim August 2019 in the County of Wyoming as:

### **CHILD SUPPORT AWARENESS MONTH**

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

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

*Supervisor Grant asked Commissioner Barber and Director of Programs Judith Gardner to join her at the microphone for the reading of the Proclamation.*

*Director of Programs Gardner stated that there were over 1746 active child support cases in 2019 with \$357,636.00 collected in July alone. Over two million dollars has been distributed since the beginning of the year.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #15 through #17. Hearing no objection resolution titles were read.*

**#15**

### **RESOLUTION NO. 19-335 (August 13, 2019)**

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

Regular Session

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A SUB-AGREEMENT WITH WYOMING COUNTY COMMUNITY  
ACTION ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and the Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a Sub-Agreement with *Wyoming County Community Action*, 6470 Route 20A, Suite 1, Perry, NY 14530 on behalf of the County Health Department. Said contract is for reimbursement of Navigator Grant activities, as required by the New York State Department of Health Work Plan, in an amount not to exceed eighty-one thousand eight hundred twenty-three dollars and forty-six cents (\$81,823.46); effective August 1, 2019 through July 31, 2020.

Contingent upon the availability of funds.

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

**#16**

**RESOLUTION NO. 19-336  
(August 13, 2019)**

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

**DR. SALMAN N. ABBASEY, MD APPOINTED TO THE  
WYOMING COUNTY BOARD OF HEALTH**

**BE IT RESOLVED**, Dr. Salman N. Abbasey, MD, 400 North Main Street, Warsaw, NY 14569 be hereby appointed to complete an unexpired six (6) year term as a Physician Member on the Board of Health; effective August 13, 2019 through December 31, 2021. (*replacing Dr. Pagnani*)

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

**#17**

**RESOLUTION NO. 19-337  
(August 13, 2019)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE**

August 13, 2019

**GOVERNOR'S TRAFFIC SAFETY COMMITTEE 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 acceptance award with the *New York State Governor's Traffic Safety Committee*, 6 Empire State Plaza, Albany, NY 12228 on behalf of the County Health Department. Said grant to provide funds for the Child Passenger Safety Program in a minimum amount of two thousand two hundred dollars (\$2,200.00) per year; effective October 1, 2019 through September 30, 2020.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #18 through #20. Hearing no objection resolution titles were read.*

**#18**

**RESOLUTION NO. 19-338**  
**(August 13, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE NEW YORK STATE OFFICE OF VICTIM  
SERVICES ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE**

**WHEREAS**, At the March 28, 2019 Public Safety Committee Meeting, approval was given authorizing the Chairman to sign a grant application with the *New York State Office of Victim Services* for funding of crime victim advocates in a minimum amount of \$430,282.62; now therefore

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant acceptance award with *New York State Office of Victim Services*, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office. Said grant to provide funds for crime victim services; effective October 1, 2019 through September 30, 2022 in the following a minimum amounts:

- \$88,925.07 for 2019 ~ 2020
- \$91,959.37 for 2020 ~ 2021
- \$98,214.22 for 2021 ~ 2022

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

Regular Session

**RESOLUTION NO. 19-339**  
**(August 13, 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  
GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON BEHALF OF  
THE SHERIFF'S 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 *New York State Governor's Traffic Safety Committee*, 6 Empire State Plaza, Albany, NY 12228 on behalf of the Sheriff's Department. Said grant to provide funds for patrols dedicated to selective traffic enforcement details in a minimum amount of nine thousand twenty-four dollars (\$9,024.00) per year; effective October 1, 2019 through September 30, 2020.

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

**RESOLUTION NO. 19-340**  
**(August 13, 2019)**

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

**RESOLUTION NUMBER 19-025 AMENDED**

**WHEREAS**, Resolution Number 19-025 entitled, "CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH WYOMING COUNTY ATTICA LEGAL AID ON BEHALF OF THE PUBLIC DEFENDER'S OFFICE FOR THE YEAR 2019," passed by this Board of Supervisors on January 8, 2019 and provides, in part, for the following contract:

- ***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

August 13, 2019

(\$16,286.00); effective January 1, 2019 through December 31, 2019.

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 19-025* be hereby amended to add language to Paragraph 14 of said contract for the payment of a one (1) time stipend of \$5,000.00 plus fringes of \$382.50 for the *Part-Time Secretary to the Wyoming County Public Defender's Office* through the Second Upstate Quality Improvement and Caseload Reduction Grant (C2ND656) authorized by Resolution Number 19-196.

All else remains the same.

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

**Absent:**

**Abstain:**

**#21**

**RESOLUTION NO. 19-341**  
**(August 13, 2019)**

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

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO  
EXTEND SNOW AND ICE REMOVAL AGREEMENTS WITH  
TOWNS AND VILLAGES FOR 2020/2021**

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on County roads for the winter season of **2020/2021**. Payment will be made to the Towns and Villages by the County from County Snow Funds as follows:

- **2020/2021** ~ Increase by two hundred dollars (\$200.00) per center lane over the 2019/2020 agreement with no minimum snow index

Contingent upon the availability of funds.

**Carried:** XXX      **Ayes:** 1551      **Noes:** 48 (Pike)      **Absent:**      **Abstain:**

*There was a motion by Mr. Brick T/Perry, to combine resolutions #22 through #37. Hearing no objection resolution titles were read.*

#22

**RESOLUTION NO. 19-342**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2020 INSURANCE RATES ON BEHALF OF CURRENT AND RETIRED COUNTY EMPLOYEES**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign health insurance rate sheets with *Blue Cross/Blue Shield*, 257 Genesee Street, Buffalo, NY 14240; effective January 1, 2020 through December 31, 2020:

**Employee BCBS High Deductible Plan**

❖ Single	\$576.05
❖ Family	\$1,562.69

**Retiree BCBS High Deductible Plan**

❖ Single	\$915.56
❖ Two-Person	\$1,876.94
❖ Family	\$2,838.24

Contingent upon the availability of funds.

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

#23

**RESOLUTION NO. 19-343**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-496 AMENDED**

**WHEREAS**, Resolution Number 17-496 entitled, “**CHAIRMAN**

August 13, 2019

**AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY TREASURER”** passed by this Board of Supervisors on November 14, 2017 and provides, in part, for the following contract:

- ***Drescher & Malecki, LLP***, 3083 William Street, Suite 5, Cheektowaga, NY 14227 for audit services in an amount not to exceed thirty-nine thousand five hundred dollars (\$39,500.00) for fiscal years ending December 31, 2017 and 2018; effective January 1, 2018 through December 31, 2019.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 17-496*** be hereby amended to reflect the not to exceed amount of thirty-nine thousand five hundred dollars (\$39,500.00) is per fiscal year for a total contract amount not to exceed ***seventy-nine thousand dollars (\$79,000.00)***.

All else remains the same.

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

**RESOLUTION NO. 19-344**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-432 AMENDED**

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

- ***Venesky & Company***, 6114 State Route 31, Cicero, NY 13039 for audit services in preparation for the Wyoming County Indirect Cost Report in an amount not to exceed fourteen thousand dollars (\$14,000.00); effective January 1, 2017 through December 31, 2019.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 16-432*** be hereby amended to reflect the not to exceed amount of fourteen thousand dollars

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(\$14,000.00) is per fiscal year for a total contract amount not to exceed **forty-two thousand dollars (\$42,000.00)**.

All else remains the same.

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

**RESOLUTION NO. 19-345**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**STANDARD WORK DAY AND REPORTING RESOLUTION**

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

**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)
<b>Elected Officials</b>								
Supervisor	6	VASILE, Michael	XXXX	XXXXXXXX		01/01/18-12/31/19	2.14	

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

**RESOLUTION NO. 19-346**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

August 13, 2019

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS EMPLOYMENT AGREEMENTS ~ SALARY SCHEDULE “P” 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 Employment Agreements – Salary Schedule “P” as follows:

- ***Robert Kevin Brown, MD***, 1260 North Forest Road, Apt. S5, Williamsville, NY 14221 to provide Orthopaedic services in an amount not to exceed one hundred twenty thousand dollars (\$120,000.00) per year; effective October 1, 2019 through September 30, 2020 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.
- ***Dean M. Brewer, Jr, DO***, 26024 Liberty Avenue, Watertown, NY 13601 to provide family practice services in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year; effective April 1, 2020 through March 31, 2023 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:**

#27

**RESOLUTION NO. 19-347**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULE “P” AMENDED**

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

**Salary Schedule “P”:**

***Wyoming County Community Health System***

- Place one (1) position of ***Orthopaedic Surgeon*** under **ORTHOPAEDIC**

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CLINIC and set the salary at \$120,000.00 per year; position available date is October 1, 2019

- Place one (1) position of ***Family Practice Physician Provider*** under FAMILY PRACTICE and set the salary at \$250,000.00 per year; position available date is April 1, 2020

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

**RESOLUTION NO. 19-348**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-576 AMENDED**

**WHEREAS**, Resolution Number 18-576 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on December 11, 2018 and provides for various contracts, in part, as follows:

- ***Jamestown Psychiatric PC***, 305 East Fairmount Avenue, Lakewood, NY 14750 for physicians and mid-level providers to perform behavioral health services required by patients at the Wyoming County Community Health System in an amount not to exceed four hundred eighty thousand dollars (\$480,000.00) per year; effective December 1, 2018 through November 30, 2020.

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-576* be hereby amended to rescind the ***Jamestown Psychiatric PC*** contract in its entirety effective December 1, 2018 as this contract was not executed.

All else remains the same.

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

**RESOLUTION NO. 19-349**  
**(August 13, 2019)**

August 13, 2019

By Mr. Brick, Chairman of the Finance Committee:

## **RESOLUTION NUMBER 18-304 AMENDED**

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

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

And,

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

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

And,

**WHEREAS**, That Resolution Number 18-304 as previously amended by Resolution Number 18-349 was further amended by this Board of Supervisors on September 11, 2018 by ***Resolution Number 18-394*** to extend the contract term of the ***Jamestown Psychiatric, PC*** from August 31, 2018 through ***October 31, 2018***; in an amount not to exceed sixty thousand dollars (\$60,000.00); and

**WHEREAS**, That Resolution Number 18-304 as previously amended

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by Resolution Number 18-349 and Resolution Number 18-394 was further amended by this Board of Supervisors on November 13, 2018 by ***Resolution Number 18-527*** as follows:

- Amend the term from August 31, 2018 through October 31, 2018 to ***November 30, 2018***.
- Amend not to exceed amount from sixty thousand dollars (\$60,000.00) to an amount not to exceed ***one hundred twenty thousand dollars (\$120,000.00)*** for this term.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-304*** as previously amended by ***Resolution Number 18-349***, ***Resolution Number 18-394*** and ***Resolution Number 18-527*** be hereby further amended as follows:

- Amend the term from September 1, 2018 through November 30, 2018 to ***June 30, 2019***.
- Amend not to exceed amount from one hundred twenty thousand dollars (\$120,000.00) for the last amended term to a total amount not to exceed ***four hundred thirty-five thousand two hundred dollars (\$435,200.00)*** for the entire term of the emergency agreement of ***June 22, 2018 through June 30, 2019***.

All else remains the same.

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

**RESOLUTION NO. 19-350**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-293 AMENDED**

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

August 13, 2019

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

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

And,

**WHEREAS**, That Resolution Number 17-293 was previously amended by this Board of Supervisors on September 11, 2018 by ***Resolution Number 18-393*** to extend the contract term from July 3, 2017 through July 2, 2018 to ***July 3, 2018 through July 2, 2019***; now therefore,

**BE IT RESOLVED**, That ***Resolution Number 17-293*** as previously amended by ***Resolution Number 18-393*** be hereby further amended to extend the contract term from July 2, 2018 through July 2, 2019 to ***July 3, 2019 through July 2, 2020***.

All else remains the same.

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

**RESOLUTION NO. 19-351**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS EMPLOYMENT AGREEMENTS ~ SALARY SCHEDULE “X” 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 Employment Agreements – Salary Schedule “X” for professional medical services at the Hospital’s affiliated Family Medicine Group Offices as follows:

- ***Karen Baker, NP***, 2935 Gath Road, Warsaw, NY 14569 to provide professional medical services in an amount not to exceed seventy-six thousand dollars (\$76,000.00) per year; effective July 15, 2019 through July 14, 2020.
- ***Lauralee Sibiga, PA***, 5654 Cole Road, West Valley, NY 14171 to provide professional medical services in an amount not to exceed eighty-five thousand dollars (\$85,000.00) per year; effective July 15, 2019 through July 14, 2020.
- ***Katherine Niespodzinski, PA***, 1299 Two Rod Road, Marilla, NY 14102 to provide professional medical services in an amount not to exceed eighty-five thousand dollars (\$85,000.00); effective July 15, 2019 through July 14, 2020.
- ***Ashley Bartz, PA***, 7783 County Line Road, Arcade, NY 14009 to provide professional medical services in an amount not to exceed sixty-eight thousand dollars (\$68,000.00) per year; effective July 15, 2019 through July 14, 2020.
- ***Angela Potter, PA***, 4225 McNulty Road, Strykersville, NY 14145 to provide professional medical services in an amount not to exceed seventy-one thousand (\$71,000.00) per year; effective July 15, 2019 through July 14, 2020.
- ***Linda Cole, PA***, 234 Park Street, Arcade, NY 14009 to provide professional medical services an amount not to exceed seventy-nine thousand dollars (\$79,000.00) per year; effective July 15, 2019 through July 14, 2020.

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

**RESOLUTION NO. 19-352**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-157 AMENDED**  
**WHEREAS**, Resolution Number 19-157 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on March 12, 2019 and provides for various contracts, in part, as follows:

August 13, 2019

- **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).

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 19-157*** be hereby amended to correct the effective dates from May 1, 2019 or earlier if space is available through April 30, 2022 to ***July 1, 2019 through June 30, 2022***.

All else remains the same.

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

**RESOLUTION NO. 19-353**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF  
 UNDERSTANDING WITH WYOMING COUNTY EMERGENCY  
 SERVICES 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 a Memorandum of Understanding with ***Wyoming County Emergency Services***, 151 North Main Street, Warsaw, NY 14569 on behalf of the Wyoming County Community Health System. Said contract to support the pre-hospital care medical director services to Wyoming County Emergency Services in an amount not to exceed ten thousand eight hundred dollars (\$10,800.00); effective August 1, 2019 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-354**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LORI  
 HUDZINSKI, 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 a contract with *Lori Hudzinski, MD*, 38 Rauch Drive, Springville, NY 14141 on behalf of the Wyoming County Community Health System. Said contract to provide professional medical services at the Hospital’s affiliate Family Medicine Group offices on a as needed basis in an amount not to exceed two hundred seventy-five dollars (\$275.00) to five hundred twenty-five dollars (\$525.00) per 7.5 hour shift for a total contract amount not to exceed thirty thousand dollars (\$30,000.00); effective July 15, 2019 through July 14, 2020. Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-355**  
**(August 13, 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:

August 13, 2019

- **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,

**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.**; and

**WHEREAS**, That Resolution Number 17-325 as previously amended by Resolution Number 17-432 was further amended by this Board of Supervisors on February 12, 2019 by **Resolution Number 19-089** to correct the annual increase of two percent (2%) to **two and one-half percent (2.50%)** to reflect the actual contract language; now therefore

**BE IT RESOLVED**, That **Resolution Number 17-325** as previously amended by **Resolution Number 17-432** and **Resolution Number 19-089** be hereby further amended to extend the term of the contract for an additional five (5) years from **November 1, 2022 through October 31, 2027**.

All else remains the same.

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

#36

## **RESOLUTION NO. 19-356** (August 13, 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:

#### **REASSIGNED:**

*District Attorney*

- One (1) position of **Domestic Violence Coordinator** (position code 016.400) from Salary Schedule "G" (Violence Against Women Act Grant (\$16,135.00) and Office of Victim Services Grant (\$18,267.00)) to one (1) position of **Domestic Violence Coordinator** (position code 016.400) on Salary Schedule "S" with an hourly wage of \$18.83/hr. and annual wage equivalent not to exceed \$34,402.00.

**ABOLISHED:**

***Health Department***

- One (1) position of **Emergency Preparedness Coordinator (1.0 FTE)** (position code 120.470) on Schedule "S"; effective August 14, 2019.
- One (1) position of **Director of Nursing (1.0 FTE)** (position code 037.097) on Schedule "S"; effective August 14, 2019.

***Youth Bureau***

- One (1) position of **Caseworker (1.0 FTE)** (position code 016.042) on CSEA Schedule "A", Job Grade 14 at \$20.67/hr.-\$23.85/hr.; effective September 9, 2019.

**CREATED:**

***Health Department***

- One (1) position of **Public Health Program Coordinator (1.0 FTE)** on Salary Schedule "S" at an annual salary \$48,000.00 annually; effective August 14, 2019.
- One (1) position of **Director of Clinical and Community Services (1.0 FTE)** on Schedule "S"; salary to be determined (not to exceed amount budgeted); effective August 14, 2019.

***Sheriff***

- Two (2) positions of **Meal Deliverer, PT** on Salary Schedule "S" at a rate of \$11.25/hr. Position available date is August 14, 2019.

***Social Services***

- One (1) position of **Social Services Program Specialist Trainee (1.0 FTE)** on CSEA Schedule A, Job Grade 8 at \$18.29/hr.-\$21.16/hr. Position available date is August 14, 2019.
- One (1) position of **Caseworker Trainee (1.0 FTE)** on CSEA Schedule "A", Job Grade 12 at \$19.71/hr.-\$22.58/hr. Position available date is August 14, 2019.

***Youth Bureau***

- One (1) position of **Youth Program Coordinator (1.0 FTE)** on CSEA Schedule "A", Job Grade 6 at \$17.48/hr.-\$19.50/hr. Position available is August 14, 2019.

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

**#37**

August 13, 2019

**RESOLUTION NO. 19-357**  
**(August 13, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES "S" AND "G" AMENDED**

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

**Salary Schedule "S":**

*Information Technology*

- Set the annual salary of the ***Network Administrator*** (position # 015.496) to \$57,000.00 annually; effective July 8, 2019. Annual salary to increase to \$60,000.00 upon completion of six (6) months, satisfactory performance and meeting pre-established goals.

*Treasurer*

- Amend the \$5,000.00 stipend for ***Deputy County Treasurer*** (1.00 FTE) (position code #007.503) to an annual salary of \$45,000.00; effective June 3, 2019.

*Real Property Tax Services*

- Increase the ***Assessment Account Specialist, PT*** to 1100 hours per year (from 728 hrs. / Annual Wage Equivalent \$17,875); effective August 14, 2019.

*Sheriff*

- Set the annual salary of the ***911 Coordinator*** (position # 101.452) to \$65,000.00 annually; effective May 5, 2019.

*Highway*

- Set the salary of the ***Secretary to the County Highway Superintendent*** (position # 062.503) to \$42,000.00 annually; effective 07/15/19.

**Salary Schedule "G":**

*Public Defender*

- Amend position of ***Staff Social Worker*** to reflect 25 hours per week, \$26.92/hr. at 1300 hours per year maximum (from 20 hrs./week and 1040 per year with an Annual Wage Equivalent not to exceed \$35,000).

*District Attorney*

- Set one-time stipends plus corresponding fringes to the following:
  - Assistant District Attorney (2<sup>nd</sup>) \$5,000.00
  - Administrative Assistant (DA) \$10,000.00
  - Secretary to the District Attorney \$10,000.00
  - Principal Account Clerk (Treas. Office) \$2,250.00
    - Said funds to be paid out November 2019.

- Said amounts are the annual budgeted stipends provided through 1161 (Traffic Diversion).

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

**Retirement of Colors ~**

- *As requested by Chairman Berwanger*

*Before adjourning the meeting, Chairman Berwanger stated that there was cake at the back of the building in honor of “Roxanne Dueppengiesser Day in Wyoming County”.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington adjourned the meeting at 3:13 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

**REGULAR SESSION  
(September 10, 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 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 2:27 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Specialist 5 Raymond Coveny**

Mr. Coveny graduated from Warsaw Central School and entered the United States Army to serve his country after Vietnam in November of 1977.

After completing basic training at Fort Leonard Wood, Missouri, he headed to Fort Huachuca, Arizona for his advanced training as an Intelligence Analyst. His first duty station was Fort Lewis, Washington where he spent his entire service time with the 2<sup>nd</sup> Brigade, 9<sup>th</sup> Infantry Division.

The U.S. Army's 9<sup>th</sup> Infantry Division was first formed during World War I. It saw action in World War II and Vietnam and over the years was inactivated and reactivated as the needs of the military changed. Reactivation of the 9<sup>th</sup> Infantry Division, nicknamed the "Old Reliabes," took place at Fort Lewis on May 20, 1972. The division would be critical in reshaping the United States Army in the 1970's and 80's. It would focus on recruiting soldiers with the Army guaranteeing enlisted personnel that they would remain with the division for at least sixteen months. The division also served as a high technology and motorized light-fighter warfare test bed. This included developing and field-testing fast-attack vehicles such as modified dune buggies and all-terrain fighting vehicles.

Mr. Coveny's brother, David, also served in the same Infantry Division. Altogether, seven Coveny brothers served this great country. Mr. Coveny was honorably discharged from the Army in 1980. For his valor and courageous service to his country, Mr. Coveny was awarded the:

Army Commendation Medal  
Marksman Badge (M-16)

In 1981, Mr. Coveny began his career with the New York State Department of Corrections and is presently the Superintendent of the Elmira Correctional Facility. From 1990 to 1999, he served as a Police Officer for the Village of Perry and currently works as a part-time Deputy with the Wyoming County Sheriff's Department. Mr. Coveny will be retiring from the Correctional Facility in 10-days but plans on continuing his employment with the Sheriff's Department. He married his wife Tammy in 1987 and has three children and three grandchildren.

Mr. Coveny is looking forward to having more time to spend with all of them.

*The pledge was said by all.*

*Chairman Berwanger presented the customary certificate of appreciation to Mr. Coveny and said that early today he was doubling checking on the accuracy of Mr. Coveny's bio and had an opportunity to speak with Mr. Coveny's brother, Marty.*

*The Chairman recalled that last month, we learned Assemblyman DiPietro arranged for a portion of Rt. 19 to be renamed in memory of their brother David. At that dedication ceremony, Marty said that his brother spoke some very moving words and the Chairman asked if Mr. Coveny would be willing to share them (again) this afternoon.*

*Mr. Coveny began with some family history of his family's move from Buffalo to Warsaw and about his six brothers that served in the military, all during a time of war. His brother David was on the front lines in Vietnam and lost his life.*

*Mr. Coveny shared a "poem" that came to him the day before the road dedication ceremony for his brother. He said he felt this is what David would say about this honor if he had been standing there that day...*

***Dave's Road Home***

*As you stand on this road and highway, for me there was a time  
that there was no other. Because it brought me home, home to my sweet  
mother.*

*Then there came a day, a day to go away. I did not want to go, you  
know, I was afraid.*

*I quickly found that there're other boys, boys that were just like me.*

September 10, 2019

*That is when I learned that freedom IS NOT free.*

*I left as a young boy and learned to be a man. I fought so hard for freedom, freedom for this land.*

*My mother and family would tell you that I was special, unique. To them it was true. But my Lord Jesus told me to take a look around, there are many other boys just like you.*

*So I fought the fight, I charged the hill. I tell you I did my best. Until that fateful day, when it was time for me to rest.*

*Now here we are today to dedicate a road, a road that will bear my name. But please don't forget the other boys, for their sacrifice, it was the same.*

*I assure you that on my fateful day when I took this road home and found that I could be free at last, I took one last look over my shoulder to shout to my enemy, kiss my Irish ass.*

*Now as I sit in heaven with my brother, father and sweet mother, I ask you be proud of the freedom of these United States, a feeling like no other.*

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

*Res. Frank Fraser, Family Life Church, Attica, NY offered a prayer for today's board meeting.*

#### **Communications ~**

- *None*

**#1**

#### **RESOLUTION NO. 19-358 (September 10, 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:

Regular Session

<b>Board of Elections</b>			
To: 01.34.1450.4.42484 Early Voting w/01.11.1450.3089 Other State Aid	\$12,000.00	\$12,000.00	
<b>Reason:</b> To purchase electronic poll books and associated hardware/software with the Capital Projects Program Grant and to pay for renovations to the board of elections using the Aid to Localities Grant.			
<b>Board of Elections Total</b>			<b>\$12,000.00</b>
<b>Historian</b>			
To: 01.46.7510.2. 20809 other w/01.03.7510.128901 Grant	\$2,200.00	\$2,200.00	
<b>Reason:</b> To appropriate funds received from the Pomeroy Foundation for the Historic Marker Program for two markers for the town of Perry.			
<b>Historian Total</b>			<b>\$2,200.00</b>
<b>Public Health</b>			
To: 01.38.4010.4.42440 Child Safety Seat w/01.12.4010.448912 Child Safety Seat (Fed)	\$500.00	\$500.00	
<b>Reason:</b> Additional grant funds for 10/18-9/19 not utilized in 2018.			
To: 01.38.4010.4.42429 Rabies Treatment <i>w/any funds available</i>	\$26,000.00	\$26,000.00	
<b>Reason:</b> To cover cost of rabies post exposure treatment.			
<b>Public Health Total</b>			<b>\$26,500.00</b>

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$4,324,527.72** for the month of **August, 2019**.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #2 through #5 and a request that Non-Consent Resolution #6 be voted on separately. Hearing no objection, resolution titles were read.*

**#2**

**RESOLUTION NO. 19-359**  
**(September 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH THE POMEROY FOUNDATION ON  
BEHALF OF THE COUNTY HISTORIAN**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant application and acceptance award with the **Pomeroy Foundation**, 492 East Brighton

September 10, 2019

Avenue, Syracuse, NY 13210 on behalf of the County Historian. Said grant funds are for two (2) historic roadside markers at a cost of one thousand one hundred dollars (\$1,100.00) each for a total minimum amount of two thousand two hundred dollars (\$2,200.00); effective July 16, 2019 through December 31, 2019.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #3

**RESOLUTION NO. 19-360**  
**(September 10, 2019)**

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

**SALARY SCHEDULE “C” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That Salary Schedule “C” Handbook is hereby amended to remove the following text as noted below under **ON CALL PAY**, subsection **WCCHS Information Technology ONLY**:

*WCCHS Information Technology employees scheduled on call shall receive a \$100.00 pay allowance per day between Fridays at 5:00 PM through Mondays at 7:00 AM 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 PM Monday through 7:00 AM Friday.*

and replace the removed text as noted above with the following under

**ON CALL PAY**, subsection **WCCHS Information Technology ONLY**; effective September 10, 2019:

*WCCHS Information Technology employees scheduled on call shall receive a \$100.00 pay allowance per day between 7:00 AM to the following day at 7:00 AM on Weekends and Holidays.*

*WCCHS Information Technology employees scheduled on call shall receive a \$50.00 pay allowance per day beginning at 5:00 PM to the following day at 7:00 AM on Weekdays.*

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

Regular Session

**RESOLUTION NO. 19-361  
(September 10, 2019)**

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

**RESOLUTION NUMBER 18-350 RESCINDED**

**WHEREAS**, Resolution Number 189-350 entitled, “**WYOMING COUNTY COMMUNITY HEALTH SYSTEM SALARY SCHEDULE “P” BENEFIT PACKAGE SUMMARY ADOPTED**,” passed by this Board of Supervisors on August 14, 2018; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-350* be hereby rescinded to abolish Salary Schedule “P” Benefit Package Summary in its entirety effective August 12, 2019 as the same is superseded by Salary Schedule “P” Handbook adopted by this Board of Supervisors on August 13, 2019 by Resolution Number 19-325.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #5

**RESOLUTION NO. 19-362  
(September 10, 2019)**

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

**SALARY SCHEDULE “C”, “D”, “P”, “S” AND “X” HANDBOOKS AMENDMENTS APPROVED**

**BE IT RESOLVED**, That Salary Schedule “C”, “D”, “P”, “S” and “X” Handbooks are hereby amended to remove the following text under BEREAVEMENT LEAVE ; effective September 10, 2019.

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

<b>5 WORK DAYS</b>	<b>3 WORK DAYS</b>	<b>1 WORK DAY</b>
<i>Parent/Step Parent</i>	<i>Brother/Sister</i>	<i>Brother/Sister-in-law</i>
<i>Spouse/Domestic Partner</i>	<i>Grandparent</i>	<i>Aunt/Uncle</i>
<i>Child/Stepchild</i>	<i>Grandchild</i>	
<i>Foster Child/Guard</i>	<i>Son/daughter-in-law</i>	
<i>Related member of the employee’s household</i>	<i>Parent-in-law</i>	

*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.*

and replace with the following language in **BOLD** as presented below; effective September 10, 2019:

*All full and part time having successfully completing probation will be eligible for bereavement leave not exceeding three (3) days per death shall be granted by a Department Head, with proper documentation, on account of the death of a parent, brother, brother-in-law, sister, sister-in-law, spouse, significant other, child, step-child or an employee's spouse's parents, employee's grandparents or grandchildren.*

*Bereavement leave must be used within the week after death or within one week of the funeral (either before and/or after the funeral). Employees on an unpaid leave are not eligible for paid bereavement leave under this policy.*

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**  
**Non Consent**  
**#6**

**RESOLUTION NO. 19-363**  
**(September 10, 2019)**

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

**SALARY SCHEDULE "I" HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That Salary Schedule "I" Handbook is hereby amended to add a section entitled, MEALS & MEAL REIMBURSEMENTS with the following language; effective September 10, 2019:

*Elected officials shall be reimbursed for meals according to the current Board of Supervisors approved meal reimbursement policy.*

*When members of the Board of Supervisors attend meetings before and after lunch the Chairman of the Board may approve "lunch-in". In which case, the Clerk to the Board will be allowed to pay for approved lunches from the Board of*

*Supervisors' 1010 Cost Center of Supervisor Expenses.*

**Carried:** XXX **Ayes:** 1435 **Noes:** 62 (Middlebury) **Absent:** 102 (Sheldon) **Abstain:**

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #7 through #12. Hearing no objection, resolution titles were read.*

#7

**RESOLUTION NO. 19-364**  
**(September 10, 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 Representative**

*Unexpired three (3) year term effective September 1, 2019 through December 31, 2019*

- *Eleanor Ann Smith (T/Eagle)*, 3493 East Main Street, Bliss, NY 14024  
*(replacing Rose George)*

**Agency Representative**

*Unexpired three (3) year term effective September 1, 2019 through December 31, 2020*

- *Brian Meyers (Wyoming County Emergency Services)*, 151 North Main Street, Warsaw, NY 14569 *(replacing Tony Santoro)*

**Carried:** XXX **Ayes:** 1497 **Noes:** **Absent:** 102 (Sheldon) **Abstain:**

#8

**RESOLUTION NO. 19-365**  
**(September 10, 2019)**

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

**YOUTH COURT MONTH PROCLAIMED**

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

September 10, 2019

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

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

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim the month of **September 2019** as **Youth Court Month** in Wyoming County and calls on all citizens to find ways to give their time, energy and talents to serve and support the Wyoming County Youth Court.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #9

**RESOLUTION NO. 19-366**  
**(September 10, 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 Welfare Management System contracts for foster care services for Wyoming County children and youth, as well as, "Raise the Age"

(RTA) standards as enacted by Part WWW of Chapter 59 of the Laws of 2017 with the following agencies; effective July 1, 2019 through June 30, 2020:

- ***Hillside Children's Center***, 1183 Monroe Avenue, Rochester, NY 14620-1699 in an amount not to exceed one million nine hundred eighty-one thousand five hundred dollars (\$1,981,500.00) for approximately thirty-three (33) children.
- ***The William George Agency for Children's Services, Inc.***, 380 Freeville Road, Freeville, NY 13068 in an amount not to exceed one hundred forty-eight thousand dollars (\$148,000.00) for approximately one (1) child.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #10

**RESOLUTION NO. 19-367**  
**(September 10, 2019)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH  
KIDDIE CORNER CHILD CARE CENTER, INC. 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 ***Kiddie Corner Child Care Center, Inc.***, 1019 Abbott Road, Buffalo, NY 14220 on behalf of the Department of Social Services. Said contract to provide day care services in a variable amount depending upon services provided; effective July 1, 2019 through December 31, 2019. Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #11

**RESOLUTION NO. 19-368**  
**(September 10, 2019)**

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

September 10, 2019

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO ACCEPT THE “*Onondaga County Bid Award for two (2) 2020 Ford  
Escape SE AWD Vehicles*” AND EXERCISE THE RIGHT TO  
“PIGGYBACK” AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER  
GML §103 (16) ON BEHALF OF THE DEPARTMENT OF  
SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney, are hereby authorized and directed to accept the “*Onondaga County Bid Award for two (2) 2020 Ford Escape SE AWD Vehicles*” and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16) and behalf of the Department of Services. Said bid awarded to *Van Bortel Ford, Inc.*, 71 Marsh Road, East Rochester, NY 14445; and be it

**FURTHER RESOLVED**, That the Chairman of this Board and the Commissioner of Social Services are hereby authorized and directed to sign required documentation with *Van Bortel Ford, Inc.*, 71 Marsh Road, East Rochester, NY 14445 on behalf of the Department of Social Services. Said contract is for the purchase of two (2) 2020 Ford Escape SE AWD in an amount not to exceed twenty-two thousand nine hundred five dollars and three cents (\$22,905.03) per vehicle for a total contract amount not to exceed forty-five thousand eight hundred ten dollars and six cents (\$45,810.06); effective August 16, 2019 through delivery of vehicles but no later than December 31, 2019. (*Bid Number 8771 2020*)

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #12

**RESOLUTION NO. 19-369  
(September 10, 2019)**

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

**HUNGER ACTION MONTH PROCLAIMED**

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

**WHEREAS**, According to Foodlink, there are more than 4,270 people in Wyoming County who are not sure when, or from where, they will get their next meal; and

Regular Session

**WHEREAS**, Food insecurity continues to prevent many children, adults and seniors from realizing their true potential; and

**WHEREAS**, For more than 40 years, Foodlink has leveraged the power of food to end hunger and build healthier communities by mobilizing daily, a diverse network of community partners to eradicate both the symptoms and root causes of hunger through the distribution of healthy food and innovative food-related programs; and

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim the month of September 2019 as **HUNGER ACTION MONTH IN WYOMING COUNTY**.

**Carried: XXX    Ayes: 1497    Noes:    Absent: 102 (Sheldon)    Abstain:**

*Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium for the reading of the proclamation. Supervisor Grant asked Youth Bureau Dir. Aldinger to join her at the podium.*

*Dir. Aldinger also requested that E.I./Youth Program Coordinators J. Hudson and A. Fialkowski to also join them as she then read the proclamation.*

*Dir. Aldinger thanked the board for their continued support and noted that the Wyoming County Youth Court is a very special program in their Department. Currently, there are 23 active members. There is a Youth Court training coming up in September to fill the vacancies created by graduation.*

*Dir. Aldinger asked Program Coordinator J. Hudson to provide the details of the required training, which she did.*

*Supervisor Grant read the Hunger Action Month proclamation. There was a motion by Mr. Ryan, T/Warsaw, to combine resolutions #13 and #14. Hearing no objection, resolution titles were read.*

**RESOLUTION NO. 19-370**  
**(September 10, 2019)**

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

**SUICIDE PREVENTION AWARENESS MONTH PROCLAIMED**

**WHEREAS**, The month of September 2019 is National Suicide Prevention Awareness Month and is intended to help promote the awareness surrounding the resources that are available to the community; and

**WHEREAS**, Suicide is the 10<sup>th</sup> leading cause of death in the United States, surpassing homicides, war and natural disasters combined; and

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

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

**WHEREAS**, The citizens of Wyoming County recognize their role in preventing suicide by asking directly about suicidal thoughts, keeping loved ones safe by reducing access to lethal means, being there by listening carefully to what a loved one is thinking and feeling, connecting loved ones with supports and following up after a crisis; and

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

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

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim September 2019 as **SUICIDE PREVENTION AWARENESS MONTH** in Wyoming County.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

Regular Session

**RESOLUTION NO. 19-371  
(September 10, 2019)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A CONTRACT WITH FREED MAXICK CPA'S PC 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 *Freed Maxick CPA's PC*, 420 Main Street, Suite 800, Buffalo, NY 14202 on behalf of the County Health Department. Said contract is for the preparation of the 2018 Diagnostic and Treatment Center (AHCF) Medicaid Cost Report in an amount not to exceed five thousand seven hundred dollars (\$5,700.00) plus direct expenses; effective through completion and upload of Cost Report due October 15, 2019.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

*Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium for reading of the proclamation. Supervisor Ryan invited Asst. Dir. of Adult Services, Kristen Fisher and Dual Recovery Coordinator Heather Bell to join her.*

*Supervisor Ryan read the proclamation and then asked Asst. Dir. of Adult Services Fisher to say a few words. She spoke about the stigma surrounding mental health issues and the difficulty in asking for help.*

*She thanked the board for their support in reducing the stigma surrounding suicide and mental illness.*

*Dual Recovery Coordinator Bell mentioned the upcoming 13<sup>th</sup> Annual Suicide Prevention Awareness Walk on September 25, 2019.*

#15

**RESOLUTION NO. 19-372  
(September 10, 2019)**

September 10, 2019

By Mr. Kehl, Chairman of the Agriculture Committee:

### **RESOLUTION NUMBER 19-188 AMENDED**

**WHEREAS**, Resolution Number 19-188 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH KELLY MOTOR CORP ON BEHALF OF ANIMAL CONTROL**,” passed by this Board of Supervisors on April 9, 2019 for the purchase of a 2019 Ford F150, 4 x 4 Supercab in an amount not to exceed twenty-seven thousand nine hundred twenty dollars (\$27,920.00); effective April 9, 2019 through delivery of vehicle; now therefore

**BE IT RESOLVED**, That *Resolution Number 19-188* be hereby amended to correct the contract amount to ***twenty-eight thousand one hundred seventy dollars (\$28,170.00)*** to include a change order for running boards in an amount not to exceed two hundred fifty dollars (\$250.00).

All else remains the same.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #16 through #18. Hearing no objection, resolution titles were read.*

**#16**

### **RESOLUTION NO. 19-373 (September 10, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

### **2020 MATCHING FUNDS PROGRAM APPROVED ON BEHALF OF THE WYOMING COUNTY CHAMBER OF COMMERCE**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby approve taking part in the ***2020 Matching Funds Program*** for tourist promotional activities; and be it

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

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

Regular Session

**RESOLUTION NO. 19-374**  
**(September 10, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A CONTRACT WITH MARQUART REALTY, LLC ON BEHALF OF  
THE WYOMING COUNTY WATER RESOURCE AGENCY**

**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 *Marquart Realty, LLC*, 5195 Route 19, Gainesville, NY 14066 on behalf of the Wyoming County Water Resource Agency. Said contract is for reimbursement in accordance with the State Septic System Replacement Grant for property located at 2824 West lake Road, Castile, NY in an amount not to exceed ten thousand dollars (\$10,000.00); effective July 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #18

**RESOLUTION NO. 19-375**  
**(September 10, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE GLOW  
WORKFORCE DEVELOPMENT BOARD**

**BE IT RESOLVED**, That the following individuals are hereby appointed to the GLOW Workforce Development Board as follows:

***Wyoming County Business Representative Member***

*Two (2) year term effective July 1, 2019 through June 30, 2021*

- ***Karl Drasgow***, Drasgow Industries, 4160 Poplar Tree Road, Gainesville, NY 14066

***Public Sector Higher Education Member***

*Effective September 10, 2019 for an indefinite term*

September 10, 2019

- **John McGowan**, Director of the BEST Center for Genesee Community College, Genesee Community College, 1 College Road, Batavia, NY 14020 (*replacing Reid Smalley*)

***Apprenticeship/Labor Organization***

*Effective September 10, 2019 for an indefinite term*

- **Jason ReQua**, Vice-President for BAC Local 3NY, 33 Saginaw Drive, Rochester, NY 14623 (*replacing Anthony DiPerna*)

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #19 through #27. Hearing no objection, resolution titles were read.*

**#19**

**RESOLUTION NO. 19-376**  
**(September 10, 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 DIVISION  
 OF CRIMINAL JUSTICE SERVICES ON BEHALF OF DISTRICT  
 ATTORNEY'S OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant application and acceptance award with the **New York State Division of Criminal Justice**, Alfred E. Smith State Office Building, 80 South Swan Street, Albany, NY 12210 on behalf the District Attorney's Office. Said grant funds for aid to prosecution in a minimum amount of thirty thousand two hundred dollars (\$30,200.00); effective October 1, 2019 through September 30, 2020.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

**#20**

**RESOLUTION NO. 19-377**  
**(September 10, 2019)**

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

**RESOLUTION NUMBER 18-487 AMENDED**

**WHEREAS**, Resolution Number 18-487 entitled, "CHAIRMAN  
 Regular Session

**AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE SHERIFF'S DEPARTMENT,"** passed by this Board of Supervisors on November 13, 2018 and provided, in part, for the following contract:

- **New York State Unified Court System;** 8<sup>th</sup> Judicial District 92 Franklin St Buffalo, NY 14202 to provide court security for County, Family and Supreme courts in an amount not to exceed three hundred seventy-three thousand four hundred sixty-three dollars (\$373,463.00); effective April 1, 2018 through March 31, 2019. *Revenue Contract*

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-487*** be hereby amended to reflect an increase in the dollar amount from three hundred seventy-three thousand four hundred sixty-three dollars (\$373,463.00) to ***three hundred seventy-seven thousand seven hundred fifty seven dollars (\$377,757.00)***.

All else remains the same.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #21

**RESOLUTION NO. 19-378**  
**(September 10, 2019)**

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

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

**WHEREAS**, During the May 30, 2019 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 to sign a grant acceptance award with the ***New York State Department of Homeland Security***, 120 Washington Avenue, Albany, NY 12210 on behalf Sheriff's Department. Said grant funds to fund law enforcement terrorism prevention activities in a minimum amount of seventeen thousand four hundred ninety-five dollars (\$17,495.00); effective September 1, 2019 through August 31, 2022.

September 10, 2019

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #22

**RESOLUTION NO. 19-379**  
**(September 10, 2019)**

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

**2020 STOP DWI PLAN APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the **2020 Stop DWI Plan** with the **New York State Governors Traffic Safety Committee**, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County's STOP DWI Program. The 2020 STOP DWI Plan Agreement is for the continued work to address the problem of impaired driving in a minimum amount of one hundred forty-seven thousand four hundred seventy-five dollars (\$152,200.00); effective January 1, 2020 through December 31, 2020.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #23

**RESOLUTION NO. 19-380**  
**(September 10, 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  
GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON BEHALF OF  
STOP DWI**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant application and acceptance award with the **New York State Governor's Traffic Safety Committee**, 6 Empire State Plaza, Albany, NY 12228 on behalf of STOP DWI. Said grant funds to supply special crackdown patrols during special holidays and events with high visibility road checks and saturation patrols in a minimum amount of fifteen thousand dollars (\$15,000.00); effective October 1, 2019 through September 30, 2020.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

**RESOLUTION NO. 19-381**  
**(September 10, 2019)**

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

**RESOLUTION NUMBER 19-307 AMENDED**

**WHEREAS**, Resolution Number 19-307 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UBMD ON BEHALF OF EMERGENCY SERVICES**,” passed by this Board of Supervisors on July 9, 2019 to provide medical direction for pre-hospital care in an amount not to exceed thirty-eight thousand two hundred fifty dollars (\$38,250.00); effective August 1, 2019 through December 31, 2020; now therefore,

**BE IT RESOLVED**, That *Resolution Number 19-307* be hereby amended to correct the contracting party’s name to ***UBMD Emergency Medicine – University Emergency Medical Services, Inc. (UEMS)***.

All else remains the same.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #25

**RESOLUTION NO. 19-382**  
**(September 10, 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 DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant application and acceptance award with the ***New York State Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, Building 7A, Suite 7100, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant funds for FY2019 Emergency Management Performance Grant in a minimum amount of twenty thousand three hundred ninety-four dollars (\$20,394.00); effective October 1, 2018 through September 30, 2021.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

September 10, 2019

**RESOLUTION NO. 19-383  
(September 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO EXECUTE THE “RAISE THE AGE - ADHERENCE TO THE PROPERTY TAX CAP” CERTIFICATION FORM FROM THE NEW YORK STATE DIVISION OF THE BUDGET ON BEHALF OF WYOMING COUNTY PROBATION**

**WHEREAS**, Wyoming County’s budget for fiscal year 2019 did not exceed the two percent (2%) property tax cap limit set forth in General Municipal Law §3-c which limits the amount of real property taxes that may be levied; now therefore,

**BE IT RESOLVED**, That the Chairman of this Board is hereby authorized to sign the *“Raise the Age - Adherence to the Property Tax Cap Certification”* form from the *New York State Division of the Budget*, State Capital, Albany, NY 12224 on behalf of Wyoming County Probation. Said Certification demonstrates property tax compliance for 2019, which is statutorily necessary for the waiving of the County’s local share of *Raise the Age* eligible expenditures.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #27

**RESOLUTION NO. 19-384  
(September 10, 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 DIVISION OF CRIMINAL JUSTICE SERVICES ~ OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES ON BEHALF OF WYOMING COUNTY PROBATION**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant application and acceptance award with the *New York State Division of Criminal Justice Services ~ Office of Probation and Correctional Alternatives*, Alfred E. Smith Building, 80 South Swan Street, Albany, NY 12210 on behalf Wyoming County

Probation. Said grant funds for the reimbursement of costs incurred by the Probation Department due to the *Raise the Age Law* in a minimum amount of thirteen thousand seven hundred five dollars (\$13,705.00); effective April 1, 2018 through March 31, 2020.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

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

#28

**RESOLUTION NO. 19-385**  
**(September 10, 2019)**

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

**2019 ~ 2020 SALT AND SAND BIDS APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to award a bid for the purchase of salt and sand for the **2019~ 2020 Snow Season** to **American Rock Salt Co., LLC**, PO Box 190, Mt. Morris, New York 14510 in an amount not to exceed fifty dollars and forty-five cents (\$50.45) per ton; effective September 1, 2019 through May 31, 2020; and be it

**FURTHER RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to award a bid for the purchase of abrasive grit for the **2019~ 2020 Snow Season** per the attached schedule; effective September 1, 2019 through August 31, 2020; and be it

**FURTHER RESOLVED**, That the County of Wyoming reserves the right to allow all municipalities within the County to purchase any goods or services at the prices stated herein pursuant to section 103 of the General Municipal Law. Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

Contract period - 9/1/2019 - 5/31/2020

Towns	Name of Bidder	American Rock Salt Co. P.O. Box 190 Mount Morris, NY 14510 1-888-762-7258	Cargill Salt 24950 Country Club Blvd Suit # 450 North Olmsted, Ohio 44070 1-800-600-7258
Attica		50.45	63.42
Bennington		50.45	63.42
Castile		50.45	63.42
Covington		50.45	63.42
Eagle		50.45	63.42
Gainesville		50.45	63.42
Genesee Falls		50.45	63.42
Java		50.45	63.42
Middlebury		50.45	63.42
Orangeville		50.45	63.42
Pike		50.45	63.42
Sheldon		50.45	63.42
Warsaw		50.45	63.42
Weathersfield		50.45	63.42
Wyo City Highway		50.45	63.42
Village of Arcade		50.45	63.42
Village of Attica		50.45	63.42
Village of Perry		50.45	63.42
Village of Silver Springs		50.45	63.42
Village of Warsaw		50.45	63.42

Todd Gadd  
County Superintendent of Highways

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

Bids opened August 20, 2019

Contract period – 9/1/19 – 8/31/20

Price/Ton – F.O.B. Plant

D & H Materials 11939 Rt. 98 S Arcade, NY 14009	10811 Rt. 16 Delevan	3.75
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Frey Sand & Gravel 3850 Dry Bridge Road Alexander, NY 14005	Alexander Plant:	10.50
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Gernatt Asphalt Products, Inc. 13870 Taylor Hollow Road Collins, New York 14034 Phone 716-532-3371	Chaffee Plant: Freedom Plant:	4.15 5.20
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M & M Aggregates 6128 Sheppard Road Bliss, NY 14024	Sheppard Rd Plant:	6.00
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Spallina Materials, Inc. P.O. Box 337, 1 Conlon Ave. Mt. Morris, NY 14510 Phone 658-2248	Cohocton Plant	7.00
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Todd Gadd  
County Superintendent of Highways

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

**ABRASIVE GRIT**

Bids opened August 20, 2019

Contract period – 9/01/19 – 8/31/20

<u>Town</u>	<u>Price/Ton @ Town Stockpile Location</u>	<u>Supplier</u>
Arcade	7.05	D & H Materials
Attica	10.20	D & H Materials
Bennington	9.40	Gernatt Asphalt
Castile	9.40	D & H Materials
Covington	11.45	D & H Materials
Eagle	8.15	D & H Materials
Gainesville	9.40	D & H Materials
Genesee Falls	10.45	Gernatt Asphalt
Java	8.15	D & H Materials
Middlebury	10.95	D & H Materials
Orangeville	9.40	D & H Materials
Perry	10.35	D & H Materials
Pike	8.70	D & H Materials
Sheldon	8.40	D & H Materials
Warsaw	10.05	D & H Materials
Wethersfield	9.00	D & H Materials

All materials for use in State/County stockpile will be delivered as shown.

Todd Gadd  
 County Superintendent of Highways

**ABRASIVE GRIT**  
**LOWEST TO HIGHEST BIDDERS**  
**2019-2020 SEASON**

<b><u>Arcade</u></b>	1. D & H Materials	7.05
	2. Gernatt Asphalt	8.00
	3. M & M Aggregates	10.90
	4. Spallina Materials	14.10
	5. Frey Sand & Gravel	17.65
<b><u>Attica</u></b>	1. D & H Materials	10.20
	2. Gernatt Asphalt	11.30
	3. M & M Aggregates	11.70
	4. Spallina Materials	14.10
	5. Frey Sand & Gravel	14.45
<b><u>Bennington</u></b>	1. Gernatt Asphalt	9.40
	2. D & H Materials	9.80
	3. M & M Aggregates	11.70
	4. Spallina Materials	14.40
	5. Frey Sand & Gravel	15.00
<b><u>Castile</u></b>	1. D & H Materials	9.40
	2. Gernatt Asphalt	9.70
	3. M & M Aggregates	10.80
	4. Spallina Materials	11.35
	5. Frey Sand & Gravel	17.15
<b><u>Covington</u></b>	1. D & H Materials	11.45
	2. M & M Aggregates	11.80
	3. Gernatt Asphalt	12.20
	4. Spallina Materials	13.40
	5. Frey Sand & Gravel	16.10
<b><u>Eagle</u></b>	1. D & H Materials	8.15
	2. Gernatt Asphalt	8.90
	3. M & M Aggregates	10.00
	4. Spallina Materials	12.90
	5. Frey Sand & Gravel	17.15
<b><u>Gainesville</u></b>	1. D & H Materials	9.40
	2. Gernatt Asphalt	10.05
	3. M & M Aggregates	10.60
	4. Spallina Materials	13.00
	5. Frey Sand & Gravel	17.65
<b><u>Genesee Falls</u></b>	1. Gernatt Asphalt	10.45
	2. Spallina Materials	11.45
	3. D & H Materials	11.95
	4. M & M Aggregates	12.00
	5. Frey Sand & Gravel	18.10
<b><u>Java</u></b>	1. D & H Materials	8.15
	2. Gernatt Asphalt	9.40
	3. M & M aggregates	10.00
	4. Spallina Materials	14.40
	5. Frey Sand & Gravel	16.60

**ABRASIVE GRIT**  
**LOWEST TO HIGHEST BIDDERS**  
**2019 - 2020 SEASON**

<b><u>Middlebury</u></b>	1. D & H Materials	10.95
	2. M & M Aggregates	11.50
	3. Gernatt Asphalt	11.95
	4. Spallina Materials	13.00
	5. Frey Sand & Gravel	16.45
<b><u>Orangeville</u></b>	1. D & H Materials	9.40
	2. Gernatt Asphalt	10.00
	3. M & M Aggregates	10.70
	4. Spallina Materials	13.15
	5. Frey Sand & Gravel	15.50
<b><u>Perry</u></b>	1. D & H Materials	10.35
	2. Gernatt Asphalt	11.20
	3. M & M Aggregates	11.70
	4. Spallina Materials	12.40
	5. Frey Sand & Gravel	16.10
<b><u>Pike</u></b>	1. D & H Materials	8.70
	2. Gernatt Asphalt	9.10
	3. M & M Aggregates	9.40
	4. Spallina Materials	12.45
	5. Frey Sand & Gravel	17.15
<b><u>Sheldon</u></b>	1. D & H Materials	8.40
	2. Gernatt Asphalt	9.80
	3. M & M Aggregates	10.50
	4. Spallina Materials	13.50
	5. Frey Sand & Gravel	16.00
<b><u>Warsaw</u></b>	1. D & H Materials	10.05
	2. Gernatt Asphalt	10.15
	3. M & M Aggregates	10.75
	4. Spallina Materials	11.60
	5. Frey Sand & Gravel	17.05
<b><u>Wethersfield</u></b>	1. D & H Materials	9.00
	2. Gernatt Asphalt	9.95
	3. M & M Aggregates	10.40
	4. Spallina Materials	14.00
	5. Frey Sand & Gravel	16.60
<b>Plant Price</b>	1. D & H Materials	3.75
	2. Gernatt Asphalt – Chaffee	4.15
	3. Gernatt Asphalt – Freedom & RT 16	5.20
	4. M & M – Sheppard Rd	6.00
	5. Spallina Materials	7.00
	6. Frey Sand & Gravel	10.50

**RESOLUTION NO. 19-386**  
**(September 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SAIA COMMUNICATIONS, 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 *Saia Communications, Inc.*, 100 Stratman Street, Buffalo, NY 14206 on behalf of County Highway. Said contract for the upgrading to a three (3) site simulcast system using existing Sheriff's MRT2000 analog simulcast equipment in an amount not to exceed six thousand four hundred dollars (\$6,400.00); effective September 10, 2019 through completion of project.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #30

**RESOLUTION NO. 19-387**  
**(September 10, 2019)**

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

**RESOLUTION NUMBER 19-078 AMENDED**

**WHEREAS**, Resolution Number 19-078 entitled, "CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WASTE MANAGEMENT OF NEW YORK, LLC ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)", passed by this Board of Supervisors on February 12, 2019 to provide garbage collection for the following Wyoming County Department/Buildings:

• Wyoming 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

September 10, 2019

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

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 19-078* be hereby amended to increase the contract amounts for the following County Departments/Buildings:

- *Wyoming Co. Courthouse Campus & Public Safety* \$3,016.00
- *Ag & Business Center* \$1,700.00

For a total contract amount not to exceed *seven thousand one hundred thirty-six dollars (\$7,136.00)*

All else remains the same.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #31

**RESOLUTION NO. 19-388**  
**(September 10, 2019)**

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

**MIKE POST APPOINTED TO THE TRAFFIC SAFETY BOARD**

**BE IT RESOLVED**, That *Mike Post* (T/Perry), P.O. Box 205, Perry, NY 14530 be hereby appointed to the Traffic Safety Board to fill a vacant, unexpired three (3) year term; effective September 10, 2019 through November 10, 2019; and be it

**FURTHER RESOLVED**, That *Mike Post* is also appointed as a member of the Traffic Safety Board for an additional term of three (3) years; effective November 11, 2019 through November 10, 2022.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

*There was a motion by Mr. Brick, T/Perry to combine resolutions #32 through #43. Hearing no objection, resolution titles were read.*

#32

**RESOLUTION NO. 19-389**  
**(September 10, 2019)**

Regular Session

By Mr. Brick, Chairman of the Finance Committee:

## **RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES**

**WHEREAS**, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2019-2020 school taxes to the County Treasurer for inclusion in the following year's town and county levy, and

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

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

**Carried: XXX    Ayes: 1497    Noes:    Absent: 102 (Sheldon)    Abstain: #33**

## **RESOLUTION NO. 19-390 (September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

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

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Foote and Meyer, PLLC***, 23 West Court Street, Warsaw, NY 14569 on behalf of the County Treasurer. Said contract is for legal services in preparation of Article 11 Tax Foreclosures in an amount not to exceed three hundred seventy-five dollars (\$375.00) per parcel; effective November 1, 2019 through October 31, 2022.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1497    Noes:    Absent: 102 (Sheldon)    Abstain:**

**RESOLUTION NO. 19-391**  
**(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**PROPERTY AUCTION SALES APPROVED**

**WHEREAS**, The County has acquired possession of full and complete title to the following parcels with the rights to prepare, execute and cause to be recorded a deed conveying to the assignee of the County of Wyoming the following parcels pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

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

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

<b>183.13-2-26</b>	<b><i>Robert T. Pace</i></b> , 356 North Street, Arcade, NY has offered \$10,800 for property located at 24 Prospect Street in the Town of Arcade
<b>183.14-4-13</b>	<b><i>George Hudson</i></b> , 6448 Stinson Road, Arcade, NY has offered \$35,500 for property located at 43 Allen Street in the Town of Arcade
<b>183.13-2-21</b>	<b><i>George Hudson</i></b> , 6448 Stinson Road, Arcade, NY has offered \$16,700 for property located at 19 Prospect Street in the Town of Arcade
<b>175.-1-42</b>	<b><i>Dennis Horner</i></b> , 2561 Sullivan Road, Arcade, NY has offered \$525 for property located at Sullivan Road in the Town of Arcade
<b>6.14-1-32</b>	<b><i>Robert E. Trombley Jr.</i></b> , 15 Edwards Street, #7, Batavia, NY has offered \$200 for property located at West Main Street in the Town of Attica
<b>6.11-3-46</b>	<b><i>Gerrit Knickerbocker</i></b> , 2512 Anderson Road, Linwood, NY has offered \$17,700 for property located at 66 Genesee Street in the Town of Attica
<b>34.-1-13</b>	<b><i>Jacob P. Webber</i></b> , 1391 Comet Road, Warsaw, NY has offered \$900 for property located at 1488 Comet Road in the Town of Attica

18.-1-16	<i>Stanely A. and Lynn A. Lyons</i> , 2445 Stedman Road, Attica, NY has offered \$2,700 for property located at 2431 Stedman Road in the Town of Bennington
29.-1-45	<i>Jeffrey and Kristin Ezzo</i> , 1942 Thomas Road, Varysburg, NY has offered \$15,100 for property located at 1271 Alleghany Road in the Town of Bennington
28.-2-15	<i>William Arthur Dellapenta</i> , 585 Schoellkopf Road, Cowlesville, NY has offered \$825 for property located at Schoellkopf Road in the Town of Bennington
11.-1-42	<i>American Holding Co., LLC</i> , 11167 Big Tree Road, East Aurora, NY has offered \$51,250 for property located at 384 Starr Road in the Town of Covington
176.-2-25.131	<i>Raymond Reifsteck</i> , 7357 McCall Road, Bliss, NY has offered \$250 for property located at Route 31 in the Town of Eagle
122.20-3-23	<i>Patrick J. Walden</i> , 36 Victory Avenue, Lackawanna, NY has offered \$2,150 for property located at 21 Benedict Street in the Town of Gainesville
132.-2-17.1	<i>Darcy Gaisser</i> , 770 West Ave, Brockport, NY has offered \$3,350 for property located at Hardy's Road in the Town of Gainesville
110.3-1-34	<i>Kevin and Pamela George</i> , 4422 Rt 19A, Silver Springs, NY has offered \$200 for property located at Route 19 in the Town of Gainesville
170.4-1-6	<i>Daniel F. and Cindy Bunch</i> , 4294 Bug Road, Warsaw, NY has offered \$200 for property located at West Main Street in the Town of Genesee Falls
105.3-2-11	<i>WNY Property Pros, LLC</i> , 733 Delaware Road, #202, Buffalo, NY has offered \$24,000 for property located at 2122 Perry Road in the Town of Java
105.3-2-38	<i>Thomas A. Smalley</i> , 94 Reist Street, Williamsville, NY has offered \$1,200 for property located at 4283 Route 98 in the Town of Java
139.-1-6	<i>Robert E. Trombley, Jr.</i> , 15 Edwards Street, #7, Batavia, NY has offered \$525 for property located at 5612 Curriers Road in the Town of Java
129.-1-44	<i>David Elliot Watkins</i> , 3 North Addition Road, Arcade, NY has offered \$1,325 for property located at Java Lake Road in the Town of Java
140.8-6-18	<i>Mathias A. Lock</i> , 10 Glenwood Drive, Arcade, NY has offered \$250 for property located at Block F in the Town of Java
100.8-3-66	<i>Cindy Ricotta</i> , 58 Gardeau Street, Perry, NY has offered \$33,500 for property located at 62 Gardeau Street in the Town of Perry

76.-1-19	<i>Shaun Dempsey</i> , 2461 Silver Lake Road, Perry, NY has offered \$25,500 for property located at 2414 Silver Lake Road in the Town of Perry
158.-1-65.13	<i>Gordon Stephens Jr.</i> , 113 Warsaw Blvd, Lot 40, Silver Springs, FL has offered \$200 for property located at Lamont Road in the Town of Pike
80.2-1-23	<i>Jill Welfare</i> , 2930 Sweet Home Road, Amherst, NY has offered \$30,500 for property located at 18 Hemlock Lane in the Town of Sheldon
81.-1-48	<i>Richard and Geraldine Panicali</i> , 1271 Rice Road, Elma, NY has offered \$3,500 for property located at 3011 Route 98 in the Town of Sheldon
85.11-2-30	<i>Jacob P. Bernard</i> , 3243 Beardsley Road, Perry, NY has offered \$40,000 for property located at 142 Liberty Street in the Town of Warsaw
97.-2-28.12	<i>Savannah Rose Till, LLC</i> , 4757 Jordan Road, Silver Springs, NY has offered \$10,500 for property located at 5354 Mungers Mill Rd in the Town of Warsaw

Now therefore,

**BE IT RESOLVED**, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before October 11, 2019.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #35

**RESOLUTION NO. 19-392**  
**(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-157 AMENDED**

**WHEREAS**, Resolution Number 19-157 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**," passed by this Board of Supervisors on March 12, 2019 and provides, in part, for the following contracts:

- *Integrity Locums*, 5588 Broadcast Court, Sarasota, FL 34240 related to Regular Session

locum tenens physician recruitment in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00) per year; effective July 27, 2018 through July 26, 2021.

- **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 dollars (\$96,500.00); effective March 12, 2019 through March 31, 2020.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 19-157*** be hereby amended as follows:

- **Integrity Locums**, 5588 Broadcast Court, Sarasota, FL 34240 related to locum tenens physician recruitment as follows:
  - Increase the not to exceed amount from \$150,000.00 per year to an amount ***not to exceed \$325,000.00 per year***.
- **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), Project # 2019029.00 as follows:
  - Increase the amount from not to exceed \$96,500.00 to an amount ***not to exceed \$96,500.00 plus expenses***.

All else remains the same.

**Carried: XXX    Ayes: 1497    Noes:    Absent: 102 (Sheldon)    Abstain: #36**

**RESOLUTION NO. 19-393  
(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

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

September 10, 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:

- ***Barton & Associates, Inc.***, 300 Jubilee Drive, Peabody, MA 01960 to provide placement of temporary locum tenens providers in an amount not to exceed sixty thousand dollars (\$60,000.00) per year; effective August 16, 2016 through August 15, 2021.
- ***Supplemental Health Care***, 1640 West Redstone Center Drive, Suite 200, Park City, Utah 84098 for temporary staffing in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective June 14, 2019 through May 31, 2021.
- ***Aureus Medical Group***, 13609 California Street, Omaha, NE 68154-5260 to fill vacant RN positions in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00) per year; effective September 1, 2019 through August 30, 2020.
- ***Dale L. Deahn***, 42 Mount View Drive, Arcade, NY 14009 to lease the premises located at 401-403 Main Street, Arcade, NY 14009 in an amount not to exceed one thousand five hundred eighty-six dollars and sixty-eight cents (\$1,586.68) per month; effective July 15, 2019 through January 31, 2020.
- ***John Karpie, MD***, 17 Cumberland Street, Lancaster, NY 14086 to provide orthopaedic services in an amount not to exceed two hundred twenty thousand dollars (\$220,000.00) per year; effective November 1, 2019 through October 31, 2021 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.
- ***Catholic Health***, 144 Genesee Street, 6<sup>th</sup> Floor, Buffalo, NY 14203 to provide Physician Assistant to assist in providing the orthopaedic services to the Hospital's patients in the Hospital's Orthopaedic Clinic in an amount not to exceed twenty-six thousand dollars (\$26,000.00) per year; effective November 1, 2019 through October 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:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #37

**RESOLUTION NO. 19-394**  
**(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

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

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

- ***D/V Brown & Associates, Inc.***, 567 Vickers Street, Tonawanda, NY 14150 for PEET Mechanical Room HVAC and electrical upgrades in an amount not to exceed two hundred sixty-two thousand eight hundred dollars (\$262,800.00); effective September 11, 2019 through December 31, 2019.
- ***Jeffrey Ellis Carl Cabinetmakers, Inc.***, 725 Culver Road, Rochester, NY 14609 for the dietary millwork project in an amount not to exceed of fifty-two thousand one hundred seventy-three dollars (\$52,173.00); effective September 11, 2019 through December 31, 2019.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #38

**RESOLUTION NO. 19-395**  
**(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-346 AMENDED**

September 10, 2019

**WHEREAS**, Resolution Number 19-346 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on August 13, 2019 and provides, in part, for the following contract:

- ***Dean M. Brewer, Jr, DO***, 26024 Liberty Avenue, Watertown, NY 13601 to provide family practice services in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year; effective April 1, 2020 through March 31, 2023 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 19-346*** be hereby amended to include the payment of a one-time stipend in the amount of thirty-six thousand dollars (\$36,000.00) upon the April 1, 2020 start date.

All else remains the same.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** #39

**RESOLUTION NO. 19-396**  
**(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH MICHAEL LOY, DO ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**BE IT RESOLVED**, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign an Employment Agreement – Salary Schedule “P” with ***Michael Loy, DO***, 3156 Fowlerville Road, Bloomsburg, PA 17815 on behalf of the Wyoming County Community Health System. Said contract to provide family practice and sports medicine medical services in an amount not

to exceed two hundred thirty thousand dollars (\$230,000.00) plus a one-time stipend of eight thousand dollars (\$8,000.00); effective November 1, 2019 through December 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: 1497    Noes:    Absent: 102 (Sheldon)    Abstain: #40**

**RESOLUTION NO. 19-397  
(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL  
AGREEMENTS WITH VARIOUS WYOMING COUNTY TOWNS FOR  
COUNTYWIDE ASSESSING SERVICES**

**WHEREAS**, The Wyoming County Board of Supervisors offers Countywide Assessing Services, in accordance with Real Property Tax Law §1537, 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 Inter-Municipal Agreements with the Towns of Covington, Eagle, Gainesville, Java, Orangeville, Pike, Sheldon, Warsaw and Wethersfield to participate in the Countywide Assessing Services Program in accordance with the fee schedule negotiated with each municipality; effective October 1, 2019 through September 30, 2022.

**Carried: XXX    Ayes: 1497    Noes:    Absent: 102 (Sheldon)    Abstain: #41**

**RESOLUTION NO. 19-398  
(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES "S", "X" AND "P" AMENDED**

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

September 10, 2019

**Salary Schedule "S":*****Board of Elections***

- Set a \$500.00 stipend for two (2) ***Voting Machine Custodians*** for each early voting event; effective September 10, 2019.

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

- Increase the salary of the ***Medical Biller*** position (12.185.473) under WYOMING COUNTY FAMILY MEDICINE – ARCADE from \$16.16 per hour to \$17.25 per hour; effective July 28, 2019.
- Set the salary of the ***Medical Office Assistant*** position (12.186.480) under WYOMING COUNTY FAMILY MEDICINE – ARCADE at a range of \$13.33 to \$17.50 per hour; effective July 24, 2019.
- Set the salary of the ***Medical Receptionist*** position (12.191.153) under WYOMING COUNTY FAMILY MEDICINE – ARCADE at a range of \$13.33 to \$17.50 per hour; effective July 24, 2019.
- Set the salary of the ***Medical Receptionist*** position (12.193.153) under WYOMING COUNTY FAMILY MEDICINE – O'DELL at a range of \$13.33 to \$17.50 per hour; effective July 24, 2019.
- Set the salary of the ***Registered Nurse*** position (03.885.209) under WYOMING COUNTY FAMILY MEDICINE – O'DELL at \$24.50 per hour; effective July 22, 2019.
- Increase the salary of the ***Licensed Practical Nurse*** position (04.580.147) under WYOMING COUNTY FAMILY MEDICINE – O'DELL from \$17.17 per hour to \$20.00 per hour; effective July 28, 2019.
- Set the salary of the ***Medical Receptionist*** position (12.194.153) under WYOMING COUNTY FAMILY MEDICINE – WARSAW at a range of \$13.33 to \$17.50 per hour; effective July 24, 2019.
- Set the salary of the ***Registered Nurse*** position (03.886.209) under WYOMING COUNTY FAMILY MEDICINE – WARSAW at a range of \$20.00 to \$25.00 per hour; effective July 24, 2019.
- Set the salary of the ***Registered Nurse*** position (03.887.209) under WYOMING COUNTY FAMILY MEDICINE – WARSAW at a range of \$20.00 to \$25.00 per hour; effective July 24, 2019..

- Set the salary of the Licensed Practical Nurse position (04.581.147) under WYOMING COUNTY FAMILY MEDICINE – WARSAW at a range of \$17.78 to \$20.34 per hour; effective July 24, 2019.
- Set the salary of the **Licensed Practical Nurse** position (04.582.147) under WYOMING COUNTY FAMILY MEDICINE – WARSAW at a range of \$17.78 to \$20.34 per hour; effective July 24, 2019.
- Set the salary of the **Licensed Practical Nurse** position (04.583.147) under WCCHS ORTHOPAEDIC CLINIC at \$20.00 per hour; effective July 24, 2019.
- Place one (1) position of **Licensed Practical Nurse** position under WCCHS OB/GYN CLINIC and set the salary at a range of \$17.78 to \$20.34 per hour, effective July 28, 2019.
- Change to the salary of the *Physician's Assistant* position (17.117.067) under WYOMING COUNTY FAMILY MEDICINE – O'DELL from a salaried position to an hourly position and set the hourly rate at \$47.34.

#### **Salary Schedule “P”:**

##### ***Wyoming County Community Health System***

- Set the start date for the ***Family Practice and Maternity Physician Provider*** (Position Code #10.103.586) under FAMILY PRACTICE at July 18, 2019.
- Set the start date for the ***Family Practice Physician Provider*** (Position Code #10.105.587) under FAMILY PRACTICE at September 3, 2019.
- Place a ***Stipend for the Family Practice Physician Provider*** (Position Code #10.106.587) under FAMILY PRACTICE and set the amount at \$36,000.00, one-time upon start date of April 1, 2020.
- Place one position of ***Family Practice and Sports Medicine Physician Provider*** (Position Code #10.109.612) under FAMILY PRACTICE and set the salary at \$230,000.00 per year. Position available date is November 1, 2019.
- Place a ***Stipend for the Family Practice and Sports Medicine Physician Provider*** (Position Code #10.109.612) under FAMILY PRACTICE and set the amount at \$8,000.00, one-time upon start date of November 1, 2019

**Carried:** XXX   **Ayes:** 1497   **Noes:**      **Absent:** 102 (Sheldon)   **Abstain:**

**RESOLUTION NO. 19-399**  
**(September 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**WYOMING COUNTY VEHICLE USE POLICY APPROVED**

**BE IT RESOLVED**, That the Wyoming County Vehicle Use Policy offered to this Board of Supervisors is hereby approved as presented and annexed hereto; and be it

**FURTHER RESOLVED**, That this policy supersedes the Vehicle Use Policy authorized by Resolution Number 96-123.

**Carried:** XXX    **Ayes:** 1497    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:**

**WYOMING COUNTY  
POLICY AND PROCEDURE**

<b>EFFECTIVE DATE:</b> 09/10/ 2019	<b>REVIEWED BY:</b> (Individuals/Committees)	<b>SOURCES:</b> NYS Use of State Owned Vehicles Policy
<b>Use of State Owned Vehicles</b>	<b>PREPARED BY:</b> Lisa Perez, Deputy Clerk Board of Supervisors	<b>SUPERSEDES:</b> Res. No. 96-123
<b>CHIEF EXECUTIVE OFFICER'S SIGNATURE:</b>		<b>REFERENCES:</b> Approved by the Board of Supervisors on 09/10/ 2019; Resolution Number 19-399

**POLICY:                    WYOMING COUNTY VEHICLE USE POLICY**

**I.                    PURPOSE:**

The purpose of this Wyoming County Vehicle Use Policy is to set forth a uniform countywide policy that outlines the general rules, guidelines and restrictions or limitations with respect to the use of County vehicles.

This Policy applies to all employees who work for Wyoming County. Violations of this Policy may subject an employee to disciplinary action, up to and including termination.

Employees of the County may also be subject to supplemental department vehicle use requirements. In the event of a conflict between this Vehicle Use

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Policy and any supplemental department vehicle use requirements, the terms and conditions of this Policy shall control.

## II. DEFINITIONS

1. **County** shall mean the County of Wyoming.
2. **Policy** shall mean this Wyoming County Vehicle Use Policy.
3. A **County Vehicle**, including any equipment, shall mean as any vehicle owned by the County, or any vehicle leased or rented by the County, department or employee acting as an agent of the department for official County business.
4. A **Department Head** shall mean an individual employed by the **County** to be in charge of and responsible for a specific office, division or department.
5. A **County Employee** shall mean an individual employed by the **County** who reports to a specific Department Head of a specific office, division or department.

## III. GENERAL POLICY

Each **Department Head** is responsible for seeing that any **County Employee** that has occasion to use a **County Vehicle** receives a copy of this **Policy**, and that they have signed the Acknowledgement of Receipt. A copy of the executed Acknowledgement of Receipt form shall be sent to the Human Resource Department.

## IV. ACKNOWLEDGEMENTS

The **Department Head** shall be responsible to ensure that no **County Employee** is allowed to operate a **County Vehicle** until the **County Employee** has been provided with a copy of this **Policy** and has acknowledged in writing that he or she has received and read said **Policy**.

Each **Department Head** with vehicles assigned to his/her department shall be responsible to keep a current inventory of said vehicles along with original titles, current registrations and proofs of insurance.

## V. MOTOR VEHICLE ASSIGNMENTS

Assignments will be designated as one of the following types:

1. Take Home Use Assignment:

a. Authorizes a ***County Employee*** to utilize a ***County Vehicle*** for all legitimate ***County*** business, in and around the ***County***, between the ***County Employee***'s home and work site and for approved day or overnight travel arrangements outside of the ***County***. ***County Vehicles*** may only be assigned for take home use when the ***County Employee*** and ***County Vehicle*** meet one or more of the following requirements:

- The ***County Employee***'s job requires that he/she be on 24-hour crisis call; or
- The ***County Employee*** is only able to respond to the crisis with the use of a specially equipped ***County Vehicle***; or
- Frequent "call-ins" to respond to emergency situations based on the technical skills or supervisory status of the ***County Employee***; or
- ***County Vehicle*** carries radio and other specialized equipment frequently needed to respond to emergencies.
- The ***County Employee***'s job requires that he/she be able to respond to his/her job duties on a timely basis including when a ***County Employee*** has authorized day or overnight travel planned for the following day.

2. Departmental Pool Daily Assignment:

- a. Each ***Department Head***, or designee, shall have the ability to assign ***County Vehicles***, within the department's pool during normal working hours.

3. Sheriff Department Patrol Vehicles:

- a. Will follow the Standard Operating Procedures as developed by the Wyoming County Sheriff on usage and assignment of Patrol Vehicles.

## **VI. ELIGIBILITY FOR USE OF COUNTY VEHICLES**

1. Every ***County Employee*** assigned a ***County Vehicle*** must have a valid driver's license of the class required for the vehicle being operated.

2. Any **County Employee** scheduled or directed to operate a **County Vehicle** is required to report any restrictions to their driver's license imposed as a result of physical impairment, or driving violations, or the suspension or revocation of their driver's license to their **Department Head** prior to operating any **County Vehicle**.
3. No person shall be allowed to operate a **County Vehicle** if there has been a change in licensure that restricts driving privileges, unless the operation of the **County Vehicle** complies with such restrictions. Furthermore, the **County** retains the right to require any person using a **County Vehicle** to participate in a safe driving program.
4. The **County** will participate in the License Event Notification Services (LENS) Program administered by the New York State Department of Motor Vehicles in order to receive reports of driver license revocations, suspensions or restrictions. All notifications will be received by the Human Resource Director.
5. Any and all use or assignment of **County Vehicles** must first be authorized or approved by a **Department Head**, or his or her designee.

## **VII. MOTOR VEHICLE USE REQUIREMENTS AND RESTRICTIONS**

1. **County Vehicles** must at all times be operated in full compliance with all applicable Federal, State and local laws and regulations.
2. Use of seat belts by drivers and all passengers, regardless of seating locations, in **County Vehicles** is mandatory.
3. Smoking is prohibited in all **County Vehicles**.
4. The use or possession of radar detectors in **County Vehicles** is strictly prohibited.
5. No person driving a **County Vehicle** may use a mobile telephone or other electronic communication devices (e.g., cellular telephones, etc.) to engage in a telephone call while driving unless the mobile telephone or other electronic communication device is used in hands-free mode. Even hands-free calling should be conducted only if it does not interfere with the safe operation of the vehicle. No person driving a **County Vehicle** shall send or view emails or text messages while driving.

6. Any **County Employee** under the influence of alcohol, a controlled substance or other intoxicating substance/agent while operating a **County Vehicle**, shall face all legal ramifications, as well as disciplinary action, including but not limited to termination.
7. **County Employees** are not permitted to operate a **County Vehicle** while under the influence of any medication that may impair his or her ability to operate a motor vehicle. Any **County Employee** under medication, or who may have any other condition that would impair their ability to drive, must immediately notify his or her **Department Head**.
8. All persons are prohibited from carrying, possessing, or transporting firearms, other weapons, or explosive devices in a **County Vehicle** unless expressly authorized to do so in connection with carrying out their official duties.
9. Each **County Employee** assigned a **County Vehicle**, and those using their personal vehicles in pursuit of **County** business, must observe all applicable laws of the State of New York, as well as any additional regulations of the **County**. Rules and regulations may differ, however, drivers are required to exercise due caution and care in travel at all times.
10. The use of personal radios or tape recorders that impairs normal hearing for the safe operation of a **County Vehicle** is strictly prohibited.
11. All **County Vehicles** shall be locked when not in use or when unattended. Each **County Employee** assigned a **County Vehicle** is ultimately responsible for the location, condition, contents and utilization of their assigned **County Vehicle** during such assignment.
12. Should a **County Employee** who is assigned a **County Vehicle** on a take home use assignment basis be on a personal leave, military leave or vacation for more than two (2) days, the **County Vehicle** shall be secured in a safe place with arrangements made with the **County Employee's Department Head** to pick-up the vehicle during the **County Employee's** absence should it be needed.
13. An operator of a **County Vehicle**, except for emergency service vehicles, shall not leave it unattended without stopping the vehicle, locking the ignition and removing the keys.
14. Payment and/or resolution of any ticket (e.g., parking, speeding, accident, etc.) that are issued against any **County Vehicle** or **County Employee** operating the **County Vehicle** are solely the responsibility of

the driver who was operating the ***County Vehicle*** at the time the ticket was issued. The ***County*** will not reimburse any staff member for such ticket fines or fees incurred.

## **VIII. USE OF COUNTY VEHICLES**

1. ***County Vehicles*** may only be used in the conduct of official ***County*** business, and their use for any personal business is strictly forbidden except under very limited circumstances where personal use, such as commuting, has been approved by the Standing Committee said ***Department Head*** assigned the vehicle reports to. Even in cases where personal use is authorized or is incidental to official ***County*** business, each ***County Employee*** operating a ***County Vehicle*** is expected to exercise good judgment to avoid all appearances of impropriety.
2. Non-County personnel are not permitted in ***County Vehicles*** under any circumstance, unless expressly authorized by his or her ***Department Head*** and the Standing Committee the ***Department Head*** reports to and shall not be used to transport passengers unless they are:
  - a. ***County employees*** engaged in official ***County*** business;
  - b. Non-County employees engaged in official ***County*** business with ***County Employees***; or
  - c. Inmates, parolees, or absconders in the control or custody of the ***County's*** Sheriff's Department.
3. Unless specifically authorized above, any person driving a ***County Vehicle*** must be a ***County Employee*** or other person expressly authorized by the Standing Committee the ***Department Head*** issued the ***County Vehicle*** reports to and who is doing so in the performance of their duties or for the sole purpose of providing services to the ***County***.
4. Due to the public nature of the work being performed when operating a ***County Vehicle***, persons using a ***County Vehicle*** have a limited expectation of privacy in connection with such use. The ***County*** expressly reserves the right to monitor and record the use of any equipment issued or assigned for a legitimate work-related purpose, including the use of ***County Vehicles***. Accordingly, the use of a ***County Vehicle*** may be monitored and recorded at any time by visual, documentary, or electronic means.

## **IX. VEHICLE ACQUISITION/TRANSFER PROHIBITED**

In no event shall any **County Employee** or **Department Head** acquire or transfer to another Department or to another employee, a **County Vehicle** without prior written approval from the Standing Committee the **Department Head** reports to monthly.

## **X. ACCIDENT REPORTING**

1. Any vehicular accident, injury, loss, theft or damage in and/or to a **County Vehicle**, or any accident or injury in a personal vehicle while performing **County** work related business, must be immediately reported to the **County Employees' Department Head**, the appropriate law enforcement agencies (i.e. 911 emergencies) and the Office of the Board of Supervisors. A police report must be filed for all accidents involving **County Vehicles** regardless of seriousness or fault, except those instances involving minor accidents on **County** property.
2. WARNING: If an accident occurs while the **County Employee** is using a **County Vehicle** outside of the scope of his/her vehicle assignment designation, in violation of any of the rules and regulations set forth in this **Policy**, such **County Employee** shall be held personally liable for any damage to the property or injury to any person occurring as a result of such use of the **County Vehicle**.

## **XI. INSPECTION, CARE AND MAINTENANCE OF VEHICLES**

1. The **County** Highway Department is responsible for the inspection, care and maintenance of all **County Vehicles**.
2. Gas and oil for all **County Vehicles** shall be obtained from the **County** facilities located at the Highway Department. **County Employees** will not be reimbursed for gas or oil purchased from private garages, except when the **County Vehicle** has been authorized for an official trip outside the **County**, or in cases of emergency subject to departmental procedures.
3. If a **County Employee** notices, while operating a **County Vehicle** that it is in need of repair, he/she is responsible for reporting this to the **County** Highway Department. If a **County Vehicle** is deemed unsafe, the **County Employee** shall not operate the vehicle, and shall immediately notify the **Department Head**.

## **XII. VEHICLE IDENTIFICATION**

All owned or lease **County Vehicles** should be marked, with the exception of the

**County Vehicles** assigned to the Sheriff, Undersheriff, Captain, Investigators and **County Vehicles** used in undercover work.

1. The format of marking the general service **County Vehicles** is as follows:
  - a. Both doors are to be marked with the County Seal except where special permission is granted by the Standing Committee to do otherwise.
  - b. A number will also be issued and applied to the **County Vehicles**. Special additional markings can be approved by the Standing Committee.
  - c. Marked Sheriff Department **County Vehicles** shall have markings as authorized by the Sheriff.
  - d. The Administrative **County Vehicle** of the Office of Emergency Services shall be lettered rather than display the County Seal.
2. No personal accessories, emblems or bumper stickers are to be attached to any **County Vehicle**.
3. The **County Seal** shall not be placed on any vehicle not owned by or leased to the **County**.

### **XIII. CONSEQUENCES OF VEHICLE USE POLICY VIOLATION**

Violations of this policy may subject you to disciplinary action, up to and including termination.

### **XIV. OTHER APPLICABLE GUIDELINES**

The Travel and Expense Guideline Policy shall be referenced, specifically Section 6.0 – Other Transportation, in conjunction with the application of this **Policy** for other usage requirements currently in effect for **County Vehicles**.

### **ACKNOWLEDGEMENT OF RECEIPT OF THE WYOMING COUNTY VEHICLE USE POLICY**

I hereby acknowledge that I have received and read the *Wyoming County Vehicle Use Policy* dated \_\_\_\_\_ and agree to abide by all terms and conditions contained therein.

NAME \_\_\_\_\_ LICENSE # \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Copies to:      Department Head  
                   Human Resource  
                   Employee

#43

**RESOLUTION NO. 19-400  
 (September 10, 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:**

***Buildings & Grounds (Co. Bldgs.)***

- One (1) position of ***Building Maintenance Mechanic (Temporary)*** following CSEA Schedule B, Job Grade 9 at \$18.57/hr. - \$20.52/hr. Position available date is September 11, 2019 through December 31, 2019.

**Carried: XXX    Ayes: 1497    Noes:    Absent: 102 (Sheldon)    Abstain:**

*The Chairman reminded the Supervisors of the class photo being taken directly after the board meeting today out on the front steps.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:10 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

**REGULAR SESSION****(October 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 Supervisor Hasting, T/Eagle. Also present were County Attorney, Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

**Michael E. Smith**

Mr. Smith was born in August of 1955 and graduated from Attica Central School in 1974. He enlisted in the United States Army at the age of 18 and completed basic training at Fort Knox, Kentucky.

After basic training, Mr. Smith was held at Fort Knox for medical re-evaluation and was released from active duty serving 4 months and 26 days. Fort Knox uniquely boasts the sole responsibility for all soldier career management, from swearing in to departing service, and is one of the most multifunctional installations in the United States Army.

For his service to his Country, Mr. Smith received the National Defense Service Medal.

After his enlistment, Mr. Smith worked at Monroe Games in Arcade. He married his high school sweetheart, Deborah, in 1976 and together they have two boys, one of whom is a Sergeant in the United States Army and currently stationed at Fort Drum, New York.

Also in 1976, Mr. Smith started working at Almor in Warsaw, becoming part of their Research and Development Department before it closed in 1993. He began his first term as a Wyoming County Coroner in 1984 and continues in that capacity today. Mr. Smith has served on the Village of Wyoming Board as a Trustee since 1988 and has held the Deputy Mayor position since 2014.

Mr. Smith was a member of the North Java Fire Department from 1973 to 1980

when he transferred to the Wyoming Fire Department. He has held many positions including Fire Chief, and his current position of Assistant Chief.

In true entrepreneurial spirit, Mr. Smith opened his own business in 1993, called "Smith's Checkout Services", and worked on the machines Almor made. Ten years ago, he started a fireworks company that provides dazzling displays at Darien Lake Theme Park.

Mr. Smith is a member of the Warsaw Masonic Lodge, as well as, the current Commander of the American Legion Bostian Rowe Post 1849. Thanks to his efforts, Wyoming Post 1849 just recently had its first meeting since the 1980's.

*The pledge was said by all.*

*Chairman Berwanger was joined by Middlebury Supervisor, D. Leuer for the presentation of the customary certificate of appreciation to Mr. Smith and an opportunity to address the Board. At which time, Mr. Smith graciously accepted the certificate was offered an opportunity to address the Board. He thanked the Board for allowing him to represent area veterans in support of their sacrifice to their country...*

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

#### **Opening Prayer ~**

- *Provided by the Rev. Daryn Duff from the Rock Glen Baptist Church to offer a prayer for the meeting.*

#### **Communications ~**

- *None*

#1

### **RESOLUTION NO. 19-401 (October 8, 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:

<b>Public Health</b>			
<b>From:</b> 01.38.4051.2.20201 Computer Equip	\$8,400.00		
<b>To:</b> 01.38.4051.4.41111 Computers		\$5,800	
01.38.4051.4.41410 Software		1,600	
01.38.4051.4.41010 Office Supplies		1,000	

Regular Session

<b>Reason:</b> Transfer budgeted funds from capital to more appropriate expense lines based on cost thresholds.			
	<b>Public Health Total</b>		<b>\$8,400.00</b>
<b>District Attorney</b>			
<b>From:</b> 01.32.1168.8.81001 Retirement 01.32.1168.8.85001 Medicare – FICA 01.32.1168.8.83001 FICA <b>To:</b> 01.32.1168.4.41010 Office Supplies	\$24.50 1.82 7.78	\$34.10	
<b>Reason:</b> To spend out grant funds.			
	<b>District Attorney</b>		<b>\$34.10</b>
<b>Jail</b>			
<b>From:</b> 01.37.3150.4.41417 Locks and Cameras 01.37.3150.4.41803 Inmate housing <b>To:</b> 01.37.3150.2.20701 Equipment	\$20,000.00 15,000.00	\$35,000.00	
<b>Reason:</b> To cover purchase of a new metal detector and replacing the Livescan machine.			
	<b>Jail Total</b>		<b>\$35,000.00</b>
<b>Jail Kitchen</b>			
<b>From:</b> 01.37.3152.8.89001 Health Ins 01.37.3152.8.89002 HRA 01.37.3152.4.41401 Maint Agree <b>To:</b> 01.37.3152.1.10101 CSEA FT 01.37.3152.1.10201 CSEA PT 01.37.3152.1.10301 OT 01.37.3152.1.10302 OT – SCH S 01.37.3152.1.10602 Ins Buy-out	\$22,000.00 8,000.00 2,361.61	\$16,045.12 11,316.48 400.00 4,400.00 200.01	
<b>Reason:</b> To cover shortages in salaries.			
	<b>Jail Kitchen Total</b>		<b>\$32,361.61</b>
<b>Zoning</b>			
<b>From:</b> 01.37.3620.1.10001 Salaries S/D/I <b>To:</b> 01.48.8021.1.10001 Salaries S/D/I	\$7,500.00	\$7,500.00	
<b>Reason:</b> To cover shortages in Zoning salaries. Amount was budgeted in Building Codes but not charged.			
	<b>Zoning Total</b>		<b>\$7,500.00</b>

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

#2

**RESOLUTION NO. 19-402**  
**(October 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:

October 8, 2019

<b>Information Technology</b>			
<b>To:</b> 01.34.1681.4.41410 Software w/01.03.1681.1289 Other Dept. Income <b>Reason:</b> To cover additional software expenses.	\$11,000.00	\$11,000.00	
<b>Information Technology Total</b>			<b>\$11,000.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.1.10601 Unused Benefit Time <i>w/any funds available</i> <b>Reason:</b> To fund the buyback of accrued vacation hours not figured into this year's budget.	\$430.05	\$430.05	
<b>To:</b> 01.46.7510.4.42301 Books/Publications 01.46.7510.4.41202 Printing 01.46.7510.4.41010 Office Supplies w/01.09.7510.2705 Gifts/Donations <b>Reason:</b> Donation from the Thomas W. Perry Irrevocable Family Trust.	\$300.00 300.00 400.00	\$1,000.00	
<b>Historian Total</b>			<b>\$1,430.05</b>
<b>Veterans Services</b>			
<b>To:</b> 01.43.6510.4.40503 Gasoline w/01.09.6510.2705 Donations <b>Reason:</b> G. Patridge donation to buy gas for new van.	\$500.00	\$500.00	
<b>Veterans Services Total</b>			<b>\$500.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4325.4.42409 Advocacy Services 01.38.4325.4.42441 Misc. MH Program 01.38.4325.4.42414 Respite Care 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42445 Supported Apt 01.38.4325.4.42419 Drop In 01.38.4325.4.42468 Transportation Program w/01.11.4325.3490 MH State Aid <b>Reason:</b> State aid adjustment.	\$2,083.00 1,238.00 57.00 1,527.00 3,119.00 1,067.00 1,677.00	\$10,768.00	
<b>To:</b> 01.38.4323.4.42409 Advocacy Services 01.38.4323.4.42420 Psycho/Social 01.38.4323.4.42411 PAO 01.38.4323.4.42412 Forensic Case Management w/01.11.4323.3490 MH State Aid <b>Reason:</b> State aid adjustment.	\$758.00 1,135.00 10.00 1,850.50	\$3,753.50	
<b>Mental Health Total</b>			<b>\$14,521.50</b>
<b>Animal Control</b>			
<b>To:</b> 01.37.3510.8.89001 Health Insurance 01.37.3510.8.89002 HRA – Employee 01.37.3510.4.40507 Highway Dept. Repair w/01.09.3510.2705 Donations <i>w/any funds available</i> <b>Reason:</b> To cover the cost of the health insurance option change from single to family and cost of cap installation on the new truck (more than originally quoted).	\$2,980.00 5,000.00 1,300.00	\$900.00 8,380.00	
<b>Animal Control Total</b>			<b>\$9,280.00</b>
<b>Jail Kitchen</b>			
<b>To:</b> 01.37.3152.2.20701 Institutional Equipment <i>w/any funds available</i> <b>Reason:</b> To purchase tilt-skillet for kitchen.	\$7,000.00	\$7,000.00	
<b>Jail Kitchen Total</b>			<b>\$7,000.00</b>

Emergency Services			
To: 01.37.3645.2.20101K Telecommunications 01.37.3645.4.41410K Software Purchase w/01.12.3645.43890K Federal Aid HSG2019	\$16,753.50 35,731.50	\$52,485.00	
<b>Reason:</b> To appropriate FY2019 SHSP grant funding for purchase of all band radios and renewal access to <a href="http://IamResponding.com">IamResponding.com</a> .			
<b>Emergency Services Total</b>			<b>\$52,485.00</b>

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$1,950,184.21** for the month of **September 2019**.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #3

**RESOLUTION NO. 19-403**  
**(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ESSVR,  
LLC (F/K/A ELECTION SYSTEMS & SOFTWARE, LLC)  
ON BEHALF OF THE BOARD OF ELECTIONS**

**WHEREAS**, Resolution Number 01-138 passed by this Board of Supervisors on May 8, 2001 provides for a service agreement with ***Election Systems & Software, LLC***, which is now known as ***ESSVR, LLC***, and contains a provision for software maintenance upgrades for an annual fee; now therefore

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***ESSVR, LLC (f/k/a Election Systems & Software, LLC)***, 11128 John Galt Boulevard, Suite 200, Omaha, NE 68137 on behalf of the Board of Elections. Said contract is for annual software maintenance upgrades in an amount not to exceed five thousand five hundred four dollars and seventy-five cents (\$5,504.75); effective December 1, 2019 through November 30, 2020.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #7. Hearing no objection, resolution titles were read.*

#4

**RESOLUTION NO. 19-404  
(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH TOMMIE POMEROY 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 the *Tommie Pomeroy*, 11198 Lapp Road, Fillmore, NY 14735 on behalf of the Youth Bureau. Said contract is for pre-school related services in an amount not to exceed 2019 ~ 2021 budget; effective October 1, 2019 through June 30, 2021.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

#5

**RESOLUTION NO. 19-405  
(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH THE WARSAW CENTRAL SCHOOL DISTRICT 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 the following contracts with the *Warsaw Central School District*, 81 West Court Street, Warsaw, NY 14569 on behalf of the Youth Bureau:

- ***Pre-School Related Services*** in an amount not to exceed 2019 ~ 2021 budget; effective September 1, 2019 through June 30, 2021
- ***Pre-School Special Education Programs*** in an amount not to exceed 2019 ~ 2021 budget; effective September 1, 2019 through June 30, 2021

Regular Session

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #6

**RESOLUTION NO. 19-406**  
**(October 8, 2019)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A CONTRACT WITH SHRED-IT USA, LLC ON BEHALF OF  
THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, Resolution Number 14-321 passed by this Board of Supervisors on October 14, 2014 provides for a service agreement with *Cintas Corporation* and *Shred-It USA, LLC*, which contains a provision for automatic renewals for additional terms of the same duration; now therefore

**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 *Shred-It USA, LLC*, 28883 Network Place, Chicago, IL 60673-1288 on behalf of the Department of Social Services. Said contract is for assured destruction of confidential documents in an amount not to exceed thirteen thousand five hundred twenty dollars (\$13,520.00); effective September 30, 2019 through September 30, 2024.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #7

**RESOLUTION NO. 19-407**  
**(October 8, 2019)**

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

**DOMESTIC VIOLENCE AWARENESS MONTH PROCLAIMED**

**WHEREAS**, Domestic violence affects all residents of Wyoming County, and its damage is inflicted not only upon victims, but their children, families and communities; sadly, one in four individuals suffer abuse at the hands of their partner and these victims can be of any age, race, religion, gender

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or economic status, and can endure extreme suffering and possible long-term harm; and

**WHEREAS**, Wyoming County through its domestic violence programs take decisive steps to strengthen the polices of New York State that hold domestic violence offenders accountable and ensure the safety of victims and their children by focusing upon the improved working relationship with legal, law enforcement, human services, education and healthcare systems; and

**WHEREAS**, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of domestic violence and to help families obtain assistance they need to be free from domestic violence; and

**WHEREAS**, Wyoming County is stronger when all citizens become aware of domestic violence prevention; and

**WHEREAS**, Wyoming County residents will support victims of domestic violence and will support the public and private entities that continuously strive to provide the best coordinated response to domestic violence within the county, therefore sending a strong and unwavering message to abusers that domestic violence will not be tolerated in this county; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim the month of October 2019 as **DOMESTIC VIOLENCE AWARENESS MONTH** in Wyoming County and commends this observance to the citizens of this county.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

*Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium to present the Domestic Violence Awareness Month proclamation. Supervisor Grant, T/Bennington invited Social Services Commission Barber, RESTORE Outreach and Education Specialist Lauren Berger and Domestic Violence Advocate, Andy Kershner to join her at the podium.*

*Ms. Berger was asked to say a few words...*

*She stated that RESTORE is serving a record number of domestic violence survivors and is on track to have yet another record-breaking year in terms of the clients they are seeing. This number has more than doubled since 2015 but it is not because there is more violence happening, more people are able to access services and know where they can turn for help. Ms. Berger thanked the board for proclaiming October as Domestic Violence Awareness Month as it*

*sends a strong and unwavering message that domestic violence will not be tolerated.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #13. Hearing no objection, resolution titles were read.*

#8

**RESOLUTION NO. 19-408  
(October 8, 2019)**

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

**RESOLUTION NUMBER 18-461 AMENDED**

**WHEREAS**, Resolution Number 18-461 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on November 13, 2018 and provides for residential programs in an amount not to exceed three hundred forty-seven thousand three hundred eighty dollars (\$347,380.00); effective January 1, 2019 through December 31, 2019; now therefore,

**BE IT RESOLVED**, That ***Resolution Number 18-461*** be hereby amended to reflect an increase in state aid of one thousand five hundred seventy-one dollars (\$1,571.00) for a new contract total of ***three hundred forty-eight thousand nine hundred fifty-one dollars (\$348,951.00)***.

All else remains the same.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

#9

**RESOLUTION NO. 19-409  
(October 8, 2019)**

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

**RESOLUTION NUMBER 18-462 AMENDED**

**WHEREAS**, Resolution Number 18-462 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PEERS TOGETHER OF WYOMING COUNTY ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors November 13, 2018 and provides for peer operated programs in an amount not to exceed two hundred eighty-eight thousand seventy-seven dollars (\$288,077.00); effective January 1, 2019 through

October 8, 2019

December 31, 2019; now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-462* be hereby amended to reflect an increase in state aid of four thousand three hundred eighty-eight dollars (\$4,388.00) for a new contract total of ***two hundred ninety-two thousand four hundred sixty-five dollars (\$292,465.00).***

All else remains the same.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #10

**RESOLUTION NO. 19-410**  
**(October 8, 2019)**

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

**RESOLUTION NUMBER 18-464 AMENDED**

**WHEREAS**, Resolution Number 18-464 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HILLSIDE CHILDREN’S CENTER ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors November 13, 2018 and provides for various children’s mental health programs in an amount not to exceed one hundred twenty-eight thousand nine hundred forty-four dollars (\$128,944.00); effective January 1, 2019 through December 31, 2019; now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-464* be hereby amended to reflect an increase in state aid of one hundred twelve dollars (\$112.00) for a new contract total of ***one hundred twenty-nine thousand fifty-six dollars (\$129,056.00).***

All else remains the same.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #11

**RESOLUTION NO. 19-411**  
**(October 8, 2019)**

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

**RESOLUTION NUMBER 18-465 AMENDED**

**WHEREAS**, Resolution Number 18-465 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SPECTRUM HUMAN SERVICES ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November 13, 2018 and provides for behavioral health services for Wyoming County residents in an amount not to exceed four hundred seventy-eight thousand five hundred ninety-four dollars (\$478,594.00); effective January 1, 2019 through December 31, 2019; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-465* be hereby amended to reflect an increase in state aid of one thousand one hundred seventy dollars (\$1,170.00) for a new contract total amount of ***four hundred seventy-nine thousand seven hundred sixty-four dollars (\$479,764.00)***.

All else remains the same.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #12

**RESOLUTION NO. 19-412**  
**(October 8, 2019)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT WITH UNITED MEMORIAL MEDICAL CENTER ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with ***United Memorial Medical Center***, 127 North Street, Batavia, NY 14020 on behalf of the County Health Department. Said contract to provide outreach and education in Wyoming County for New York State Department of Health Cancer Services by the Wyoming County Health Department in an amount not to exceed twenty thousand six hundred dollars (\$20,600.00); effective October 1, 2019 through September 30, 2020. (*Revenue Contract*)

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #13

**RESOLUTION NO. 19-413**  
**(October 8, 2019)**

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

October 8, 2019

**BREAST CANCER AWARENESS MONTH PROCLAIMED**

**WHEREAS**, In the United States, more than 268,000 women and approximately 2,600 men are diagnosed with breast cancer annually. While deaths from breast cancer have declined over time, it remains the second most common form of cancer and the second leading cause of cancer death overall among American women, with a staggering 41,000 lives lost each year; and

**WHEREAS**, Early detection and prompt treatment can significantly reduce the suffering caused by this disease. Regular screening mammograms, followed by timely treatment upon diagnosis, are the most effective methods to detect changes that may be cancer and improve a patient's chance of survival; now therefore

**BE IT RESOLVED**, In recognition of the fact that there are two million breast cancer survivors in the United States today; the Wyoming County Board of Supervisors does hereby proclaim the month of October as **BREAST CANCER AWARENESS MONTH**; and be it

**FURTHER RESOLVED**, That all women of Wyoming County are urged to care for themselves and to seek information on cancer prevention and early detection from the Wyoming County Health Department Cancer Services Program of Genesee, Orleans, Wyoming and Niagara Counties.

**Carried: XXX    Ayes: 1548    Noes:    Absent: 51 (Eagle)    Abstain:**

*Supervisor Ryan invited Public Health Administrator Paolucci to join her at the podium, along with Jillian Calmes who Admin. Paolucci introduced.*

*Admin. Paolucci reported that Breast Cancer Screenings in Wyoming County are up. Late stage breast cancer in Wyoming County is down. Both statistics headed in the right direction. Ms. Calmes encouraged women to get their annual screenings...*

*There was a motion by Mr. Kehl, T/Attica, to combine resolutions #14 through #18. Hearing no objection, resolution titles were read.*

**#14**

**RESOLUTION NO. 19-414  
(October 8, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**NATIONAL 4-H WEEK PROCLAIMED**

Regular Session

**WHEREAS**, 4-H has been serving the young people of New York State with educational and leadership opportunities since 1914; and

**WHEREAS**, 4-H work is an educational youth development program of the Cornell Cooperative Extension Education System, and Cornell University, which is administered on the county level by the 4-H staff along with the help of more than 170 local 4-H volunteers; and

**WHEREAS**, Wyoming County 4-H reaches more than 830 youth members annually as part of New York State 4-H which reaches more than 165,000 youth and 15,000 volunteers; and

**WHEREAS**, 4-H'ers pledge their Heads, Hearts, Hands, and Health to the improvement of their clubs, communities, countries and the world; and

**WHEREAS**, 4-H members working with educational learn-by-doing projects put into practice new skills and science as they strive *"To Make the Best Better"*, the motto of 4-H; and

**WHEREAS**, 4-H also *"Inspires Kids to Do"* by taking part in hands-on learning experiences in areas such as healthy living, science, agriculture and civic engagement; and

**WHEREAS**, 4-H youth members are encouraged to take on proactive leadership roles and are empowered with the skills to lead in life and career; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim October 6<sup>th</sup> through October 12<sup>th</sup>, 2019 as **NATIONAL 4-H WEEK in Wyoming County** and urge all of our citizens to encourage and support the work of the 4-H Youth Development Program.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #15

**RESOLUTION NO. 19-415  
(October 8, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**ORDER OF PROTECTION FOR DEER APPROVED**

**WHEREAS**, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tail deer

October 8, 2019

population within the County of Wyoming due to anticipated weather conditions; now therefore,

**BE IT RESOLVED**, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2019 through April 1, 2020, under Article 7, Section 122 of the New York State Agriculture and Markets Law. *A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler*; and be it

**FURTHER RESOLVED**, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

*Perry Herald, Perry, New York*  
*Daily News, Batavia, New York*

and be it

**FURTHER RESOLVED**, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #16

**RESOLUTION NO. 19-416**  
**(October 8, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED**

**BE IT RESOLVED**, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2020 through Midnight, December 31, 2020, under Article 7, Section 122 of the New York State Agriculture and Markets Law. *A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler*; and be it

**FURTHER RESOLVED**, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

*Perry Herald, Perry, New York*  
*Daily News, Batavia, New York*

and be it

**FURTHER RESOLVED**, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #17

**RESOLUTION NO. 19-417**  
**(October 8, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**AUTHORIZING THE BOARD OF SUPERVISORS TO ENDORSE THE  
APPLICATION FOR A FARMLAND PROTECTION  
IMPLEMENTATION GRANT THROUGH THE  
NEW YORK STATE DEPARTMENT OF AGRICULTURE AND  
MARKETS FOR BAKER BROOK DAIRY, LLC, TOWN OF ATTICA,  
NEW YORK AS PART OF THE COUNTY'S PURCHASE OF  
DEVELOPMENT RIGHTS PROGRAM**

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

**WHEREAS**, Wyoming Board of Supervisors Resolution No. 05-309 approved the Wyoming County Agricultural Development and Farmland Protection Plan, and by letter dated October 25, 2005, Nathan L. Rudgers, Commissioner of the New York State Department of Agriculture and Markets, approved the Wyoming County Agricultural Development and Farmland Protection Plan; and

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

**WHEREAS**, The Wyoming County Board of Supervisors supports a Purchase of Development Rights program and authorizes the Wyoming County Agricultural and Farmland Protection Board (AFPB) to solicit applications from county property owners who wish to voluntarily participate in the PDR program;

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now therefore

**BE IT RESOLVED**, That the County of Wyoming endorses the application for a Farmland Protection Implementation Grant for approximately ***1,031 acres of the Baker Brook Dairy, LLC located in the Town of Attica, New York*** as recommended by the Wyoming County Agriculture and Farmland Protection Board on June 20, 2019 and per the County's participation in the New York State Purchase of Development Rights (PDR) Program.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #18

**RESOLUTION NO. 19-418**  
**(October 8, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**AUTHORIZING THE BOARD OF SUPERVISORS TO ENDORSE THE  
APPLICATION FOR A FARMLAND PROTECTION  
IMPLEMENTATION GRANT THROUGH THE  
NEW YORK STATE DEPARTMENT OF AGRICULTURE AND  
MARKETS FOR ARMSOM FARMS, LLC, TOWN OF COVINGTON,  
NEW YORK AS PART OF THE COUNTY'S PURCHASE OF  
DEVELOPMENT RIGHTS PROGRAM**

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

**WHEREAS**, Wyoming Board of Supervisors Resolution No. 05-309 approved the Wyoming County Agricultural Development and Farmland Protection Plan, and by letter dated October 25, 2005, Nathan L. Rudgers, Commissioner of the New York State Department of Agriculture and Markets, approved the Wyoming County Agricultural Development and Farmland Protection Plan; and

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

**WHEREAS**, The Wyoming County Board of Supervisors supports a Purchase of Development Rights program and authorizes the Wyoming County Agricultural and Farmland Protection Board (AFPB) to solicit applications from

county property owners who wish to voluntarily participate in the PDR program; now therefore

**BE IT RESOLVED**, That the County of Wyoming endorses the application for a Farmland Protection Implementation Grant for approximately **916 acres of the Armon Farm, LLC, located in the Town of Covington, New York** as recommended by the Wyoming County Agriculture and Farmland Protection Board on June 20, 2019 and per the County's participation in the New York State Purchase of Development Rights (PDR) Program.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

*Supervisor Kehl invited Educator Holly Harwood to join him at the podium for the presentation of the National 4-H Week Proclamation. Educator Harwood brought several 4-H'ers with her to the podium. Supervisor Kehl, T/Attica invited anyone of the 4-H'ers to the podium to offer a few words.*

*Michael Baker stepped up and shared with attendees his 4-H experience... Educator Harwood provided kudos for several of the Extension staff for their hard work and dedication and to the 4-H'ers themselves...*

*Chairman Berwanger recognized Hayden Ayers for his outstanding achievements at the Wyoming County Fair, New York State Fair and competitions in Harrisburg, Pennsylvania and Madison, Wisconsin with his spring calf, Ms. Rollnview Solo Day Dream.*

*Here are the highlights provided by Hayden's mother...*

Hayden Ayers resides in Pike, NY with his parents Cameron and Nicole, and sister Audrey. He has been an active member of the Wyoming County 4-H program for the last 4 years as part of the Castile Country Kids club and the last year also as part of the Wyoming County Shooting Sports club.

Ms. Rollnview Solo Day Dream is one of three animals that Hayden exhibited this year; she was shown in the Holstein Spring Heifer Calf class because she was born on March 1, 2019. Hayden began his showing season in Hamburg at the Erie County Fair/WNY Regional Holstein show where Dream placed 1<sup>st</sup> in her class for the Open and Junior shows. She was recognized as Honorable Mention Junior Champion of the Jr. show. She went directly to the Wyoming County Fair where she won 1<sup>st</sup> place Spring Calf, Junior Champion

and Supreme Junior Champion for the 4-H show and 1<sup>st</sup> place Spring Calf and Junior Champion for the Open show.

Hayden exhibited Dream during the first week of State Fair and she was awarded 1<sup>st</sup> place Spring Calf and Reserve Junior Champion during the 4-H show. Dream placed 2<sup>nd</sup> in the Open show, but 1<sup>st</sup> in the Jr. portion of the Open show and was recognized as the Reserve Junior Champion of the Jr. portion of the Open show.

The All American Dairy Show took place in Harrisburg, PA during the week of September 15<sup>th</sup>. Hayden exhibited Dream during the Jr. show and she was awarded 1<sup>st</sup> place Spring Calf and was one of five "pulled" to be considered for Junior Champion but was not selected with a designation. During the Open show, two days later, Dream was shown by a more experienced showman, placing 2<sup>nd</sup>.

The World Dairy Expo is the furthest you can go in the USA showing cows. Hayden exhibited Dream during the Junior show, where she placed 5<sup>th</sup>. The Open show was three days later, Dream was exhibited by a more experienced showman and she was selected as the winning Spring Heifer Calf, which is an honor that many dairy showing enthusiasts have strived for their whole careers.

Hayden is also an accomplished showman for his age, especially if his heifer decides she wants to cooperate that day. Hayden placed 4<sup>th</sup> at the WNY Regional showmanship competition, 4<sup>th</sup> at the Wyoming County Fair, 2<sup>nd</sup> with Master Showman designation at the State Fair and he placed 8<sup>th</sup> out of 183 competitors at the All American Dairy Show in Harrisburg. He was the youngest top 10 finalist in the Intermediate division, for 12-15 year olds, at Harrisburg.

**Wyoming County Fair**  
Hayden and Day Dream were awarded Junior Champions

All of the first and second winners of each age group of the winners come back to the show. A Senior Champion and Junior Champion Reserve are picked over all.



**Wyoming County Fair**  
Hayden and Day Dream at the Wyoming County Fair

They were awarded Supreme Junior Champion for the 4-H show

This is the highest honor for a Junior Champion that is given



**Erie County Fair**

Hayden setting up Day Dream for Jr. Holstein Dairy Showmanship at Erie County Fair

First Show of the season.



**Wyoming County Fair**

Hayden has been a member of 4-H for 4 years

His club leader is Lisa Corklin of Lemont Road, Castle, NY  
Their club name is The Castle Country Kids



Hayden is leading Day Dream in for the 4-H Junior Dairy Showmanship competition

**Harrisburg**  
Hayden and Day Dream took 1<sup>st</sup> place in the Holstein Spring Calf competition



**New York State Fair**

Day Dream was awarded Reserve Junior Champion over all



**Harrisburg**  
4-H Showmanship

Hayden and Day Dream placed eighth for Dairy Showmanship out of over 180 participants.

He is the second one from the left



**Harrisburg**

Hayden and Day Dream in Harrisburg Penn for the All American Dairy Show

This is for 4-H Dairy Showmanship



### **Madison, Wisconsin**

MS. Rollview Solo Day Dream places 1<sup>st</sup> place Spring Calif International Holstein Show  
World Dairy Expo 2019  
Hayden Ayers, Portageville, NY



**Madison, Wisconsin**

Paying close attention to the judges  
During the Spring Calf Dairy Judging  
At the International Jr. Holstein Show



McRae, Missouri

Hayden and Dreamy came in 5<sup>th</sup> place  
Spring Calf Heifer class



*Hayden thanked the many people, including his parents, grandparents and sister for helping him along the way...*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #19 through #23. Hearing no objection, resolution titles were read.*

#19

**RESOLUTION NO. 19-419  
(October 8, 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 CRIMINAL  
JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY'S  
OFFICE**

**WHEREAS**, Public Safety Committee approval for application was not necessary as there is no application process for this particular grant; now therefore

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant acceptance award with the ***New York State Division of Criminal Justice Services***, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office. Said grant funds to fund violence against women in a minimum amount of thirty-two thousand six hundred twenty-three dollars and eighty-four cents (\$32,623.84); effective January 1, 2020 through December 31, 2020.

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**Carried: XXX    Ayes: 1548    Noes:    Absent: 51 (Eagle)    Abstain: #20**

**RESOLUTION NO. 19-420  
(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE  
STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF  
SHERIFF'S DEPARTMENT**

**WHEREAS**, This grant is for a period of five (5) years; effective April 1, 2019 through March 31, 2024; and

**WHEREAS**, Only the first year amount of the funding is known at this time which is a minimum amount of three hundred ninety-two thousand nine hundred eighty-eight dollars (\$392,988.00); now therefore

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *State of New York Unified Court System*, 8<sup>th</sup> Judicial District, 92 Franklin Street, 3<sup>rd</sup> Floor, Buffalo, NY 14202 on behalf of the Sheriff's Department. Said contract to provide court security for County, Family and Supreme Courts in a minimum amount of three hundred ninety-two thousand nine hundred eighty-eight dollars (\$392,988.00) for the first year of this five (5) year grant; effective April 1, 2019 through March 31, 2024.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1548    Noes:    Absent: 51 (Eagle)    Abstain: #21**

**RESOLUTION NO. 19-421  
(October 8, 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 ON BEHALF OF  
WYOMING COUNTY EMERGENCY SERVICES**

**WHEREAS**, During the May 2, 2019 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 to sign a grant acceptance award with the ***New York State Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf Wyoming County Emergency Services. Said grant funds for effectively building and sustaining critical capabilities in a minimum amount of fifty-two thousand four hundred eighty-five dollars (\$52,485.00); effective September 1, 2019 through August 31, 2022.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #22

**RESOLUTION NO. 19-422**  
**(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
EMERGENCY SERVICES MARKETING CORP, INC. ON BEHALF OF  
EMERGENCY SERVICES**

**WHEREAS**, Resolution Number 17-066 passed by this Board of Supervisors on February 14, 2017 provides for a subscription agreement with ***Emergency Services Marketing Corp, Inc.***, which contains a provision for extending the term of the original agreement upon written consent of the parties; now therefore

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Emergency Services Marketing Corp., Inc.***, P.O. Box 93, Dewitt, NY 13214 on behalf of Emergency Services. Said contract is Amendment No. 1 to the Subscription Agreement for access to IamResponding.com in an amount not to exceed forty thousand eight hundred thirty-six dollars (\$40,836.00); effective January 15, 2020 through January 14, 2023.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

**RESOLUTION NO. 19-423  
(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AECOM  
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 **AECOM**, 257 West Genesee Street, Suite 400, Buffalo, NY 14202 on behalf of the Fire Training Center. Said contract to provide PFAS sampling and routine post-closure monitoring, inspection, and reporting services at the Wyoming County Fire Training Center pursuant to New York State Department of Environmental Conservation Voluntary Cleanup Program for Site Number V00604 in an amount not to exceed twenty-six thousand five hundred sixty-three dollars (\$26,563.00); effective through October 31, 2021.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1548    Noes:    Absent: 51 (Eagle)    Abstain:**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #24 through #26. Hearing no objection, resolution titles were read.*

#24

**RESOLUTION NO. 19-424  
(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN ANY OR ALL OF THE  
VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign **any or all** contracts with the following vendors on behalf of County Highway. Said contracts are for bridge and highway related engineering design services on an as-needed basis in an amount not to exceed sixty-five thousand dollars (\$65,000.00) per contract, per year; effective November 8, 2019 through November 7, 2022, which include two (2)

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one-year extensions:

- *Bergman Associates*, 280 E. Broad St., Suite 200, Rochester, NY 14604
- *Clark Patterson Lee*, 205 Saint Paul St., Suite 500, Rochester, NY 14604
- *LaBella Associates*, 300 State Street, Suite 201, Rochester, NY 14614
- *Erdman Anthony*, 145 Culver Rd., Suite 200, Rochester, NY 14620

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #25

**RESOLUTION NO. 19-425**  
**(October 8, 2019)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
 CONTRACT WITH PAVILION DRAINAGE SUPPLY CO., INC. ON  
 BEHALF OF COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Pavilion Drainage Supply Co., Inc.* on behalf of County Highway. Said contract is for guide rail installations on Hermitage Road, Wethersfield, NY in an amount not to exceed thirteen thousand five hundred dollars (\$13,500.00); effective October 8, 2019 through completion of project.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #26

**RESOLUTION NO. 19-426**  
**(October 8, 2019)**

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

**RIGHT OF WAYS FOR HILLSIDE ROAD BRIDGE APPROVED**

**WHEREAS**, That the real property described below and located in the Town of Eagle, Wyoming County, New York is needed to be acquired by the County of Wyoming for the replacement of Eagle Bridge #03, Hillside Road over Wiscoy Creek, BIN #3319730; PIN #4BNY.30 as described on maps on

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file in the Office of the Wyoming County Superintendent of Highways; and

Property Owner	Tax Map No.	Surveyor Map No.	Parcel No.	Acreage
<b>Gary T. Refermat</b> 3271 Route 39 P.O. Box 193 Bliss, NY 14024	166.-1-45	PE Map #1	Parcel #1	.171 ±
<b>Marquart Brothers, LLC</b> 6532 Hillside Road Bliss, NY 14024	166.-1-44.111	PE Map #2 PE Map #2	Parcel #2 Parcel #3	.117 ± .353 ±

**WHEREAS**, Said real property owners have agreed to graciously donate said real property so that the needed 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 and said conveyances to be completed upon the recording of an easement from the real property owners to the County of Wyoming.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #27 through #37 but with the request that resolutions #30 and #33 be withdrawn. Hearing no objection, resolution #30 and #33 are withdrawn and remaining resolution titles were read.*

#27

**RESOLUTION NO. 19-427  
(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

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**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 provides in part for the following contract:

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

And,

**WHEREAS**, That Resolution Number 17-362 was previously amended by this Board of Supervisors on February 12, 2019 by ***Resolution Number 19-085*** 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; now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-362***, as previously amended by ***Resolution Number 19-085***, be hereby further amended as follows:

- Change the address to ***2400 Market Street, Philadelphia PA 19103***
- Extend the term of the agreement from August 31, 2018 through September 1, 2019 to ***August 31, 2019 through September 1, 2020***
- Increase the bi-weekly amount from \$8,382.23 to ***\$8,533.11***

All else remains the same.

**Carried: XXX      Ayes: 1548      Noes:      Absent: 51 (Eagle)      Abstain:**

**#28**

**RESOLUTION NO. 19-428  
(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
STERICYCLE, INC. ON BEHALF OF THE WYOMING COUNTY  
COMMUNITY HEALTH SYSTEM**

Regular Session

**BE IT RESOLVED**, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign a contract with **Stericycle, Inc.**, 28161 North Keith Drive, Lake Forest, IL 60045 on behalf of the Wyoming County Community Health System. Said contract is for sharps disposal management (comprehensive proactive sharps disposal service with reusable containers) in an amount not to exceed twenty-eight thousand one hundred seventy-three dollars and forty-eight cents (\$28,173.48); effective August 1, 2019 through August 1, 2022.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #29

**RESOLUTION NO. 19-429**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-088 AMENDED**

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

- **Kim Chamberlain Danser, CNM**, 2811 Pratt Road, Batavia, NY 14020 to provide inpatient and outpatient midwifery services in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00) per year; effective May 1, 2016 through April 30, 2018.

And,

**WHEREAS**, That Resolution Number 16-088 was previously amended by this Board of Supervisors on May 8, 2018 by **Resolution Number 18-245** to extend the contract expiration date from April 30, 2018 to **April 30, 2019**; now therefore

**BE IT RESOLVED**, That **Resolution Number 16-088**, as previously amended by **Resolution Number 18-245**, be hereby further amended to extend

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the contract expiration date from April 30, 2019 to *April 30, 2020*.

All else remains the same.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #30

**RESOLUTION NO. 19-XXX**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CREATION OF THE WYOMING COUNTY FAMILY MEDICINE, PC  
BOARD OF DIRECTORS FOR THE OVERSIGHT OF THE WYOMING  
COUNTY COMMUNITY HEALTH SYSTEM CLINICS AND APPOINTING  
AND APPOINTING DR. DALE L. DEAHN, MD, THE HETO**

*WEIT RESOLVED*, That the *Wyoming County Family Medicine, PC Board of Directors* for the oversight of the Wyoming County Community Health System Clinics is hereby established; and be it

**FURTHER RESOLVED**, That *Dr. Dale L. Deahn, MD*, 401 West Main Street, Arcade, New York 14009 is hereby appointed to the Wyoming County Family Medicine, PC Board of Directors for a one (1) year term; effective October 8, 2019 through December 31, 2020.

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

**RESOLUTION NO. 19-430**  
**(October 8, 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,

**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***; and

**WHEREAS**, That Resolution Number 17-325 as previously amended by Resolution Number 17-432 was further amended by this Board of Supervisors on February 12, 2019 by ***Resolution Number 19-089*** to correct the annual increase of two percent (2%) to ***two and one-half percent (2.50%)*** to reflect the actual contract language; and

**WHEREAS**, That Resolution Number 17-325 as previously amended by Resolution Number 17-432 and Resolution Number 19-089 was further by this Board of Supervisors on August 13, 2019 by ***Resolution Number 19-355*** to extend the term of the contract for an additional five (5) years from ***November 1, 2022 through October 31, 2027***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-325*** as previously amended by ***Resolution Number 17-432***, ***Resolution Number 19-089*** and ***Resolution Number 19-355*** be hereby further amended to correct the original contract term of November 1, 2017 through October 31, 2022 to ***December 1, 2017 through November 30, 2022***; and be it

**FURTHER RESOLVED**, That ***Resolution Number 19-355*** be hereby amended to correct the dates of the five (5) year extension term from November 1, 2022 through October 31, 2027 to ***December 1, 2022 through November 30, 2027*** and reduce the five (5) year contract term extension to a ***two (2) year contract term of December 1, 2022 through November 30, 2024***.

All else remains the same.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**

#32

**RESOLUTION NO. 19-431**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

October 8, 2019

## **SALARY SCHEDULES "C", "G" AND "S" AMENDED**

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

### **Salary Schedule "C":**

#### ***Wyoming County Community Health System***

- Provide a one-time stipend to the ***Director of Fire and Emergency Management*** (position code 006.352) under CIVIL DEFENSE for assistance with the Safety/Emergency Preparedness Coordinator position in the amount of \$2,500.00; effective September 24, 2019 through December 31, 2019.
- Place one (1) position of ***Safety/Emergency Preparedness Coordinator*** (position code 02.126.611) under SAFETY and set the salary range at \$50,000.00 – \$53,000.00 per year; position available date September 8, 2019.
- WCCHS Information Technology ONLY on-call pay:
  - WCCHS Information Technology employees scheduled on call shall receive a \$100.00 pay allowance per day between 7:00 am to the following day at 7:00 am on weekends and holidays.
  - WCCHS Information Technology employees scheduled on call shall receive a \$50.00 pay allowance per day beginning at 5:00 pm to the following day at 7:00 am on weekdays.
- Abolish one (1) position of ***Manager of Budget and Financial Analysis*** (position code 01.132.555) under FISCAL SERVICES; effective August 25, 2019.
- Place one (1) position of ***Network Administrator I*** (position code [pending]) under INFORMATION SYSTEMS and set the salary range at \$50,000.00 - \$60,000.00 per year; position available October 6, 2019.
- Amend the salary of the ***Director of Healthcare Information Systems*** position (position code 01.613.307) under INFORMATION SYSTEMS to \$85,000 per year; effective November 3, 2019.
- Abolish the stipend for the ***Director of Healthcare Information Systems*** (position code 01.613.307) under INFORMATION SYSTEMS; effective November 3, 2019.

**Salary Schedule "G":*****Public Defender***

- Remove one (1) position of ***Data Management Account Clerk*** (position code 009.595) under Hurrell-Harring (contract #CSTWIDEHH52) with an hourly wage of \$19.23 per hour, annual wage equivalent not to exceed \$35,134.00; effective October 8, 2019.

**Salary Schedule "S":*****Public Defender***

- Place one (1) position of ***Data Management Account Clerk*** (position code 009.595) with an hourly wage range not to exceed \$24.73 per hour; annual wage equivalent range not to exceed \$45,000.00; effective October 8, 2019.

***Public Health Dept.***

- Set the salary of the ***Director of Clinical and Community Services*** (position code 141.610) at \$70,000.00 annually; effective October 8, 2019.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #33

**RESOLUTION NO. 19-XXX**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**INVESTMENT POLICY AMENDMENTS APPROVED**

**BE IT RESOLVED**, That the Investment Policy presented to this Board of Supervisors is hereby approved as amended and adopted hereto.

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

**WYOMING COUNTY**  
**POLICY AND PROCEDURE**

<b>EFFECTIVE DATE:</b> October 08, 2019	<b>REVIEWED BY:</b> Board of Supervisors' Finance Committee and the County Attorney	<b>SOURCES:</b>
<b>County Investment Policy</b>	<b>PREPARED BY:</b> Cheryl Mayer, County Treasurer	<b>SUPERSEDES:</b> Res. No. 18-203

<b>CHIEF EXECUTIVE OFFICER'S SIGNATURE:</b> A. D. Berwanger		<b>REFERENCES:</b> Approved by the Board of Supervisors on October 08, 2019; Resolution Number 19-XXX
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## **POLICY: INVESTMENT POLICY FOR WYOMING COUNTY**

### **I. SCOPE**

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

### **II. OBJECTIVES**

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

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

### **III. DELEGATION OF AUTHORITY**

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

### **IV. PRUDENCE**

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

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

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

## **V. DIVERSIFICATION**

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

## **VI. INTERNAL CONTROLS**

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

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

## **VII. DESIGNATION OF DEPOSITARIES**

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

Depository Name	Maximum Amount	Officer
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	
NYClass	\$30,000,000.00	
Three Plus One	\$30,000,000.00	

## **VIII. COLLATERALIZING OF DEPOSITS**

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

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

## **IX. SAFEKEEPING AND COLLATERALIZATION**

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

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

## **X. PERMITTED INVESTMENTS**

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

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

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

## **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

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

The County may, in its discretion, authorize a bank designated for the deposit of County funds to arrange for the redeposit of such funds in one or more banking

institutions, for the account of the County, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).

## **XII. PURCHASE OF INVESTMENTS**

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

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

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

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

## **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

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

## APPENDIX A

### Schedule of Eligible Securities

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

**FURTHER RESOLVED**, That the Chairman of this Board and/or the County Treasurer, with the approval of the County Attorney, are hereby authorized and directed to sign Custodial Agreements with the different area

banks or their agents to maintain pledged securities to cover deposits made by the County of Wyoming.

**RESOLUTION NO. 19-432  
(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**PROPERTY AUCTION SALES APPROVED**

**WHEREAS**, The County has obtained the right, pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law, to direct the assignee of the County of Wyoming to prepare, execute and cause to be recorded a deed conveying the following parcels, and

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

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

<b>140.8-8-13.1 &amp;</b> <b>140.8-8-13.2</b>	<i>Stephen J Hotchkiss</i> , PO Box 33, Strykersville, NY 14145 has offered \$400 for property located at Block G in the Town of Java.
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Now therefore,

**RESOLVED**, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before November 8, 2019.

**Carried: XXX    Ayes: 1548    Noes:    Absent: 51 (Eagle)    Abstain: #35**

**RESOLUTION NO. 19-433  
(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE**

Regular Session

**AWARD WITH THE NEW YORK STATE DEPARTMENT OF STATE  
ON BEHALF OF THE BOARD OF SUPERVISORS**

**WHEREAS**, During the May 7, 2019 Finance 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 to sign a grant acceptance award with the *New York State Department of State*, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001 on behalf the Board of Supervisors. Said grant provides the matching grant funds from the Countywide Shared Services Initiative in a minimum amount of fifty-one thousand six hundred fifty-nine dollars and fifty-three cents (\$51,659.53); effective January 1, 2018 through December 31, 2018.

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:** #36

**RESOLUTION NO. 19-434  
(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**TRANSFER AND APPROPRIATIONS POLICY AMENDMENTS  
APPROVED**

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

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle) **Abstain:**

**Wyoming County  
BUDGET POLICY**

EFFECTIVE DATE: July 10, 2018,	REVIEWED BY: (Individuals/Committees)  Finance Committee	DEPARTMENTS AFFECTED: All Departments WCCHS  SUPERSEDES:18-311
ADMINISTRATIVE APPROVAL: J. Cook/Budget Officer	PREPARED BY:  J. Cook/Budget Officer	REFERENCES:

October 8, 2019

## TRANSFER AND APPROPRIATIONS POLICY

### 1. Policy Statement

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

### 2. Reason for Policy

Budgetary controls are intended to guard against expenditures that exceed appropriations. Since the budget is an estimate, situations will inevitably arise when it will be necessary to amend the budget through transfers and appropriations. This policy defines when the transfer or appropriation will require Board approval. Appropriation accounts are used to control expenditures, keeping them within the authorized spending authority of the budget. Analysis of the accounts enables the Budget Officer to determine when the budget will have to be modified.

### 3. Who Should Read This Policy

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

### 4. Resources

*GASB Codification Sections 1700 and 2400*

### 5. Definitions

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

**Budget Center:** Refers to the 3<sup>rd</sup> segment in an account line – 01.36.2960.4.41501. This is the cost center for the department.

**Fund:** Refers to the 1<sup>st</sup> segment in an account line – 01.36.2960.4.41501.

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

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

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

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

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

## 6. The Policy

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

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

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

- Transfers within the same fund and budget center: *Example:* 01.36.2960.4.41501
  - Same sub-account requires approval by the Budget Officer only prior to the entry of the transaction by the Treasurer's Office.

*Example: Transfer in the same sub account .4  
01.36.2960.4.41501 to 01.36.2960.4.41010*

- Different sub-account **less than \$ \$5,000:**
  - Transfers between .4 and .2 (Contractual/Equipment) require Budget Officer approval only prior to the entry of the transaction by the Treasurer's Office.

*Example: 01.36.2960.4.4150 to 01.36.2960.2.20401*

- Transfers between .1 and .8 (Salary/Fringe) require Budget Officer approval only prior to the entry of the transaction by the Treasurer's Office.

*Example: 01.36.2960.1.10001 to 01.36.2960.8.81001*

- Transfers between .4/.2 (Contractual/Equipment) and .1/.8 (Salary/Fringe) may require governing board resolution via Home Committee then Finance Committee approval at the discretion of the Budget Office. If it is determined a resolution is not needed the transfer will require approval by the Budget Officer only prior to the entry of the transaction by the Treasurer's Office.

*Example: 01.36.2960.4.41501 to 01.36.2960.1.10001*

- Different sub-account **exceeding \$5,000** must be authorized by a governing board resolution via Home Committee then Finance Committee approval prior to the entry of the transaction by the Treasurer's Office.

*Example: 01.36.2960.4.41501 to 01.36.2960.2.20401*

- Transfers within the same fund between debt service budget centers of .6 principal and .7 interest require Budget Officer approval only prior to Treasurer's Office Entry.
- Transfers within the same fund between interfund (.9) budget centers or sub-accounts may require governing board resolution via Home Committee then Finance Committee approval at the discretion of the Budget Officer. If it is determined a resolution is not needed the transfer will require approval by the Budget Officer only prior to the entry of the transaction by the Treasurer's Office.
- Transfers between different budget centers must be authorized by a governing board resolution via Home Committee then Finance Committee approval prior to the entry of the transaction by the Treasurer's Office

*Example: 01.36.2960.4.41501 to 01.45.7310.4.41010*

#37

**RESOLUTION NO. 19-435**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-356 AMENDED**

**WHEREAS**, Resolution Number 19-356 entitled, “**POSITION(S) APPROVED**,” passed by this Board of Supervisors August 13, 2019 and provided, in part, for the reassignment of the following position:

**REASSIGNED:**

*District Attorney*

- One (1) position of ***Domestic Violence Coordinator*** (position code 016.400) from Salary Schedule “G” (Violence Against Women Act Grant (\$16,135.00) and Office of Victim Services Grant (\$18,267.00)) to one (1) position of ***Domestic Violence Coordinator*** (position code 016.400) on Salary Schedule “S” with an hourly wage of \$18.83/hr. and annual wage equivalent not to exceed \$34,402.00.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 19-356*** be hereby amended as follows:

- To reflect an effective date of January 1, 2020.
- Correct the annual wage equivalent not to exceed amount to \$34,534.00 to accommodate 262 workdays in 2020.

All else remains the same.

*There was a motion by Mr. Copeland, T/Wethersfield, to withdraw the 2.5% increase for the Undersheriff, Secretary to the Sheriff and the Administrative Assistant (Sheriff) as they will follow the new bargaining unit contracts effective 01/01/2020. Hearing no objection, resolution titles were read.*

**Carried:** XXX    **Ayes:** 1548    **Noes:**    **Absent:** 51 (Eagle)    **Abstain:**   
*Non-Consent*    #38

**RESOLUTION NO. 19-436**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

October 8, 2019

**SALARY SCHEDULES "D" AND "S" APPROVED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, are hereby amended as follows:

- **Salary Schedules "D"**, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2020, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules.
- **Salary Schedules "S"**, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2020, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules.

And be it,

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

**Carried: XXX Ayes: 1248 Noes: 164 (Attica) Absent: 51 (Eagle) Abstain: 88 (Java)  
48 (Pike)  
300 Total**

2020 WYOMING COUNTY SALARY SCHEDULE "D"

2020 WYOMING COUNTY SALARY SCHEDULE "D"										
Requires Local Law	Current Titles	FTE's	Position Code	Effective Date	Hours @ Day	Res. # / Local Law #	Annual Hours	% Inc. Adj.	Market Hourly Wage	Annual Salary Equivalent
	Director of Planning and Development	0.60	004.092	J	1/1/2019	7	1100.4	1.1054	45.32	49,873
<b>PROBATION</b>										
	Probation Director 1	1.00	003.187	J	1/1/2019	7	1834	1.631		66,878
<b>PUBLIC DEFENDER</b>										
✓	Public Defender, PT	N/A	003.503	J	1/1/2019	N/A	N/A	1.532		62,813
<b>PUBLIC HEALTH DEPT</b>										
✓	Commissioner of Public Health	1.00	100.406	J	1/1/2019	7	1834	2.048		83,952
	Medical Director, PT	N/A	116.403	J	8/1/2019	N/A	N/A	424		17,369
	Public Health Administrator	1.00	089.405	J	1/1/2019	7	1834	1.837		75,330
<b>REAL PROPERTY TAX SERVICES</b>										
✓	Director of Real Property Tax Services	1.00	001.102	J	1/1/2019	7	1834	1.710		70,107
	Director of Real Property Tax Services (stipend)	N/A	001.102	J	2/1/2019	N/A	N/A	263		10,763
<b>SOCIAL SERVICES DEPT</b>										
✓	Commissioner of Social Services	1.00	047.054	J	1/1/2019	7	1834	1.760		72,140
<b>VETERAN'S SERVICES</b>										
✓	Director of Veterans Services	1.00	001.106	*	1/1/2019	7	1834	1.135		46,525
<b>WORKERS COMPENSATION</b>										
	Worker's Comp. Prog. Administrator	1.00	005.364	J	1/1/2019	7	1834	1.567	8,006	72,262
<b>YOUTH BUREAU</b>										
	Director of Aging and Youth	1.00	014.098	J	1/1/2019	7	1834	1.670		68,485
<b>ZONING DEPARTMENT</b>										
	Code Enforcement Officer (stipend)	N/A	004.326		8/15/2017	N/A	N/A	6,000		12,000

2020 WYOMING COUNTY SALARY SCHEDULE "A"										
F.L.S.A		FTE's		Position Codes		Exempt		Effective date		Hours
Current Titles								2019		2019
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage
								Establishment		Establishment
								Salary		Salary
								2020		2020
								Annual		Annual
								Hourly		Hourly
								Wage		Wage



2020 WYOMING COUNTY SALARY SCHEDULE "S"

## 2020 WYOMING COUNTY SALARY SCHEDULE "B"

Current Titles	FTE's	Position Code	Exempt	2019				2020			
				Effective date	Hours @ day	Rate #	Annual Wage	2020 Effective Date	Hours @ day	Rate #	Annual Salary
<b>SOCIAL SERVICES</b>											
Administrative Assistant (DSS)	1.00	111,395		07/01/19	7	18.275	\$63,163.02	10/01/20	7	18.275	\$63,163.02
Fiscal Director	1.00	115,362	Y	07/01/19	7	18.775	\$65,000	21/07/20	20.315	8.641	\$5,657.22
Director of Programs	1.00	142,417	Y	07/01/19	7	18.775	\$65,000	21/07/20	20.315	8.641	\$5,657.22
Administrative Assistant (Social Operations)	1.00	165,459	N/A	07/01/19	7	18.275	\$63,163.02	23/07/20	42.348	5,035.00	1,092
<b>TEACHERS, TECHNICAL</b>											
VETERANS SERVICES	1.00	67,505	N/A	06/03/19	7	19.357	\$4,156.42	05/03/20	7	19.357	\$4,156.42
Assistant Director of Veterans Services	1.00	60,369		07/01/19	7	18.775	\$65,000	19/07/20	36,350	1,034	3,664.00
Inmate Care Coordinator	1.00	60,369		07/01/19	7	18.775	\$65,000	20/07/20	40,260	1,034	3,664.00
YOUTH BUREAU	1.00	60,262		07/01/19	7	18.775	\$65,000	21/07/20	39,855	1,034	3,664.00
Other Officer	1.00	62,554		07/01/19	7	18.775	\$65,000	21/07/20	36,700	1,034	3,664.00
Zoning Enforcement Officer	1.00	62,554		07/01/19	7	17.276	\$60,000	21/07/20	38,720	1,034	3,664.00
Animal Control Officer	1.00	62,554		07/01/19	7	18.275	\$63,163.02	01/08/20	24,600	1,034	3,664.00
Zoning Enforcement Officer, Ass't	1.00	62,572		07/01/19	7	18.275	\$63,163.02	10/08/20	19,125	1,034	3,664.00
Zoning Enforcement Officer, Assessor, PT	0.300002	62,572		07/02/19	7	18.532	\$66,000	18/04/21	10,287	563.20	3,4110
<b>TECHNICAL STANDARDS ACT, ETC. (Mgmt. Definition)</b>											
Business to no more than one employer											
2. Subsidies to no more than one employer											
3. Confidential & other retaining											
<b>DATA ABOVE HAVE BEEN DRAFTED AND ARE SUBJECT TO APPROVAL BY THE BOARD</b>											

1. All above salaries are effective 10/01/2020.

2. Subsidies are to no more than one employer.

3. Confidential &amp; other retaining.

**RESOLUTION NO. 19-437**  
**(October 8, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. C**  
**YEAR 2019**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 08<sup>th</sup> day of October 2019, a proposed local law entitled, “Local Law Introductory No. C, Year 2019, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2020,”** 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 12<sup>th</sup> day of November, 2019 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

**INTRODUCTORY LOCAL LAW NO. C - YEAR 2019**  
**County of Wyoming, Providing Salaries for Certain County Officers**  
**for the year 2020**

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

- Section 1. Effective as hereafter provided, the annual wage equivalent for the ***Commissioners of Election*** shall be increased by ***\$525.00*** for a new annual salary of ***\$16,485.00***.
- Section 2. Effective as hereafter provided, the annual salary for the ***Clerk to the Board of Supervisors*** shall be increased by ***\$7,126.00*** for a new annual salary of ***\$72,262.00***.
- Section 3. Effective as hereafter provided, the annual salary for the ***County Attorney*** shall be increased by ***\$1,581.00*** for a new annual salary of ***\$64,820.00***.

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Section 4. Effective as hereafter provided, the annual salary for the ***County Highway Superintendent*** shall be increased by ***\$2,336.00*** for a new annual salary of ***\$95,796.00***.

Section 5. Effective as hereafter provided, the annual salary for the ***Public Defender*** shall be increased by ***\$1,532.00*** for a new annual salary of ***\$62,813.00***.

Section 6. Effective as hereafter provided, the annual salary for the ***Commissioner of Public Health*** shall be increased by ***\$2,048.00*** for a new annual salary of ***\$83,952.00***.

Section 7. Effective as hereafter provided, the annual salary for the ***Director of Real Property Tax Services*** shall be increased by ***\$1,710.00*** for a new annual salary of ***\$70,107.00***.

Section 8. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$1,760.00*** for a new annual salary of ***\$72,140.00***.

Section 9. Effective as hereafter provided, the annual salary for the ***Director of Veteran Services*** shall be increased by ***\$1,135.00*** for a new annual salary of ***\$46,525.00***.

Section 10. Effective as hereafter provided, the annual salary for the ***County Clerk*** shall be increased by ***\$9,239.00*** for a new annual salary of ***\$74,239.00***.

Section 11. Effective as hereafter provided, the annual salary for the ***County Treasurer*** shall be increased by ***\$1,811.00*** for a new annual salary of ***\$74,231.00***.

Section 15. All salaries set forth in Sections 1 through 11 above shall be effective as of ***January 01, 2020***.

Section 16. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 17. This Local Law is subject to permissive referendum.

**Carried: XXX Ayes: 1248 Noes: 164 (Attica) Absent: 51 (Eagle) Abstain: 88 (Java) 48 (Pike) 300 Total**

DATED at Warsaw, New York  
October 8, 2019 (Introduced)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

*Chairman Berwanger, T/Arcade asked if there was any objection to the presentation of unanimous consent resolution #40. Hearing no objection, the resolution title was read.*

***Unanimous Consent  
#40***

**RESOLUTION NO. 19-438  
(October 8, 2019)**

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

**SALARY SCHEDULE “I” APPROVED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, are hereby amended as follows:

- **Salary Schedule “I”**, as annexed hereto, shall reflect the following increases:
  - Commencing January 1, 2020, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules.

And be it,

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

**Carried: XXX    Ayes: 1548    Noes:    Absent: 51 (Eagle)    Abstain:**

**2020 WYOMING COUNTY SALARY SCHEDULE "I"**  
**ELECTED OFFICIALS**

TITLE	Position Code	Res. #	Effective Date	2019 salary	Cost of Living	Market Adj.	2020 Salary	Notes
				0.025	53,856	53,856	53,856	
Bo. of Supv. Chairman	004.501	09-494		53,856			53,856	***
Stipend to Bd. of Supv. Chairman (WCCH)	004.501	12-74		20,000			20,000	***
Bd. of Supervisors (15) each	08-471			10,500			10,500	***
Coroner (4 positions)	40.001-502	17-444		100.00/case			100.00/case	Local Law 5, 2017
	40.002-502	19-206	7/1/2019	200.00/case			200.00/case	Local Law 2, 2019
	40.003-502							****
	40.004-502							
County Clerk	006.502	18-575	1/1/2019	65,000	1,625	7,614	74,239	Local Law Intro. C, 2019 *
District Attorney	010.502	19-274	4/1/2019	200,400				**
Treasurer	003.502	18-575	1/1/2019	72,420	1,811		74,231	Local Law Intro. C, 2019 *
Sheriff	004.500	18-575	1/1/2019	92,184			92,184	Local Law 1, 2019 *
			7/1/2019	94,028			94,028	Local Law 1, 2019 *

for only those cases at Wyoming Correctional & Africa Correctional

\* Denotes increases that are subject to Local Law

\*\*In accordance with the laws of NY, 2010, Chapter 667, the Report of the Special Commission of 12/24/15 and Judiciary Law section 183-a

\*\*\*Denotes increases that are subject to advertising with the budget

\*\*\*\*Plus mileage reimbursement

*Before adjourning the meeting Chairman Berwanger recognized Jim Kirsch, RPTS Director as this year's President to the NYS Association of Real Property Tax Services Directors. Chairman Berwanger showed this year's Association Conference program that Director Kirsch prepared in his office. Chairman talked about his invitation to Beaver Hollow, the location of this year's conference and encouraged Supervisors to check out the program.*

*In the last week the Chairman received a notice from the Department of State saying that the county was awarded the applied for \$51,000 County Wide Shared Services Matching funds Grant. Recipients included the Towns of Sheldon and Java. Chairman Berwanger talked about Rich Tobey joining the recent Panel discussion and recognized Board Clerk Ketchum and Budget Officer Cook for their work on the grant. In addition to the grant award, Wyoming County received a call from Ann Thane of the Department of State extending an invitation to attend the 5<sup>th</sup> Annual Local Government Innovation conference in Albany. Wyoming County is to receive the Regional Impact Award for work in County Wide Zoning, County Wide Assessing, County Wide Fire and Building Code Enforcement, Water Resource Agency and County Highway projects.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:18 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

**REGULAR SESSION  
(November 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 were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Mark Dadd**

A Lieutenant in the United States Navy, Mr. Dadd is a former County Court Judge who currently serves as the Chairman of the Wyoming County Industrial Development Board of Directors.

*The pledge was said by all.*

**POW / MIA Day Recognition Ceremony ~**

In keeping with tradition and in honor of Veteran's Day, the MIA/POW Ceremony was presented by Director of Veteran Services, Lisa Harvey and Asst. Director of Veteran's Services, Robin Kruppa.

**Opening Prayer ~**

- *Rev. Frank Fraser, Family Life Church Parishioner*
  - Rev. Frasier was unavailable...

**Correspondence ~**

- *None*

**Open Public Hearing ~**

- "Local Law No. 4, Year 2019 (Introductory C, Year 2019) Entitled, "*A Local Law Providing Salaries for Certain County Officers for the Year 2019*"

**Rules of Conduct for an Open Meeting ~**

- *Recited by Chairman Berwanger*

Regular Session

*The Open Meetings Law provides the public with the right to attend meetings of public bodies, but it is silent concerning the ability of members of the public to speak or otherwise participate.*

**The Wyoming County Board of Supervisors welcomes and encourages members of the general public to attend and observe regular monthly meetings of the Board and the regular monthly standing committee meetings. Information on the time, date and location can be found on the County Web Site.**

**Participation in these meetings is at the pleasure of the Chairman of the Board and/or the Committee Chair. Permission to speak must be made in writing prior to any such meeting.**

**The general rule of the Wyoming County Board of Supervisors is for observation only...**

**During Public Meetings and/or Public Hearings there is an opportunity to be heard but comments are limited to only the purpose of the Public Meeting and/or Hearing. Comments are generally limited to 3 min. per speaker and permission to speak must be made in writing prior to any such meeting. Speakers are asked not to duplicate the comments of other speakers.**

**Outbursts from the general public will not be tolerated. Members of the general public may be escorted from the meeting by law enforcement, if behavior warrants.**

#1

**RESOLUTION NO. 19-439  
(November 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:

Public Health			
<b>From:</b> 01.38.4010.1.10101 FT CSEA	\$10,165.38		
01.38.4010.8.81001 Retirement	8,000.00		
01.38.4010.8.83001 FICA	3,105.00		
<b>To:</b> 01.38.4011.1.10001 Fixed SDI		\$6,000.00	
01.38.4011.1.10101 FT CSEA		650.00	

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01.38.4011.1.10202 Temp		3,489.98	
01.38.4011.1.10301 OT		16.40	
01.38.4011.1.10401 Longevity		9.00	
01.38.4011.8.81001 Retirement		1,000.00	
01.38.4011.8.82001 Disability		30.00	
01.38.4011.8.83001 FICA		650.00	
01.38.4011.8.85001 Medicare-FICA		175.00	
01.38.4011.8.89001 Med/Hosp		7,500.00	
01.38.4011.8.89002 HRA		1,750.00	
<b>Reason:</b> To cover expenses due to staffing changes at the Health Dept.			
Public Health Total			<b>\$21,270.38</b>

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

#2

**RESOLUTION NO. 19-440**  
**(November 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:

<b>Information &amp; Technology</b>			
To: 01.34.1681.4.41402 Computer Maint.	\$1,945.13		
01.34.1681.4.41410 Software	3,066.44		
w/01.07.1681.2610 Fines & Litigation		\$1,945.13	
01.08.1681.2650 Surplus		3,066.44	
<b>Reason:</b> Class action settlement for overpayment on PC from 1998-2002 (2650) Sale of surplus equipment.			
<b>Information &amp; Technology Total</b>			<b>\$5,011.57</b>
<b>DSS/Medicaid</b>			
To: 01.40.6102.4.42250 MMIS IGT/DSH Payment	\$1,010,876.50		
w/any funds available		\$1,010,876.50	
<b>Reason:</b> To cover IGT/DSH pymt.			
<b>DSS/Medicaid Total</b>			<b>\$1,010,876.50</b>
<b>Human Resource</b>			
To: 01.34.1431.4.40301 Prof. Services	\$10,000.00		
w/any funds available		\$10,000.00	
<b>Reason:</b> To cover legal representation contract for remainder of 2019.			
<b>Human Resource Total</b>			<b>\$10,000.00</b>
<b>Board of Elections</b>			
To: 01.34.1450.4.42484 Early Voting	\$4,000.00		
w/01.11.1450.3089 Other State Aid		\$4,000.00	
<b>Reason:</b> To cover costs associated with <i>early voting</i> this year.			
<b>Board of Elections Total</b>			<b>\$4,000.00</b>

<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.41706 Med/Safety Supplies w/01.03.4010.160107 Immunization Rev. <b>Reason:</b> To purchase vaccines for Health Dept. Immunization Clinics.	\$4,500.00	\$4,500.00	
<b>Public Health Total</b>			<b>\$4,500.00</b>
<b>Wyo. Co. Water Resource Agency</b>			
<b>To:</b> 01.48.8310.4.40301 Prof. Service Contrs w/01.04.8310.2378 Water Serv.-Other Govt. <b>Reason:</b> To pay for unbudgeted prof. services contract to complete the Silver Lake Sediment Dredging Project Ph. 2/Sampling Plan Implement.	\$53,775.00	\$53,775.00	
<b>Wyo. Co. Water Resource Agency Total</b>			<b>\$53,775.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1161.4.41361 Traffic Div. Program 01.32.1161.2.20501 Law Enforce Equip. w/01.07.1161.2610 Fines & Forfeitures <b>Reason:</b> To purchase a radar gun, tint meters and basic computer.	\$1,355.00 1,645.00	\$3,000.00	
<b>District Attorney Total</b>			<b>\$3,000.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.2.23001 Cars w/01.08.3110.2680 Insurance Recover <b>Reason:</b> Purchase vehicle replace one totaled in an accident.	\$27,400.00	\$27,400.00	
<b>Sheriff Total</b>			<b>\$27,400.00</b>

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$4,377,723.86** for the month of **October 2019**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #8. Hearing no objection resolution titles were read.*

**#3**

**RESOLUTION NO. 19-441**  
**(November 12, 2019)**

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

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

**WHEREAS**, 51 of the 62 New York Counties are mandated by the

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State to operate a local Department of Motor Vehicles (DMV) Office; and

**WHEREAS**, County Clerks take pride in overseeing and operating this important service on behalf of the State for our residents; and

**WHEREAS**, This local DMV operation is one of many examples of shared services that counties provide for the state; and

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

**WHEREAS**, The remaining 12.7% 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**, Our residents need to understand and obtain new licenses (Enhanced or Real ID) and this education and service has largely been placed on counties with little to no increased funding to achieve this goal; and

**WHEREAS**, In 2019 the State Legislature passed, and the Governor signed into law, the Green Light NY Law which will allow undocumented immigrants the right to obtain a driver's license; and

**WHEREAS**, The State provided no funding to help counties to implement the requirements of Green Light NY and to pay for additional training needs, translation services, or foreign document verification services; and

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

**WHEREAS**, Increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

**WHEREAS**, There is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs to fulfill these DMV services needed for state residents, yet the State takes 87.3% of the revenue generated from providing these services; and

**WHEREAS**, The counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the State legislature to enact an increase of the county DMV revenue share with the State; and be it

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

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

**RESOLUTION NO. 19-442**  
**(November 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MARK H. DADD LAW OFFICE, PLLC ON BEHALF OF THE COUNTY ATTORNEY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the *Mark H. Dadd Law Office, PLLC*, 166 Main Street, Attica, NY 14011 on behalf of the County Attorney. Said contract is for legal services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-443**  
**(November 12, 2019)**

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

**RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO CONTINUE THE FUNDING COMMITMENT FOR ALL COSTS ASSOCIATED WITH EARLY VOTING REFORMS IMPLEMENTED AT THE COUNTY LEVEL**

November 12, 2019

**WHEREAS**, The 2019 legislative session included many election reforms, including the authorization of electronic poll books and provisions for early voting; and

**WHEREAS**, Counties through local Boards of Elections are responsible for managing election operations, and paying for all or most of the costs associated with 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**, The enacted SFY 2020 State Budget included \$14.7 million in capital equipment aid and \$10 million in operational aid support to assist counties with implementing these election law reforms; and

**WHEREAS**, Counties are grateful for this state assistance; and

**WHEREAS**, Without continued state financial assistance, counties will have a difficult time maintaining electronic poll books and sustaining early voting; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to continue to fund election law reforms at SFY 2020 levels; and be it

**FURTHER RESOLVED**, That the New York State Division of Budget expedite disbursement of these funds to local Boards of Elections so counties can continue to prepare for early voting and electronic poll book implementation; and be it

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

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

**RESOLUTION NO. 19-444**  
**(November 12, 2019)**

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

Regular Session

**RESOLUTION CALLING FOR THE FULL REPEAL OF THE NEW YORK STATE SCAFFOLD LAW OR REFORM TO INCLUDE A PURE STANDARD OF COMPARATIVE NEGLIGENCE**

**WHEREAS**, New York Labor Law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

**WHEREAS**, The laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

**WHEREAS**, The law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

**WHEREAS**, The Scaffold Law has caused a dramatic increase in construction costs due to higher insurance costs required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

**WHEREAS**, The Scaffold Law is a boon to personal injury lawyers, as half of the 30 largest lawsuits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20-years, the number of Scaffold Law claims has increased 500%; and

**WHEREAS**, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further, it is one of a very few laws that mandate strict liability in the State of New York; and

**WHEREAS**, The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in neighboring states; and

**WHEREAS**, Not only does the law drive away out-of-state investment in infrastructure, but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment; and

**WHEREAS**, This negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

**WHEREAS**, Federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions to be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors support Scaffold Law reform as well as meaningful protection of construction workers; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors support the full repeal of the Scaffold Law, or its modification, to include a pure standard of comparative negligence; and be it

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

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

**RESOLUTION NO. 19-445**  
**(November 12, 2019)**

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

**RESOLUTION CALLING FOR THE STATE OF NEW YORK TO ALLOW FOR COUNTY HOME RULE AUTHORITY REGARDING EMPLOYMENT RESIDENCY REQUIREMENTS**

**WHEREAS**, New York's Public Officers Law (POL) §3 generally requires certain employees reside in the political subdivision or municipality in which he or she holds such public office; and

**WHEREAS**, This law has a worthy intent, which is to promote that local officials interact with the community in which they serve, even in off hours, as well as to keep local tax-funded salaries within the community; and

**WHEREAS**, Since the 1970's, the State has authorized over 70 exceptions to POL residency requirements, including for police officers, in recognition that for some job specifications it is important to increase the potential hiring pool to obtain highly skilled employees; and

**WHEREAS**, In recent years, the population of upstate New York has declined, shrinking the potential hiring pool; and

**WHEREAS**, In this same period, the State has forced county governments to vastly increase skilled labor hires in order to implement new state reforms such as raising the age of criminal responsibility, public defense expansion, and criminal justice reforms such as bail, speedy trial, and discovery; and

**WHEREAS**, County governments are best situated to know what job titles should have residency requirements and which should have flexibility to ensure efficient and quality county services; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls for the State of New York to amend Public Officers Law §3 and allow for home rule authority to determine county employee residency requirements; and be it

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

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

**RESOLUTION NO. 19-446**  
**(November 12, 2019)**

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

**SALARY SCHEDULE “D” AND “S” HANDBOOK AMENDMENTS  
APPROVED**

**BE IT RESOLVED**, That Salary Schedule “D” and Salary Schedule “S” Handbooks are hereby amended by deleting all current language under **DISABILITY INSURANCE** and replacing the same with the bold text noted below; effective November 12, 2019:

**DISABILITY INSURANCE**

**Full time employees are provided (after 30 days of employment) a 100% employer paid enhanced disability plan for non-occupational injuries or illnesses. These benefits are subject to the terms of the plan. If an**

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employee would like to receive benefits under this plan they should notify the county insurance office within 30 days of the disability arising. The county insurance office will provide additional information on how to file a claim and advise the employee as to what other options may exist.

The plan provides for a benefit of 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Benefits begin on the 8<sup>th</sup> day of disability. The benefit may be supplemented with accrued and available benefit time, up to the employee's full pay.

**Part time employees are not entitled to NYS enhanced disability benefits.**

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

*Prior to the roll call vote, Chairman Berwanger provided attendees with a background of the former Director's retirement and the merging of the Weights and Measures Department within the County Health Department. The new merger provides Weights and Measures with support and consistency.*

**Joint Resolution**  
#9

**RESOLUTION NO. 19-447**  
**(November 12, 2019)**

By Mr. Tallman, Chairman of the Human Resource Committee and Mrs. Ryan, Chairman of the Public Health Committee:

**ROBERT W. JINES APPOINTED DIRECTOR OF  
WEIGHTS AND MEASURES**

**BE IT RESOLVED**, That *Robert W. Jines*, 6591 Center Road, Gainesville, NY 14066 be hereby appointed to the position of *Director of Weights and Measures*; effective November 14, 2019.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #10 through #23. Hearing no objection resolution titles were read.*

**RESOLUTION NO. 19-448**  
**(November 12, 2019)**

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

**RESOLUTION URGING THE STATE TO PROVIDE FUNDS TO OFFSET  
FEDERAL CUTS TO THE SENIOR NUTRITION PROGRAM**

**WHEREAS**, County Offices of the Aging provide Senior Nutrition Services programs that provide a critical service to many of the counties' most vulnerable seniors in terms of both providing nutritious meals as well as providing a means of regular contact with an often socially isolated group; and

**WHEREAS**, There has been a sustained increase in the demand in most counties for the senior nutrition services programs, such as meals on wheels; and

**WHEREAS**, Federal funding for senior nutrition service programs has not kept up with demand, and in fact has been reduced; and

**WHEREAS**, The 2019-20 New York State Budget provides an additional \$15 million for the Expanded In-Home Services for the Elderly Program (EISEP) services through local Offices for the Aging to address the unmet needs of the elderly; and

**WHEREAS**, Demand for nutrition services continues to outstrip funding from the state or federal governments; and

**WHEREAS**, Most counties have determined that it is in the best interests of all county residents that the seniors of their communities continue to receive the valuable service provided by the Senior Nutrition Program, even when funding shortfalls must be covered by local tax dollars; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors urges Governor Andrew M. Cuomo to include, as part of the Executive Budget proposal, an increase in state funding for county Senior Nutrition Services programs; and be it

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

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

**RESOLUTION NO. 19-449**  
**(November 12, 2019)**

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

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO CLARIFY AND STREAMLINE ITS HOMELESSNESS PREVENTION GOALS BY MAKING PERMANENT HOUSING THE CENTRAL FOCUS**

**WHEREAS**, Homelessness continues to be a major concern across the state; and

**WHEREAS**, The Governor and Legislature continue to prioritize finding solutions to the affordable housing crisis; and

**WHEREAS**, The level of homelessness is occurring in an environment where the New York economy is strong, the number of private sector jobs is the highest in state history, the state is experiencing record low unemployment with every region of the state having lower unemployment today than the same period last year, and we are in the midst of the strongest wage growth in over a decade; and

**WHEREAS**, The entrenched nature of homelessness in New York in this environment highlights that overall housing affordability remains a key problem that still must be addressed more ardently; and the amount and type of state, federal and local resources and services need to be realigned to better serve the homeless and to prevent homelessness in the first instance; 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, or are former foster children, veterans, registered sex offenders, state prison parolees, or on probation, with many 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**, Local resources are stretched thin due to revenue limitations placed on counties by the State; and

**WHEREAS**, Insufficient state shelter reimbursements are compounded by no increase in a decade, even as housing costs have soared; and

**WHEREAS**, Counties have also experienced significant state funding cuts in a wide array of social services programs over the last decade that has restricted counties' ability to pursue more aggressive assistance efforts that can prevent homelessness in the first instance; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and Legislature to make permanent and stable housing the central focus of homelessness policy in New York State; and be it

**FURTHER RESOLVED**, State leaders should target supportive housing overseen by OMH, OASAS, DOH and OPWDD to efforts that prevent homelessness and quickly re-house people that become homeless; and be it

**FURTHER RESOLVED**, OMH, OASAS, DOH, OPWDD and DOCCS should focus efforts on services to prevent people from becoming homeless and for rapid rehousing by providing necessary clinical services, supports and after-care during the transition period to permanent housing; and be it

**FURTHER RESOLVED**, The State should utilize mobile mental health and alcohol treatment services that will take people from shelters and motels to their appointments or bring services directly to them; and be it

**FURTHER RESOLVED**, The State should ensure that existing funds for improving housing stock target low income housing in communities across the state (urban, rural and suburban) and is linked to a larger effort to prevent homelessness; and be it

**FURTHER RESOLVED**, State funding should target rental assistance to prevent evictions and to provide transition funding for people moving out of shelters and motels to more permanent housing in order to achieve stable housing; and be it

**FURTHER RESOLVED**, The State should expand existing shelter supplement plans and approve plans that require more state money, instead of insisting on savings or cost neutrality criteria, which ultimately limits the ability to reduce homelessness; and be it

**FURTHER RESOLVED**, The State should support efforts to use safety net assistance funding for stable housing so counties can be less reliant on shelters and motels; and be it

**FURTHER RESOLVED**, The state should encourage innovation and approve local waivers that propose new approaches; and be it

**FURTHER RESOLVED**, The state should develop a public relations campaign to convey how everyone in the community benefits when we achieve stable housing for those most in need; and be it

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

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

**RESOLUTION NO. 19-450**  
**(November 12, 2019)**

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

**RESOLUTION REQUESTING THE GOVERNOR VETO THE S.4203-A/A.2199-A "PRESERVING FAMILY BONDS" ACT**

**WHEREAS**, Both chambers of the Legislature have passed the *"Preserving Family Bonds"* Act; and

**WHEREAS**, While the legislation may be well intentioned, counties remain concerned about possible negative consequences for adopted children and their families, as well as the state's foster care and adoption systems if enacted; and

**WHEREAS**, The act grants family court judges the discretion to order continued visitation and/or contacts between children and their birth parents and/or siblings when a parent's parental rights are terminated; and

**WHEREAS**, Current law already allows for post termination and post adoption visitation rights for grandparents, siblings and half-siblings; and

**WHEREAS**, New York is currently ranked as one of the lowest in the country in complying with the federal mandate to achieve timely permanency for children who need to be freed and adopted; and

**WHEREAS**, The federal government has required New York to set up

a program improvement plan to try and resolve this issue; and

**WHEREAS**, The single most significant cause of this problem is court delays; and

**WHEREAS**, The most common solution to ensure timely permanency is by expediting a termination petition, which prevents court delays. The key way to achieve this is for all the parties to agree that the birth parents will surrender the child with some conditions — usually including some limited and safe contact with the child after adoption occurs; and

**WHEREAS**, The *"Preserving Family Bonds"* act would result in the possibility of constant court involvement and intervention in the adoptive family's life and repeated trauma for the child; and

**WHEREAS**, Any possibility of constant court involvement will likely reduce the number of families and individuals interested in adopting; and

**WHEREAS**, Any reduction in the number of adoptive families and individuals in New York will likely cause the state to be unable to comply with other federal laws, including the *"Family First Prevention Services"* act, jeopardizing hundreds of millions of dollars in federal foster care assistance; and

**WHEREAS**, While many adoptions are resolved through a negotiated settlement that considers all parties' interests (adoptee, parents, biological natives, DSS, etc.), forcing a solution will have serious negative consequences for potential adoptive parents, children who will remain without a permanent home, and strain local capacity and resources; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors oppose the enactment of the *"Preserving Family Bonds"* Act into law and we urge the Governor to veto this legislation; and be it

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

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

**RESOLUTION NO. 19-451**  
**(November 12, 2019)**

November 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 New York State Department of Health (NYSDOH) continues its multiyear effort to take over the administrative responsibilities of the Medicaid program from county government as a way to provide improved consistency in the administration of Medicaid and to reduce administrative burdens for counties and New York City; and

**WHEREAS**, Counties support efforts to streamline government operations in ways that can improve the delivery of services and responsiveness to recipients' needs, while not shifting new costs to county taxpayers; and

**WHEREAS**, The State has enacted a cap in reimbursement to counties and New York City related to Medicaid administrative claiming; and

**WHEREAS**, Even though the state has made progress in taking over more Medicaid administrative functions from counties, they have also increased local administrative responsibilities in other areas, including Medicaid long-term care services and supports, expanding administrative duties under Immediate Need for Personal Care Services and Consumer Directed Personal Assistance programs, added new responsibilities under a variety of state homelessness and emergency shelter activities, and expanded responsibilities under Raise the Age legislation that all stress local social services district (DSS) staff capacity; and

**WHEREAS**, Policies have evolved such that the local DSS role is shrinking in terms of eligibility determinations but simultaneously increasing in terms of home care assessments and responsibilities and the other areas outlined above; and

**WHEREAS**, Capped reimbursement with minimal relief from administering the State's Medicaid program creates significant fiscal and liability concerns for counties and is counterproductive in the current property tax cap environment; and

**WHEREAS**, Counties also struggle with administering all other human services programs mandated by the State, especially since State financial support for local social service district administrative costs was essentially

eliminated many years ago to help balance state budget shortfalls; and

**WHEREAS**, The State Legislature has also passed legislation that will dramatically increase local district costs by requiring caseload caps for child welfare services without providing any additional state resources to support these actions; now therefore

**BE IT RESOLVED**, That until the state Medicaid administrative takeover is complete, we urge the Governor and Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap, continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the state falls short in its attempt to takeover local Medicaid administrative functions; and be it

**FURTHER RESOLVED**, The State should not reduce counties' Medicaid administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts, and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and be it

**FURTHER RESOLVED**, That the New York State Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently; and be it

**FURTHER RESOLVED**, The State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; and be it

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

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

**RESOLUTION NO. 19-452**  
**(November 12, 2019)**

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

**FAMILY CAREGIVERS MONTH PROCLAIMED**

November 12, 2019

**WHEREAS**, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who are chronically ill, elderly, or disabled. Caregivers reflect family and community life at its best. They are among our County's most important natural resources; and

**WHEREAS**, The need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

**WHEREAS**, Family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, civic and business organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim ***November 2019*** as **FAMILY CAREGIVERS MONTH** in Wyoming County.

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

**RESOLUTION NO. 19-453**  
**(November 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 hereby authorized and directed to sign a grant application and acceptance award with the ***New York State Office for the Aging***, 2 Empire Plaza, Albany, NY 12223-1251 on behalf of Wyoming County

Office for the Aging. Said grant is funding for Title's IIIB, C1, C2, D, E, EISEP, CSE, CSI, WIN, HIICAP, TRANS, Title V in an approximate amount of six hundred three thousand five hundred seventy-nine dollars (\$603,579.00); effective January 1, 2020 through December 31, 2020 and April 1, 2020 through March 31, 2021.

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

**RESOLUTION NO. 19-454**  
**(November 12, 2019)**

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

**RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND THE  
NEW YORK STATE LEGISLATURE TO IMPROVE THE EARLY  
INTERVENTION PROGRAM TO BETTER SERVE CHILDREN AND  
FAMILIES THROUGH REFORMS THAT ADDRESS THE LACK OF  
AVAILABLE PROVIDERS IN MANY AREAS OF THE STATE**

**WHEREAS**, The Early Intervention Program in New York State is still in need of comprehensive reform to address the concerning issue of provider capacity since the transition to State administered provider agreements in April 2013; and

**WHEREAS**, Counties are responsible to ensure that services developed in an Individualized Family Service Plan (IFSP) begin within a timely fashion, namely thirty (30) days from the date of the authorizing IFSP; and

**WHEREAS**, Counties must assign providers to a child's IFSP that have current provider agreements with the New York State Bureau of Early Intervention and are listed per county in the New York Early Intervention System (NYEIS) database; and

**WHEREAS**, The existing number of providers are inadequate to meet the needs of the currently enrolled EIP children and their families; and

**WHEREAS**, Providers listed in the NYEIS database are frequently unavailable to service a child due to factors including the area in which the child resides, the provider is only accepting referrals for one (1) or two (2) children enrolled in the Early Intervention Program (EIP) due to other commitments outside of the EIP, provider case load is full and/or the provider no longer works for the EIP although is still listed in the NYEIS; and

**WHEREAS**, There are many children not receiving the EIP services

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they are entitled to, and are instead placed on waitlists pending an available provider; and

**WHEREAS**, Some regions of the state don't have providers available that specialize in certain service categories; and

**WHEREAS**, There is little evidence that the centralization of provider agreements and billing, through the statewide fiscal agent model, has improved the overall rate of collections from third party private insurance or Medicaid, but may be contributing to a decline in the number of providers willing to participate in the Early Intervention Program; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon the Governor and New York State Legislature to consider reforms to the Early Intervention Program to ensure sufficient provider capacity is available and that counties will be held harmless for any delays due to a lack of adequate and timely availability of providers; and be it

**FURTHER RESOLVED**, The state Department of Health should operationalize a robust system of service delivery options for counties to utilize, including teletherapy, to address the lack of available providers in many areas of the state; and be it

**FURTHER RESOLVED**, The State should adjust the Early Intervention rate structure to improve access to these services for children who live in poverty, via no less than a 5% rate increase for services provided to children in zip codes where the percentage of the population below poverty is 15% or higher; 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:** 1599      **Noes:**      **Absent:**      **Abstain:** #17

**RESOLUTION NO. 19-455**  
**(November 12, 2019)**

Regular Session

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

**RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS**

**WHEREAS**, Prior to 2013, counties funded 100% of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

**WHEREAS**, The state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

**WHEREAS**, The State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health's (NYSDOH's) Early Intervention System (NYEIS); and

**WHEREAS**, Recent problems have arisen under the State Fiscal Agent platform related to the lack of follow through by some service providers when they file for payment from insurance companies in the first instance as the law requires and insurers ask for more information; and

**WHEREAS**, Any extensive delay in providing such information can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the state and counties, forcing both to pay more than they should under the law; and

**WHEREAS**, We continue to support proposals from the Governor that prioritize and require providers to enforce current insurance regulations regarding payment of Early Intervention service claims in an attempt to increase commercial insurance collections; and

**WHEREAS**, We also ask that as part of these systems enhancement proposals, Medicaid revisit the retro re-billing process where the state identifies all claims that the counties and state pay including, but not limited to, waivered services, and resubmit those to Medicaid to identify if a child's coverage changed; and

**WHEREAS**, The State has implemented health insurance benefit changes in its Child Health Plus program that will likely reduce third party billing opportunities, resulting in higher costs for counties in the Early Intervention Program; and

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**WHEREAS**, Under the statewide fiscal agent model counties remain concerned about program integrity efforts pursued by the fiscal agent and the NYSDOH through audits, and believe that third party collections are not being maximized based on the increasing drawdown of funds out of the escrow for many counties far in excess of what has been budgeted or caseload changes suggest should be the case; and

**WHEREAS**, While counties have been advised by NYSDOH that they can pursue their own audits and collections to ensure program integrity, counties have no effective mechanism under the law, or leverage with providers, to recoup any audit findings as counties do not hold the provider contracts or have the ability to withhold payments as a way to recoup funds; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the State of New York to implement policies and procedures to ensure that initial provider claims, and follow-up response, are filed in a timely manner to commercial insurance providers and Medicaid; and be it

**FURTHER RESOLVED**, That the State require all providers to enroll in 835 electronic remits and a timely filing requirement; and be it

**FURTHER RESOLVED**, The State Fiscal Agent must implement systematic changes to the billing system to track claims and ensure providers exhaust all appeals in a timely manner before moving on to the next payer of record; and be it

**FURTHER RESOLVED**, That we ask that Medicaid instead pay the claims in the first instance, so that counties don't have to pay upfront and then receive these monies many years later; and be it

**FURTHER RESOLVED**, The State should carefully review all benefit changes in state supported public health insurance programs such as Medicaid and Child Health Plus to ensure new costs are not shifted to county public health programs when current benefits are eliminated or modified; and be it

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

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

**RESOLUTION NO. 19-456**  
**(November 12, 2019)**

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

**RESOLUTION URGING GOVERNOR ANDREW M. CUOMO AND  
STATE LEGISLATURE TO GRADUALLY ELIMINATE THE COUNTY  
FISCAL RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION  
AND SUMMER SCHOOL SPECIAL EDUCATION PROGRAMS**

**WHEREAS**, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as 4410 of the Education Law; and

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

**WHEREAS**, In 1996, 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% with State resources; and

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

**WHEREAS**, School districts make decisions on programs for children, with limited input from the counties; 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 be capping county

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fiscal liability for preschool special education at 75% of the average county cost for the last three-years and then implementing a 5% annual county match reduction to incrementally reduce the county fiscal liability for this program 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:** 1599      **Noes:**      **Absent:**      **Abstain:** #19

**RESOLUTION NO. 19-457**  
**(November 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 SCHOOL 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 special education transportation 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**, In 1996, 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, including transportation; and

**WHEREAS**, School districts make decisions on programs for children, including travel to these programs, with limited input from the counties; and

**WHEREAS**, School districts already have infrastructure in place to

transport school-age children, including children transported outside their own districts; and

**WHEREAS**, The safety of children, specifically children with special needs, is a priority; now therefore

**BE IT RESOLVED**, 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 transportation costs for preschool children; and be it

**FURTHER RESOLVED**, That the State needs to provide incentives that will help increase the utilization of existing school bus fleets and other transportation systems so that preschool special education is more cost effective for the State and the counties; and be it

**FURTHER RESOLVED**, That the first phase will be to require school districts to transport preschool children to preschool special education programs and services determined by the CPSE and be reimbursed through an equal cost share between the school district, the State and the counties; and be it

**FURTHER RESOLVED**, That the second phase will be to reduce counties' transportation costs by 5% annually to incrementally reduce the counties fiscal liability for preschool special education transportation to zero; and be it

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

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

**RESOLUTION NO. 19-458**  
**(November 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

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**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.

And,

**WHEREAS**, That Resolution Number 16-246 was previously amended by this Board of Supervisors on February 12, 2019 by ***Resolution Number 19-047*** to correct the dates for both contracts from July 1, 2016 through June 30, 2018 to ***July 1, 2016 through June 30, 2019*** and also extend the contract term for both contracts through ***June 30, 2020 (first of two 1-year extension options)***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 16-246*** be hereby corrected to include the amount of both contracts shall not exceed the ***2016 ~ 2019 budgets***, variable depending on number of services; and be it

**FURTHER RESOLVED**, That ***Resolution Number 19-047*** be hereby corrected to include the amount of both contracts shall not exceed the ***2019 ~ 2020 budget***, variable depending on number of services; and be it

**FURTHER RESOLVED**, That ***Resolution Number 16-246*** as previously amended by ***Resolution Number 19-047*** be hereby further amended to extend the contract term for both contracts through ***June 30, 2021 (second of two 1-year extension options)*** in an amount not to exceed the ***2020 ~ 2021 budget***, variable depending on number of services.

All else remains the same.

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

**RESOLUTION NO. 19-459**  
**(November 12, 2019)**

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

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## 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.

And,

**WHEREAS**, That ***Resolution Number 16-247*** was previously amended by this Board of Supervisors on February 12, 2019 by ***Resolution Number 19-048*** to correct the contract dates from July 1, 2016 through June 30, 2018 to ***July 1, 2016 through June 30, 2019*** and extend the contract term through ***June 30, 2020 (first of two 1-year extension options)***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 16-247*** be hereby corrected to include the amount of the contract shall not exceed the ***2016 ~ 2019 budgets***, variable depending on number of services; and be it

**FURTHER RESOLVED**, That ***Resolution Number 19-048*** be hereby corrected to include the amount of the contract shall not exceed the ***2019 ~ 2020 budget***, variable depending on number of services; and be it

**FURTHER RESOLVED**, That ***Resolution Number 16-247*** as previously amended by ***Resolution Number 19-048*** be hereby further amended to extend the contract term through ***June 30, 2021 (second of two 1-year extension options)*** in an amount not to exceed the ***2020 ~ 2021 budget***, variable depending on number of services. All else remains the same.

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

## RESOLUTION NO. 19-460 (November 12, 2019)

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH**

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**KRISTINA AND VANESSA RUTENKROGER 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 *Kristian and Vanessa Rutenkroger*, 155 Werkley Road, Tonawanda, NY 14150 on behalf of the Department of Social Services. Said contract to provide foster care services for children related to the vendor in a variable amount depending upon eligibility; effective September 1, 2019 through March 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-461  
(November 12, 2019)**

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

**NATIONAL ADOPTION AWARENESS MONTH PROCLAIMED**

**WHEREAS**, November 2019 is National Adoption Awareness Month and is designed to provide us with an opportunity to acknowledge the families and staff who are involved in adoption activities throughout the year. The focus this year is on those children currently in foster care; and

**WHEREAS**, Deciding to open their hearts and homes to a child, adoptive and foster care families demonstrate great compassion and provide hope and love to these children. National Adoption Awareness Month and National Adoption Day, November 23, 2019 help to raise public awareness of the fact that there are children available who are waiting for caring families; and

**WHEREAS**, There are currently 10 children freed for adoption and approximately 20 children in Wyoming County in foster care. The valuable contributions of foster care and adoptive parents are recognized as they continually strive to improve the quality of life for the children brought into their lives; now therefore

**BE IT RESOLVED**, That November 2019 is hereby proclaimed **NATIONAL ADOPTION MONTH** in Wyoming County; and be it

**FURTHER RESOLVED**, That it is the desire of the Wyoming County Board of Supervisors and the Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

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

*Following the conclusion of the passage of Resolutions Numbered 10 through 23, Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium. In turn, Supervisor Grant invited Director of Aging and Youth, Andrea Aldinger to join her to receive the Family Caregivers Month proclamation. Director Aldinger graciously accepted the proclamation and thanked the Board of Supervisors for their continued support of these Office for the Aging programs.*

*Next, Supervisor Grant invited Dept. of Social Services Commissioner, Kim Barber and Supervisor Becker, T/Sheldon to the podium for the presentation of the National Adoption Month proclamation. Supervisor Becker read the proclamation and shared his adoption story with attendees and presented the proclamation to Commissioner Barber...*

*Commissioner Barber explained that in Wyoming County you have to first be a foster parent in order to be eligible to adopt a child...*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #24 through #27. Hearing no objection resolution titles were read.*

#24

**RESOLUTION NO. 19-462**  
**(November 12, 2019)**

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

**RESOLUTION IN SUPPORT OF ESTABLISHING A TEMPORARY COMMISSION FOR THE EVALUATION OF OFFICE OF MENTAL HEALTH (OMH) HOUSING PROGRAMS PURSUANT TO S.5637-A (CARLUCCI)/A.7489-A (GUNTHER)**

**WHEREAS**, Safe and affordable supportive housing is an essential component of recovery for people with serious mental illness; and

**WHEREAS**, The mental hygiene housing program models that were developed decades ago had 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

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**WHEREAS**, The State's Office of Mental Health supportive housing programs are expected and required to serve the clients with the highest and most challenging behavioral health needs and long-term viability of these programs are an essential component of recovery; 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**, Directors of Community Services throughout the State report significant waiting lists for mental health housing and it is becoming increasingly more difficult to find safe affordable units and provide higher level services and appropriate staffing to safely serve these medically-complex individuals; and

**WHEREAS**, Depending on the model of care, funding for approximately 40,000 units of OMH housing, statewide, has been decreased by 40-70% due to inflation and funding limitations, staffing turnover rates have reached all-time highs in all programs; and

**WHEREAS**, The Senate and Assembly passed legislation S.5637-A/A.7489-A in June, to establish a temporary commission, to be known as the Office of Mental Health Housing Program Evaluation Commission to evaluate the effectiveness of these programs and make recommendations on the adequacy of funding levels, number of direct care and professional staff and levels of programmatic needs for the residents they serve; and

**WHEREAS**, The New York State Conference of Local Mental Hygiene Directors fully supports this legislation and believes its approval will lead to a more comprehensive review of the current levels of programming and will help to identify the much needed resources that are required by the State in order to effectively serve these high-needs individuals; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor to approve S.5637-A/A.7489-A to establish the Office of Mental Health Housing Program Evaluation Commission in an effort to make known any existing gaps in the State's current mental housing program model and identify the adequate levels of reimbursement needed to support the appropriate management of this higher level of service in every county; and be it

**FURTHER RESOLVED**, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State

Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 19-463**  
**(November 12, 2019)**

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

**RESOLUTION FOR ALLOCATING UNRESTRICTED RESOURCES TO  
LOCAL HEALTH DEPARTMENTS TO FORTIFY PROVISION OF  
CORE PUBLIC HEALTH SERVICES AND PREPARE FOR  
IMPLEMENTATION OF EXPANDED PUBLIC HEALTH MANDATES**

**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**, Directors and Commissioners of public health are health strategists within their respective Counties, with the unparalleled expertise needed to apply knowledge, bridge competency gaps, lead multi-sector health improvements and identify vulnerable populations; and

**WHEREAS**, Un- and under-funded public health mandates continue to emerge routinely, including: expansion of responsibilities for children's camps, Zika virus/mosquito surveillance, monitoring of contaminants in drinking water, technical assistance to schools to address lead in school drinking water, registration of cooling towers and most recently, lowering of the elevated blood lead level in children (EBLL); 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 has 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

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**WHEREAS**, During the 2019-2020 State Budget Session, the definition of elevated blood lead level (EBLL) was lowered in statute to 5 mg/dL, a protective public health policy of which will result in a six fold increase in children requiring public health interventions and the state's investment of \$9.4 million for local health department services leaves approximately \$36.6 million - or 80% of - of the costs to be paid by local governments; and

**WHEREAS**, New York State is considering policy to legalize regulated cannabis, which if passed, will lead to increased response including education, surveillance, public awareness, and oversight by local health departments; 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**, 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 needs; 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, a surplus of workers who are approaching retirement, the inability 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, therefore creating a barrier to hiring new staff; and

**WHEREAS**, A thorough assessment of the full fiscal implications of any new policy is crucial if the state desires to maintain the promise made to local taxpayers through the 2% state property tax cap, and if the state wishes to deliver on new public health promises that they want to implement through state statute and regulations; and

**WHEREAS**, Now is the time for a call to action to evaluate allocate the resources that are truly needed to expand public health and safety infrastructure in New York State, further demonstrating the State's commitment to pass progressive public health policy and thereby protect the residents of New York State; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to provide resources, flexibility and support to local health departments within County and NYC Governments by:

- Allocating \$40M of unrestricted, flexible funding to local health departments so they have the resources needed to protect children with elevated blood lead levels;
- Restoring Article 6 reimbursement to New York City, which was reduced from 36% to 20% in the 2019-2020 State Budget;
- Providing 100% reimbursement for the first full year of any new and/or significantly expanded public health mandates emerging from law, rule or regulation, including any programming related to lead safe housing/primary lead prevention;
- Fully restore the Cost of Living Adjustment (COLA) for Department of Health programs, which was removed in the 2018-2019 State Budget;
- Allow reimbursement of fringe expenses under Article 6 State Aid Appropriation

And be it

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

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

**RESOLUTION NO. 19-464**  
**(November 12, 2019)**

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

**RESOLUTION TO DELAY THE IMPLEMENTATION OF NEW LEAD POISONING REGULATIONS DUE TO AN UNWORKABLE TIMELINE AND EXORBITANT COST**

**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

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**WHEREAS**, New York State has lowered the definition of elevated blood lead level (EBLL) to five micrograms per deciliter (5 pg/dL) to address 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 ng/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 affect the ability of local governments to stay within the state enacted property tax cap, thus placing a greater tax burden on communities; and

**WHEREAS**, The proposed implementation date of this new mandate is October 1, 2019, which necessitates significant mid-year unbudgeted expenditures by counties; and

**WHEREAS**, Securing the necessary resources in that timeframe could result in either significant reductions in other critical public health services and staff or the inability to comply with the new requirements; and

**WHEREAS**, Full and effective implementation of this statutory

change cannot occur in the short timeframe currently proposed; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors requests that the New York State Department of Health extend the implementation of the proposed deadline to at least April 1, 2020 in recognition of the time needs related to budgeting, hiring and purchasing; and be it

**FURTHER RESOLVED**, The Governor and the New York State Legislature identify and provide additional revenue sufficient to cover the full costs of this expanded mandate to local governments; and be it

**FURTHER RESOLVED**, That this funding be provided through grant mechanisms to allow the needed flexibility to support hiring and non-personnel expenses; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors urges that future savings to government programs from this statutory change be allocated to support primary lead poisoning prevention activities and other public health services; and be it

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

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

**Absent:**

**Abstain:**

#27

**RESOLUTION NO. 19-465**  
**(November 12, 2019)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A CONTRACT WITH ENVIRONMENTAL TESTING AND  
CONSULTING, 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 ***Environmental Testing and Consultation, Inc.***, PO box 466, Batavia, NY 14020 on behalf of the County Health Department. Said contract is

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for residential lead hazard evaluations to meet Public Health Law requirements, according to the fee schedule and based upon volume; effective October 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Kehl, T/Attica, to combine resolutions #28 through #30. Hearing no objection resolution titles were read.*

**#28**

**RESOLUTION NO. 19-466**  
**(November 12, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION IN SUPPORT OF AGRICULTURE EDUCATION FOR  
THE YEAR 2020 AND BEYOND**

**WHEREAS**, In 1996, the National Council for Agricultural Education embarked on a strategic plan to effectively change the future of agriculture education through the creation and implementation of a project, entitled "Reinventing Agricultural Education for the Year 2020 (RAE 2020); and

**WHEREAS**, The Council's stated viewpoint was expressed as, "Agriculture is too important a topic to be taught only to the relatively small percentage of students considering careers in agriculture and pursuing vocational agriculture studies;" and

**WHEREAS**, The RAE 2020 strategic plan referenced the need to modernize the focus of agricultural education from production agriculture and training students to become practicing farmers to one that prepares students for careers encompassing applied agri-sciences, bio-technologies, food sciences and technologies, and a host of emerging careers in agriculture; and

**WHEREAS**, 21st Century secondary agriculture education programs are a unique part of career and technical education that strives to enhance student education by using agriculture as the vehicle to provide a complete educational experience through the three-circle model of agricultural education, which includes Classroom Instruction, Future Farmers of America (FFA), and Supervised Agricultural Experiences; and

**WHEREAS**, New York agriculture education has experienced a

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renaissance of growth and importance in recent years with currently 207 school campuses offering agricultural education programs to over 10,000 students across New York State, representing 51% of New York's rural schools and 7% of our Urban schools; and

**WHEREAS**, In addition to schools that are already offering agriculture education programs, there are over seventy additional school districts that have inquired about starting an agriculture education program because they see the value in real-world application of rigorous STEM education; and

**WHEREAS**, FFA is an integral component of an agriculture education program that provides valuable leadership development opportunities and New York FFA has had a 23% increase in the number of chapters, adding 24 chapters since 2017, and with anticipation that, by the end of 2019, it is expected to charter another 40 new FFA chapters; and

**WHEREAS**, County legislators throughout New York have long acknowledged the benefits of agriculture education for all students in New York, with counties such as Oneida County that have developed Action Plans in support of agriculture, including objectives such as to "innovate and improve recruitment to existing Ag-education and develop the programs to meet and exceed national agricultural education standards" through actions such as "expand the presence of Future Farmers of America (FFA) throughout every school district in Oneida County;" and

**WHEREAS**, As we approach the year 2020, more than two decades after The Council's initial Strategic Plan to Reinvent Agriculture Education, New York agricultural education is experiencing unprecedented growth and recognition as a premier educational option for student success and is poised to strive to achieve RAE 2020's goal of an "agricultural education option for every student in every school."; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors support RAE 2020's goals and objectives to develop agriculture education options for every student in New York State; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors supports state funding that create new, or enhance existing, agriculture education programs in New York State; and be it

**FURTHER RESOLVED**, That the Board of Supervisors supports efforts to educate local, state and federal governmental officials, local school administrators, Boards of Education, guidance counselors, community members, and agriculture industry stakeholders of the significant importance of agriculture

education for the year 2020 and beyond; and be it

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

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

**RESOLUTION NO. 19-467**  
**(November 12, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION IN SUPPORT OF A COLLABORATION BETWEEN  
EMPIRE STATE COLLEGE AND SUNY COBLESKILL TO DEVELOP  
AN AGRICULTURE EDUCATION TEACHER  
PREPARATION/CERTIFICATION PATHWAY**

**WHEREAS**, Agricultural education has long been recognized as a premier career and technical educational program that utilizes agriculture as the vehicle to deliver traditional classroom and laboratory instruction, leadership development through Future Farmers of America (FFA), and experiential learning through Supervise Agricultural Experiences (SAE) and, thus, prepares students to be problem solvers, leaders, entrepreneurs, life-long learners and productive members of society; and

**WHEREAS**, School districts recognize the value of the contribution of agricultural education's model of rigorous application of STEM education, which leads to a well-rounded education that prepares students for success in college and the agricultural workforce; and

**WHEREAS**, Interest in secondary agriculture education programs in New York and nationally has experienced unprecedeted growth and the demand for highly effective agriculture teachers continues to grow; and

**WHEREAS**, Growth in need for agriculture teachers in New York has increased from 211 teachers in 2015 to 300 in 2018 due to the growth in agriculture education programs from 145 in 2015 to 205 in 2018; and

**WHEREAS**, The Northeastern United States has also experienced a growth in demand for agriculture teachers from 1,294 in 2015 to 1,737 in 2018;

and

**WHEREAS**, In New York, there are currently over 70 additional middle-level and secondary schools in both rural and urban communities planning to, or interested in, adding Agricultural Education programs to their school offerings; and

**WHEREAS**, Based upon the projected number of graduates in the current certification pathways over the next five years, there will be a severe shortfall of certified, agriculture teachers; and

**WHEREAS**, School districts are hiring an increasing number of alternatively certified agriculture teachers to fill open positions; and

**WHEREAS**, A key component of the success of an agriculture education program is hiring and retaining highly qualified staff that are trained by a state-accredited agriculture teacher preparation program that provides technical agriculture coursework and teaching pedagogy; and

**WHEREAS**, Only two New York higher education institutions — SUNY Oswego and Ithaca College in partnership with Cornell University — are currently certified to prepare needed agriculture teachers and only two certified programs exist in New England to service all other New England states; and

**WHEREAS**, Many collegiate agriculture students obtain 4-year bachelor's degrees in technical agriculture and cannot readily transfer to an agriculture teacher preparation program using pathways currently offered in New York State; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the "fast track" development and creation of an agriculture education teacher certification pathway through a collaboration with Empire State College and SUNY Cobleskill; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors advocate for this initiative with the State University of New York SUNY Chancellor and support state funding for this initiative; and be it

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

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

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**RESOLUTION NO. 19-468**  
**(November 12, 2019)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION IN OPPOSITION TO S.2837 (RAMOS)/A.2750 (NOLAN)**  
**REGARDING THE FARMWORKERS FAIR LABOR PRACTICES**  
**ACT OF 2019**

**WHEREAS**, As has been widely reported, area farms are ceasing to operate; and

**WHEREAS**, According to the USDA, 98% of New York State farms are family owned; and

**WHEREAS**, Farming is a highly regulated industry, that operates twenty-four hours a day, every day of the year; and

**WHEREAS**, Farmers provide valuable jobs and are a critical component of our State's economy; and

**WHEREAS**, Senate Bill 2837 (Ramos)/Assembly Bill 2750 (Nolan), which was passed during the 2019 Legislative Session and signed by the Governor, would, among other things, provide for collective bargaining rights of farm workers and require overtime pay; and

**WHEREAS**, According to Farm Credit East, overtime, combined with the rising minimum wage, would raise labor costs on New York farms by approximately \$300 million and reduce net farm income 23.4%; and

**WHEREAS**, Family farming is already on the decline, and decreasing profitability is further disincentive to continue family farming operations when the land farms sit on can be sold and developed for non-agricultural uses; and

**WHEREAS**, New York's farm families must deal with competitive global agricultural markets and prices that cannot be passed on to consumers; and

**WHEREAS**, The net effect of increasing agricultural costs on New York farms will drive more New York farm families out of business; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors

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opposed the passage of Senate Bill 2837 (Ramos)/Assembly Bill 2750 (Nolan) and calls on the New York State Legislature and Governor to repeal or amend this law; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors recommends the following amendments to the legislation in line with Grow NY's recommendations:

- A requirement that wages paid on the seventh consecutive day of work are based on an overtime rate, if a farm worker waives their right to a day of rest; and
- Modify the definition of family to recognize the role of close relatives such as aunts, uncles, nieces, nephews and cousins, whose participation in farm activities are subject to the new statute; and
- The wage board created under the law lacks New York's key agency expert on agricultural issues, the State Commissioner of the Department of Agriculture and Markets, and should be modified to include the Commissioner; and
- Elections involving the ability to form a union lack the integrity of a secret ballot,

And be it

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

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

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #31 through #39. Hearing no objection resolution titles were read.*

#31

**RESOLUTION NO. 19-469**  
**(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION RECOGNIZING, THANKING, AND SUPPORTING THE  
 STATE OF NEW YORK, NEW YORK STATE DEPARTMENT OF  
 ENVIRONMENTAL CONSERVATION AND THE NEW YORK  
 ATTORNEY GENERAL FOR FIGHTING FOR THE ADIRONDACK  
 TRAIL PROJECT**

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**WHEREAS**, By statutory and constitutional authority, the NYS Department of Environmental Conservation (NYSDEC) designs, constructs, and maintains all trails in Adirondack Forest Preserve; and

**WHEREAS**, Since 2014, the DEC planned and approved to move forward on an Adirondack trail project that would both help to maintain the integrity of the Adirondack Forest Preserve and allow for sustainable access into the preserve for the public to enjoy; and

**WHEREAS**, This project would create a 27-mile trail to be used by snowmobiles in the winter and by hikers in the other seasons, moving existing snowmobile trails to the edge of the Forest Preserve and away from areas that are more susceptible to damage; and

**WHEREAS**, NYSDEC's right to continue this project was challenged and in a split decision, the State Appellate Division Third Department ruled against NYSDEC, stopping the planned construction of a trail intended for snowmobile and hiker use; and

**WHEREAS**, This ruling is a severe setback to the people of New York State and negatively impacts those who choose to enjoy the stated purpose of the great state park: outdoor recreation and forest preservation; and

**WHEREAS**, This ruling interferes with NYSDEC's authority and purpose to promote and maintain the integrity of the Adirondack Forest Preserve; and

**WHEREAS**, This ruling could cause a chilling effect on future trail maintenance and Adirondack economic growth because the legal definition of what qualifies as unresolvable "timber" may have been redefined to include brush; and

**WHEREAS** The dissenting opinion accurately states this NYSDEC project is reasonable under the State Constitution because the trail is limited in its small tree removal and "[w]hatever the advantages may be of having wild forest lands preserved in their natural state, the advantages are for everyone within the [s]tate and for the use of the people of the [s]tate"; and

**WHEREAS** On August 9, 2019, Attorney General Letitia James filed an appeal to the NYS Court of Appeals in order for this important trail project to continue and for NYSDEC to maintain their right to reasonably provide maintenance to the Adirondack Park for both public enjoyment and forest preservation; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors

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thanks and supports the State of New York's efforts and, in particular, Attorney General James for fighting to protect this important DEC trail program by appealing the decision; and be it

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

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

**RESOLUTION NO. 19-470**  
**(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**SMALL BUSINESS SATURDAY PROCLAIMED**

**WHEREAS**, Small business is the backbone of the economy and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

**WHEREAS**, Our small business owners work long hours, juggle family and career responsibilities and serve as community volunteers, are central to our country's prosperity and to the vibrancy of our community. These diverse entrepreneurs are vital to our national economy. Small businesses account for 99.7% of all registered businesses in the U.S., creating over sixty percent of new jobs, and they account for 58.9 million employees representing 53% of the private workforce; and

**WHEREAS**, Through the opportunities offered by the men and women who own and operate over one thousand diverse small businesses including family farms in Wyoming County, many of our residents are able to pursue their dreams of a better life; and

**WHEREAS**, We recognize "Small Business Saturday" which is Saturday, November 30, 2019, a day to celebrate and support small businesses that create jobs, boost the economy, and strengthen neighborhoods around the country to encourage shopping locally; and

**WHEREAS**, The Wyoming County Board of Supervisors wishes to recognize small businesses for the critical role they play in keeping our local

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economy strong and urging all our citizens to join in this observance, as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses; now therefore

**BE IT RESOLVED**, That Saturday, November 30<sup>th</sup>, 2019 is hereby designated as **SMALL BUSINESS SATURDAY** in Wyoming County in conjunction with the Wyoming County Chamber of Commerce and Tourism office and communities across Wyoming County, the State of New York, and the United States who have declared this as an important day in celebration and recognition of small business.

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

**RESOLUTION NO. 19-471**  
**(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN MEMORANDUMS OF  
UNDERSTANDING ON BEHALF OF THE WYOMING COUNTY  
WATER RESOURCE AGENCY**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Memorandums of Understanding to provide funding revenue for the completion of the Silver Lake Dredging Project for Phase 2 (Sampling Plan and Survey Cost) on behalf of the Wyoming County Water Resource Agency as follows:

Silver Lake Association	\$14,975.00
Silver Lake Watershed Commission	\$9,150.00
Village of Perry	\$9,150.00
Town of Perry	\$9,150.00
Town of Castile	\$9,150.00
County of Wyoming	\$1,685.00
R. S. Maher	\$1,100.00
Village of Mount Morris	\$1,100.00
<b>TOTAL</b>	<b>\$55,460.00</b>

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

**RESOLUTION NO. 19-472**  
**(November 12, 2019)**

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By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE ON BEHALF OF THE WYOMING COUNTY WATER RESOURCE AGENCY**

**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 *Clark Patterson Lee*, 205 St. Paul Street, Suite 500, Rochester, New York 14604 on behalf of the Wyoming County Water Resource Agency. Said contract is for the completion of the Silver Lake Dredging Project ~ Phase 2 Sampling Plan Implementation Scope of Work in an amount not to exceed fifty-five thousand four hundred sixty dollars (\$55,460.00); effective October 25, 2019 through completion of project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-473**  
**(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION CALLING ON THE FEDERAL GOVERNMENT, GOVERNOR ANDREW M. CUOMO AND THE NEW YORK STATE LEGISLATURE TO ADDRESS THE LACK OF CELLULAR PHONE COVERAGE**

**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

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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 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 New York State should work in tandem with the New York Congressional Delegation to push the federal government to increase appropriations for the Federal Communications Commission Mobile Fund Phase II project; and be it

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

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

**RESOLUTION NO. 19-474**  
**(November 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: 1599      Noes:      Absent:      Abstain: #37**

**RESOLUTION NO. 19-475  
(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**DAVID JOHNSON REAPPOINTED TO THE WYOMING COUNTY  
PLANNING BOARD**

November 12, 2019

**BE IT RESOLVED**, That **David Johnson** (T/Covington) 507 Pavilion-Warsaw Road, Wyoming, NY 14591 is hereby reappointed to the Wyoming County Planning Board as a Voting Member for a three (3) year term; effective January 1, 2020 through December 31, 2022.

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

**RESOLUTION NO. 19-476**  
**(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION URGING RENEWED FUNDING FOR ELECTRONIC WASTE COLLECTION**

**WHEREAS**, The New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State in 2010 to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

**WHEREAS**, The Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

**WHEREAS**, While the Act intended to place the burden of electronics recycling on the manufacturers of electronic devices, the Act failed to stipulate adequate education requirements to inform the public of the process by which they could recycle their electronics with the manufacturers; and

**WHEREAS**, The Act created a ban on disposal of electronic waste in landfills, effective January 2015, which resulted in a growing number of waste stream planning units throughout New York's counties bearing more of the fiscal responsibility for continued e-scrap collection in their communities; and

**WHEREAS**, The Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

**WHEREAS**, Once manufacturers have met their performance standard (goal), which, in many cases, is midway through the year, they no longer

provide financial support to continue their collection programs, thus shifting management costs to cash-strapped local governments; and

**WHEREAS**, While the New York State Department of Environmental Conservation (DEC) indicates there are no longer performance goals, some manufacturers continue to dodge their legal responsibility to accept electronic waste; and

**WHEREAS**, The issue is exacerbated by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

**WHEREAS**, This has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; and

**WHEREAS**, The Fiscal Year 2016-17 appropriation for the Environmental Protection Fund provided much needed assistance to municipalities by making \$3 million available to reimburse up to 50% of expenses incurred for the collection/recycling of e-waste; and

**WHEREAS**, As of 2019, the FY 2016-17 appropriation for Electronic Waste Assistance Grants has been depleted with no plan for renewal; and

**WHEREAS**, Continued funding for e-waste recycling is necessary to mitigate the financial pressures local governments face in collecting and properly managing e-waste; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on state lawmakers to help alleviate the financial and administrative burden on municipalities who are dealing with these electronics by appropriating \$3 million in the FY 2020-21 State Budget for continued reimbursement of expenses incurred collecting and recycling e-waste; and be it

**FURTHER RESOLVED**, That local governments approved for less than 50% reimbursement in 2019 due to the depleted FY 2016-17 appropriation be made whole; 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

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

**RESOLUTION NO. 19-477**  
**(November 12, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION REQUESTING RELIEF AMID AN ONGOING  
RECYCLING CRISIS**

**WHEREAS**, China's "National Sword" policy, which bans the import of mixed paper and plastics and imposes a low 0.5% contamination standard on recycled materials, has deflated corresponding commodity markets and recycled materials by as much as 90%; and

**WHEREAS**, Additional commodity price stresses have been generated by the closure of the largest glass bottle manufacturer in the Northeast; and

**WHEREAS**, The commodity market for plastics declined by 45% between May and August of 2019; and

**WHEREAS**, Localities handling recycled materials are finding it difficult and no longer profitable to dispose of such materials in domestic or secondary markets to the point where municipal tip fees for regular solid waste no longer cover the cost of recycling; and

**WHEREAS**, The world-wide commodity situation for recycled materials is unlikely to improve in the short term; and

**WHEREAS**, By effectively declining to prioritize a substantive and effective solution, or set of solutions, to combat the recycling crisis, New York State has missed an opportunity to provide needed leadership on this issue and continues to enforce an outdated set of regulations that overburden localities; and

**WHEREAS**, New York State has not directed the significant state resources needed to collaborate on effective solutions to the crisis and provide relief to the aggrieved municipalities of the state; and

**WHEREAS**, No substantive or significant changes to recycling laws and administrative interpretations have been made to provide any relief related to the numerous regulations on solid waste recycling, temporary or otherwise; and

**WHEREAS**, Counties have requested additional support from New York State to avoid turning to less environmentally friendly solutions that may result in tragic environmental effects on public and private lands alike; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to take a leadership role in providing relief to municipalities from the crisis in the recycling markets, which is currently adding substantial costs to the processing and disposal of such materials; and be it

**FURTHER RESOLVED**, That New York State either relieve mandates relating to recycling or provide municipalities other options to solve the crisis on their own; and be it

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

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

*At the conclusion of the roll call vote for Resolutions Numbered 31 through 39, Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to present the Small Business Saturday proclamation. Supervisor Leuer read the proclamation and offered to deliver the proclamation to Wyoming County Chamber/Tourism...*

*In presenting this proclamation, Supervisor Leuer, shamelessly made a plug for Midnight Magic in the Village of Warsaw on Friday, December 6, 2019. To include a chili cook off...*

*Before Supervisor Leuer left the podium, Chairman Berwanger asked him to comment on the 5<sup>th</sup> Annual Innovation Conference he attended in Albany with Code Enforcement Officer Don Roberts and Zoning Enforcement Officer Alyssa Cutcliffe, where they were presented with this year's Regional Impact Award and Citation by Governor Cuomo for Wyoming County's Countywide Shared Services efforts in the areas of Countywide Assessing, Zoning, Fire and Building Code Enforcement, Water Resource Agency and Highway collaborations.*

*Chairman Berwanger then asked Director of Environmental Health, S. Perkins, to provide a recap of Resolution Number 19-471 and the Countywide Shared Services Matching Funds grant opportunity potential associated with this plan.*

*Director of Environmental Health, S. Perkins made his way to the podium and explained the Inter-Municipal Agreements provide funding revenue for the completion of the Silver Lake Dredging Project for Phase 2, which consists of a sampling plan and survey cost.*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #40 through #56. Hearing no objection resolution titles were read.*

#40

**RESOLUTION NO. 19-478  
(November 12, 2019)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO FULLY FUND COSTS ASSOCIATED WITH IMPLEMENTING RECENTLY ENACTED CRIMINAL JUSTICE REFORMS INCLUDING BAIL, SPEEDY TRIAL AND DISCOVERY REFORM**

**WHEREAS**, The SFY 2020 enacted state budget included significant criminal justice reforms, which take effect January 1, 2020; and

**WHEREAS**, The state budget did not include any targeted funding for counties to comply with bail, speedy trial, and discovery reforms; and

**WHEREAS**, These reforms will significantly impact many county departments, including probation, district attorney, county attorney, public defender, county administration and sheriff; and

**WHEREAS**, Counties are preparing their budgets for the 2020 fiscal year without state revenue to offset the increase in staffing, equipment, technology and software needs across these departments, while also complying with a state-imposed property tax cap; and

**WHEREAS**, Without a thorough review and modification of jail staffing levels on an annual basis, counties will not see a reduction in county jail staffing costs; and

**WHEREAS**, The state taskforce must work to determine the full impact to the criminal justice system, including additional costs borne by county government and recommend appropriate state funding support to assist counties with implementation of this new statute; and

**WHEREAS**, In addition to financial resources, the Wyoming County Board of Supervisors calls for statutory changes to the law clarifying electronic monitoring provisions, and pre-trial service agencies; and

**WHEREAS**, The Wyoming County Board of Supervisors supports efforts to reform cash bail, discovery and speedy trial to return people to society where services can be provided. However, without adequate state funding, costs associated with pretrial supervision, district attorney costs for providing discovery to defense counsel within 15 days for most defendants, and the costs associated with transporting offenders that fail to appear to court are beyond current county resources; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to hold counties harmless and fund 100% of the incremental costs associated with these criminal justice reform proposals; and be it

**FURTHER RESOLVED**, The State Commission on Corrections must revise the minimum staffing requirement for each local correctional facility upon implementation of this legislation to adjust for expected reductions in local jail census; and be it

**FURTHER RESOLVED**, That §510.40 4(c) of the Criminal Procedures Law be amended to strike "but counties, municipalities and the state shall not contract with any private for-profit entity for such purposes"; and be it

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

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

**RESOLUTION NO. 19-479**  
**(November 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**

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**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 approved 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 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 further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase; and

**WHEREAS**, The State has been careful in recent 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 District Attorney 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 2020 and beyond, this annual unfunded mandate will continue to increase as Judicial salaries, and the District Attorney 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

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

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

**RESOLUTION NO. 19-480**  
**(November 12, 2019)**

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

**RESOLUTION SUPPORTING A.6215/S.5459 TO AMEND THE VEHICLE AND TRAFFIC LAW IN RELATION TO ACCESSIBLE PARKING SPACE REQUIREMENTS FOR PERSONS WITH DISABILITIES AND ENFORCEMENT OF ILLEGAL PARKING**

**WHEREAS**, State Senator Patty Ritchie and Assemblyman Will Barclay have introduced S.5459/A6215, which will update accessible parking requirements to bring New York State law in line with the Americans with Disabilities Act (ADA) and International Building Code as adopted by New York State; and

**WHEREAS**, Under current 1981 law, shopping facilities with more than five stores and at least twenty parking spaces must designate 5% or ten spaces (whichever is less) as accessible parking spaces, and law enforcement can ticket and or tow violators if a local law is in place; and

**WHEREAS**, Current law does not align with International Building Code, and local law enforcement is often unable to ticket violators if no local law is in place, creating unnecessary hardships for persons with disabilities; and

**WHEREAS**, The term "handicapped" is no longer a phrase used when referring to persons with disabilities; and

**WHEREAS**, The proposed legislation amends Section 1203-c of the vehicle and traffic law to give law enforcement the authority to ticket and tow illegally parked vehicles in spaces and access aisles designated for persons with disabilities, and removes the provision that accessible parking requirements only apply to shopping centers or facilities with five separate retail stores; and

**WHEREAS**, The proposed legislation clarifies that the number of

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accessible parking spaces shall be in compliance with the International Building Code as adopted by New York State; and

**WHEREAS**, The proposed legislation amends section 1203 of the Vehicle and Traffic Law to replace the term "handicapped" with the term "persons with disabilities; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports A6215/S5459, which amends the vehicle and traffic law in relation to accessible parking space requirements for persons with disabilities and enforcement of illegal parking; and be it

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

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

**RESOLUTION NO. 19-481**  
**(November 12, 2019)**

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

**RESOLUTION IN OPPOSITION TO THE HUMANE ALTERNATIVES  
TO LONG-TERM (HALT) SOLITARY CONFINEMENT ACT**

**WHEREAS**, The Humane Alternatives to Long-Term (HALT) Solitary Confinement Act would mandate that counties in New York construct new residential rehabilitation units for the therapy, treatment and rehabilitative programming of incarcerated peoples who have been determined to require more than 14 days of segregated confinement; and

**WHEREAS**, These therapeutic residential rehabilitative units must be trauma-informed and aim to address individual treatment and rehabilitations needs and the underlying causes of problematic behaviors; and

**WHEREAS**, The Wyoming County Board of Supervisors supports policies that improve our criminal justice programs; and

**WHEREAS**, Improving jail safety and the rehabilitation system for our inmates is laudable, however, mandating counties to pay for new jail capital

improvements to create residential rehabilitations units is extremely costly and is likely to exceed hundreds of millions of dollars; and

**WHEREAS**, This legislation places a profound unfunded mandate on county government, and without a dedicated funding stream included in this bill, the costs would only be passed onto the property taxpayers of New York; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors opposes state legislation S.1623/A.2500, otherwise known as the HALT Act, that would mandate counties be responsible for providing new rehabilitative units for county inmates; and be it

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

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

**RESOLUTION NO. 19-482**  
**(November 12, 2019)**

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

**RESOLUTION IN OPPOSITION TO THE MEDICATION-ASSISTED TREATMENT IN THE CORRECTIONAL SETTINGS ACT S.2161-B (BAILEY) / A.833-B (ROSENTHAL) MANDATORY MEDICATION ASSISTED TREATMENT IN COUNTY JAILS**

**WHEREAS**, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

**WHEREAS**, Medication-assisted treatment (MAT) is an evidence-based treatment for opioid use disorder that uses FDA-approved pharmacotherapy in combination with counseling and behavioral therapies to treat substance use disorders; and

**WHEREAS**, The cost of providing MAT inside county jails is mostly borne by the county, and any mandate to provide MAT to incarcerated individuals without an ongoing commitment of State Aid funding will create a

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significant unfunded mandate on the counties; and

**WHEREAS**, Legislation has been introduced to mandate MAT in the correctional settings whereby sheriffs and county officials would be required to provide all available forms of MAT to individuals incarcerated in local jails who are battling a substance use disorder (SUD); and

**WHEREAS**, This program would be optional for any inmate to participate in at any time during the length of their stay in a county correctional facility; and

**WHEREAS**, The proposed programs, in addition to administering medication to the inmate, must also include group and individual counseling and clinical support; peer support; discharge planning services; and reentry and transitional supports; and

**WHEREAS**, For counties to provide every available type of MAT to the entire jail population suffering from opioid addiction, which includes Vivitrol, Suboxone, Methadone and Sublocade, the New York State Conference of Local Mental Hygiene Directors (CLMHD) has estimated that the cost to county governments outside of NYC, to easily exceed \$74 million for the medication alone; and

**WHEREAS**, The Wyoming County Board of Supervisors recognizes that treating SUD's is a proven effective way to help rehabilitate an individual, whether incarcerated or not and that community-based treatment programs and services are essential for those suffering with addiction and dependence; and

**WHEREAS**, Mandating MAT for inmates in local correctional facilities places another new unfunded mandate on county governments that they cannot afford under a tax cap; and

**WHEREAS**, his legislation does not include a local fiscal estimate and without full state funding support for this new mandate, counties, despite this laudable intention, simply cannot support this legislation; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports providing SUD treatment to individuals suffering with addiction and dependence; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors supports the legislative intent expressed in S.2161-B (Bailey) / A.833-B (Rosenthal), however, counties are not in a position to pay for a new unfunded state mandate; and be it

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

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

**RESOLUTION NO. 19-483**  
**(November 12, 2019)**

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

**RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION TO  
REPEAL THE MEDICAID INMATE EXCLUSION POLICY (MIEP)  
FOR PRE-TRIAL INMATES**

**WHEREAS**, The Restoring the Partnership for County Health Care Costs Act of 2019 (H.R. 1345) repeals the Medicaid Inmate Exclusion Policy (MIEP) for pre-trial inmates; and

**WHEREAS**, Repealing the MIEP allows individuals who are in the custody of law enforcement or ending disposition of charges the ability to remain on Medicaid for the purposes of continuing healthcare coverage until they are convicted of a crime; and

**WHEREAS**, This legislation further eliminates the current mandatory 30-day delay in reinstating Medicaid mental health care benefits for those released from custody; and

**WHEREAS**, A report published in 2015 by the Vera Institute of Justice shows that jail health care costs represent approximately 10% of total jail costs; and

**WHEREAS**, This legislation would alleviate a significant unfunded burden placed on county jails; and

**WHEREAS**, In 2018, in New York State there were a total of 22,860 inmates, of which 15,068 or 66% of the jail population remains un-sentenced, including a large portion of individuals that could remain on Medicaid, CHIP, and/or Supplementary Security Income (SSI) benefits; and

**WHEREAS**, This federal legislation preserves the partnership between

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the federal and local governments, ensuring that local governments are not burdened with an unfair share of meeting the mandate to guarantee medical coverage; and

**WHEREAS**, This legislation substantially reduces the cost of inmate medical care, resulting in significant savings to New York county governments; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the repeal of the Medicaid Inmate Exclusion Policy (MIEP) for pre-trial; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors supports the Restoring the Partnership for County Health Care Costs Act of 2019 (H.R. 1345); 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 Congressional Delegation, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 19-484  
(November 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS  
ON BEHALF OF THE SHERIFF'S DEPARTMENT**

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

- **Attica Central School**, 3338 East Main Street, Attica, NY 14011 to provide law enforcement and police services when school is in session in an amount not to exceed forty-four dollars and forty-six cents (\$44.46) per hour; effective September 1, 2019 through June 30, 2020.
- **Letchworth Central School**, 5550 School Road, Gainesville, NY

14066 to provided law enforcement and police services when school is in session in an amount not to exceed forty-nine dollars and seventy-five cents (\$49.75) per hour; effective September 1, 2019 through June 30, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-485**  
**(November 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 GENESEE VALLEY FORD, LLC ON BEHALF OF THE SHERIFF'S DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §103 and 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:

- ***Genesee Valley Ford, Inc.***, 1675 Interstate Drive, Avon, NY 14414
  - Mini-bid No. 19100090 for one (1) 2020 Dodge Charger Police Vehicle in an amount not to exceed twenty-seven thousand four hundred dollars (\$27,400.00); effective October 25, 2019 through delivery of vehicle. (PC67945)

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

**RESOLUTION NO. 19-486**  
**(November 12, 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 ON BEHALF OF 9-1-1**

**WHEREAS**, During the May 30, 2019 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 to sign a grant acceptance award with the ***New York State Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, Albany, NY 12242 on behalf of 9-1-1. Said grant funds for the 2019- 2020 Public Safety Answering Points (PSAP) Operations grant program in a minimum amount of one hundred twenty-one thousand four hundred sixty-two dollars (\$121,462.00); effective January 1, 2020 through December 31, 2020.

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

**RESOLUTION NO. 19-487**  
**(November 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SAIA COMMUNICATIONS, INC. ON BEHALF OF 9-1-1**

**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 Stratman Street, Buffalo, NY 14206 on behalf of 9-1-1. Said contract for the monitoring of equipment for all radio sites in an amount not to exceed sixty-three thousand six hundred forty-five dollars (\$63,645.00); effective October 28, 2019 through completion of project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-488**  
**(November 12, 2019)**

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

**RESOLUTION IN SUPPORT OF FEDERAL LEGISLATION THAT  
REQUIRES THE OFFICE OF MANAGEMENT AND BUDGET TO**

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**RECLASSIFY PUBLIC SAFETY TELECOMMUNICATORS AS A  
"PROTECTIVE SERVICE OCCUPATION"**

**WHEREAS**, The Supporting Accurate Views of Emergency Services Act of 2019 (911 Saves Act) directs the U.S. Office of Management and Budget to reclassify public safety telecommunicators from "*Office and Administrative Support Occupations*" to the category of "*Protective Service Occupations*"; and

**WHEREAS**, The federal government's Standard Occupations Classification System (SOCS) sorts workers into occupational categories for statistical purposes, according to the nature of the work performed, and in some cases, on the skills, education or training needed to perform the work; and

**WHEREAS**, America's 9-1-1 telecommunicators are currently incorrectly categorized in the SOCS as an "Office and Administrative Support Occupation," a category which includes secretaries, office clerks, and taxicab dispatchers; and

**WHEREAS**, Classifying 9-1-1 telecommunicators as an "Office and Administrative Support Occupation" fails to recognize their central role in public safety and homeland security; their specialized training and skills; and their uniquely stressful work environment; and

**WHEREAS**, Classifying public safety telecommunicators as "Protective Service Occupations" alongside police, firefighters, security guards, lifeguards, and others whose job is to protect our communities would better reflect the work they perform, and along the SOCS with related classification systems; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports federal legislation H.R. 1629 that would reclassify 9-1-1 telecommunicators into the "Protective Service Occupations" SOCS category; and be it

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

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

**RESOLUTION NO. 19-489  
(November 12, 2019)**

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

**RESOLUTION URGING NEW YORK STATE TO CLASSIFY  
EMERGENCY MEDICAL SERVICES AS ESSENTIAL SERVICES FOR  
THE PURPOSES OF STATE AID**

**WHEREAS**, Throughout New York State, volunteer emergency medical services play a vital role in keeping our communities safe; and

**WHEREAS**, In addition to working hard to safeguard the public, volunteers also work hard to generate the funds necessary to purchase up-to-date equipment, maintain buildings and vehicles, as well as to address other issues relating to the efficiency of operations; and

**WHEREAS**, By classifying emergency medical services as "essential services," organizations will be able to tap into an increased number of funding sources, and in turn, will be able to keep our communities safer; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the classification of emergency medical services as "*essential services*" for the purposes of state funding eligibility; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors supports the legislative intent expressed in S.1381 (Ritchie)/A.1582 (Jones); and be it

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

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

**RESOLUTION NO. 19-490  
(November 12, 2019)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND  
THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
SERVICES, OFFICE OF INTEROPERABLE COMMUNICATIONS TO  
SET ASIDE SUFFICIENT 911 FUNDING TO COUNTIES IN ORDER TO**

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**PROPERLY MAINTAIN EXISTING SYSTEMS AND BECOME  
COMPLIANT WITH FEDERAL FCC FUNDING OPPORTUNITIES**

**WHEREAS**, The funding mechanism that New York State counties use to help operate, maintain and upgrade 911 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes; and

**WHEREAS**, The Federal Communications Commission (FCC) found that, in 2017, New York State diverted \$170.9 million (90.35%) of E911 consumer fees generated for non 911-related programs, thus shifting the bulk of Next Generation 911 (NG911) readiness financing to counties and other local governments PSAPs in New York State; and

**WHEREAS**, The diversion of E911 funds results in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement NG911 technology required under federal law; and

**WHEREAS**, Under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the State Interoperable Communications Grants (SICG) program, administered by the Division of Homeland Security; and

**WHEREAS**, Due to the designation of said E911 fees by New York State for non 911-related expenses, New York State PSAPs are not eligible for any of the \$115 million federal grant funding for E911 and NG911 enhancements and IP based advanced networks; and

**WHEREAS**, The goal of upgraded NG911 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats including radio transmission to better inform the emergency responders to the situation they will be entering; and

**WHEREAS**, NG911 upgraded systems will be able to better pinpoint an emergency call that may be in a remote area of the state or in a multi-storied building in one of our communities; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized ensure eligibility for Federal FCC E911/Next Generation 911 resources and to ensure that future authorizations are released in

full in the budget year they are appropriated; and be it

**FURTHER RESOLVED**, Releasing these funding obligations on a regular schedule will provide certainty and build continuity as counties upgrade and maintain existing systems and prepare for NG911 development and implementation; and be it

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

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

**RESOLUTION NO. 19-491**  
**(November 12, 2019)**

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

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

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Tetra Tech, Inc.*, 2400 Park Drive, Suite I, Harrisburg, PA 17110 on behalf of Emergency Services. Said contract is for the updating of the Multi-Jurisdictional All-Hazard Mitigation Plan in an amount not to exceed seventy-five thousand dollars (\$75,000.00); effective upon signing through completion of project.

Contingent upon the availability of funds.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #54

**RESOLUTION NO. 19-492**  
**(November 12, 2019)**

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

**RESOLUTION CALLING FOR THE STATE TO FULLY FUND**

Regular Session

## PARENTAL LEGAL REPRESENTATION FOR FAMILY COURT MATTERS

**WHEREAS**, In 2018 the Commission on Parental Legal Representation, led by the Honorable Chief Judge Janet DiFiore, held public hearings on “*quality representation for persons eligible for assigned counsel in family law matters*”; and

**WHEREAS**, This Commission held four (4) separate public hearings with testimony provided by New York State Association of Counties, Public Defenders, New York State Indigent Legal Services, Family Court representatives and other institutional providers; and

**WHEREAS**, New York created its Family Court system through a State Constitutional amendment in 1961, with the focus on providing solutions to family-related matters and helping individual family members with the safest and best path forward; and

**WHEREAS**, Judges in Family Court are faced with difficult and complex matters that can allow the Court to remove a child from a home when it is in the best interest of the family; and

**WHEREAS**, With matters as important as this it has been established by the Court of Appeals that all family members involved have should have their rights and best interests legally protected; accordingly, often individuals from within the same household need separate counsel to guide them through this process and protect their individual rights; and

**WHEREAS**, In 1972, the New York State Court of Appeals ruled that “*an indigent parent, faced with the loss of a child's society [family structure]...is entitled to the assistance of counsel.*” In Re Ella B., 30 N.Y. 2d 352 (1972); and

**WHEREAS**, This right to counsel is and should be a State obligation, however the State has passed this obligation on to counties making New York unique to all other states in the nation; and

**WHEREAS**, In February 2019, the Commission on Parental Legal Representation delivered an interim report stating “*...a complete transformation is urgently needed in New York's publicly funded system of parental representation in child welfare matters*” and “*(t)he systematic problems in our underfunded, county-based system are well documented*”; and

**WHEREAS**, In recognition that counties are already fiscally overwhelmed by funding various State obligations, the Commission's interim

report's solution to overhaul an underfunded and underperforming system was clear: "*(w)e recommend that the State pay for all costs associated with parental representation in child welfare proceedings to ensure quality representation and eliminate disparities among localities*"; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the findings of the Commission on Parental Legal Representation and calls on the State to fully fund parental representation in child welfare proceedings, ensuring quality legal representation; and be it

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

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

**RESOLUTION NO. 19-493**  
**(November 12, 2019)**

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

**RESOLUTION URGING THE STATE TO FULLY FUND FAMILY SUPPORT SERVICES PROGRAMS AS PART OF THE PINS REFORM IN THE SFY 2020 BUDGET**

**WHEREAS**, The SFY 2020 enacted budget included several provisions to make reforms to Persons in Need of Supervision (PINS) cases; and

**WHEREAS**, PINS is a term used to describe a child under the age of 18 who has committed a status offense. Examples of status offense include running away from home, using marijuana or other narcotics, or skipping school (truancy); and

**WHEREAS**, Most PINS petitions are filed by the parent or caregiver of a child. However, school officials, police officers, people injured by the child, or the local county human services agency or probation department can also file a PINS petition; and

**WHEREAS**, The New York State Office of Court Administration and New York State Office of Children and Family Services have analyzed recent PINS trends, which show that statewide PINS filings are down approximately

37%, PINS detention admissions are down 41%, and placement admissions are down 45%; and

**WHEREAS**, The PINS reform legislation eliminated PINS detention, strictly limited the use of pre-dispositional placements, and placed time limitations on post-dispositional placements; and

**WHEREAS**, The PINS reform legislation was crafted specifically to comply with new federal law—the Family First Prevention Services Act; and

**WHEREAS**, The legislation also allowed for the creation of Family Support Services Programs (Title 12 of Article 6 of the Social Services Law) which may be created at local option; and

**WHEREAS**, The goal of these programs are to provide community-based services to children and families to prevent PINS petitions from being filed, PINS adjudications, and PINS out-of-home placements; and

**WHEREAS**, The SFY 2020 budget did not include any funding to create Family Support Services Programs; and

**WHEREAS**, Without a dedicated funding stream, PINS children will not receive prevention services, resulting in many of these children remaining in the juvenile justice system; now therefore

**BE IT RESOLVED**, The Wyoming County Board of Supervisors calls on the Governor and State Legislature to dedicate funds to adequately provide for the creation of Family Support Service Programs; and be it

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

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

**RESOLUTION NO. 19-494**  
**(November 12, 2019)**

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

**RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE**

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**PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS, JAILS AND DETENTION**

**WHEREAS**, County probation departments are an integral part of the Criminal Justice System and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

**WHEREAS**, It is the mission of Probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

**WHEREAS**, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5% State share in 1990 to less than 10% in 2019, putting a huge strain on counties and cost to county property taxpayers; and

**WHEREAS**, At the same time there have been increases in the number of mandated programs and services county probation departments are required to provide; and

**WHEREAS**, The New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public; now therefore

**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. In response to Raise the Age Legislation:

- a. Raise the minimum age that a youth can be charged as a Juvenile Delinquent from seven to twelve years old.
- b. Mandate that the state's evidence-based criteria should account for existing local best practice programs.
- c. Allow Probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
- d. Authorize law enforcement agencies to issue appearance tickets, instead of physical arrest, when Adolescent Offenders and Juvenile Offenders are charged with most D felonies.
- e. Allow law enforcement agencies to deliver Adolescent Offenders, Juvenile Offenders and Juvenile Delinquents to detention facilities after

business hours without a securing order until the next business day or until court is in session.

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 Raise the Age Legislation.
3. Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra 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 pre-trial services cost including but not limited to probation personnel associated with bail reform.
5. Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up 364 days 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: 1599      Noes:      Absent:      Abstain:**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #57 through #64. Hearing no objection resolution titles were read.*

#57

**RESOLUTION NO. 19-495  
(November 12, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
FEEDWATER TREATMENT SYSTEMS, INC. ON BEHALF OF  
BUILDINGS AND GROUNDS (CO. BLDGS.)**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the ***Feedwater Treatment Systems***, PO Box 439, Athol Springs, NY 14040 on behalf of

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Buildings and Grounds (Co. Bldgs.). Said contract is for the monitoring, maintaining testing and inspecting of cooling towers at the Jail, Courthouse, Public Health and Government Center in an amount not to exceed twelve thousand five hundred dollars (\$12,500.00); effective October 1, 2019 through October 1, 2020.

Contingent upon the availability of funds.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #58

**RESOLUTION NO. 19-496**  
**(November 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 hereby authorized to sign a grant application and acceptance award with the *New York State Unified Court System*, 92 Franklin Street, 3<sup>rd</sup> Floor, Buffalo, NY 14202 on behalf Buildings and Grounds (Co. Bldgs.). Said grant funds for the cleaning and minor repairs and maintenance at the Courthouse Campus, Government Center and Records Retention in a minimum amount of ninety-one thousand two hundred forty-seven dollars (\$91,247.00); effective April 1, 2019 through March 31, 2020.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #59

**RESOLUTION NO. 19-497**  
**(November 12, 2019)**

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

**RESOLUTION URGING THE ENACTMENT OF AN INCREASE IN  
THE STATUTORY CHIPS BIDDING THRESHOLD AS PART OF THE  
EXECUTIVE BUDGET PROPOSAL**

**WHEREAS**, Regular incremental raises in the competitive bidding threshold for highway projects are necessary to compensate for increases in

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inflation impacting material, transportation, labor, equipment and other highway construction costs; and

**WHEREAS**, Under current law, the local assistance funds allocated for local street or highway projects under the Consolidated Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and work forces or by competitively-bid contracts; and

**WHEREAS**, When the estimate for the contract work exceeds \$250,000 the work must be performed by contract let by competitive bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

**WHEREAS**, The last increase in the competitive bidding threshold was in 2011 to bring the threshold up from \$100,000 to the current \$250,000 level; and

**WHEREAS**, Legislative proposals have been introduced in both houses of the State Legislature to increase the amount of the current cost threshold from \$250,000 to \$500,000 over which local highway and bridge construction work under the CHIPS program must be contracted through a competitive bid; and

**WHEREAS**, Under the legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the mandatory competitive bid process; and

**WHEREAS**, The state is in the last year of its current 5-Year Transportation Capital Plan so the next state budget proposal will be released in January 2020 and negotiations on the next 5 Year Transportation Capital Plan will begin; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the enactment of an increase in the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than \$500,000; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors urges Governor Andrew M. Cuomo to include as part of the Executive Budget proposal this increase in the CHIPS bidding threshold as a way to allow local governments more flexibility in delivering local transportation projects at lower costs to taxpayers; and be it

**FURTHER RESOLVED**, That the Clerk to the Board shall forward

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #60

**RESOLUTION NO. 19-498**  
**(November 12, 2019)**

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

**RESOLUTION CALLING ON THE STATE TO PROVIDE AN  
UPDATED 20-YEAR TRANSPORTATION NEEDS ASSESSMENT AND  
5-YEAR CAPITAL PLAN THAT MEETS THE NEEDS OF LOCAL  
ROADS, BRIDGES AND CULVERTS**

**WHEREAS**, Locally-owned roads and bridges account for 87% of the state's 110,000 miles of roadways and 50% of the state's 18,000 bridges, and 46% of the 350 million daily vehicle miles of travel in New York occurs over local highways; and

**WHEREAS**, The New York State Department of Transportation's 20-Year Transportation Needs Assessment (2010-2030) released at the end of 2007 outlined the transportation challenges facing New York State during the covered decades and presented NYSDOT recommendations for new capital investment policies and strategies to better meet these challenges facing state and local highways, bridges and culverts, intercity passenger and freight rail, suburban and upstate transit, ports and airports; and

**WHEREAS**, The NYSDOT Assessment warned at the time that the statewide transportation systems were under stress from age, heavy use and deferred maintenance due to underfunding, and that the condition of the system's infrastructure is deteriorating and reversing this downward trend will require new investment strategies and a dedicated, sustained, long-term effort; and

**WHEREAS**, To provide a more current needs estimate for New York's locally-owned pavement and bridge infrastructure for the period 2015-2030, the NYS Association of Town Superintendents of Highways commissioned a study released in November 2013, An Assessment of Local Jurisdiction Highway and Bridge Infrastructure Needs in New York State, which found that current expenditures on local roads are nowhere close to keeping pace with pavement and bridge needs; and

**WHEREAS**, According to the Office of the State Comptroller, local governments outside of New York City invest approximately \$1 billion annually on local roads and bridges, estimated to be \$15 billion over the period 2015-2030; and

**WHEREAS**, Over \$1.3 billion in additional revenue is needed annually to meet these needs or the deterioration of the pavement and bridge infrastructure will accelerate and will adversely impact the motoring public, system safety and the economic vitality of New York State; and

**WHEREAS**, The Consolidated Highway Improvement Program (CHIPS) is the financial lifeblood of any local highway department, distributing vital and reoccurring state funding through a formula to every local government in the state, yet the current 2019-2020 State Budget holds the base level for CHIPS at \$438 million for the seventh year in a row; and

**WHEREAS**, While other programs designed to direct state funding to local transportation infrastructure, such as PAVE NY and Extreme Winter Recovery are welcome, these funds are divided among all municipalities in the state, and BRIDGE NY funds only a few local bridge and culvert projects in each region, so counties still struggle to raise enough funding for the maintenance and replacement of this vast system of aging and ailing infrastructure and are financially restrained by the property tax cap; and

**WHEREAS**, As New York elected officials have committed to MTA-NYSDOT capital plan parity, the assurances of hundreds of millions of additional dollars to address the critical needs of the NYC transit systems, including an additional \$1.5 billion of motorist fees from a congestion pricing program dedicated to the MTA, adequate, predictable and reliable resources must also be identified and dedicated to address the annual unmet needs of other state and local transportation infrastructure so as to reestablish parity; and

**WHEREAS**, Due to decades of inflation and underfunding, it is critical that the state's 20 Year Needs Assessment be reevaluated and updated, and a 5-Year Transportation Capital Plan be presented to the public and the Legislature for review in a timely manner; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and NYSDOT Commissioner to develop and present to the legislature and the public a 20-year needs assessment and a 5-year capital plan that meets the needs of the local transportation systems and subject to public review and presented to the Legislature before February 1, 2020, so the information can be available for meaningful state budget deliberations and debate; and be it

**FURTHER RESOLVED**, That the next 5 Year Transportation Capital Plan include significant enhancements to CHIPS and the continuation of important state programs such as PAVE NY, BRIDGE NY and Extreme Winter Recovery at much greater funding levels that close the current funding gaps and those revealed for the future by the updated 20-year needs assessment called for by this resolution; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #61

**RESOLUTION NO. 19-499**  
**(November 12, 2019)**

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

**RESOLUTION EXPRESSING CONCERNS WITH THE  
TRANSPORTATION ELECTRIFICATION MANDATES UNDER THE  
CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT**

**WHEREAS**, Governor Andrew M. Cuomo signed into law the Climate Leadership and Community Protection Act (CLCPA) to mandate the state of New York adopt a state energy plan establishing clean energy goals for the year 2030 aimed at producing 70% of electricity from renewable sources, increasing energy efficiency from 2012 levels by 23% and the additional expressed goal of reducing 100% of the electricity sector's greenhouse gas emissions by 2040; and

**WHEREAS**, The CLCPA also mandates reducing greenhouse gas emissions from all anthropogenic sources 100% over 1990 levels by the year 2050, with an incremental target of at least a 40% reduction in climate pollution by the year 2030, creating a Climate Action Council and calling for the preparation of a climate action plan; and

**WHEREAS**, The CLCPA directs the development of performance-based standards for sources of greenhouse gas emissions, including but not limited to: transportation, building, industrial, commercial, and agricultural sectors; land-use and transportation planning measures aimed at reducing greenhouse gas emissions from motor vehicles; measures to promote the beneficial electrification of personal and freight transport; and other strategies to

reduce greenhouse gas emissions from the transportation sector; and

**WHEREAS**, The New York State Association of Town Superintendents of Highways commissioned a study released in November 2013 which found that current expenditures on local roads is not keeping pace with pavement and bridge needs, and that over \$1.3 billion in additional revenue is required annually to meet these needs or the deterioration of the pavement and bridge infrastructure will accelerate and will adversely impact the motoring public, system safety and the economic vitality of New York State; and

**WHEREAS**, The cost of transitioning the state and local highway departments' equipment, construction vehicles and snowplows to run on electricity is at this juncture incalculable but expected to exceed the ability to be financed without substantial sources of new revenues that will need to be directed strictly for the retrofit or procurement of such electric equipment and vehicles; and

**WHEREAS**, Commercial production of heavy-duty large-scale, electric construction vehicles is today an essentially non-existent industry, the ability of local highway departments to plan for this transition, with its concomitant mandates that fuel and electricity charging sources be carbon-free, is of tremendous concern considering that transportation at all levels of New York government is currently significantly underfunded every year; and

**WHEREAS**, Considering these potential impacts on the ability of local governments to be able to deliver necessary transportation services and facilities to the traveling public and businesses, it is vital that representatives of county highway departments have a strong voice in assisting in the development of the state's strategies for achieving these aggressive greenhouse gas emissions reduction goals; and

**WHEREAS**, The CLCPA directs the Climate Action Council to convene advisory panels one of which is on transportation, to work directly with the Council and coordinate with the Environmental Justice Advisory Group and Climate Justice Working Group to provide recommendations to the Council on strategies to meet the CLCPA goals for the transportation sector; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor, the New York State Department of Transportation Commissioner and Legislative Leaders to commit to providing the funds necessary to fully cover the counties' costs of complying with the state mandates under the CLCPA; and be it

**FURTHER RESOLVED**, That a representative of the New York State

County Highway Superintendents Association be appointed as a member of the Transportation Advisory Panel as established by the CLCPA; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #62

**RESOLUTION NO. 19-500**  
**(November 12, 2019)**

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

**RESOLUTION URGING THE DEVELOPMENT A ROBUST 5-YEAR CAPITAL PLAN THAT MEETS THE INFRASTRUCTURE NEEDS OF THE STATE'S AIRPORTS**

**WHEREAS**, Airports play an essential role in New York State's economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and critical emergency response for all of New York's local and regional communities and for the nation; and

**WHEREAS**, It is critical, therefore, that the Commissioner of Transportation be directed to develop and present to the Governor and Legislature a new 5-Year Transportation Capital Plan that is subject to public review prior to the passage of the state budget and that addresses the critical infrastructure and modernization needs of airports; 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 supplemental \$200 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 Upstate Airport Economic Development and Revitalization Competition 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**, Varying annual levels of funding for the State Aviation Capital Grant Program of between \$10 million and \$22.5 million over the last 5-Year Transportation Capital Plan has made it very difficult for airports to plan projects as the number and size of awards made are limited at these funding levels; and

**WHEREAS**, While this funding is welcomed, 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**, A higher funding level should be at a minimum \$40 million annually to fund the State Aviation Capital Grant Program each year via the next 5-Year Transportation Capital Plan to be used for airport infrastructure improvements and critical safety enhancements and business and economic development projects, creating and sustaining construction and aviation-related jobs; and

**WHEREAS**, New York has no dedicated revenue source or permanent state capital program for airports and must rely on annual appropriations in the state budget for funding critical airport projects; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby commend Governor Cuomo and the Legislature for the state's past financial commitments to infrastructure rehabilitation, improvement, and expansion projects for New York airports; and be it

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

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

November 12, 2019

**RESOLUTION NO. 19-501**  
**(November 12, 2019)**

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

**RESOLUTION URGING STATE ACTION ON A CHAPTER  
AMENDMENT TO ASSURE EFFECTIVE CONTROL OF WILDLIFE  
POPULATIONS AT AIRPORTS**

**WHEREAS**, Wildlife populations can pose a threat to aviation operations in and around airports and cause significant damage to aircraft, lengthy flight delays and threats to the safety of passengers and residents of surrounding communities; and

**WHEREAS**, Airports employ best humane practices to keep wildlife populations at bay by erecting fences, building walls, constructing storm water ponds, using pulsating lights and other mechanisms; and

**WHEREAS**, Despite these efforts, deer, birds, coyote and other wildlife still make their way onto runways, tarmacs and into flight paths; and

**WHEREAS**, According to FAA data, about 90% of bird strikes take place at or near airports, usually while taking off or landing, with 898 collisions between aircraft and white-tailed deer in the United States over a 10-year period; and

**WHEREAS**, Wildlife strikes to U.S. civil aircraft cost about \$718 million in damage to aircraft and about 567,000 hours of civil aircraft down time annually, and result in injuries to pilots and passengers; and

**WHEREAS**, The New York State Department of Environmental Conservation (DEC) recognizes that wildlife population reduction is necessary at airports and other public facilities and issues permits to authorized persons to use certain firearms and techniques to remove from these aviation properties deer and other wildlife that pose a threat; and

**WHEREAS**, Some previously permitted wildlife management methods are now no longer available with the potential for negative impacts on the safety of airport operations, making it more difficult for airports to effectively keep the runways and facilities clear of animal obstructions and interference and safe for aircraft and passengers and airport communities; and

**WHEREAS**, A bill, A.1599 (Hunter)/S.5849 (May), passed both

houses of the legislature intended to partially restore prior practices by the DEC of issuing special wildlife management permits; and

**WHEREAS**, The legislation needs to be amended to include provisions critical to protecting New York's airports and aviation operations from the threat of wildlife; now therefore

**BE IT RESOLVED**, That controlling wildlife populations around airports is critical to ensuring the safety of travelers, aircraft crews and surrounding neighborhoods; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors urges the Governor and Legislature to agree to a chapter amendment to the bills that have been passed to fully reinstate the authorization and use of certain successful wildlife management techniques in a strictly controlled manner by government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control wildlife populations at airports and surrounding areas; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #64

**RESOLUTION NO. 19-502**  
**(November 12, 2019)**

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

**TODD GADD REAPPOINTED AS COUNTY HIGHWAY  
SUPERINTENDENT**

**BE IT RESOLVED**, That **Todd Gadd**, 618 Clinton Street, Cowlesville, New York 14037 is hereby reappointed to the position of County Highway Superintendent, pursuant to County Highway Law §100, for a term of four (4) years; effective October 1, 2019 through September 30, 2023.

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

November 12, 2019

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #65 through #93. Hearing no objection resolution titles were read.*

#65

**RESOLUTION NO. 19-503  
(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. D  
YEAR 2019**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12<sup>th</sup> day of November, 2019, a proposed local law entitled, “Local Law Introductory No. D Year 2019, “**A LOCAL LAW PURSUANT TO CHAPTER 97-2011 OF THE LAWS OF THE STATE OF NEW YORK AND SECTION 3-C OF THE GENERAL MUNICIPAL LAW OVERRIDING TAX LEVY LIMIT FOR FISCAL YEAR 2020**; 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 **3<sup>rd</sup> day of December, 2019 11:00 AM in the Supervisors' Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center**, 143 North Main Street, Warsaw, New York.

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

**INTRODUCTORY LOCAL LAW NO. D - YEAR 2019**  
*A Local Law to Override the Tax Levy Limit Established in General  
Municipal Law 3-C for Fiscal Year 2020*

**Section 1.      Legislative Intent**

Due to the continued financial obligations compelled by the State of New York upon the County of Wyoming in the form of mandated governmental services that are not fully funded by the State, the County, in addition to providing said services, also must provide other important services to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the “tax levy

limit" as defined, and to allow the County of Wyoming to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the "tax levy limit" contained in General Municipal Law §3-c.

## **Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

## **Section 3. Tax Levy Limit Override**

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

## **Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

## **Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

DATED at Warsaw, New York  
November 12, 2019 (Introduced)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

#66

## **RESOLUTION NO. 19-504 (November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

## **RESOLUTION URGING THE CREATION OF A NEW YORK STATE TASK FORCE TO CONSIDER LEGISLATIVE AMENDMENTS TO ADDRESS REAL PROPERTY APPRAISAL CHALLENGES BASED UPON "DARK STORE THEORY"**

November 12, 2019

**WHEREAS**, Big box retailers have successfully challenged real property tax appraisals based upon the argument that their thriving commercial establishments are worth no more than an abandoned retail building of comparable size and location; and

**WHEREAS**, This argument, commonly known as "*Dark Store Theory*" has become more prevalent throughout the United States and is gaining a foothold in New York State; and

**WHEREAS**, "*Dark Store Theory*" is not a recognized appraisal term; and

**WHEREAS**, The only statutory guidance for appraising commercial properties in New York State Real Property Tax Law, states that "All real property in each assessing unit shall be assessed at a uniform percentage of value (fractional assessment) ..." without any further definition of what "value" the law refers to; and

**WHEREAS**, The New York State Office of Real Property Tax Services no longer gives Opinions of Counsel or provides any valuation related training for the local assessment community; and

**WHEREAS**, The courts in New York State that have considered "dark store" challenges have reached conflicting decisions on how to value big box stores or build-to-lease properties; and

**WHEREAS**, Some states' efforts to enact legislation which would preclude "dark store" challenges have been unsuccessful, and even though dark store theory is more prevalent in those states, have caused a significant drop in the tax base, and has cost local municipalities millions of dollars in legal fees incurred in defending assessed tax values; and

**WHEREAS**, In 2019, legislation was introduced in New York State intended to address dark store theory issues, but was never voted on because of concerns over the possibility of negative unintended consequences; and

**WHEREAS**, Vague statutory standards and conflicting judicial precedents have created confusion and uncertainty among local assessors and threaten the tax base and fiscal health of assessing municipalities and counties in New York State; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors urges Governor Andrew M. Cuomo to convene a task force, which would involve assessors, real property appraisers and real property tax attorneys; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #67

**RESOLUTION NO. 19-505**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN INTER-MUNICIPAL  
 AGREEMENT WITH THE TOWN OF ARCADE FOR COUNTYWIDE  
 ASSESSING SERVICES**

**WHEREAS**, The Wyoming County Board of Supervisors offers Countywide Assessing Services, in accordance with Real Property Tax Law §1537, 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 Arcade for participation in the Countywide Assessing Services Program in accordance with the fee schedule negotiated with each municipality; effective October 1, 2019 through September 30, 2022.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #68

**RESOLUTION NO. 19-506**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “C”, “D”, “G”, “S” AND “X” 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*

November 12, 2019

- Abolish the one-time stipend to the **Director of Fire and Emergency Management** (position code 006.352) under CIVIL DEFENSE for assistance with the Safety / Emergency Preparedness Coordinator position in the amount of \$2,500.00; effective September 24, 2019 through December 31, 2019.
- Set the salary of the **Quality and Risk Management Coordinator** (position code 02.160.545) under ACUTE QUALITY at \$68,260.00 per year; effective November 1, 2019.
  - This position will not be eligible for a cost of living increase during the calendar year January 1, 2020 through December 31, 2020.
- Set the salary of the **Quality and Risk Management Coordinator** (position code 02.160.545) under ACUTE QUALITY at \$74,260.00 per year; effective January 1, 2020.
  - This position will not be eligible for a cost of living increase during the calendar year January 1, 2020 through December 31, 2020.

#### **Salary Schedule “D”:**

##### *Consumer Affairs*

- Remove position of **Director of Weights and Measures** (position 001.105); effective November 13, 2019.

#### **Salary Schedule “G”:**

##### *District Attorney*

- Reflect the following hourly wage adjustment for **Domestic Violence Coordinator** (position code 016.400); effective October 1, 2019 through December 31, 2019 as follows:
  - **Violence Against Women Act Grant (Cost Center 1167)**
    - 65.8 hrs. per pay period at \$18.8294/hr. = \$1,238.98
    - Not to exceed \$8,177.24 during effective dates
      - ❖ 94% of funding
  - **Office of Victim Services Grant (Cost Center 1169)**
    - 4.2 hrs. per pay period at \$18.8294/hr. = \$79.08
    - Not to exceed \$521.95 during effective dates
      - ❖ 6% of funding
  - \$1,318.06 total biweekly wages based on 70 hours

##### *Public Defender*

- Remove position of **Assistant Public Defender (5th), PT** (position 010.503).
- Remove position of **Investigator (PD)** (1.00 FTE) (position code 007.514); effective March 6, 2019.

## **Salary Schedule “S”:**

### ***Real Property Tax Services***

- Set the hourly rate of the ***Assessment Account Specialist*** to \$19.40/hr. and full time; effective November 18, 2019 due to the addition of the Town of Arcade in the Assessment Program.
  - This position will not be eligible for a cost of living increase during the calendar year January 1, 2020 through December 31, 2020

### ***Public Health Dept***

- Amend title of ***Deputy Director of Environmental Health/Weights & Measures*** (position code 137.591) to ***Deputy Director of Environmental Health***; effective November 13, 2019.
- Set the salary of ***Deputy Director of Environmental Health*** (position code 137.591) to \$58,000.00 annually; effective January 1, 2020.
  - This position will be eligible for a cost of living increase during the calendar year January 1, 2020 through December 31, 2020

### ***Public Defender***

- Set the hourly wage of the ***Data Management Account Clerk*** (position 009.595) to \$20.72/hr. (annual wage equivalent of \$38,000.00); effective November 4, 2019.
  - This position will be eligible for a cost of living increase during the calendar year January 1, 2020 through December 31, 2020
- Provide one-time lump sum stipend of \$471.78 for position of ***Staff Social Worker*** (position code 008.594) to cover the cost of health insurance paid in 2019.
- Provide one-time lump sum stipend of \$1,571.60 for position of ***Investigator (PD)*** (position code 007.514) to cover the cost of health insurance paid in 2019.
- Provide annual lump sum stipend for position of ***Investigator (PD)*** (position code 007.514) in an amount equal to 10% of the annual health insurance premium to last for the life of the associated grant or until a vacancy in the position occurs.
- Add one (1) position of ***Assistant Public Defender (5th), PT*** (position 010.503) and set the annual salary at \$19,500.00.
- Add one (1) position of ***Investigator (PD)*** (1.00 FTE) (position code 007.514) and set the hourly wage at \$19.2307 per hour (annual wage equivalent of \$35,134.00); effective March 6, 2019.

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

- Abolish one (1) position of **Registered Nurse** (position code 03.887.209) under WYOMING COUNTY FAMILY MEDICINE – WARSAW; effective October 22, 2019.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #69

**RESOLUTION NO. 19-507**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN  
2020 MEDICARE HEALTH INSURANCE RATES FOR RETIREES**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Medicare PPO renewal rates for Retired County Employees for **2020** as follows:

- Univera Medicare PPO High Option
  - ❖ Single ~ \$509.99
- Univera Medicare PPO Low Option
  - ❖ Single ~ \$466.67
- Excellus Medicare PPO
  - ❖ Single ~ \$464.09
- MVP Medicare Gold Anywhere-Buy Up Option
  - ❖ Single ~ \$378.95
- MVP Medicare Gold Anywhere-Standard Option
  - ❖ Single ~ \$350.93

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #70

**RESOLUTION NO. 19-508**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**2020 WORKERS' COMPENSATION COSTS APPROVED**

**BE IT RESOLVED**, That the cost of Workers' Compensation Insurance for the Participants covered by the Wyoming County Workers'

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Compensation Self-Insured Plan as based upon the 2020 budget of \$2,973,240 are as follows:

TOWNS	
Arcade	37,541
Attica	37,325
Bennington	47,276
Castile	38,405
Covington	26,607
Eagle	34,627
Gainesville	41,618
Genesee Falls	24,200
Java	34,985
Middlebury	37,927
Orangeville	29,339
Perry	34,223
Pike	32,694
Sheldon	48,185
Warsaw	46,920
Wethersfield	34,223
<b>TOTAL</b>	<b>586,105</b>

and be it

**FURTHER RESOLVED**, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Wyoming County Workers' Compensation Insurance estimated costs for participating County Departments, Villages, School Districts, and outside County Agencies are as follows:

COUNTY	
County Government	330,135
County Highway Department	185,567
Wyoming Co. Community Hospital	807,248
Wyoming Co. Volunteer Fire Depts.	379,006
<b>TOTAL</b>	<b>1,701,956</b>

#### VILLAGES

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Arcade	107,666
Attica	74,351
Castile	11,097
Gainesville	41
Perry	91,542
Silver Springs	9,873
Warsaw	114,777
Wyoming	6,895
<b>TOTAL</b>	<b>416,242</b>

<b>SCHOOL DISTRICTS</b>	
Attica Central School	123,052
Perry Central School	
• <i>Tail claims prior 1/1/2017</i>	26,015
Pioneer Central School	
• <i>Tail claims prior 1/1/2016</i>	56,587
Warsaw Central School	
• <i>Tail claims prior 7/1/2003</i>	7,666
Wyoming Central School	27,223
<b>TOTAL</b>	<b>240,543</b>

<b>OTHER AGENCIES</b>	
Community Action	23,278
Soil & Water Conservation	5,116
<b>TOTAL</b>	<b>28,394</b>

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #71

**RESOLUTION NO. 19-509**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE CONGRESSIONAL  
DELEGATION TO PROTECT MEDICAID DISPROPORTIONATE  
SHARE (DSH) HOSPITAL PAYMENTS**

**WHEREAS**, Congress established the Medicaid Disproportionate Share (DSH) program in 1981 to ensure state Medicaid programs provided adequate payments to public hospitals whose patient populations were

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disproportionately composed of low-income Medicaid and uninsured populations; and

**WHEREAS**, New York State receives over \$1.8 billion annually in federal DSH payments, which leverages state funds providing a total of \$3.7 billion in combined state and federal resources for hospitals; and

**WHEREAS**, 90% of hospitals in New York receive DSH payments; and

**WHEREAS**, Fiscally strong hospitals are the cornerstone of a comprehensive and accessible health care system for patients, especially low-income and vulnerable populations; and

**WHEREAS**, The Affordable Care Act includes provisions to reduce DSH payments as the uninsured rate falls across the country; and

**WHEREAS**, Even though New York has fewer uninsured people since enactment of the Affordable Care Act, federal DSH payments remain a key funding source for many hospitals across the state; and

**WHEREAS**, Congress has delayed the implementation of these federal funding cuts each year since 2014, but they are set to begin October 1, 2019 if no further action is taken by congress to again delay the cuts; and

**WHEREAS**, If the DSH cuts are not delayed, New York hospitals would lose over \$600 million in federal funds, or 33%; and

**WHEREAS**, These federal funding cuts would double in size in 2021; and

**WHEREAS**, Such cuts in federal funding would create dramatic budget shortfalls in many hospitals across New York, jeopardizing the comprehensive system of health care across the state; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the New York State Congressional Delegation to once again delay these funding cuts until such time as a sustainable solution for the preservation of this program is reached; and be it

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

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

November 12, 2019

**RESOLUTION NO. 19-510**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-285 AMENDED**

**WHEREAS**, Resolution Number 19-285 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACTS WITH CROSS CUT ENTERPRISES, LLC ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on June 11, 2019 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; now therefore,

**BE IT RESOLVED**, That *Resolution Number 19-285* be hereby amended as follows:

- ***Change Order Number 1***
  - Increase the contract by an amount not to exceed nine thousand two hundred fifty-three dollars (\$9,253.00)
- ***Change Order Number 2***
  - Increase the contract by an amount not to exceed two thousand sixty dollars (\$2,060.00)

For a new total contract amount not to exceed two hundred seventy-one thousand six hundred eighty-three dollars and ninety-six cents (\$271,683.96)

All else remains the same.

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

#73

**RESOLUTION NO. 19-511**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AIRGAS USA LLC ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

Regular Session

**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 award bid and sign a contract with *Airgas USA LLC*, 130 Cross Road, Waterford, CT 06385 on behalf of the Wyoming County Community Health System. Said contract is for oxygen cylinder rental and medical bulk oxygen services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective September 26, 2019 through September 26, 2026.

Contingent upon the availability of funds.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #74

**RESOLUTION NO. 19-512**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-393 AMENDED**

**WHEREAS**, Resolution Number 19-393 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on September 10, 2019 and provides for various contracts, in part, as follows:

- ***Catholic Health***, 144 Genesee Street, 6<sup>th</sup> Floor, Buffalo, NY 14203 to provide Physician Assistant to assist in providing the orthopaedic services to the Hospital's patients in the Hospital's Orthopaedic Clinic in an amount not to exceed twenty-six thousand dollars (\$26,000.00) per year; effective November 1, 2019 through October 31, 2021 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 19-393* be hereby amended as follows:

- Change the contract entity name from Catholic Health to ***Trinity***

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***Medical WNY, P.C.***

- Change the title of the contract from Professional Services Agreement to ***Employee Lease Agreement***

All else remains the same.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #75

**RESOLUTION NO. 19-513**  
**(November 12, 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 for various contracts, in part, as follows:

- ***S.C.I. Anesthesia, PLLC***, P.O. Box 718, Victor, NY 14564 to provide professional anesthesia and administrative services of anesthesiologist in amounts not to exceed two hundred twenty-five dollars (\$225.00) per hour for on-site anesthesia services, one hundred seventy-five dollars (\$175.00) per hour for off-site consultation and sixty dollars (\$60.00) per hour for on-site on-call work; effective December 1, 2016 through November 30, 2017;

And,

**WHEREAS**, That Resolution Number 17-272 was previously amended by this Board of Supervisors on December 12, 2017 by ***Resolution Number 17-538*** to extend the term of the professional anesthesia and administrative services of anesthesiologist agreement for an additional one-year term; effective through ***November 30, 2018***; and

**WHEREAS**, That Resolution Number 17-272 as previously amended by Resolution Number 17-538 was further amended by this Board of Supervisors on December 11, 2018 by ***Resolution Number 18-577*** to extend the contract expiration date through ***November 30, 2019***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 17-272*** as previously amended by ***Resolution Number 17-538*** and ***Resolution Number 18-577*** be hereby further amended to extend the term of this contract for an additional one

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(1) year period through *November 30, 2020*.

All else remains the same.

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

#76

**RESOLUTION NO. 19-514**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 15-004 AMENDED**

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

- ***Surgery Specialists at the River, PLLC***, 5287 South Highway 95, Fort Mohave, AZ 86426 to provide a physician who is board certified or board eligible in the specialty of general surgery (**Ronald Weissenberg, D.O.**) to provide general surgery services at the hospital clinics, NYS Department of Corrections and on-call coverage on a 1:2 basis; effective December 16, 2014 through December 15, 2016:
  - PLLC will provide professional liability insurance covering all professional services.
  - WCCHS to provide office and support services and maintain all physician revenue in the amount of three hundred one thousand nine hundred thirty-eight dollars (\$301,938.00) per year payable twenty-five thousand one hundred sixty-one dollars and sixteen cents (\$25,161.16) per month for performance of services in accordance with this agreement plus up to five thousand dollars (\$5,000.00) based on properly documented receipts for travel and set-up expenses; and

**WHEREAS**, That Resolution Number 15-004 was previously amended by this Board of Supervisors on December 13, 2016 by **Resolution Number 16-536** to extend the contract expiration date through December 15, 2017 and change the administrative office address to 400 North Main Street, Warsaw, NY 14569; and

**WHEREAS**, That Resolution Number 15-004, as previously amended by Resolution Number 16-536, was further amended by this Board of Supervisors on December 12, 2017 by ***Resolution Number 17-540*** as follows:

- Change address to 124 North Maple Street, Warsaw, NY 14569
- Extend the term of the professional services agreement for an additional one-year; effective through December 15, 2018.
- Increase compensation in an amount not to exceed three hundred ten thousand nine hundred dollars (\$310,900.00 per year.

And,

**WHEREAS**, That Resolution Number 15-004, as previously amended by Resolution Number 16-536 and Resolution Number 17-540 was further amended by this Board of Supervisors on December 11, 2018 by ***Resolution Number 18-578*** to extend the contract expiration date through ***December 15, 2019***; now therefore

**BE IT RESOLVED**, That ***Resolution Number 15-004*** as previously amended by ***Resolution Number 16-536***, ***Resolution Number 17-540*** and ***Resolution Number 18-578*** is hereby further amended to extend the term of this contract for an additional one (1) year period; effective ***December 16, 2019 through December 15, 2020***. All else remains the same.

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

#77

**RESOLUTION NO. 19-515**  
**(November 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 provides, in part, for the following contract:

- ***University At Buffalo Pathologists, Inc. (UBP)***, a New York University Faculty Practice Corporation, 115 Flint Road, Williamsville, NY 14221 to provide services of a Laboratory Medical Director specializing in Pathology in an amount not to exceed ***\$TBD***, effective December 1, 2018 through November 30, 2019.

And

**WHEREAS**, That Resolution Number 18-524 was previously amended by this Board of Supervisors on January 8, 2019 by ***Resolution Number 19-034*** to change the effective dates from December 1, 2018 through November 20, 2019 to ***January 1, 2019 through December 31, 2019*** and to reflect a contract amount not to exceed ***one hundred thousand dollars (\$100,000.00)*** per year; now therefore

**BE IT RESOLVED**, That ***Resolution Number 18-524*** as previously amended by ***Resolution Number 19-034*** is hereby further amended to extend the term of this contract for an additional one (1) year period; effective ***January 1, 2020 through December 31, 2020*** (first of two subsequent one-year terms).

All else remains the same.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #78

**RESOLUTION NO. 19-516**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-092 AMENDED**

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

- ***University at Buffalo Surgeons, Inc.***, 100 High Street, Buffalo, New York 14203 an approved General Surgeon to provide general surgery services at the WCCHS clinic, inpatient, surgery and 24-hour call services for the Hospital's patients seven (7) days per month in an amount not to exceed eight thousand seven hundred eighty-four dollars (\$8,784.00) per month; effective ***January 1, 2018 through June 30, 2018***.
  - For the period of ***July 1, 2018 through December 31, 2019***, an approved General Surgeon to perform general surgery services at the WCCHS clinic, inpatient, surgery and call services on a 1:2 basis in an amount not to exceed four hundred thirty-one thousand eight hundred seventy-five thousand dollars (\$431,875.00) annually with a three percent (3%) increase effective July 1, 2019 and each year thereafter.

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- Contract also provides for the potential of a fifty dollar (\$50.00) bonus per worked RVU based on exceeding six thousand seven hundred (6,700) Work Relative Value Units (“wRVUs”) in any contract year.

Now therefore

**BE IT RESOLVED**, That *Resolution Number 18-092* be hereby amended to extend the term of this contract for an additional one (1) year period; effective **January 1, 2020 through December 31, 2020**. All else remains the same.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #79

**RESOLUTION NO. 19-517**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULE “P” AND “X” HANDBOOK AMENDMENTS  
 APPROVED**

**BE IT RESOLVED**, That the Salary Schedule “P” and “X” Handbooks are hereby amended to delete the strikethrough text shown below and replaced with the following language, in **bold**, under **JURY DUTY**; effective November 12, 2019:

**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.~~

**Employees should advise the Court that the employee will be paid by the employer during their jury duty services**

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #80

**RESOLUTION NO. 19-518**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

### **SEMI-ANNUAL MORTGAGE TAX REPORT**

Mr. Brick, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2019 through September 30, 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 **\$381,528.41** 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	\$69,589.22	\$14,708.15	\$54,881.07
Attica	\$17,277.20	\$3,210.89	\$14,066.31
Bennington	\$38,286.44		\$38,286.44
Castile	\$34,517.64	\$1,989.07	\$30,774.46
Perry Village		\$1,754.11	
Covington	\$12,443.38		\$12,443.38
Eagle	\$44,443.90		\$44,443.90
Gainesville	\$7,189.18	\$232.29	\$6,201.37
Silver Springs Village		\$755.52	
Genesee Falls	\$759.59		\$759.59
Java	\$17,507.44		\$17,507.44
Middlebury	\$10,840.31	\$790.55	\$10,049.76
Orangeville	\$25,138.84		\$25,138.84
Perry	\$21,903.40	\$4,324.17	\$17,579.23
Pike	\$5,126.99		\$5,126.99
Sheldon	\$15,225.06		\$15,225.06
Warsaw	\$25,831.14	\$7,470.82	\$18,360.32
Wethersfield	\$35,448.68		\$35,448.68
Total:		\$35,235.57	\$346,292.84
<b>Grand Totals:</b>	<b>\$381,528.41</b>		

Let This Be Your Warrant for Such Payment: **\$381,528.41 IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 12<sup>th</sup> day of November 2019.

**s/Cheryl J. Ketchum, Clerk**

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

**#81**

### **RESOLUTION NO. 19-519** **(November 12, 2019)**

November 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 EXISTING SALES  
TAX RATES**

**WHEREAS**, Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap; and

**WHEREAS**, The two primary revenue sources for counties are the property tax and local sales tax; and

**WHEREAS**, It is critically important for counties to have confidence and stability in their revenue projections to efficiently and prudently develop their annual operating budgets, as well as to develop and implement long term capital and infrastructure plans; and

**WHEREAS**, The State has made the property tax cap permanent, therefore limiting a key county revenue in the face of rising costs and service needs in our communities; and

**WHEREAS**, In recent years, five counties have seen their home rule revenue authority held hostage in unrelated state policy fights, resulting in the temporary lapse of local sales and mortgage recording tax collections; and

**WHEREAS**, The loss of these revenues caused fiscal stress and budget uncertainty for these counties while increasing pressure on property tax rates, and this threat extends to all counties under the current state sales tax renewal process; and

**WHEREAS**, Counties, in addition to addressing local quality of life services expected by taxpayers, must also administer and pay for more than 40 state and federal programs that can consume up to 80% of a county's entire budget; and

**WHEREAS**, Local elected officials rely on their home rule authority to determine what balance of local taxes works best in their community; and

**WHEREAS**, New York City was granted permanent local authority over their sales tax rate a decade ago, while county requests for the same authority have been repeatedly denied; 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, villages and some school districts will likely exceed \$2 billion in 2019; and

**WHEREAS**, Making existing local sales tax rates permanent still allows for appropriate state legislative review in the future upon any change; and

**WHEREAS**, Permanent home rule sales tax authority will provide more budget certainty and stability for counties; and

**WHEREAS**, Permanent home rule sales tax authority at existing rates will reduce administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to provide parity with New York City by granting permanent home rule sales tax authority to counties at their current tax rates; and be it

**FURTHER RESOLVED**, 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 for future amendments; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #82

**RESOLUTION NO. 19-520**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

November 12, 2019

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO MAKE  
ALL MUNICIPALITIES WHOLE THAT HAVE BEEN IMPACTED BY  
THE STATE AND SENECA NATION DISPUTE**

**WHEREAS**, In 2002, the State of New York and the Seneca Nation entered into a compact with a provision that gaming revenue would be shared with the State in return for certain gaming exclusivity rights in Western New York; and

**WHEREAS**, The State of New York shares with local governments, including 16 counties in Western New York, a portion of revenue they receive from the Seneca Nation; and

**WHEREAS**, The counties rely on that revenue to maintain infrastructure and provide public safety for all residents as well as provide services needed to help support this growing gaming industry; and

**WHEREAS**, In 2017, a dispute between the Seneca Nation and the State arose over the language within the compact, leading the Nation to stop revenue sharing payments to the State; and

**WHEREAS**, Under New York Law, this revenue is first sent to the State of New York, after which the State sends a portion to local governments to support local service costs; and

**WHEREAS**, The Seneca Nation and the State of New York elected to attempt to resolve this issue through arbitration and, after the long development, this matter is now pending within the U.S. Western District of New York, a process that could take years; and

**WHEREAS**, This revenue loss amounts to approximately \$50 million annually to the 16 counties in Western New York; and

**WHEREAS**, To date, this equates to over \$100 million in county funding that is needed to fix roads, support social services, and provide for public health and safety; and

**WHEREAS**, Municipalities have suffered significant loses, both financial and personal, involving at least one death; and

**WHEREAS**, The Seneca Nation and the counties of New York have a long history of productive partnerships and respect, and the Nation leaders have recently expressed their desire to continue fiscal support to local governments; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the State of New York to immediately make municipalities whole for past and current losses caused by the State's dispute with the Seneca Nation of Indians in order to avoid further catastrophic harm to public safety and county services; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #83

**RESOLUTION NO. 19-521**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION IN OPPOSITION TO STATE LEGISLATIVE PROPOSALS THAT UNDERMINE THE CAREFUL BALANCE THAT EXISTS IN STATE LAW RELATED TO THE TAX FORECLOSURE PROCESS IN NEW YORK STATE**

**WHEREAS**, The current real property tax law process to ensure tax compliance and limit tax foreclosure has been on the books for decades; and

**WHEREAS**, The real property tax foreclosure process is designed to strike a balance for a strong enforcement mechanism to ensure critical property tax revenues are protected in order to provide vital state mandated and local services in our communities, while providing property owners important alternatives and additional time to make payments to avoid foreclosure; and

**WHEREAS**, A recent state legislative initiative proposed to eliminate certain tax enforcement fees and penalties, allow for varying interest rates in tax delinquencies, and eliminate the current law "reverse chronological order" of satisfying tax liens; and

**WHEREAS**, Reducing these fee, penalty and interest tax enforcement measures will likely reduce the effectiveness and balance of the current system, and sow confusion among taxpayers across the state; and

**WHEREAS**, Eliminating the current law "reverse chronological order"

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provisions will allow property owners to potentially abuse the system and remain perpetually in arrears on multiple years of their property taxes, significantly damaging tax compliance; and

**WHEREAS**, Reduced tax compliance will jeopardize the delivery of critical state and local services in the community, and will unfairly shift the burden of these unpaid property taxes to other property owners; and

**WHEREAS**, County government is the primary governmental unit, along with some cities and other municipalities, charged by the State with ensuring real property tax law compliance and enforcement at the local level; and

**WHEREAS**, Under this charge, counties are required to fully reimburse all school districts and most towns and villages for any property taxes they cannot collect in the first instance, which often requires counties to borrow tens of millions of dollars annually while tax recoupment is commenced, all with the primary goal of ensuring fairness for taxpayers and avoiding tax foreclosure; and

**WHEREAS**, The real property law provides an extensive notification process for property owners that fall into arrears to help them understand what is happening and their options; and

**WHEREAS**, The real property tax law also allows installment payment plans for up to 24 months for tax delinquency to ease the burden (and legislation passed the legislature this year to allow up to 36 months), and provides special allowances for farm property and military personnel - combined, these items can prevent tax foreclosure or extend the timeline for several years; and

**WHEREAS**, While many counties use these statutory allowances to ease the tax foreclosure process and burden, they also provide additional help including:

- Allowing partial payments for the initial property taxes due to ease the payment burden;
- Encouraging property owners to seek legal advice and other options so they can retain their property;
- Engaging family members, especially for senior citizens, to allow for these relatives to receive duplicate copies of property tax bills, delinquency notices and other real property items;
- Guiding property owners to local and state programs that may offer them assistance to clear up their delinquent taxes;

- Allowing property owners to repurchase their property in cases of tax foreclosure, under specified timelines and parameters, among other help.

Now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors opposes state legislation that can undermine the careful balance that exists in state law related to the tax foreclosure process in New York State; and be it

**FURTHER RESOLVED**, Counties are especially concerned of the unintended consequences this legislation will cause by eliminating the current law reverse chronological order for paying tax liens, which would allow taxpayers to delay paying their property taxes for years, shifting the burden to their neighbors, and jeopardizing the delivery of state and local services; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #84

**RESOLUTION NO. 19-522**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**COUNTY INVESTMENT POLICY AMENDMENT APPROVED**

**BE IT RESOLVED**, That the County Investment Policy is hereby amended by adding “NYCLASS” as an authorized depository under **DESIGNATION OF DEPOSITARIES** as noted below in bold text; effective November 12, 2019:

**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

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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
<b>NYClass</b>	<b>\$30,000,000.00</b>

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #85

**RESOLUTION NO. 19-523**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**2020 TOWN BALANCES APPROVED**

**BE IT RESOLVED**, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted; and be it

**FURTHER RESOLVED**, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2020 Tax Rolls of the respective towns:

TOWN	TOTAL
Arcade	\$0
Attica	\$0
Bennington	\$0
Castile	\$0
Covington	\$246.55
Eagle	\$250.21
Gainesville	\$1,042.65
Genesee Falls	\$0
Java	\$0
Middlebury	\$232.95
Orangeville	\$0
Perry	\$0
Pike	\$0
Sheldon	\$0
Warsaw	\$0
Wethersfield	\$0
<b>TOTAL</b>	<b>\$1,772.36</b>

Dated: November 5, 2019

*Cheryl D. Mayer*  
*Wyoming County Treasurer*

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #86

**RESOLUTION NO. 19-524**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION SUPPORTING THE ESTABLISHMENT OF A  
COMMUNITY COLLEGE FUNDING FLOOR WITH BASE STATE AID  
FORMULA FOR FISCAL YEAR 2020 AND BEYOND**

**WHEREAS**, Community colleges serve as economic engines that provide a trained workforce and educated citizenry for the State of New York and the local communities in which they are located; and

**WHEREAS**, Community colleges are anchor institutions that help keep their communities strong and vibrant by serving as major employers, community hubs, and social centers; and

**WHEREAS**, Community colleges are the primary catalyst to the middle class by serving more low-income students than any other sector of higher education; and

**WHEREAS**, Community colleges anticipate and respond to the emerging needs of their local communities and remain the most adaptable sector of higher education; and

**WHEREAS**, Community colleges serve nearly half of all undergraduates enrolled in the SUNY system, along with nearly as many life-long learners through non-credit classes; and

**WHEREAS**, A level of predictability in State funding is essential to provide community colleges the ability to plan and budget accordingly and recognizes each college's annual fixed costs; and

**WHEREAS**, The language from the FY 2019 State Budget that provided 98% of the previous year's funding or \$100 increase per FTE, whichever is greater, was a step in the right direction and appreciated; and

**WHEREAS**, The funding floor should be set in State statute at 100%

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of the previous year or \$100 increase per FTE, whichever is greater; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors urges that New York State Governor and Legislature to change the base state aid formula allocation for each community college to be permanently set at 100% of the previous year or \$100 increase per FIE, whichever is more; and be it

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

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:**      **#87**

**RESOLUTION NO. 19-525**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND LEGISLATURE  
TO UPDATE NEW YORK'S HISTORIC COUNTY/NEW YORK CITY  
MEDICAID CAP BY LOWERING THE STATE STATUTORY CAP FOR  
EACH COUNTY AND NEW YORK CITY TO REFLECT THE ANNUAL  
SAVINGS CURRENTLY PROVIDED UNDER THE AFFORDABLE  
CARE ACT**

**WHEREAS**, The Affordable Care Act was signed into law in 2010 and included a myriad of changes to the U.S. healthcare system; and

**WHEREAS**, A key change was the expansion of Medicaid eligibility to a larger share of the population; and

**WHEREAS**, The expansion of Medicaid included enhanced federal funding for certain eligible populations under the new law up to 90% of such costs; and

**WHEREAS**, The expansion provided savings for states and counties that had already covered these populations and under the law these federal savings were jointly shared with localities; and

**WHEREAS**, In New York, these federal savings were provided to

Regular Session

counties net of the County Medicaid Caps enacted under state law in 2012; and

**WHEREAS**, Today, county Medicaid costs are, on average, about 6.6% below the state statutory caps due to the enhanced federal matching rates provided under the Affordable Care Act; and

**WHEREAS**, The state-imposed cap on county Medicaid costs, combined with the additional savings provided under the Affordable Care Act have allowed counties to reduce pressure on local tax levies and rates; and

**WHEREAS**, The Affordable Care Act continues to be challenged by the President, members of congress and some states, including through litigation; and

**WHEREAS**, A recent court ruling has declared the entire Affordable Care Act invalid and the ruling is being appealed; and

**WHEREAS**, Other legal, administrative, and statutory efforts continue to be pursued to undermine the law; and

**WHEREAS**, If the law is repealed or weakened further it could jeopardize the significant savings local taxpayers have been provided; and

**WHEREAS**, It is estimated that to replace the fiscal benefit lost from the enhanced federal match it would require counties and New York City to generate nearly \$600 million annually in additional local revenues; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and Legislature to lower each counties' state Medicaid statutory cap to reflect the current fiscal benefit provided by the enhanced federal match under the Affordable Care Act as an insurance policy to protect against a worst case scenario for local taxpayers from federal statutory, legal and administrative efforts to weaken or repeal the law; and be it

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

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

**RESOLUTION NO. 19-526**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**2020 EQUALIZATION TABLE PRESENTED AND TABLED**

**BE IT RESOLVED**, That the 2020 Equalization Table is hereby presented; and be it

**FURTHER RESOLVED**, That its adoption be tabled for at least one (1) day.

**2020 EQUALIZATION TABLE**

Advisory Equaliz Rates	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rates	% of Co. Tax to be paid by Each Town	Taxable Assessed Value
90.50%	ARCADE	228,077,130	252,018,928	0.103281064	228,070,780
96.00%	ATTICA	190,066,354	197,985,785	0.081137487	190,055,954
41.00%	BENNINGTON	116,892,834	285,104,473	0.116840007	116,877,805
100.00%	CASTILE	293,213,276	293,213,276	0.120163114	293,187,226
100.00%	COVINGTON	82,361,955	82,361,955	0.033753141	82,361,455
100.00%	EAGLE	67,473,291	67,473,291	0.027651547	67,460,991
98.00%	GAINESVILLE	103,687,681	105,803,756	0.043359936	103,687,681
99.00%	GENESEE FALLS	30,368,963	30,675,720	0.012571361	30,367,163
100.00%	JAVA	156,766,764	156,766,764	0.064245326	156,763,764
93.00%	MIDDLEBURY	91,820,272	98,731,475	0.040461611	91,812,872
100.00%	ORANGEVILLE	103,070,572	103,070,572	0.042239837	103,070,572
100.00%	PERRY	223,129,765	223,129,765	0.091441860	223,112,065
100.00%	PIKE	59,138,105	59,138,105	0.024235665	59,138,105
100.00%	SHELDON	172,960,573	172,960,573	0.070881787	172,952,473
97.00%	WARSAW	243,648,231	251,183,743	0.102938793	243,645,231
100.00%	WETHERSFIELD	60,508,965	60,508,965	0.024797464	60,502,665
<b>TOTALS</b>		<b>2,223,184,731</b>	<b>2,440,127,148</b>	<b>1.000000000</b>	<b>2,223,066,802</b>

1-Nov-19

**FINANCE COMMITTEE**

James Brick	Ellen Grant
Rebecca Ryan	John Copeland
David Tallman	Keith Granger
Jerry Davis	Daniel Leuer
Bryan Kehl	Susan May

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#89

**RESOLUTION NO. 19-527**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

Regular Session

**DATE OF PUBLIC HEARING FOR THE CONSIDERATION OF THE  
2020 TENTATIVE COUNTY BUDGET SET**

**BE IT RESOLVED**, That a Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 2020 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 North Main Street, in the Village of Warsaw, NY 14569, on ***Tuesday, December 3, 2019 at 11:00 AM*** and that copies of that tentative County Budget will be available at the Public Hearing and after 4:00 P.M. on November 14, 2019, in accordance with Section 354(2) of the County Law of this State, at the Office of the Clerk of the Board of Supervisors; and be it

**FURTHER RESOLVED**, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and be it

**FURTHER RESOLVED**, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 10:00 A.M. on November 28, 2019.

**Carried:** XXX      **Ayes:** 1599      **Noes:**      **Absent:**      **Abstain:** #90

**RESOLUTION NO. 19-528**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**2020 RECYCLING FEES LEVIED**

**BE IT RESOLVED**, That the Clerk of this Board is hereby authorized and directed to levy fees on behalf of Towns and the County for the year 2020 as indicated in the amount of ***\$2,480,683.13 (two million four hundred eighty thousand six hundred eighty-three dollars and thirteen cents)*** as indicated on the January Town and County tax bill and any other outstanding fees for services rendered:

Municipality	Recycle	Unit	Cost per Unit	Total
Bennington	Seasonal Garbage	42	\$ 125.36	\$ 5,265.12
	Year-Round Garbage	1,352	\$ 250.71	\$ 338,959.92
Castile	Seasonal Garbage	217	\$ 125.36	\$ 27,203.12
	Year-Round Garbage	1,229	\$ 250.71	\$ 308,122.59
Gainesville	Seasonal Garbage	18	\$ 125.36	\$ 2,256.48
	Year-Round Garbage	806	\$ 250.71	\$ 202,072.26
Genesee Falls	Seasonal Garbage	11	\$ 125.36	\$ 1,378.96
	Year-Round Garbage	188	\$ 250.71	\$ 47,133.48
Middlebury	Seasonal Garbage	8	\$ 125.36	\$ 1,002.88
	Year-Round Garbage	581	\$ 250.71	\$ 145,662.51
Orangeville	Seasonal Garbage	37	\$ 125.36	\$ 4,638.32
	Year-Round Garbage	489	\$ 250.71	\$ 122,597.19
Perry	Seasonal Garbage	7	\$ 125.36	\$ 877.52
	Year-Round Garbage	1,827	\$ 250.71	\$ 458,047.17
Pike	Seasonal Garbage	21	\$ 125.36	\$ 2,632.56
	Year-Round Garbage	413	\$ 250.71	\$ 103,543.23
Sheldon	Seasonal Garbage	12	\$ 125.36	\$ 1,504.32
	Year-Round Garbage	882	\$ 250.71	\$ 221,126.22
Warsaw	Seasonal Garbage	9	\$ 125.36	\$ 1,128.24
	Year-Round Garbage	1,810	\$ 250.71	\$ 453,785.10
Wethersfield	Seasonal Garbage	56	\$ 125.36	\$ 7,020.16
	Year-Round Garbage	318	\$ 250.71	\$ 79,725.78
	Town Subsidy			\$ (55,000.00)

\$ 2,480,683.13 levy to the towns

**Carried:** XXX

**Ayes:** 1599

**Noes:**

**Absent:**

**Abstain:**

#91

**RESOLUTION NO. 19-529**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**JANIS COOK REAPPOINTED COUNTY AUDITOR**

**BE IT RESOLVED**, That *Janis Cook*, 3459 Truesell Road, Warsaw, NY 14569 is hereby reappointed County Auditor for a one (1) year term; effective January 1, 2020 through December 31, 2020.

**Carried:** XXX

**Ayes:** 1599

**Noes:**

**Absent:**

**Abstain:**

#92

**RESOLUTION NO. 19-530**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:  
 Regular Session

## 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:**

*Social Services*

- One (1) position of ***Social Services Program Specialist*** (1.0 FTE) on CSEA Schedule A, Job Grade 8 at \$18.29/hr.-\$21.16/hr.; position available date is November 13, 2019.

*Zoning Department*

- One (1) position of ***Keyboard Specialist*** (1.0 FTE) on CSEA Schedule A, Job Grade 2 at \$15.89/hr. - \$17.35/hr.; position available date is November 13, 2019.

**Carried:** XXX      **Ayes:** 1599      **Nos:**      **Absent:**      **Abstain:** #93

### **RESOLUTION NO. 19-531** **(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

### **RESOLUTION NUMBER 19-357 AMENDED**

**WHEREAS**, Resolution Number 19-357 entitled, “**SALARY SCHEDULES “S” AND “G” AMENDED**,” passed by this Board of Supervisors on August 13, 2019 and provides for various salary schedule amendments, in part, as follows:

**Salary Schedule “G”:**

*District Attorney*

- Set one-time stipends plus corresponding fringes to the following:
  - Assistant District Attorney (2<sup>nd</sup>) \$5,000.00
  - Administrative Assistant (DA) \$10,000.00
  - Secretary to the District Attorney \$10,000.00
  - Principal Account Clerk (Treas. Office/A. Green) \$2,250.00
    - Said funds to be paid out November 2019
    - Said amounts are the annual budgeted stipends provided through 1161 (Traffic Diversion)

Now therefore,

November 12, 2019

**BE IT RESOLVED**, That *Resolution Number 19-357* be hereby amended to correct the one-time stipends plus corresponding fringes as follows:

○ Administrative Assistant (DA)	\$11,200.00
○ Secretary to the District Attorney	\$11,200.00

All else remains the same.

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

*At the conclusion of the reading of the Finance resolutions and prior to the roll call vote, Chairman Berwanger explained that the majority of the resolutions presented today are as a result of the Fall NYSAC Conference. Counties are encouraged to adopt the resolutions approved during the NYSAC business meeting in order to provide state representatives with a united front by counties.*

*Prior to the presentation of the next resolution Supervisor Brick, T/Perry who also serves as Chairman of the County Compensation committee explained the first time following the new process. He explained that some requests generated much deliberation and although the process isn't perfect he was happy with the results...*

*Supervisor Leuer, T/Middlebury also commented. He shared that the committee was not in full agreement but the local law does represent a consensus of the committee. He then asked the County Attorney to explain the process for a Permissive Referendum.*

**Public Comment ~**

- None heard

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

**Local Law**  
#94

**RESOLUTION NO. 19-532**  
**(November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**LOCAL LAW NO. 4 (INTRODUCTORY C, YEAR 2019) ~ YEAR 2019,  
“County of Wyoming, Providing Salaries for Certain County Officers for the  
Year 2020” ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of

Regular Session

this Board, held on the 8<sup>th</sup> day of October, 2019, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2019, entitled, "*County of Wyoming, Providing Salaries for Certain County Officers for the Year 2020*"; and

**WHEREAS**, In accordance with the provisions of Resolution Number 19-437 there was a public hearing held by this Board of Supervisors on this 12<sup>th</sup> day of November, 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 4, Year 2019, County of Wyoming, New York, as presented to this Board on the 8<sup>th</sup> day of October 2019, is hereby adopted, in its original form, as follows:

**LOCAL LAW NO. 4 ~ YEAR 2019**

**County of Wyoming, Providing Salaries for Certain County Officers for the year 2020**

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

- Section 1. Effective as hereafter provided, the annual wage equivalent for the ***Commissioners of Election*** shall be increased by ***\$525.00*** for a new annual salary of ***\$16,485.00***.
- Section 2. Effective as hereafter provided, the annual salary for the ***Clerk to the Board of Supervisors*** shall be increased by ***\$7,126.00*** for a new annual salary of ***\$72,262.00***.
- Section 3. Effective as hereafter provided, the annual salary for the ***County Attorney*** shall be increased by ***\$1,581.00*** for a new annual salary of ***\$64,820.00***.
- Section 4. Effective as hereafter provided, the annual salary for the ***County Highway Superintendent*** shall be increased by ***\$2,336.00*** for a new annual salary of ***\$95,796.00***.
- Section 5. Effective as hereafter provided, the annual salary for the ***Public***

**Defender** shall be increased by **\$1,532.00** for a new annual salary of **\$62,813.00**.

Section 6. Effective as hereafter provided, the annual salary for the **Commissioner of Public Health** shall be increased by **\$2,048.00** for a new annual salary of **\$83,952.00**.

Section 7. Effective as hereafter provided, the annual salary for the **Director of Real Property Tax Services** shall be increased by **\$1,710.00** for a new annual salary of **\$70,107.00**.

Section 8. Effective as hereafter provided, the annual salary for the **Commissioner of Social Services** shall be increased by **\$1,760.00** for a new annual salary of **\$72,140.00**.

Section 9. Effective as hereafter provided, the annual salary for the **Director of Veteran Services** shall be increased by **\$1,135.00** for a new annual salary of **\$46,525.00**.

Section 10. Effective as hereafter provided, the annual salary for the **County Clerk** shall be increased by **\$9,239.00** for a new annual salary of **\$74,239.00**.

Section 11. Effective as hereafter provided, the annual salary for the **County Treasurer** shall be increased by **\$1,811.00** for a new annual salary of **\$74,231.00**.

Section 15. All salaries set forth in Sections 1 through 11 above shall be effective as of **January 01, 2020**.

Section 16. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 17. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York

October 08, 2019 (Introduced)

November 12, 2019 (Adopted)

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

Clerk to the Board

**Carried: XXX    Ayes: 1368    Noes: 164 (Attica)    Absent: 19 (Genesee Falls)**

**48 (Pike)**

**231 Total**

*Before the meeting was adjourned, Clerk to the Board Ketchum has the Countywide Shared Services plan. According to the Department of State the Board of Supervisors need to receive a copy of the Plan prior to November 17<sup>th</sup>. Clerk Ketchum was instructed to distribute the Plan to the Board for their review... They will be asked to vote on a resolution in support of the plan during the December 10, 2019. The Plan will be voted on by the Panel immediately following the Board of Supervisors meeting so the Plan can be filed with the Department of State no later than December 31, 2019.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:39 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

**SPECIAL BUDGET SESSION  
(December 3, 2019)  
Tuesday  
11:00 AM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except Brett Hastings, T/Eagle, Michael Vasile, T/Genesee Falls and Daniel Leuer, T/Middlebury. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

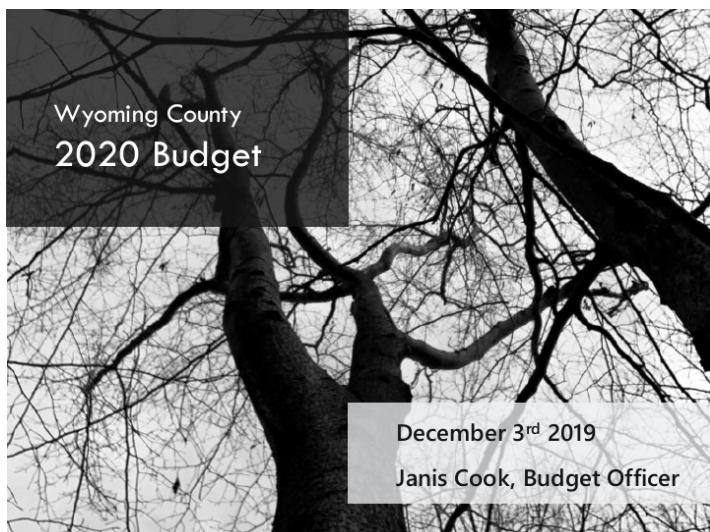
The Veteran leading the Pledge of Allegiance this meeting is:

**John Copeland**  
Supervisor for the Town of Wethersfield

*The pledge was said by all.*

**Open Public Hearing ~**

- *Review of Wyoming County Tentative Budget for the Year 2020*
- *Budget Message*
  - *by Budget Officer J. Cook*



Special Session

## Summary of Proposed 2020 Budget

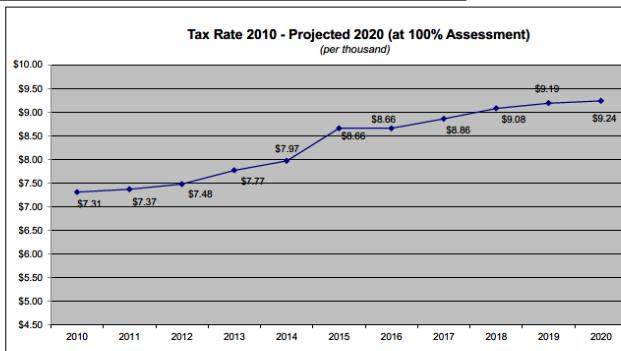
Proposed budget	\$ 152,053,841	
Proposed tax levy	\$ 22,550,217	▲ 4.46 %
Taxable Valuation	\$ 2,223,066,802	▲ 3.77 %
Proposed tax rate @ 100% assessment	\$ 9.24 per thousand	▲ .50 %

## Property Tax Levy and Rate

	2019	2020	<i>Amt change from prior yr</i>	<i>% change from prior yr</i>
Property Tax Levy	\$ 21,587,177	\$ 22,550,217	\$ 963,040	4.46%
Taxable Valuation	\$ 2,142,386,976	\$ 2,223,066,802	\$ 80,679,826	3.77%
Full Valuation	\$ 2,347,723,719	\$ 2,440,127,148	\$ 92,403,429	3.94%
Property Tax Rate**	\$ 9.195	\$ 9.241	\$ 0.05	0.50%

\*\*100% Equalization in both FY 2019 & 2020

## Property Tax Rate History



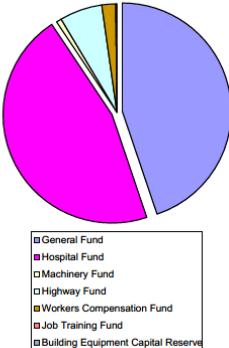
## Budget Breakdown



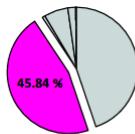
Special Session

## Expenditure Breakdown by Fund

APPROPRIATION BY FUND	EXPENDITURE	%
General Fund	\$ 68,170,767	44.83%
Hospital Fund	\$ 69,704,913	45.84%
Machinery Fund	\$ 1,181,260	0.78%
Highway Fund	\$ 9,616,549	6.32%
Workers Compensation Fund	\$ 3,120,352	2.05%
Job Training Fund	\$ 110,000	0.07%
Building Equipment Capital Reserve	\$ 150,000	0.10%
<b>Total Budgeted Expenditures</b>	<b>\$ 152,053,841</b>	<b>100.00%</b>

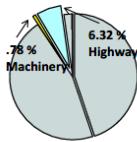


## Hospital Fund Budget Detail



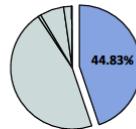
Hospital Fund	Adopted 2019	Tentative 2020	Change Amount Inc / (Decrease)
Total Revenues	\$ 59,887,807	\$ 69,704,913	\$ 9,817,106
.1 Personal Svc	\$ 24,647,508	\$ 29,169,512	\$ 4,522,004
.2 Capital	\$ 100,000	\$ 1,500,000	\$ 1,400,000
.4 Contractual	\$ 22,433,764	\$ 24,309,319	\$ 1,875,555
.6 Principal Pmt	\$ 813,305	\$ 1,071,102	\$ 257,797
.7 Interest Pmt	\$ 150,438	\$ 165,611	\$ 15,173
.8 Fringe	\$ 11,742,792	\$ 13,489,369	\$ 1,746,577
.9 Transfers	\$ -	\$ -	\$ -
Total Expenditures	\$ 59,887,807	\$ 69,704,913	\$ 9,817,106
Fund Balance	\$ -	\$ -	\$ -
Levy	\$ -	\$ -	\$ -

## Highway & Machinery Fund Budget Detail



Highway&Machinery	Adopted 2019	Tentative 2020	Change Amount Inc / (Decrease)
Total Revenues	\$ 10,763,332	\$ 10,072,809	\$ (690,523)
.1 Personal Svc	\$ 1,521,497	\$ 1,554,622	\$ 33,125
.2 Capital	\$ 99,700	\$ 203,200	\$ 103,500
.4 Contractual	\$ 8,765,360	\$ 8,085,697	\$ (679,663)
.6 Principal Pmt	\$ -	\$ -	\$ -
.7 Interest Pmt	\$ -	\$ -	\$ -
.8 Fringe	\$ 951,775	\$ 954,290	\$ 2,515
.9 Transfers	\$ -	\$ -	\$ -
Total Expenditures	\$ 11,338,332	\$ 10,797,809	\$ (540,523)
Fund Balance	\$ (575,000)	\$ (725,000)	\$ (150,000)
Levy	\$ -	\$ -	\$ -

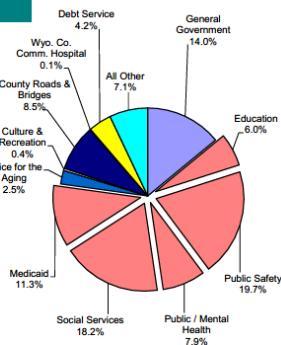
## General Fund Budget Detail



General Fund	Adopted 2019	Tentative 2020	Change Amount Inc / (Decrease)
Total Revenues	\$ 43,562,007	\$ 44,120,550	\$ 558,543
.1 Personal Svc	\$ 16,203,664	\$ 17,009,004	\$ 805,340
.2 Capital	\$ 296,800	\$ 363,814	\$ 67,014
.4 Contractual	\$ 30,985,873	\$ 32,148,489	\$ 1,162,616
.6 Principal Pmt	\$ 2,281,249	\$ 2,179,332	\$ (101,917)
.7 Interest Pmt	\$ 771,337	\$ 710,200	\$ (61,137)
.8 Fringe	\$ 9,582,611	\$ 9,697,585	\$ 114,974
.9 Transfers	\$ 6,127,650	\$ 6,062,342	\$ (65,308)
Highway	\$ 5,696,015	\$ 5,775,455	\$ 79,440
Machinery	\$ -	\$ -	\$ -
Hospital	\$ 390,875	\$ 89,775	\$ (301,100)
CIP	\$ -	\$ 150,000	\$ 150,000
Workers Comp	\$ 40,760	\$ 47,112	\$ 6,352
Total Expenditures	\$ 66,249,184	\$ 68,170,767	\$ 1,921,583
Levy Prior to FB	\$ 22,687,177	\$ 24,050,217	\$ 1,363,040
Fund Balance	\$ (1,100,000)	\$ (1,500,000)	\$ (400,000)
Levy	\$ 21,587,177	\$ 22,550,217	\$ 963,040

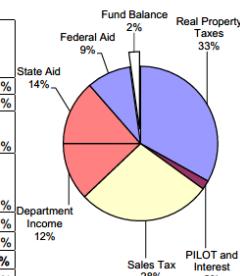
## General Fund Expenditures

GENERAL FUND	EXPENDITURE	%
General Government	\$ 9,566,277	14.03%
Education	\$ 4,117,436	6.04%
Public Safety	\$ 13,436,804	19.71%
Public / Mental Health	\$ 5,377,143	7.89%
Social Services	\$ 12,429,510	18.23%
Medicaid	\$ 7,687,492	11.28%
Office for the Aging	\$ 1,704,457	2.50%
Culture & Recreation	\$ 289,617	0.42%
County Roads & Bridges	\$ 5,775,455	8.47%
Wyo. Co. Comm. Hospital	\$ 89,775	0.13%
Debt Service	\$ 2,889,532	4.24%
All Other	\$ 4,807,269	7.05%
<b>Total Budgeted Expenditures</b>	<b>\$ 68,170,767</b>	<b>100.00%</b>



## General Fund Revenue

General Fund Revenue Source	Revenue	%
Real Property Taxes (Taxes Only)	\$ 22,550,217	33.08%
PILOT and Interest	\$ 1,284,525	1.88%
Sales Tax (Including Interest /911surcharge /hotel/motel tax/auto use tax)	\$ 19,059,500	27.96%
Department Income (Fees/Local Rev/Permits/Fines/Donations/Sale of Property & Interfund Revenue)	\$ 8,240,002	12.09%
State Aid	\$ 9,244,419	13.56%
Federal Aid	\$ 6,292,103	9.23%
<b>Total General Fund Revenue</b>	<b>\$ 66,670,767</b>	<b>97.80%</b>
Fund Balance	\$ 1,500,000	2.20%
<b>Total to Cover 2020 Expenditures</b>	<b>\$ 68,170,767</b>	<b>100.00%</b>



Function	Appropriations	State & Federal Aid	Revenues	Tax Levy/Surplus	Less Surplus
General	\$ -	\$ -	\$ 19,430,525	\$ (19,430,525)	\$ (1,500,000)
Legislative	\$ 798,538	\$ -	\$ 220	\$ 798,318	
Judicial	\$ 1,922,178	\$ 756,172	\$ 143,180	\$ 1,022,826	
Finance	\$ 1,435,243	\$ -	\$ 1,016,782	\$ 418,461	
Staff	\$ 5,008,593	\$ 137,670	\$ 2,041,724	\$ 2,829,199	
Special	\$ 2,101,195	\$ -	\$ 1,000,102	\$ -	
Education	\$ 4,117,435	\$ 1,185,720	\$ -	\$ 2,931,716	
Public Safety	\$ 13,436,804	\$ 787,512	\$ 1,466,606	\$ 11,182,486	
Health	\$ 5,377,143	\$ 3,748,428	\$ 656,516	\$ 973,199	
Social Services	\$ 20,117,002	\$ 7,685,588	\$ 639,500	\$ 11,721,914	
Interfund Transfers	\$ 6,062,342	\$ -	\$ -	\$ 6,042,342	
Economic Opportunity	\$ 10,000	\$ -	\$ -	\$ 10,000	
Economic Development	\$ 624,541	\$ -	\$ 199,647	\$ 424,894	
Other	\$ 215,327	\$ 13,136	\$ 7,000	\$ 195,191	
Economic Assistance	\$ 1,704,457	\$ 885,726	\$ 226,996	\$ 591,735	
Recreation	\$ 220,873	\$ 68,333	\$ -	\$ 152,540	
Culture	\$ 139,617	\$ -	\$ 4,500	\$ 135,117	
Adult Recreation	\$ 150,000	\$ 150,000	\$ -	\$ -	
General Environment	\$ 2,971,137	\$ 75,000	\$ 2,745,831	\$ 150,306	
Natural Resources	\$ 563,280	\$ -	\$ -	\$ 563,280	
Employee Benefits	\$ 5,000	\$ -	\$ 5,000	\$ -	
Debt Services	\$ 2,889,532	\$ 43,237	\$ -	\$ 2,846,295	
Highway - County Road	\$ 9,616,549	\$ 3,189,344	\$ 5,852,205	\$ 575,000	\$ (575,000)
Highway - Machinery	\$ 1,181,260	\$ -	\$ 1,031,260	\$ 150,000	\$ (150,000)
Hospital	\$ 69,704,913	\$ 1,770,998	\$ 67,933,915	\$ -	
Job Training Program	\$ 110,000	\$ 110,000	\$ -	\$ -	
Compensation	\$ 3,120,352	\$ -	\$ 3,120,352	\$ -	
Capital Res	\$ 150,000	\$ -	\$ 150,000	\$ -	
<b>Total</b>	<b>\$ 152,053,841</b>	<b>\$ 20,406,865</b>	<b>\$ 106,671,759</b>	<b>\$ 24,775,217</b>	<b>\$ (2,225,000)</b>
<b>TAX LEVY</b>					<b>\$ 22,550,217</b>

## New York State Mandates and Sales Tax



Special Session

## NYS Mandate Breakdown

Mandates	2019 Levy	2020 Levy
Medicaid (inc. IGT)*	\$ 7,487,492	\$ 7,687,492
All other mandated DSS Programs**	\$ 4,133,955	\$ 4,104,422
Retirement Contribution	\$ 5,761,845	\$ 6,221,907
Community College Expense	\$ 2,150,000	\$ 2,125,000
Probation	\$ 617,717	\$ 693,878
Indigent Defense	\$ 322,266	\$ 356,476
Special Ed Pre-K	\$ 862,981	\$ 806,716
Early Intervention	\$ 213,564	\$ 196,938
Total Levy Increase	\$ 21,549,820	\$ 22,192,828
<b>General Fund Levy</b>	<b>\$ 22,500,217</b>	

\*The Medicaid Levy for 2020 includes \$2.4M local share of estimated IGT funding

\*\*While saving some levy in some programs / other increase significantly resulting in a net levy increase

Note: Community College Not included in 9 for 90 campaign

**98.42% of Proposed General Fund Levy**

## Sales Tax

Due to the adoption of Chapter 59 of the Laws of 2019 it is now mandated by NYS that the AIM funds due to towns and villages be funded by the County's portion of the sales tax revenue. Prior to this mandate New York State provided these much needed funds to our local towns and villages.

8% sales tax before mandate

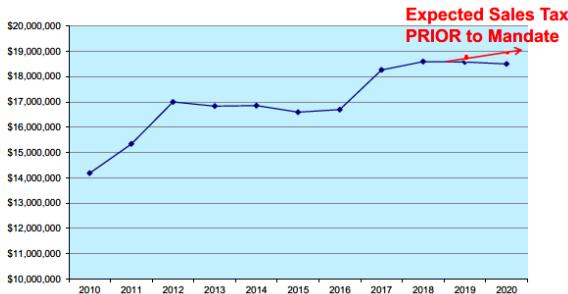


8% sales tax after mandate



## Sales Tax Projection

The positive rebound in sales tax in the past few years that helped reenergized Wyoming County and was a key factor in our ability to stay below the tax cap is completely offset by the new mandate.



## Property Tax Cap Calculation

2019 Tax Levy	<u>21,587,177</u>
<i>Special District Levy</i>	<u>2,748,827</u>
2019 Total Adjusted Tax Levy	<u>24,336,004</u>
<i>PLUS Tax Base Growth Factor (Provided by NYS)</i>	<u>.42%</u>
	<u>24,438,216</u>
<i>LESS PILOTS in 2019 (est.)</i>	<u>415,062</u>
	<u>24,853,278</u>
<i>PLUS Allowable Levy Growth 2.00% (Provided by NYS)</i>	<u>.2%</u>
	<u>25,350,344</u>
<i>LESS PILOTS in 2020 (est.)</i>	<u>434,525</u>
	<u>16,851</u>
<i>PLUS available carryover</i>	<u>16,851</u>
2020 ESTIMATED TOTAL TAX CAP	<u>\$24,932,670</u>
Amount Allowed to Increase Tax Levy *	<u>\$596,666</u>
	<u>2.45%</u>

\*Including Special District Levy

## Tax Cap vs Property Tax

				2020 Inc / (Dec)	2020 Percentage Inc / -Dec
General County Levy	<b>Adopted 2019</b>	<b>Tentative 2020</b>			
Revenue	\$ 117,437,325	\$ 127,278,624	\$ 9,841,299	8.38%	
Expenses	\$ 140,699,502	\$ 152,053,841	\$ 11,354,339	8.07%	
Reserve to offset	\$ 1,675,000	\$ 2,225,000	\$ 550,000	32.84%	
Allow For Uncollectable Taxes	\$ -	\$ -	\$ -		
<b>Total General County Levy</b>	<b>\$ 21,587,177</b>	<b>\$ 22,550,217</b>	<b>\$ 963,040</b>	<b>4.46%</b>	
Special District Levy					
Town Balances	\$ 4,683	\$ 1,772	\$ (2,910)	-62.15%	
Board of Elections	\$ 25,259	\$ 27,726	\$ 2,467	9.77%	
Recycling	\$ 2,112,217	\$ 2,480,683	\$ 368,467	17.44%	
Worker's Comp	\$ 606,669	\$ 586,105	\$ (20,564)	-3.39%	
<b>Total Levy All Districts</b>	<b>\$ 24,336,004</b>	<b>\$ 25,646,503</b>	<b>\$ 1,310,499</b>	<b>5.39%</b>	
<b>NYS Tax Levy Limitation</b>	<b>\$ 24,352,856</b>	<b>\$ 24,932,670</b>	<b>\$ 596,666</b>	<b>2.45%</b>	
<b>Over / (Under) Allowable Cap</b>	<b>\$ (16,852)</b>	<b>\$ 713,833</b>			

## Mandate Relief from Albany:

NYS Governor

Hon. Andrew M. Cuomo

Executive Chambers

State Capitol Building

Albany, NY 12224

(518) 474-8390



## Contact Information

➤ **NYS Senator**  
(59<sup>th</sup> District)

Hon. Patrick M. Gallivan

*Legislative Office Building, Room 512  
Albany, NY 12247  
(518) 455-3471*

*2721 Transit Road, Suite 116  
Elma, NY 14059  
(716) 656-8544*

*143 North Main St., Room 103  
Warsaw, NY 14569  
(585) 786-5048*

➤ **NYS Assemblyman**  
(147<sup>th</sup> District)

Hon. David DiPietro

*543 Legislative Office Building  
Albany, NY 12248  
(518) 455-5314*

*411 Main St.  
E. Aurora, NY 14052  
(716) 655-0951*

- *Public Comment*
  - *None offered...*
  - *Finance Committee Chair, J. Brick from the Town of Perry offered, "Good job," to Budget Officer Cook and her department.*

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

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

**60% Majority  
Local Law  
#1**

### **RESOLUTION NO. 19-533 (November 12, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

### **LOCAL LAW NO. 5 (INTRODUCTORY D, YEAR 2019) ~ YEAR 2019, “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2020” ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 12<sup>th</sup> day of November, 2019, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2019,

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entitled, *“A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2020”*; and

**WHEREAS**, In accordance with the provisions of Resolution Number 19-503 there was a public hearing held by this Board of Supervisors on this 3<sup>rd</sup> day of December, 2019, at 11:00 AM, 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 5, Year 2019, County of Wyoming, New York, as presented to this Board on the 12<sup>th</sup> day of November 2019, is hereby adopted, in its original form, as follows:

**LOCAL LAW NO. 5 - YEAR 2019**

*A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2020*

**Section 1. Legislative Intent**

Due to the continued financial obligations compelled by the State of New York upon the County of Wyoming in the form of mandated governmental services that are not fully funded by the State, the County, in addition to providing said services, also must provide other important services to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined, and to allow the County of Wyoming to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the “tax levy limit” contained in General Municipal Law §3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

**Section 3. Tax Levy Limit Override**

December 3, 2019

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

## **Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

## **Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

DATED at Warsaw, New York  
November 12, 2019 (Introduced)  
December 03, 2019 (Adopted)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

#2

**RESOLUTION NO. 19-534  
(December 3, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

TENTATIVE 2020 BUDGET FOR WYOMING COUNTY ADOPTED

**BE IT RESOLVED**, That the tentative budget for the year 2020, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2020, which requires the raising by tax levy in the amount of twenty-two million five hundred fifty thousand two hundred seventeen dollars (\$22,550,217.00); and be it

**FURTHER RESOLVED**, That the said sum of twenty-two million

## Special Session

five hundred fifty thousand two hundred seventeen dollars (\$22,550,217.00) be hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation; and be it

**FURTHER RESOLVED**, That the several amounts specified in such budget in the column entitled “ADOPTED”, and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2020.

*There being no further business to come before this Board, Chairman Berwanger, T/Arcade adjourned the meeting at 11:25 AM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, CMC  
Clerk to the Board

**REGULAR SESSION  
(December 10, 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 were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

**Master Sergeant Arland W. Kelley**

Mr. Kelley was born June 23, 1950 in Warsaw, New York and graduated from Warsaw Central School in 1968. He enlisted the United States Army Reserve and was placed on a waiting list for a year. Toward the end of his wait, he was drafted, but his report date to the Reserve Unit came first which was on December 5, 1969. Mr. Kelley completed Basic Training, Advanced Individual Training and Leadership Academy at Fort Polk, Louisiana becoming a Drill Sergeant by the 98th Training Division.

One of the highest honors for a Noncommissioned Officer is earning a place to attend Drill Sergeant Academy. Only the most qualified NCOs are chosen to attend the Academy, where they are trained to fulfill a role of utmost importance. Drill Sergeants teach new recruits every aspect of basic combat training, which means they have the great responsibility of shaping civilians into the best soldiers in the world. These Drill Sergeants are the best of the best because they not only have to teach but also live by their creed that states, "I will lead by example, never requiring a Soldier to attempt any task I would not do myself."

Mr. Kelley spent 8-years as a Reserve Drill Sergeant using his active duty time instructing trainees at Fort Dix, New Jersey before retraining as a Combat Engineer and instructing soldiers at Fort Leonard Wood, Missouri. From there Mr. Kelley moved on to Division Engineer Headquarters as their Noncommissioned Officer. In total, he spent 22-years in the active reserve and retired in 1991. For his valor and courageous service to his country, Mr. Kelley was awarded the:

Army Service Ribbon  
 Armed Forces Reserve Medal  
 National Defense Service Medal  
 Army Achievement Medal  
 Sharpshooter Badge (Rifle)  
 Reserve Good Conduct Medal with 4 Devices  
 NCO Professional Development Ribbon with 4 Device  
 Meritorious Service Medal

While serving in the Army Reserves, Mr. Kelley was self-employed for 12-years in the floor covering business, during which time he married his wife, Lucy, in November of 1971. He attended SUNY Oswego where he earned his certification as a New York State Vocational Instructor. In 1985, Mr. Kelley began working for the Department of Corrections teaching floor covering at Wyoming Correctional. He taught there for just over 30 years and retired in 2015.

Mr. Kelley is a life member of the American Association of Individual Investors and a Deacon and Trustee of the LaGrange Baptist Church. He and his wife have two children, eleven grandchildren and one great grandchild. Mr. Kelley enjoys photography, playing the guitar and has recently become a life member of the Vietnam Veterans of America Chapter 193 here in Warsaw.

*The pledge was said by all.*

*Chairman Berwanger was joined by J. Brick, T/Perry Supervisor for the presentation of the customary certificate of appreciation to Mr. Kelley and an opportunity to address the Board.*

*At which time, Mr. Kelley graciously accepted the certificate and was offered an opportunity to address the Board. Mr. Kelley thanked the board for their service to Wyoming County. He also said that he loves Wyoming County and feels the taxes are lower here and enjoys the deer hunting.*

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

***Opening Prayer ~***

- *Rev. Frank Fraser, Family Life Church Parishioner*

***Correspondence ~***

- *11/27/19 correspondence from Assemblyman DiPietro acknowledging receipt of various NYSAC resolutions passed by the Board of Supervisors*

- 11/27/19 correspondence from Deputy Majority Leader Shelley Mayer acknowledging receipt of Resolution No. 19-467

#1

**RESOLUTION NO. 19-535**  
**(December 10, 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:

<b>Mental Health</b>			
<b>From:</b> 01.38.4324.4.40401 Travel / Education <b>To:</b> 01.38.4323.4.40106 Professional Malpractice <b>Reason:</b> To cover the cost of Malpractice insurance.	\$200.00	\$200.00	
<b>Mental Health Total</b>			<b>\$200.00</b>
<b>Sheriff</b>			
<b>From:</b> 01.37.3110.4.40302 Crime Lab <b>To:</b> 01.37.3110.2.20501 Law Enforcement Equip <b>Reason:</b> Purchase of new Tasers.	\$31,117.00	\$31,117.00	
<b>Sheriff Total</b>			<b>\$31,117.00</b>

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

**RESOLUTION NO. 19-536**  
**(December 10, 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:

<b>Treasurer</b>			
<b>To:</b> 01.51.9781.7.70001 E911 16-300 BAN interest <i>w/any funds available</i> <b>Reason:</b> BAN interest budgeted at estimate of current rates. Rates realized higher when BAN actually renewed.	\$976.18	\$976.18	
<b>Treasurer Total</b>			<b>\$976.18</b>
<b>Ag &amp; Business Center</b>			

<b>To:</b> 01.42.6422.4.41201 Postage 01.42.6422.4.41404 Copiers w/01.03.6422.1289 Other Dept. Income <i>w/any funds available</i> <b>Reason:</b> To cover postage and copier expenses.	\$1,400.00 2,000.00	\$1,400.00 2,000.00	
<b>Ag &amp; Business Center Total</b>			<b>\$3,400.00</b>
<b>Office for the Aging</b>			
<b>To:</b> 01.44.6772.4.42302 OFA Program Expense w/01.09.6772.2705 Gifts & Donations <b>Reason:</b> To appropriate donations received from community to purchase items needed for Christmas gift bags given to OFA clients.	\$275.00	\$275.00	
<b>Office for the Aging Total</b>			<b>\$275.00</b>
<b>Assigned Counsel</b>			
<b>To:</b> 01.34.1421.4.42494 HH Grant Expense w/01.11.1421.302510 Hurrell Harring Grant <b>Reason:</b> To appropriate grant funds to cover CLE training expenses incurred by Assigned Counsel (year 1 approved).	\$5,000.00	\$5,000.00	
<b>Assigned Counsel Total</b>			<b>\$5,000.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.42301 Books & Publications w/01.09.7510.2705 Gifts & Donations <b>Reason:</b> To appropriate funds given for the WWII book.	\$375.00	\$375.00	
<b>To:</b> 01.46.7510.4.41204 Advertising w/01.09.7510.2705 Gifts & Donations <b>Reason:</b> To appropriate funds donated to our office for office use to be used for <i>Historical Wyoming</i> Christmas promotion.	\$100.00	\$100.00	
<b>Historian Total</b>			<b>\$475.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.42478 Lead Poisoning Prevention <i>w/any funds available</i> <b>Reason:</b> To cover estimated expense of complying with amendments to NYS Public Health Law (§1370) and Part 67 of Title 10 of the New York Codes, Rules & Regulation for elevated blood lead levels (EBLL) from October 1, 2019 through December 31, 2019.	\$10,000.00	\$10,000.00	
<b>To:</b> 01.38.4010.4.40704 Lab Fees - Basic w/01.03.4010.160105 PH Env. Fees <b>Reason:</b> To cover estimated additional water sample lab fee expense for 2019. Environmental revenues are at 93% of budget as of Nov 2019.	\$5,225.00	\$5,225.00	
<b>Public Health Total</b>			<b>\$15,225.00</b>
<b>Ag &amp; Business Center</b>			
<b>To:</b> 01.42.6422.2.20101 Telecommunications <i>w/any funds available</i> <b>Reason:</b> To cover the purchase of a new phone system.	\$18,980.00	\$18,980.00	
<b>Ag &amp; Business Center Total</b>			<b>\$18,980.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.2.20501 Law Enforcement Equipment w/01.08.3110.2680 Insurance Recovery <b>Reason:</b> Purchase of new Tasers.	\$8,019.00	\$8,019.00	

To: 01.37.3110.2.23001 Vehicles w/01.08.3110.2665 Sale of Equipment Reason: Purchase of a used vehicle.	\$11,760.00	\$11,760.00	
<b>Carried:</b> XXX <b>Ayes:</b> 1599 <b>Noes:</b> <b>Absent:</b> <b>Abstain:</b>	<b>Sheriff Total</b>		<b>\$19,779.00</b>

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills

totaling **\$2,785,118.92** for the month of **November 2019**.

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #3 through #8. Hearing no objection, resolution titles were read.*

**#3**

**RESOLUTION NO. 19-537**  
**(December 10, 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 as follows:

**TOWN REPS**

**Three (3) year term effective January 1, 2020 through December 31, 2022**

- **Charles Perl** (T/Sheldon), 1025 Centerline Road, Strykersville, NY 14145
- **James McIlroy** (T/Covington), 7806 Big Tree Road, Pavilion, NY 14525
- **Gail Rogers** (T/Genesee Falls), 6612 Portageville Road, Portageville, NY 14536
- **Ann Smith** (T/Eagle), 3493 East Main Street, Bliss, NY 14024
- **Carol Glor** (T/Middlebury), 5378 Conable Way, #103, Warsaw, NY 14569
- **Faith McQueen** (T/Bennington), 693 Lapp Road, Alden, NY 14004

**AGENCY REPS**

**Three (3) year term effective January 1, 2020 through December 31, 2022**

- **Diane Scott** (Peers Together), 27 West Buffalo Street, Warsaw, NY 14569

- **Karen Gayton** (Wyoming Transit), 4390 Gypsy Lane, Mt. Morris, NY 14510

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

**RESOLUTION NO. 19-538**  
**(December 10, 2019)**

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

**CHAIRMAN/DIRECTOR OF AGING AND YOUTH AUTHORIZED TO  
SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR  
THE AGING FOR THE YEAR 2020**

**BE IT RESOLVED**, That the Chairman of this Board and the Director of Aging and Youth with the approval of the County Attorney are hereby authorized and directed to sign the following various contracts on behalf of the Office for the Aging for 2020. All contract services are variable and based upon need in amounts not to exceed 2020 budget; effective January 1, 2020 through December 31, 2020 as follows:

- ***The Cloisters***, 171 North Maple Street Warsaw, NY 14569 for respite services to caregivers in Wyoming County.
- ***Aurora Adult Day Services, dba Aurora Adult Day Care***, 101 King Street, Suite B, East Aurora, NY 14052 for respite services to caregivers in Wyoming County.
- ***Lord of Life***, 1025 Borden Road, Depew, NY 14043 for respite services to caregivers in Wyoming County.
- ***Wyoming County Skilled Nursing Facility*** for medical respite services to caregivers in Wyoming County.
- ***Community Care of WNY***, 1225 West State Street, Olean, NY 14760 for in-home services to residents 60+ in Wyoming County.
- ***Center for Elder Law and Justice, Inc.***, 438 Main Street, Suite 1200, Buffalo, NY 14202-3208 for legal services to residents 60+ in Wyoming County.
- ***Elderwood Health Plan***, 7 Limestone Drive, Williamsville, NY 14221 for a *revenue contract* for managed long-term care services.

December 10, 2019

- **Pine Lounge Restaurant**, 7164 Clinton Street, Cowlesville, NY 14037 to provide congregate meals for seniors 60+ in Wyoming County.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-539**  
**(December 10, 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, New York, 12223-1251 on behalf of Wyoming County Office for the Aging. Said grant to provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low-income subsidy programs in a minimum amount of thirteen thousand four hundred ninety-one dollars (\$13,491.00); effective September 30, 2019 through September 29, 2020.

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

**RESOLUTION NO. 19-540**  
**(December 10, 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**

Regular Session

**Three (3) year term effective January 1, 2020 through December 31, 2022**

- *Valerie Lundy*, 11 Shearing Road, Gainesville, NY 14066
- *Sheryl Montgomery*, 3791 Hollow Road, Varysburg, NY 14167

**YOUTH MEMBERS**

**One (1) year term effective January 1, 2020 through December 31, 2020**

- *Alexis Wright*, 2232 Route 98, Attica, NY 14011
- *Alyssa Wright*, 2232 Route 98, Attica, NY 14011

**AGENCY MEMBERS**

**Two (2) year term effective January 1, 2020 through December 31, 2021**

- *Karen Feustal, (Wyoming County Mental Health)*, 460 North Main Street, Warsaw, NY 14569 (replacing *E. Pataye*)
- *Samantha Willard, (Wyoming County Probation)* 143 North Main Street, Warsaw, NY 14569

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

**RESOLUTION NO. 19-541  
(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
JAMES MCGUINESS AND ASSOCIATES, INC. ON BEHALF OF THE  
YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *James McGuiness and Associates, Inc.*, 1482 Erie Boulevard, Schenectady, NY 14305 on behalf of the Youth Bureau. Said contract to support Youth Bureau preschool software as follows; effective January 1, 2020 through December 31, 2021:

- Maintenance and support charges in a monthly amount not to exceed six hundred twenty-five dollars (\$625.00) for a total amount not to exceed seven thousand five hundred dollars (\$7,500.00) per year.
- Medicaid Service Bureau, via the preschool software, in a monthly amount not to exceed one hundred sixty-seven dollars (\$167.00) for a

December 10, 2019

total amount not to exceed two thousand four dollars (\$2,004.00) per year.

- Additional support hours purchased, as needed, in an amount not to exceed one hundred twenty-five dollars (\$125.00) per hour.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-542**  
**(December 10, 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 OF  
CHILDREN AND FAMILY SERVICES ON BEHALF OF THE  
YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Office of Children and Family Services*, 52 Washington Street, Rensselaer, New York, 12144 on behalf of the Youth Bureau. Said grant to support public awareness training and meeting the needs of survivors of human trafficking and commercial sexual exploitation in a minimum amount of thirty thousand dollars (\$30,000.00); effective January 1, 2020 through December 31, 2020.

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

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #9 through #16. Hearing no objection, resolution titles were read.*

#9

**RESOLUTION NO. 19-543**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF  
MENTAL HEALTH**

Regular Session

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Living Opportunities of DePaul*, 2240 Old Union Road, Cheektowaga, NY 14227-2728 on behalf of Mental Health. Said contract is for residential programs in an amount not to exceed three hundred forty-eight thousand nine hundred fifty-one dollars (\$348,951.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-544**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 PEERS TOGETHER OF WYOMING COUNTY ON BEHALF OF  
 MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Peers Together of Wyoming County*, 27 West Buffalo Street, Warsaw, NY 14569 on behalf of Mental Health. Said contract is for peer operated programs in an amount not to exceed two hundred ninety-two thousand four hundred sixty-five dollars (\$292,465.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-545**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 CAMP GET-A-WAY OF WNY ON BEHALF OF MENTAL HEALTH**

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

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General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Camp Get-A-Way of WNY*, 77 Commerce Drive, Rochester, NY 14623 on behalf of Mental Health. Said contract is for camp services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-546**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
HILLSIDE CHILDREN'S CENTER ON BEHALF OF  
MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Hillside Children's Center*, 1183 Monroe Avenue, Rochester, NY 14620-1699 on behalf of Mental Health. Said contract is for various mental health programs for children in an amount not to exceed one hundred twenty-eight thousand fifty-six dollars (\$128,056.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-547**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
SPECTRUM HUMAN SERVICES, INC. ON BEHALF OF  
MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Spectrum Human*

**Services, Inc.**, 227 Thorn Avenue, Orchard Park, NY 14127 on behalf of Mental Health. Said contract is for various behavioral health services for Wyoming County residents in an amount not to exceed five hundred forty-two thousand two hundred eighty-one dollars (\$542,281.00); effective January 1, 2020 through December 31, 2020. Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-548**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 SUBURBAN ADULT SERVICES, INC. ON BEHALF OF  
 MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Suburban Adult Services, Inc.**, 960 West Maple Court, Elma, NY 14059 on behalf of Mental Health. Said contract is for pre-vocational employment services for the developmentally disabled population in the southwestern portion of Wyoming County in an amount not to exceed forty thousand eight hundred twelve dollars (\$40,812.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-549**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 COORDINATED CARE SERVICES, INC. (CCSI) ON BEHALF OF  
 MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Coordinated Care**

December 10, 2019

**Services, Inc. (CCSI)**, 1099 Jay Street, Building J, Rochester, NY 14611 on behalf of Mental Health. Said contract is for staffing of various behavioral health programs in an amount not to exceed three hundred ninety-nine thousand five hundred seventy-three dollars (\$399,573.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-550**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
LIVINGSTON/WYOMING ARC ON BEHALF OF MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Livingston/Wyoming ARC**, 18 Main Street, Mount Morris, NY 14510 on behalf of Mental Health. Said contract is for assisted competitive employment services for Wyoming County individuals with mental illness in an amount not to exceed fifty-two thousand five hundred seventy-three dollars (\$52,573.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #17 and #18. Hearing no objection, resolution titles were read.*

#17

**RESOLUTION NO. 19-551**  
**(December 10, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
MATRIX COMMUNICATIONS ON BEHALF OF THE  
AG AND BUSINESS CENTER**

Regular Session

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Matrix Communications**, 126 Dwight Park Circle, Syracuse, NY 13209 on behalf of the Ag and Business Center. Said contract is for the installation of a new VOIP phone system at the Ag and Business Center in an amount not to exceed eighteen thousand nine hundred eighty dollars (\$18,980.00); effective December 10, 2019 through completion of project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-552**  
**(December 10, 2019)**

By Mr. Leuer, Chairman of the Planning Committee:

**EDWIN SMART REAPPOINTED TO THE WYOMING COUNTY PLANNING BOARD**

**BE IT RESOLVED**, That **Edwin Smart** (T/Middlebury), 5949 West Middlebury Road, Wyoming, NY 14591 is hereby reappointed as a Voting Member to the Wyoming County Planning Board for a three (3) year term; effective January 1, 2020 through December 31, 2022.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #19 and #20. Hearing no objection, resolution titles were read.*

#19

**RESOLUTION NO. 19-553**  
**(December 10, 2019)**

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

**RESOLUTION NUMBER 17-069 AMENDED**

**WHEREAS**, Resolution Number 17-069 entitled, “**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**

December 10, 2019

**DEFENDER'S OFFICE,"** passed by this Board of Supervisors on February 14, 2017 and provides for grant funding to offset costs of indigent legal defense in a minimum amount of seventeen thousand twenty dollars (\$17,020.00) annually for a total contract amount of fifty-one thousand sixty dollars (\$51,060.00); effective January 1, 2017 through December 31, 2019. (*Distribution #7*); now therefore

**BE IT RESOLVED**, That *Resolution Number 17-069* be hereby amended to extend the contract end date through *December 31, 2020* in the amount of *fifty-one thousand sixty dollars (\$51,060.00)*. (*Contract No. C700056 – Distribution #7*)

All else remains the same.

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

**RESOLUTION NO. 19-554**  
**(December 10, 2019)**

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

**RESOLUTION NUMBER 17-477 AMENDED**

**WHEREAS**, Resolution Number 17-477 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT ACCEPTANCE AWARDS ON BEHALF OF THE PUBLIC DEFENDER'S OFFICE**," passed by this Board of Supervisors on June 14, 2016 and provides for various contracts with the New York State Office of Indigent Legal Services, in part, as follows:

- ***Second Counsel at First Appearance*** in a minimum amount of two hundred nine thousand eight hundred forty-nine dollars (\$209,849.00); effective January 1, 2017 through December 31, 2019

Now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-477* be hereby amended to extend the contract end date through *December 31, 2020* in the amount of *two hundred nine thousand eight hundred forty-nine dollars (\$209,849.00)*. (*Contract No. CAFA256*)

All else remains the same.

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

Regular Session

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

#21

**RESOLUTION NO. 19-555**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH U & S SERVICES ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *U & S Services*, 95 Stark Street, Tonawanda, NY 14150 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for HVAC controls and preventative maintenance at the Department of Social Services, Jail, Courthouse and Health Department in an amount not to exceed nine thousand two hundred twenty-four dollars (\$9,224.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-556**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EASTMAN TREE SERVICE 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 *Eastman Tree Service*, 3203 Smallwood Road, Warsaw, NY 14569 on behalf of County Highway. Said contract is for tree removal in an amount not to exceed one thousand dollars (\$1,000.00) per day for a total contract amount not to exceed ten thousand dollars (\$10,000.00); effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

December 10, 2019

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

**RESOLUTION NO. 19-557**  
**(December 10, 2019)**

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

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

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Bergmann Associates*, 280 East Broad Street, Suite 200, Rochester, NY 14604 on behalf of County Highway. Said contract is Supplemental #2 for construction and inspections support for PE #02, Simmons Road Bridge replacement; BIN 3320060 in the Town of Perry, PIN 4WY0.02 in an amount not to exceed one hundred twenty thousand dollars (\$120,000.00); effective upon signing through completion of the project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-558**  
**(December 10, 2019)**

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

**CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN VARIOUS  
CONTRACTS ON BEHALF OF COUNTY HIGHWAY**

**BE IT RESOLVED** That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney is hereby authorized and directed to award bids and sign contracts on behalf of County Highway as follows:

- *L. C. Whitford, Inc.*, 164 North Main Street, P.O. Box 663, Wellsville, NY 14895 for the replacement of Simmons Road Bridge over Little Beards Creek; NYSDOT PIN 4WY0.02; BIN 3320060; D035886 in an amount not to exceed eight hundred fifty-eight thousand nine hundred thirty-eight dollars (\$858,938.00) through the completion of the project.

- **Clark Equipment Co., d/b/a Bobcat Company**, P.O. Box 6000, West Fargo, ND 58078 for an E42 T4 Bobcat Compact Excavator in an amount not to exceed fifty-five thousand dollars (\$55,000.00); effective January 1, 2020 through delivery. (*State Contract #PC67141*)
- **George & Swede**, 7155 Big Tree Road, Pavilion, NY for a 2020 Hyundai HW140 Wheeled Excavator in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 1, 2020 through delivery.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #25 through #46. Hearing no objection, resolution titles were read.*

#25

**RESOLUTION NO. 19-559**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**LIFT THE 2020 EQUALIZATION TABLE AND ADOPT**

**BE IT RESOLVED**, That the 2020 Equalization Table, which was tabled on November 13, 2018, be lifted from the table; and be it

**FURTHER RESOLVED**, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2020 is hereby adopted as presented.

## 2020 EQUALIZATION TABLE

Advisory Equaliz Rates	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rates	% of Co. Tax to be paid by Each Town	Taxable Assessed Value
90.50%	ARCADE	228,077,130	252,018,928	0.103281064	228,070,780
96.00%	ATTICA	190,066,354	197,985,785	0.081137487	190,055,954
41.00%	BENNINGTON	116,892,634	285,104,473	0.116840007	116,877,805
100.00%	CASTILE	293,213,276	293,213,276	0.120163114	293,187,226
100.00%	COVINGTON	82,361,955	82,361,955	0.033753141	82,361,455
100.00%	EAGLE	67,473,291	67,473,291	0.027651547	67,460,991
98.00%	GAINESVILLE	103,687,681	105,803,756	0.043359936	103,687,681
99.00%	GENESEE FALLS	30,368,963	30,675,720	0.012571361	30,367,163
100.00%	JAVA	156,766,764	156,766,764	0.064245326	156,763,764
93.00%	MIDDLEBURY	91,820,272	98,731,475	0.040461611	91,812,872
100.00%	ORANGEVILLE	103,070,572	103,070,572	0.042239837	103,070,572
100.00%	PERRY	223,129,765	223,129,765	0.091441860	223,112,065
100.00%	PIKE	59,138,105	59,138,105	0.024235665	59,138,105
100.00%	SHELDON	172,960,573	172,960,573	0.070881787	172,952,473
97.00%	WARSAW	243,648,231	251,183,743	0.102938793	243,645,231
100.00%	WETHERSFIELD	60,508,965	60,508,965	0.024797464	60,502,665
<b>TOTALS</b>		<b>2,223,184,731</b>	<b>2,440,127,148</b>	<b>1.000000000</b>	<b>2,223,066,802</b>

## FINANCE COMMITTEE

1-Nov-19

James Brick  
 Rebecca Ryan  
 David Tallman  
 Jerry Davis  
 Bryan Kehl

Ellen Grant  
 John Copeland  
 Keith Granger  
 Daniel Leuer  
 Susan May

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

#26

**RESOLUTION NO. 19-560**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**DISABILITY INSURANCE RATES WITH THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA FOR WYOMING COUNTY COMMUNITY HEALTH SYSTEM SALARY SCHEDULE X EMPLOYEES APPROVED**

**BE IT RESOLVED**, That rates for statutory New York State Disability Insurance coverage with *The Guardian Life Insurance Company of America*, 400 Willowbrook, Suite 450, Fairport, NY 14450 for Salary Schedule "X" employees are hereby approved; effective January 1, 2020 to December 31, 2020 as follows:

- \$5.11 per female employee - per month
- \$2.35 per male employee - per month
- Employee to pay \$.60 per week

Regular Session

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-561**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH TYLER TECHNOLOGIES, INC. ON BEHALF OF  
INFORMATION TECHNOLOGY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Tyler Technologies, Inc.*, 1 Tyler Drive, Yarmouth, ME 04096 on behalf of Information Technology. Said contract is for Munis ERP SaaS financial software in an amount not to exceed one million four hundred thousand dollars (\$1,400,000.00); effective December 10, 2019 through December 31, 2026.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-562**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SEDARA  
SECURITY 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 a contract with *Sedara Security*, 77 Goodell Street, Suite 420, Buffalo, NY 14203 on behalf of Information Technology. Said contract is for risk and security engineering in an amount not to exceed nineteen thousand five hundred dollars (\$19,500.00); effective December 10, 2019 through December 31, 2020. (*NCPA Contract*)

Contingent upon the availability of funds.

December 10, 2019

**RESOLUTION NO. 19-563**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

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

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

- ***Fiscal Advisors and Marketing***, 120 Walton Street, Suite 600, Syracuse, NY 13020 for financial advisory services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2020 through December 31, 2020.
- ***Venesky & Company***, 6114 Route 31, Cicero, NY 13039 for indirect cost recovery services in an amount not to exceed forty-two thousand dollars (\$42,000.00); effective January 1, 2020 through December 31, 2022.

Contingent upon the availability of funds.

**RESOLUTION NO. 19-564**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS**

**BE IT RESOLVED**, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of April 1, 2019 through September 30, 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***

Regular Session

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling thirty-seven thousand forty-nine dollars and five cents (\$37,049.05) to the sixteen (16) towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTIED
Arcade	\$6,757.60
Attica	\$1,677.73
Bennington	\$3,717.88
Castile	\$3,351.90
Covington	\$1,208.34
Eagle	\$4,315.80
Gainesville	\$698.12
Genesee Falls	\$73.76
Java	\$1,700.10
Middlebury	\$1,052.67
Orangeville	\$2,441.15
Perry	\$2,126.97
Pike	\$497.86
Sheldon	\$1,478.46
Warsaw	\$2,508.38
Wethersfield	\$3,442.33
<b>Grand Totals:</b>	<b>\$37,049.05</b>

Let this be your Warrant for Such Payment: **\$37,049.05** (thirty-seven thousand forty-nine dollars and five cents) **IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 10<sup>th</sup> day of December, 2019.

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

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

**RESOLUTION NO. 19-565**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

December 10, 2019

## DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

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

**BE IT RESOLVED**, That the *Annual Organizational Meeting* of the Wyoming County Board of Supervisors will be set for **Thursday, January 2, 2020, at 2:00 PM**, in the Supervisors' Chambers located in the Wyoming County Government Center, 2<sup>nd</sup> Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

### **RESOLUTION NO. 19-566** **(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

### **CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2020**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Letters of Understanding with the following Contract Agencies for 2020:

<b>CONTRACT AGENCY</b>	<b>2020 EXPENDITURES</b>
Wyoming County Community Action	\$10,000.00
Wyoming County Chamber of Commerce (Tourism)	\$60,000.00
Wyoming County Business Education Council	\$4,300.00
Wyoming County Business Center (LDC)	\$70,000.00
Wyoming County Arts Council	\$15,000.00
Wyoming County Wildlife Federation	\$1,000.00
Wyoming County Soil & Water	\$121,379.00
Erie-Wyoming County Soil & Water	\$3,000.00
Wyoming County Fair Association	\$23,000.00
<b>TOTAL</b>	<b>\$307,679.00</b>

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-567  
(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF  
AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF  
WYOMING COUNTY FOR THE YEAR 2020**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with *Cornell Cooperative Extension of Wyoming County*, 36 Center Street, Warsaw, NY 14569 for the payment of County Appropriations in an amount not to exceed of three hundred ninety thousand four hundred dollars (\$390,400.00) to fund the Agricultural Department and 4-H Department; effective January 1, 2020 through December 31, 2020.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 19-568  
(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-157 AMENDED**

**WHEREAS**, Resolution Number 19-157 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on March 12, 2019 and provides, in part, for the following contract:

- ***Special Care Systems. LLC***, 1450 East Ridge Road, Rochester, NY 14621 to replace the existing hospital nurse call system on 3<sup>rd</sup> and 4<sup>th</sup> floors consistent with 2<sup>nd</sup> floor and the Skilled Nursing Facility in a one-time fee not to exceed one hundred forty-two thousand eight hundred thirty-one dollars (\$142,831.00); effective February 1, 2019 through December 31, 2019.

And,

December 10, 2019

**WHEREAS**, That Resolution Number 19-157 was previously amended by this Board of Supervisors on April 9, 2019 by ***Resolution Number 19-210*** to increase the one-time fee from one hundred forty-two thousand eight hundred thirty-one dollars (\$142,831.00) to an amount not to exceed ***one hundred seventy-one thousand six hundred sixty-two dollars (\$171,662.00)***; now therefore,

**BE IT RESOLVED**, That ***Resolution Number 19-157*** as previously amended by ***Resolution Number 19-210*** is hereby further amended to ***provide and install seven (7) additional critical alert system on the third and fourth floors in an amount not to exceed seven thousand three hundred ninety-three dollars (\$7,393.00)***; effective immediately through December 31, 2019.

(Change Order No. 1)

All else remains the same.

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

#35

**RESOLUTION NO. 19-569**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-393 AMENDED**

**WHEREAS**, Resolution Number 19-393 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on September 10, 2019 and provides, in part, for the following contract:

- ***John Karpie, MD***, 17 Cumberland Street, Lancaster, NY 14086 to provide orthopaedic services in an amount not to exceed two hundred twenty thousand dollars (\$220,000.00) per year; effective November 1, 2019 through October 31, 2021 or within sixty (60) days upon the completion of credentialing and obtaining malpractice insurance.

Now therefore,

**BE IT RESOLVED**, That ***Resolution Number 19-393*** be hereby amended as follows:

- Change the contracting party address from 17 Cumberland Street, Lancaster, NY 14086 to ***6 Overlook Court, Lancaster, NY 14086***.

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- Amend the terms of the agreement from November 1, 2019 through October 31, 2021 to **December 1, 2019 through November 30, 2021**.
- Increase the not to exceed amount from two hundred twenty thousand dollars (\$220,000.00) per year to an amount not to exceed **two hundred twenty-six thousand dollars (\$226,000.00)** per year to reflect that provider is responsible for providing malpractice insurance.

All else remains the same.

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

**RESOLUTION NO. 19-570**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

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

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

- ***Alpha Medical Equipment of NY, Inc.***, 10-12 Pine Court, New Rochelle, NY 10801 for the purchase of a radiographic fluoroscopic imaging system to replace an end-of-life unit in the amount of four hundred eighty-four thousand nine hundred fifty dollars (\$484,950.00) plus a service contract for years 3 through 5 in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective November 1, 2019 through January 30, 2020.
- ***J & J Properties, LLC***, 125 North Center Street, Perry, NY 14530 for the leasing of 1 Parker Lane, Perry, NY 14530 in an amount not to exceed fifty-five thousand dollars (\$55,000.00) per year; effective February 1, 2020 through August 31, 2030.

Contingent upon the availability of funds.

December 10, 2019

**RESOLUTION NO. 19-571**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “C”, “X”, “P”, “D”, “S”, “I”, “F” AND “G”**  
**AMENDED**

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

**Salary Schedule “C”:**

*Wyoming County Community Health System*

- Set the salary for the position of ***Safety/Emergency Preparedness Coordinator*** (position code 02.126.611) under **SAFETY** at \$50,000.00 per year.

**Salary Schedule “X”:**

*Wyoming County Community Health System*

- Abolish the following positions under **WYOMING COUNTY FAMILY MEDICINE – ARCADE**:
  - ***Nurse Practitioner*** (position code 17.112.311)
  - ***Physician's Assistant*** (position code 17.113.067)
  - ***Physician's Assistant*** (position code 17.114.067)
  - ***Physician's Assistant*** (position code 17.115.067)
  - ***Physician's Assistant*** (position code 17.116.067)
- Abolish the following positions under **WYOMING COUNTY FAMILY MEDICINE – O'DELL**:
  - ***Physician's Assistant*** (position code 17.117.067)
  - ***Physician's Assistant*** (position code 17.119.067)
  - ***Nurse Practitioner*** (position code 17.118.311)

**Salary Schedule “P”:**

*Wyoming County Community Health System*

- Place the following positions under **WYOMING COUNTY FAMILY MEDICINE – ARCADE** and set the salaries for employees in the job titles covered by Schedule P as presented and attached:
  - ***Nurse Practitioner*** (position code 17.112.311)
  - ***Physician's Assistant*** (position code 17.113.067)
  - ***Physician's Assistant*** (position code 17.114.067)
  - ***Physician's Assistant*** (position code 17.115.067)

- **Physician's Assistant** (position code 17.116.067)
- Place the following positions under WYOMING COUNTY FAMILY MEDICINE – O'DELL and set the salaries for employees in the job titles covered by Schedule P as presented and attached:
  - **Physician's Assistant** (position code 17.117.067)
  - **Physician's Assistant** (position code 17.119.067)
  - **Nurse Practitioner** (position code 17.118.311)

### **Salary Schedule "D":**

#### ***Budget Office***

- Amend the title of **Budget Officer, PT (stipend)** (position code 004.502) by removing “**PT (stipend)**”

### **Salary Schedule "S":**

#### ***Board of Elections***

- Remove the position of **Deputy Commissioner (R)** (position code 004.502) with the effective of June 19, 2019.

#### ***District Attorney***

- Remove the position of **Secretary to the District Attorney, PT (Temp)** (position code 030.503) with the effective date of not to exceed 6 months.
- Remove the position of **Assistant District Attorney (Temporary), PT** (position code 028.503) as position has been vacant for 12 months.

#### ***Human Resource***

- Remove six (6) positions of **Exam Monitor, PT** (position codes 016.528, 017.528, 018.528, 019.528, 029.528, 030.528) as these positions are no longer used.

#### ***Public Defender***

- Remove the 2020 COLA for the **Assistant Public Defender (5<sup>th</sup>)** (position code 010.503) in the amount of \$488.00 as position is not eligible for this increase.
- Add the position of **Staff Social Worker, PT** (position # 008.594); effective July 8, 2019.

#### ***Public Health***

- Include the 2.5% 2020 COLA in the amount of \$1,200.00 for the **Public Health Program Coordinator** (position code 140.609); effective January 1, 2020.

- Include the 2.5% 2020 COLA in the amount of \$1,750.00 for the ***Director of Clinical and Community Services*** (position code 141.610); effective January 1, 2020.

#### ***Treasurer***

- Include the 2.5% 2020 COLA in the amount of \$1,125.00 for the ***Deputy County Treasurer*** (position code 007.503); effective January 1, 2020.

#### ***Zoning***

- Remove the position of ***Zoning Enforcement Officer*** (position code 023.554) with the effective date of January 1, 2019.
- Include a \$2,000.00 increase for the position of ***Zoning Enforcement Officer*** (position code 026.554) contingent upon completion of 2-years and satisfactory performance and meeting pre-established goals.

#### ***Sheriff***

- Include the 5% 2020 COLA in the amount of \$4,325.00 for the position of ***Undersheriff*** (position code 010.500), consistent with the Deputy Sheriff Association Agreement; effective January 1, 2020.
- Include the 5% 2020 COLA in the amount of \$2,733.00 for the position of ***Secretary to the Sheriff*** (position code 002.503), consistent with the Deputy Sheriff Association Agreement; effective January 1, 2020.

#### **Salary Schedule “I”:**

##### ***Sheriff***

- Remove the position of ***Sheriff*** (position code 004.500) that is effective January 1, 2019.
- Include the 5% 2020 COLA in the amount of \$4,701.00 for the position of ***Sheriff*** (position code 004.500), consistent with the Deputy Sheriff Association Agreement; effective January 1, 2020.

#### **Salary Schedule “F”:**

##### ***Office for the Aging***

- Increase the wage for the position of ***Meal Site Manager (PT)*** from \$11.10/hr. to 11.80/hr.; effective December 31, 2019.

#### **Salary Schedule “G”:**

##### ***Public Defender***

- Remove the position of ***Staff Social Worker, PT*** (position # 008.594); effective July 8, 2019.

- Extend the stipend for the position of *Assistant Public Defender (2<sup>nd</sup>)* in the amount of \$16,000.00 (Indigent Legal Services/Council at First Appearance (CAFA 256) (Round 2) through June 30, 2020.

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

**RESOLUTION NO. 19-572**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULE “X” HANDBOOK AMENDMENT APPROVED**

**BE IT RESOLVED**, That Salary Schedule “X” Handbook is hereby amended as follows; effective January 1, 2020:

- Add a section entitled “**DISABILITY INSURANCE**” as noted below:

**DISABILITY INSURANCE**

**Effective** January 1, 2020, eligible employees covered under Schedule X are provided (after 30 days of employment) New York State Disability coverage partially funded by Wyoming County, with employee contribution requirements in accordance with New York State Statutory limits (currently \$0.60 per week per employee). These benefits are subject to the terms of the plan.

For the purpose of administration of this benefit, eligible employees are defined as employees who are eligible to receive benefits pursuant to the eligibility for benefits section of this handbook.

If an employee would like to receive benefits under this plan they should notify the county human resource office within 30 days of the disability arising. The county insurance office will provide additional information on how to file a claim and advise the employee as to what other options may exist.

The plan provides for a benefit of 50% of an employee’s weekly salary to a maximum of \$170 per week for up to 26 weeks. Benefits begin on the 8th day of disability. The benefit may be supplemented with accrued and available benefit time, up to the employee’s full pay.

- Amend section entitled “**COVERED EMPLOYEES BY CLASSIFICATION**” as noted below:
  - Abolish the titles of *Physician’s Assistant (PA)* and *Nurse Practitioner (NP)* in the covered employees by classification

December 10, 2019

section.

- Amend section entitled “**PERSONAL DAYS**” as noted below:
  - Full-time Schedule X employees with one (1) year of service or greater shall earn four (4) personal leave days per year.

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

**RESOLUTION NO. 19-573**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX WARRANTS**

**WHEREAS**, Section 904 of the Real Property Tax Law provides that the Collectors’ Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board; and

**WHEREAS**, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board; now therefore

**BE IT RESOLVED**, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls; warrants to be returned on or before April 1, 2020.

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

**RESOLUTION NO. 19-574**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**REAL PROPERTY TAX SERVICES DIRECTOR AUTHORIZED TO APPROVE CORRECTION OF ERRORS**

**BE IT RESOLVED**, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of

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Errors procedure (RPTL §§550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §554 (9) during the year 2020; and be it

**FURTHER RESOLVED**, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refunds, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §556 (8) (a)) during the year 2020.

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

**RESOLUTION NO. 19-575**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 19-204 AMENDED**

**WHEREAS**, Resolution Number 19-204 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH APPLIED BUSINESS SYSTEMS, INC. ON BEHALF OF REAL PROPERTY TAX SERVICES**”, passed by this Board of Supervisors April 9, 2019 and is for tax bill development, printing, finishing and mailing services in an amount not to exceed twenty-eight thousand dollars (\$28,000.00) annually and a total contract amount not to exceed eighty-four thousand dollars (\$84,000.00); effective May 1, 2019 through January 30, 2022; now therefore

**BE IT RESOLVED**, That *Resolution Number 19-204* be hereby amended to allow for the prepayment of estimated postage prior to each tax cycle.

All else remains the same.

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

**RESOLUTION NO. 19-576**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL**

December 10, 2019

## BUDGET OF TOWNS OF WYOMING COUNTY

**WHEREAS**, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2019; now therefore

**BE IT RESOLVED**, That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	\$ 72,652.21	\$ 367,793.26	\$ 440,445.47
ATTICA	\$ -	\$ 271,499.11	\$ 271,499.11
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 4,580.00	\$ 306,481.00	\$ 311,061.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 2,172.00	\$ 226,176.00	\$ 228,348.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 14,250.00	\$ 278,747.00	\$ 292,997.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 22,797.49	\$ 256,471.76	\$ 279,269.25
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 11,344.00	\$ 316,622.00	\$ 327,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
<b>TOTALS:</b>	<b>\$ 127,795.70</b>	<b>\$ 2,023,790.13</b>	<b>\$ 2,151,585.83</b>

and be it

**FURTHER RESOLVED**, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION		LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEIVED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 90,189.04			*** \$ 150,000.00		\$ 240,189.04
ATTICA		\$ 77,000.00					\$ 77,000.00
BENNINGTON	V \$ 10,250.05	B \$ 100,000.00 C \$ 79,561.20 HC \$ 31,958.50		\$ 2,400.00	* \$ 46,223.75	* \$ -	
CASTILE		\$ 85,000.00			* \$ 42,000.00		
COVINGTON		PA \$ 89,093.00 WY \$ 14,910.00 PE \$ 6,100.00			** \$ 224,706.00	* \$ 3,636.04	\$ 362,692.04
EAGLE	\$ 187,656.00			\$ 6,000.00	* \$ 6,900.00	* \$ -	\$ 200,556.00
						*** \$ -	
GAINESVILLE		G \$ 52,225.00 SS \$ 18,992.00 C \$ 2,081.00					
GENESEE FALLS		\$ 47,031.00		\$ 9,000.00			\$ 56,031.00
JAVA	NJ \$ 3,593.66	NJ \$ 41,351.00 S \$ 71,463.80	NJ \$ 3,500.00 JC \$ 375.00		* \$ 11,602.50	* \$ 2,010.33	
MIDDLEBURY		F1 \$ 70,280.00 F2 \$ 14,902.00					\$ 133,896.29
ORANGEVILLE	V \$ 66,898.45				* \$ 2,743.98	* \$ -	
PERRY	F3 \$ 3,642.92	F4 \$ 63,000.00	PC \$ 1,721.27		* \$ 15,300.00	* \$ 289.77	
					** \$ 23,998.66		\$ 107,952.62
PIKE	F1 \$ 43,650.00			L1 \$ 6,700.00 S1 \$ 3,000.00		* \$ 3,406.28	\$ 56,756.28
SHELDON	V \$ 36,651.49	ST \$ 36,814.27 NJ \$ 8,513.55 SH \$ 117,165.93 HC \$ 32,198.91	L1 \$ 5,250.00 L2 \$ 3,275.00 L3 \$ 867.00 L9 \$ 1,700.00		* \$ 66,541.78	* \$ 1,344.45	
					*** \$ -		
WARSAW		\$ 62,039.00			* \$ -	* \$ 646.17	\$ 111,490.17
					** \$ 48,805.00	** \$ -	
					*** \$ -		
WETHERSFIELD		G \$ 32,894.00 NJ \$ 19,868.00 B \$ 23,500.00					\$ 76,262.00
<b>TOTALS:</b>	<b>\$ 352,342.57</b>	<b>\$ 1,305,761.20</b>	<b>\$ 51,838.27</b>	<b>\$ 639,171.67</b>	<b>\$ 11,333.04</b>	<b>\$ 2,360,446.75</b>	

\* = WATER      \*\* = SEWER      \*\*\* = RECYCLING

and be it

**FURTHER RESOLVED**, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$ 189,683.49	\$ 339,775.46	\$ 529,458.95
ATTICA	\$ 220,893.24	\$ 261,930.90	\$ 482,824.14
BENNINGTON	\$ 273,934.00	\$ 820,725.00	\$ 1,094,659.00
CASTILE	\$ 218,652.00	\$ 281,352.00	\$ 500,004.00
COVINGTON	\$ 212,195.00	\$ 346,108.00	\$ 558,303.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 176,546.00	\$ 288,294.00	\$ 464,840.00
GENESEE FALLS	\$ 263,689.00	\$ 128,374.00	\$ 392,063.00
JAVA	\$ 144,444.00	\$ 467,430.00	\$ 611,874.00
MIDDLEBURY	\$ 123,238.00	\$ 332,887.00	\$ 456,125.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 290,955.01	\$ 290,955.00	\$ 581,910.01
PIKE	\$ 163,755.00	\$ 371,121.00	\$ 534,876.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 411,909.00	\$ 360,923.00	\$ 772,832.00
WETHERSFIELD	\$ 33,220.00	\$ 50,000.00	\$ 83,220.00
<b>TOTALS:</b>	<b>\$ 2,723,113.74</b>	<b>\$ 4,339,875.36</b>	<b>\$ 7,062,989.10</b>

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

**RESOLUTION NO. 19-577**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**COUNTYWIDE SHARED SERVICES PLAN FOR WYOMING COUNTY  
ADVISORY OPINION**

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

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

- ***Establish a Shared Services Panel*** that will include the mayor of each city or village and the supervisor of each town.

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- Wyoming County participating VILLAGES include:
  - Arcade, Attica, Castile, Gainesville, Perry, Silver Springs, Warsaw and Wyoming
- Wyoming County participating TOWNS Include:
  - Arcade, Attica, Bennington, Castile, Covington, Eagle, Gainesville, Genesee Falls, Java, Middlebury, Orangeville, Perry, Pike, Sheldon, Warsaw, Wethersfield
- ***Develop a County-Wide Shared Services Property Tax Savings Plan:***
  - To identify, propose and implement new actions to save taxpayers money through shared, coordinated and more efficient services between local governments within the county.
- ***Save Taxpayer Dollars, Engage the Public and be eligible for State Match Funding:***
  - Plans that create actual and demonstrable savings across multiple jurisdictions may receive a one-time match of the net savings resulting from new actions implemented pursuant to the Plan; and

**WHEREAS**, The Wyoming County Shared Services Panel has identified several shared service initiatives where potential for savings exists and calculates an estimated savings in excess of \$5,241,197.00 through the following proposals:

1. ***Dialysis Services*** (\$2,050,000.00)
  - a. Livingston and Wyoming Counties
2. ***Water Meter Readings and Meter Purchases*** (\$49,194.11)
  - a. Wyoming County Water Resource Agency, Bliss Hamlet WD, Cowlesville WD, North Java WD, Perry Center WD, Pike Town WD, Warsaw WD, Village of Silver Springs, Village of Wyoming, and Town of Covington
3. ***Dredging of Silver Lake*** (\$2.5 - \$3 Million)
  - a. Wyoming County Water Resource Agency, Village of Mount Morris, Village of Perry, Town of Castile, Town of Perry and County of Wyoming
4. ***Real Property Assessing Services*** (savings undetermined)
  - a. Town of Bennington and Wyoming County Real Property Tax Services
5. ***Purchase of Road Signs*** (savings undetermined)
  - a. Wyoming County Highway, all towns and villages
6. ***Web Design*** (savings undetermined)
  - a. Towns of Arcade, Castile, Sheldon and Warsaw

7. **Paving Machine owned by the Towns of Castile, Perry and Warsaw** (savings undetermined)
  - a. All towns and villages
8. **Paving and Trucking** (savings undetermined)
  - a. All towns and villages
9. **Sewer Camera owned by the Village of Perry** (\$85,000)
  - a. Town of Castile and Village of Perry
10. **Perry Public Beach Electrical** (\$55,000)
  - a. Village of Castile and Village of Perry
11. **Vacuum Truck** (savings undetermined)
  - a. All towns and villages
12. **County Wide Zoning** (\$2,002.88)
  - a. County of Wyoming and Town of Arcade

And,

**WHEREAS**, The Panel has identified other areas of interest for Shared Services that may or may not be ready for implementation with the adoption of 2020 budgets. Nonetheless, municipalities within the borders of Wyoming County have agreed to establish and participate in Local Government meetings to discuss implementation of these and other opportunities to work together; now therefore

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

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

#44

**RESOLUTION NO. 19-578**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**HIPAA OFFICERS REAPPOINTED**

**BE IT RESOLVED**, That the following persons are hereby appointed/reappointed to the following HIPAA Officer Positions for a one (1) year term; effective January 1, 2020 through December 31, 2020.

**Privacy Officer:**

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

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**IT Security Officer:**

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

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

**RESOLUTION NO. 19-579**  
**(December 10, 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:

**ABOLISHED:***Highway*

- One (1) position of *Sign Maintenance Working Supervisor* on CSEA Schedule.

**CREATED:***Highway*

- One (1) position of *Heavy Equipment Operator* (1.0 FTE) on CSEA Schedule B, Job Grade 9 at \$18.57/hr. - \$20.52/hr. Position available date is December 11, 2019.

**EXTENDED:***Social Services*

- Set the duration of the appointment of *Clerk (Temporary)* (position code 174.503) to last for a second six (6) month term; effective September 13, 2019 and to end no later than March 13, 2020.

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

**RESOLUTION NO. 19-580**  
**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

December 10, 2019

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. E  
YEAR 2019**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 10<sup>th</sup> day of December 2019, a proposed local law entitled, "Local Law Introductory No. E, Year 2019, **"A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2020,"** 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 14<sup>th</sup> day of January, 2020 at 2:30 PM in the Supervisors' Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York.

**INTRODUCTORY LOCAL LAW NO. E - YEAR 2019  
County of Wyoming, Providing Salaries for Certain County Officers for the year 2020**

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

- Section 1. Effective as hereafter provided, the annual wage equivalent for the **Sheriff** shall be increased by **\$4,701.00** for a new annual salary of **\$98,729.00**.
- Section 15. All salaries set forth in Section 1 above shall be effective as of **January 01, 2020**.
- Section 16. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.
- Section 17. This Local Law is subject to permissive referendum.

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

*Chairman Berwanger stated that resolution #47 is subject to a 2/3 majority and will be voted on separately.*

**2/3 Majority  
#47**

**RESOLUTION NO. 19-581**

Regular Session

**(December 10, 2019)**

By Mr. Brick, Chairman of the Finance Committee:

**RULES OF PROCEDURE AMENDED AND ADOPTED**

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

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

**Rule 13. Committee No 3: Human Resources.**

Rev. 12-10-19, Res. #19-XXX

- a. County Clerk
- b. County Attorney
- c. Board of Elections
- d. County Library System
- e. County Historian
- f. Personnel / Civil Service
- g. Weights and Measures**

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

**Rule 15. Committee No. 5: Public Health.**

Rev. 12-10-19, Res. #19-XXX

- a. Public Health
- b. Coroners
- c. Weights and Measures**
- d. Mental Health

This Committee shall have charge of all matters relating to the above sub-headings. The Chairman of this committee shall be a representative to the Wyoming County Board of Health.

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

*Chairman Berwanger acknowledged that resolutions #48 and #49 are non-consent, which means they did not come out of committee unanimously.*

*Chairman Brick, T/Perry requested that resolution #48 be withdrawn.*

**Non-Consent  
#48**

**RESOLUTION NO. 19-XXX**  
**(December 10, 2019)**

December 10, 2019

By Mr. Brick, Chairman of the Finance Committee:

## SALARY SCHEDULES "S" AND "D" AMENDED

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

### Salary Schedule "S":

#### *Real Property Tax Services*

- Set a one-time stipend of \$800.00 plus corresponding fringes for the position of ***Secretary to the Director of Real Property Tax Services, FT.***
- Set a one-time stipend of \$800.00 plus corresponding fringes for the position of ***County Assessor.***
- Set the salary for the position of ***RPTS Assessor*** at \$69,000.00 (still eligible for the 2020 COLA - 2020 salary would be \$70,725); effective October 1, 2019
  - Change due to the addition of Arcade in the Assessment Program.
- Set the rate for the position of ***Real Property Appraiser (Per Diem)*** to \$27.72 per hour (still eligible for the 2020 COLA); effective October 1, 2019
  - Change due to the addition of Arcade in the Assessment Program.

### Salary Schedule "D":

#### *Real Property Tax Services*

- Set a one-time stipend of \$1,500.00 plus corresponding fringes for the position of ***Director of Real Property Tax Services.***
- Set the salary for the position of ***Director of Real Property Tax Services*** at \$  ; effective October 1, 2019.
  - Change due to the addition of Arcade in the assessment program.

Carried:

Ayes:

Noes:

Absent:

Abstain:

*Non-Consent*  
#49

**RESOLUTION NO. 19-582**  
**(December 10, 2019)**

Regular Session

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:

Real Property Tax Services			
To: 01.33.1355.1.10001 Salaries S/D/I	\$7,520.00		
01.33.1355.2.20001 Furniture	4,600.00		
01.33.1355.8.83001 FICA	466.24		
01.33.1355.8.85001 Medicare	109.04		
01.33.1355.8.81001 Retirement	1,165.00		
w/01.04.1355.221003 Town assessment support		\$13,860.28	
<b>Reason:</b> To cover the cost of increasing the rate and hours of the PT Real Property Appraiser and the PT Assessment Account Specialist to FT, increase salary to the Assessor and one-time stipends to the assessment staff for work performed throughout the year before adequate staffing was available. Also to purchase large rotating file cabinets.			
<b>Real Property Tax Services Total</b>			<b>\$13,860.28</b>

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

*Before adjourning the meeting, Chairman Berwanger stated that this is a “bittersweet” day as it marks a final meeting for three Supervisors; Supervisor B. Hastings, T/Eagle, Supervisor D. Tallman, T/Gainesville and Supervisor M. Vasile, T/Genesee Falls. Chairman Berwanger shared that these three men have decided to retire from the Board of Supervisors and as a Supervisor for their respective towns. The Chairman shared on behalf of the entire Board of Supervisors that it was a pleasure to work with all of these individuals; thanked them for their service and wished all three good health and prosperity in the New Year.*

*Supervisor Vasile thanked everyone for the guidance and support from fellow Supervisors. Supervisor Hastings also thanked everyone for the support he received. Supervisor Tallman thanked everyone and said that it has been a pleasure and a real “eye-opener”.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 2:59 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

December 10, 2019

**SPECIAL SESSION  
(December 17, 2019)  
Tuesday  
12:00 PM**

A special session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except B. Kehl, T/Attica; B. Hastings, T/Eagle; D. Tallman, T/Gainesville and S. May, T/Orangeville. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum.

At 12:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the special board meeting is:

**Town of Wethersfield Supervisor, John Copeland**

*The pledge was said by all.*

**RESOLUTION NO. 19-583  
(December 17, 2019)**

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

**2019 ELECTION EXPENSES APPORTIONED**

**BE IT RESOLVED**, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2019 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships within Wyoming County as follows:

**2019 Election Expenses Appportioned**

Town	No. Enrolled Voters	Amount of Levy	Special Election	1.112064816
Arcade	2,615	2,908.05		2,908.05
Attica	2,573	2,861.34		2,861.34
Bennington	2,312	2,571.09		2,571.09
Castile	1,873	2,082.90		2,082.90
Covington	740	822.93		822.93
Eagle	775	861.85		861.85
Gainesville	1,447	1,609.16		1,609.16
Genesee Falls	296	329.17		329.17
Java	1,447	1,609.16		1,609.16
Middlebury	948	1,054.24		1,054.24
Orangeville	882	980.84		980.84
Perry	2,745	3,052.62		3,052.62
Pike	680	756.20		756.20
Sheldon	1,713	1,904.97		1,904.97
Warsaw	3,309	3,679.82		3,679.82
Wethersfield	577	641.66		641.66
Total	24,932	\$ 27,726.00		27,726.00

Very truly yours,  
Board of Elections

**Carried: XXX   Ayes: 1233   Noes:      Absent: 164 (Attica)      Abstain: 51 (Eagle)  
93 (Gainesville)      58 (Orangeville)  
366 Total**

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 12:15 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

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