

PROCEEDINGS

OF THE

BOARD OF
SUPERVISORS

WYOMING COUNTY
NEW YORK

Volume II

2016

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 **2016**.

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

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

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REGULAR SESSION
(July 12, 2016)
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 meeting is:

Tyler D. Bush

U.S. Navy Veteran Tyler D. Bush was born and raised in the Village of Warsaw. He attended elementary school in Perry where both his parents were teachers and graduated from St. Michael's Catholic High School in Warsaw. Mr. Bush continued his education at Monroe Community College earning an Associate's degree in Political Science. After a stint as a substitute teacher and JV soccer coach, Mr. Bush decided to join the United States Navy. He was thrilled at the idea of traveling to far away ports on a large ship in the open ocean.

Mr. Bush attended Basic then, Advanced School at Naval Station Great Lakes Illinois. At Great Lakes, he learned to be Operations Radar and Security Specialist. After successfully completing the training and obtaining a Secret clearance, he was sent to the USS Carl Vinson, at Naval Base San Diego. Aboard the ship, he was responsible for the organized intercept, processing, competent evaluation and rapid dissemination of pertinent combat information to command and control stations upon which sound tactical decisions were made.

While on a deployment in the waters near Syria, he was the eyes and ears for the F-16 and F-18 fighters assigned to the ship. Mr. Bush immersed himself in work to become a more "effective leader". On one occasion while on security detail, he "talked a fellow seaman down" from jumping overboard in a suicide attempt. Mr. Bush recently completed his term of service and received an Honorable Discharge. For courageous service to his country, Mr. Bush earned the:

July 12, 2016

National Defense Service Medal
 Global War on Terror Expeditionary Medal
 Sea Service Deployment Ribbon
 Navy "E" Ribbon
 Inherent Resolve Campaign Medal
 Good Conduct Medal
 Rifle Expert Medal
 Pistol Shot Expert Medal

Mr. Bush now lives in Perry and looks forward to going back to school to pursue a degree in Business and Marketing from either University of Rochester or University of Buffalo. He enjoys hunting, fishing, sports and especially debating politics.

The pledge was said by all.

Chairman Berwanger invited Town of Perry Supervisor, J. Brick to join him in the presentation of the customary certificate of appreciation to Mr. Bush and an opportunity to address the Board. At which time, Mr. Bush shared a prepared statement in which he thanked the Board and the Veteran Services Director and Asst. Veteran Services Director for all of their help...

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

Chairman Berwanger then called on Supervisor Copeland, T/Wethersfield who asked that the Board with all of its guests observe a moment of silence for the Police Officers who have fallen this week and to share a silent prayer for the safety of all law enforcement officers currently serving and have sworn to protect us...

Communications ~

- June 14, 2016 Correspondence from Senator Gallivan
- June 20, 2016 Correspondence from Assemblyman DiPietro
- June 24, 2016 Correspondence from NYSAC Executive Director Acquario

#1

RESOLUTION NO. 16-270 (July 12, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various

Regular Session

2016 accounts as follows:

Treasurer			
To: 01.33.1320.4.40901 Audit Service <i>w/any funds available</i> Reason: To pay under budgeted 2015 YE audit expense. Shift in costs allocation between departments.	\$1,266.00	\$1,266.00	
Treasurer Total			\$1,266.00
Board of Supervisors			
To: 01.31.1010.4.40402 Conf./Conv. <i>w/any funds available</i> Reason: To cover 2016 Fall NYSAC Conference.	\$6,235.00	\$6,235.00	
Board of Supervisors Total			\$6,235.00
Budget			
To: 01.34.1460.1.10601 Unused Benefit Time/Rec. 01.34.1680.1.10601 Unused Benefit Time/IT 01.37.3640.1.10601 Unused Benefit Time/EMS <i>w/any funds available</i> Reason: Pay unused benefit time per Schedule D & S handbooks.	\$754.85 1,832.15 1,131.00	\$3,718.00	
Budget Total			\$3,718.00
Office for the Aging			
To: 01.44.6772.1.10001 S/D/I 01.44.6772.4.42467 Alzheimer Grant 01.44.6772.8.81001 Retirement 01.44.6772.8.82001 Disability 01.44.6772.8.83001 FICA 01.44.6772.8.85001 Medicare 01.44.6772.8.86001 EAP 01.44.6772.8.89001 Hospitalization 01.44.6772.8.89002 HRA 01.44.6772.8.89003 HRA Admin w/01.03.6772.128922 Alz Caregiver Grant Reason: For Alzheimer's Caregiver Grant expenses.	\$23,900.00 15,675.00 3,510.00 171.00 1,050.00 350.00 15.00 4,860.00 2,170.00 22.00	\$51,723.00	
Office for the Aging Total			\$51,723.00
Social Services			
To: 01.39.6010.2.20401 Misc. Equipment <i>w/any funds available</i> Reason: To cover replacing one large Imaging and Enterprise Document Repository (IEDR) Scanner . The State provided 3 large scanners and 6 small scanners to the County for IEDR. The State is not replacing any scanners; this is the first scanner needing replacement. State contract for replacement is \$5,100.00 w/\$50 est. shipping cost.	\$5,150.00	\$5,150.00	
Social Services Total			\$5,150.00
Public Health			
To: 01.38.4010.4.42461 Cancer Services Grant w/01.11.4010.340106 Colorectal Grant State Aid Reason: For NYSDOH Cancer Services Infrastructure in connection with Cost of Living Adjustment (COLA) payments for State Fiscal Year (SFY) 2016-2017 for the Integrated Breast, Cervical and Colorectal Cancer Screening Program.	\$242.00	\$242.00	
Public Health Total			\$242.00

July 12, 2016

Jail			
To: 01.37.3150.1.10605 Retirement Health Ins. <i>w/any funds available</i> Reason: Cover funding of health insurance per the new MOU Resolution 16-234.	\$7,157.44	\$7,157.44	
Jail Total			\$7,157.44
Emergency Services			
To: 12.61.3021.2.20101 Telecomm. Equip. <i>w/12.14.3021.5730 Ban Proceeds</i> Reason: For the Emergency 911 phone system equipment purchase.	\$700,000.00	\$700,000.00	
Emergency Services Total			\$700,000.00

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

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$1,820,294.18** for the month of **June 2016**.

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

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

#2

**RESOLUTION NO. 16-271
(July 12, 2016)**

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

HAROLD BUSH APPOINTED ELECTION COMMISSIONER

BE IT RESOLVED, That *Harold Bush*, 4579 Miller Road, Silver Springs, NY 14550 is hereby appointed as Election Commissioner (D) to fill an unexpired vacant two (2) year term; effective June 5, 2016 through December 31, 2016 (*replacing Anna Mae Balmas*); and be it

FURTHER RESOLVED, That *Harold Bush*, is also appointed as Election Commissioner (D) for an additional term of two (2) years; effective January 1, 2017 through December 31, 2018.

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

#3

**RESOLUTION NO. 16-272
(July 12, 2016)**

Regular Session

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

SALARY SCHEDULE “D” HANDBOOK AMENDMENTS APPROVED

BE IT RESOLVED, That Salary Schedule “D” Handbook is hereby approved as amended; effective July 12, 2016 and annexed hereto.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

Wyoming County, NY

**SCHEDULE D
DEPARTMENT HEAD**

EMPLOYEE BENEFITS



REVISED 16-266 (06-14-2016)
REVISED 16-154 (03-08-2016)
REVISED 15-010 (01-20-2015)
REVISED 13-418 (01-01-2014)
REVISED 10-006 (01-04-2010)
REVISED 09-004 (01-02-2009)
REVISED 05-270 (09-13-2005)
REVISED 04-261 (09-14-2004)
ADOPTED 96-244

July 12, 2016

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ELIGIBILITY FOR BENEFITS

Part Time (with benefits)

A part time (.6 FTE and above) Schedule D employee whose salary is set at **\$12,000** or more per year shall be eligible for health insurance, and a proration of those benefits provided to regular full time Schedule D employees..

Part Time (without benefits)

A part time Schedule D employee whose salary is set at less than **\$12,000** per year shall be eligible for only to those benefits mandated by law. These employees may participate in the health insurance program at their own expense.

Full Time

Employees shall receive all benefits mandated by law. Additional benefits described in this manual are available to employees in Schedule D unless otherwise stated by resolution, for the position.

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

HOURS OF WORK OVERTIME PAY AND COMPENSATORY TIME

Full time Schedule D employees are expected to work a minimum of 35 to 40 hours per week, depending on the department they are assigned, and are considered to be exempt employees under the Fair Labor Standards Act.

TIME SHEETS AND PAY DAY

Employees will be paid on a biweekly basis. Such pay shall be in the form of a payroll check or through direct deposit. It will be the employee's responsibility to maintain a time sheet.

TIME OFF REQUESTS

Employees requesting time off must complete a Benefit Time Off form and submit to the Chairman of the Board of Supervisors in advance. Whenever possible, the employee's request for time off shall be granted, but the final right to determine when such leave is to be granted is expressly reserved to the Chairman of the Board of Supervisors.

VACATION TIME

Full time employees in a Schedule D position shall accrue annual vacation time biweekly, based on twenty-four (24) days per anniversary year. After having completed ten (10) years of employment, a maximum and total of twenty-five (25) days is granted.

Part time employees accrue vacation time on a pro-rated basis. A maximum of sixty (60) days may be accrued at any time.

Requests for vacation time are to be submitted to the Chairman of the Board of Supervisors as soon as possible and before taking such leave. Department Heads will make every effort to insure the work of the department is responsibly attended to during their absence, and to keep the Chairman of the Board of Supervisors posted as to how to reach the Department Head while off.

Update (03/08/16 Res. #16-154):Effective April 1, 2016, Schedule D employees who have accrued at least 90% of the maximum allowed, shall be permitted to receive vacation pay without taking vacation for which they are eligible up to a maximum of 5 days in any fiscal year. A schedule D employee must submit the request to tender benefit time to the Chairman of the Board of Supervisors. The Chairman will determine if the employee has the required amount of vacation accrued: for a 35 hour/week employee, 378 hours and for a 40 hour/week employee, 432 hours. Upon approval the Department Head will add the vacation buy-back amount to the payroll and submit to the Treasurer's Office for payment.

An employee, who is laid off, retires or resigns; shall receive payment for accrued vacation time if the employee provides four (4) weeks of notification to the Chairman of the Board of Supervisors. If an employee fails to give four (4) weeks' notice or is terminated for cause, he/she is not entitled to payment for their accrued vacation time.

PERSONAL DAYS

Employees shall earn four (4) personal days per anniversary year. New employees with less than one (1) year of service shall receive one (1) personal day at the beginning of each three-month period. After the completion of one (1) year of service, employees shall be granted four (4) days per year on their anniversary date.

Unused personal days cannot be carried over into the following anniversary year and will not be paid out upon separation from employment. Unused personal days cannot be carried over after the following year's anniversary date.

When taking a personal day, notification to the Chairman of the Board of Supervisors must be made as soon as possible.

SICK TIME

Full-time employees on the active payroll working or on paid leave accrue sick time biweekly based on twelve (12) days per anniversary year. Part time employees

accrue sick time on a pro-rated basis according to their FTE's. A maximum of two hundred ten (210) days may be accrued at any time.

Accrued sick time credit can be applied to an employee's service credit at retirement under the provisions of Section 41J of the Retirement Law.

Upon retirement, an employee who has accrued at least thirty (30) sick days shall be allowed paid health insurance on a day for day basis not to exceed two hundred ten (210) days up to seven (7) months.

Absence from duty by reason of the employee's own sickness, or medical treatment shall be known as sick leave.

Employees who are absent under the provisions of this section shall notify the Chairman of the Board of Supervisors of the absence.

After 3 consecutive days of illness, a medical certificate shall be required when returning to work.

Payout of Sick Time as a death benefit:

In the event a full time Schedule D employee passes away while actively employed by Wyoming County, their accrued and available sick time will be paid out to their estate.

HOLIDAYS

The following holidays shall be observed as paid holidays:

- | | |
|---------------------|----------------------|
| 1. New Years Day | 6. Labor Day |
| 2. President's Day | 7. Columbus Day |
| 3. Memorial Day | 8. Thanksgiving Day |
| 4. Veteran's Day | 9. Christmas Day |
| 5. Independence Day | 10. Floating Holiday |

Saturday holidays will be celebrated on the preceding Friday. Sunday holidays will be celebrated the following Monday.

The floating holiday is to be used as a full day and cannot be used in hourly increments within the calendar year. Unused floating holidays cannot be carried over into the following calendar year and will not be paid out upon separation from county employment.

BEREAVEMENT LEAVE

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

5 WORK DAYS	3 WORK DAYS	1 WORK DAY
Parent/Step Parent	Brother/Sister	Brother/Sister-in-law
Spouse/Domestic Partner	Grandparent	Aunt/Uncle

Child/Stepchild	Grandchild
Foster Child/Guard	Son/daughter-in-law
Related member of the employee's household	Parent-in-law

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

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 by the Chairman of the Board of Supervisors.

LEAVE OF ABSENCE

A leave of absence without pay, not to exceed one (1) year, may be granted to full-time employees' at the sole discretion of the board of supervisors upon the terms and conditions established by the board.

FAMILY MEDICAL LEAVE

The county complies with the federal Family and Medical Leave Act. Refer to the county's Family Medical Leave policy.

MILITARY LEAVE

The county complies with state and federal laws relative to military leave rights.

HEALTH INSURANCE

Full and part time employees with a salary of \$12,000 annually or greater are eligible to participate in the County's current health plan with a Health Reimbursement Account (HRA). The county will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited.

The employer will pay 100% of the cost of single or family health insurance coverage for employees hired or appointed prior to 1/1/2014. Employees hired or appointed on or after 1/1/2014 will contribute 10% of the total premium. Premiums will be deducted over 24 pay periods per year on a pre-tax basis.

An employee who is eligible for health insurance and does not participate is eligible for a repudiation payment. Repudiation amounts are \$750 for Single coverage and \$1,000 for Family coverage. Proof of other insurance is required. The repudiation period is February 1 to January 31. Repudiation will be paid in the first paycheck of February following the date of hire.

DENTAL INSURANCE

Employees are eligible to participate in the current County Dental Insurance Plan. Two plans are available; a High Option or a Low Option. The employee will pay the total premium and it will be deducted over 24 pay periods per year on a pre-tax basis. For information on the Dental Insurance or to enroll in the plan, contact the County Insurance Office.

DISABILITY INSURANCE

Full time employees are covered under the enhanced Disability Insurance Plan for an injury or illness NOT arising out of or in the course of employment. The weekly benefit is 50% of basic weekly earnings up to a maximum of \$500 per week for up to 52 weeks. Accrued sick time must be exhausted prior to receiving benefits under this plan. After sick is exhausted the employee may elect to use vacation, personal leave time or comp. time to supplement the plan and to provide the employee within 2% of a full week's wage. These benefits are subject to the terms of the plan. This insurance coverage is provided at no cost to the employee.

Part time employees are not eligible for NYS statutory disability benefits.

WORKERS' COMPENSATION INSURANCE

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

An employee who suffers a work related injury or illness must immediately notify the Chairman of the Board of Supervisors and complete and file the necessary forms.

RETIREMENT

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

DEFERRED COMPENSATION RETIREMENT PLAN 457

Employees are eligible to participate in the voluntary supplemental retirement savings plan at any time. This program allows employees to save and invest a portion of their earnings toward retirement. Pre-tax contributions are automatically deducted from each pay check and deposited to your account. Information about this program can be obtained from the Human Resource Department.

TUITION REIMBURSEMENT

Full-time employees, with the specific prior permission of their "sponsoring" Board of Supervisors' Standing committee and the Board of Supervisors' Finance committee, may be eligible to receive tuition reimbursement up to 50% of the tuition and fees with an annual cap of \$5,000. The degree or specific courses (if not pursuing a degree) MUST be directly work related or lead to advancement opportunities within the county, and funds must be available and budgeted. In order to qualify for such reimbursement the employee must have obtained a grade

of B or better. The employee must work for Wyoming County for three (3) years after completion of the degree. If an employee separates employment before the completion of three (3) years, all tuition reimbursement must be repaid to the county.

A tuition reimbursement request must be submitted and approved by the appropriate committees prior to classes being taken for full eligibility. A tuition reimbursement request voucher, along with proof of the grade and payment for the class(es) must be submitted to the Chairman of the Board of Supervisors for final approval.

PERFORMANCE EVALUATION

Employees will be evaluated on an annual basis by their Committee Chair or designee.

DISCLAIMER

The Schedule D Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule D. 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.

APPENDIX A

**The following employees listed by position and classification are covered by
Schedule D**

Position Title	Status	Civil Service Classification	Term	Length of Term
Animal Control Officer	Full	Competitive	CT	
Clerk of the Board of Supervisors	Full	Unclassified	F/TOB	1 yr
Code Enforcement Officer	Full	Competitive	CT	
Commissioner of Civil Service (3)	Part	Unclassified	F	6 yrs
Commissioner of Public Health	Part	Unclassified	CT	
Commissioner of Social Services	Full	Noncompetitive	F	5 yrs
Commissioner of Elections (2)	Part	Unclassified	AT	
County Attorney	Part	Exempt	F/TOB	
County Highway Superintendent	Full	Unclassified	F	4 yrs
County Historian	Full	Competitive	CT	
County Records Manager	Full	Competitive	CT	
Director of Aging & Youth	Full	Noncompetitive	AW	
Director of Fire & Emergency Management	Full	Noncompetitive	AW	
Director of Information Technology	Full	Competitive	CT	
Director of Community Services	Full	Noncompetitive	AW	
Director of Veterans Services	Full	Noncompetitive	F	2 yrs
Director of Planning and Development	Full	Noncompetitive	AW	
Director of Real Property Tax Services	Full	Noncompetitive	F	6 yrs
Director of Weights and Measures	Full	Competitive	CT	
Human Resource Director	Full	Noncompetitive	AW	
Medical Director	Part	Noncompetitive	AW	
Probation Director I	Full	Competitive	CT	
Public Defender	Part	Exempt	F/TOB	2 yrs
Public Health Administrator	Full	Competitive	CT	
Reimbursement & Budget Administrator	Full	Competitive	CT	
Supt. of Buildings & Grounds (CIP)	Full	Competitive	CT	
Supt. of Buildings & Grounds (Co. Bldgs.)	Full	Competitive	CT	
Workers Comp. Program Administrator	Full	Noncompetitive	AW	

Term: AT - Appointment Temporary
 AW – At Will
 CT - Continuous Term
 F - Fixed by law
 F/TOB - Fixed Term of Board

RESOLUTION NO. 16-273
(July 12, 2016)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and County Labor Attorney is hereby authorized and directed to sign a Memorandum of Understanding by and between the Civil Service Employee's Association and the County of Wyoming to contract with Thompson Health, either directly or through one or more of its related business entities (collectively "Thompson Health") such as, but not limited to, the F. F. Thompson Hospital, which is another community based hospital located in Canandaigua, New York) for the management and provision of certain business office functions of the County Hospital including but not limited to coding, billing and patient registration work per the provisions of the Memorandum of Understanding.

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

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #9. Hearing no objection resolution titles were read.

#5

RESOLUTION NO. 16-274
(July 12, 2016)

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

**KAREN CUTITTA APPOINTED TO THE OFFICE FOR THE AGING
ADVISORY COUNCIL**

BE IT RESOLVED, That *Karen Cutitta*, 4390 Gypsy Lane, Mt. Morris, NY 14510 is hereby appointed to the Office for the Aging Advisory Council as a Community Member (Regional Transit Service) to fill a vacant unexpired three (3) year term; effective January 1, 2016 through December 31, 2016. *(replacing Bonnie Turner)*

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

July 12, 2016

RESOLUTION NO. 16-275
(July 12, 2016)

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

**RESOLUTION TO SUPPORT ONGOING FEDERAL FUNDING FOR
MEDICARE STATE HEALTH INSURANCE ASSISTANCE PROGRAM
(SHIP) ~ KNOWN AS THE HEALTH INSURANCE INFORMATION
COUNSELING ASSISTANCE PROGRAM (HIICAP) PROGRAM WITH
THE WYOMING COUNTY OFFICE FOR THE AGING**

WHEREAS, The U.S. Senate Appropriations Committee has approved a Fiscal Year 2017 budget appropriations bill that completely eliminates the \$52.1 million in funding for the Medicare State Health Insurance Assistance Program (SHIP). The Center for Medicare Advocacy, Medicare Rights Center, National Committee to Preserve Social Security and Medicare, National Council on Aging (NCOA) and Orleans County Office for the Aging strongly oppose this move because it would leave 55 million people with Medicare without the only program that provides free, personalized, unbiased counseling on the growing complexities of Medicare coverage; and

WHEREAS, Today's Medicare beneficiary must choose among more than 20 prescription drug plans, an average of 19 Medicare Advantage plans, as well as various Medigap supplemental insurance policies -- all with different premiums, cost sharing, provider networks, and coverage rules. For more than 24 years, SHIPs have advised, educated, and empowered individuals to navigate their state-specific Medicare choices. In addition, SHIPs help beneficiaries resolve fraud and abuse issues, billing problems, appeals, and enrollment in low-income health assistance programs. In 2015, SHIPs provided assistance to more than seven million individuals with Medicare; and

WHEREAS, Eliminating SHIPs would leave millions of older Americans, people with disabilities, and families who need help comparing coverage options, appealing denials, applying for financial assistance, and navigating an evolving and increasingly complex program stranded—with nowhere to turn. With 10,000 baby boomers aging into Medicare each day, it is imperative that the U.S. House of Representatives reject this unprecedented, nonsensical cut"; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisor's request elected federal officials to instead increase FY2017 funding for SHIPs to \$59.4 million, to keep pace with inflation and increasing needs among a growing

Medicare population. At a minimum, level funding of \$52.1 million should be provided for SHIPs; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to United States Senators Charles Schumer and Kirsten Gillibrand and United States Congressman Chris Collins and all others deemed necessary and proper.

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

**RESOLUTION NO. 16-276
(July 12, 2016)**

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, NY 12144 on behalf of the Youth Bureau. Said grant is for the funding of Youth Bureau administrative costs, Stars of Tomorrow, Omega, Youth Court and Parenting Programs in a minimum amount of thirty-eight thousand eight hundred twenty-seven dollars (\$38,827.00); effective January 1, 2016 through December 31, 2016.

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

**RESOLUTION NO. 16-277
(July 12, 2016)**

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**

July 12, 2016

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, with the approval of the County Attorney, are hereby authorized and directed to sign Welfare Management System contracts with the following agencies:

- **Gustavus Adolphus ~ Lutheran Social Services**, 200 Gustavus Avenue, Jamestown, NY 14701 in an amount not to exceed two hundred sixty-four thousand six hundred eighty dollars (\$264,680.00) for five (5) children; effective July 1, 2016 through June 30, 2017.
- **New Directions**, 6395 Old Niagara Road, Lockport, NY 14094-1499 in an amount not to exceed four hundred forty thousand five hundred forty-one dollars (\$440,541.00) for five (5) children; effective July 1, 2016 through June 30, 2017.
- **Hillside Family of Agencies** (including Hillside Children's Center), 1183 Monroe Avenue, Rochester, NY 14620-1699 and **Snell Farm Children's Center**, 7320 Snell Hill Road, Bath, NY 14810 in an amount not to exceed one million eight hundred nineteen thousand eight hundred fifty-eight dollars (\$1,819,858.00) for twenty-five (25) children plus ten (10) in regular Foster Care for a total of thirty-five (35) children; effective July 1, 2016 through June 30, 2017.
- **The William George Agency for Children's Services, Inc.**, 380 Freeville Road, Freeville, NY 13068 in an amount not to exceed seventy-five thousand four hundred ninety-seven dollars (\$75,497.00) for one (1) child; effective July 1, 2016 through June 30, 2017.
- **Child and Family Services (Connors)**, 330 Delaware Avenue, Buffalo, NY 14202 in an amount not to exceed one hundred thousand dollars (\$100,000.00) for one (1) child; effective June 8, 2016 through June 30, 2017.

Contingent upon the availability of funds.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#9

RESOLUTION NO. 16-278
(July 12, 2016)

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

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A CONTRACT WITH MAILFINANCE, INC. 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 sign a contract with Mailfinance, Inc., 478 Wheelers Farm Road, Milford, CT 06461 on behalf of the Department of Social Services. Said contract is for a sixty (60) month lease for a NeoPost Mail Machine in an amount not to exceed nine thousand two hundred seventy-eight dollars and forty (40) cents (\$9,278.40); effective July 11, 2016 through July 31, 2021.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-279
(July 12, 2016)**

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

RESOLUTION NUMBER 16-170 AMENDED

WHEREAS, Resolution Number 16-170 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A SUB AGREEMENT WITH LIVINGSTON COUNTY HEALTH DEPARTMENT ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on April 12, 2016 on behalf of the County Health Department. Said Sub-Agreement is for the reimbursement of Livingston Wyoming Cancer Services Program activities in a *maximum* amount of thirty-five thousand six hundred eighty-four dollars (\$35,684.00); effective April 1, 2016 through March 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-170 be hereby amended to increase the maximum amount of the grant award by two thousand eight hundred sixty-two dollars (\$2,862.00) for a new *maximum* amount of thirty-eight thousand five hundred forty-six dollars (\$38,546.00);

All else remains the same.

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

July 12, 2016

**RESOLUTION NO. 16-280
(July 12, 2016)**

By Mr. Brick, Chairman of the Agriculture Committee:

**LOCATION AND TIME OF AUGUST 2016 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 16, 2016 at 2:00 PM* in the *Youth Building* of the *Wyoming County Fairgrounds in Pike, New York*.

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

**RESOLUTION NO. 16-281
(July 12, 2016)**

By Mr. Leuer, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Sublease Agreement with *Wyoming County Industrial Development Agency* for 5,121 sq. ft. of office space located in the Wyoming County Ag. and Business Center, 36 Center Street, Suite D, Warsaw NY 14569. Base rent is in the amount of eleven dollars and forty-four cents (\$11.44) per square foot and utilities are at two dollars and eighty cents (\$2.80) per square foot; effective February 19, 2016 through February 18, 2017.

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

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #13 through #17. Hearing no objection resolution titles were read.

#13

**RESOLUTION NO. 16-282
(July 12, 2016)**

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Frontier Communications of America, Inc., 111 Field Street, Rochester, NY 14620 on behalf of Emergency Services. Said contract is for the provision of the 911 phone system ~ VoIP NextGen Mission Critical 911 Telephony System in an amount not to exceed two hundred sixty-one thousand nine dollars and twenty cents (\$261,009.20); effective July 12, 2016 through completion of project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-283
(July 12, 2016)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT STATE BID AND SIGN A
CONTRACT WITH MOTOROLA SOLUTIONS, INC. ON BEHALF OF
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with Motorola Solutions, Inc., 1301 East Algonquin Road, Schaumburg, Illinois 60196 on behalf of Emergency Services. Said contract is for a MCC 7500 Dispatch Console Radio System in an amount not to exceed three hundred forty-seven thousand two hundred eighty dollars and sixty-one cents (\$347,280.61); effective July 12, 2016 through the completion of the project. (*NYS Contract Number PT67405*)

July 12, 2016

Contingent upon the availability of funds.

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

RESOLUTION NO. 16-284
(July 12, 2016)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with New York State Division of Office of Homeland Security and Emergency Services, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant is for the funding of FY2016 to support regional preparedness efforts in a minimum amount of fifty-two thousand five hundred dollars (\$52,500.00); effective September 1, 2016 through August 31, 2019.

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

RESOLUTION NO. 16-285
(July 12, 2016)

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

FIRE ADVISORY BOARD DELEGATES APPOINTED/REAPPOINTED

BE IT RESOLVED, That the following named persons are hereby appointed/ reappointed to the Wyoming County Fire Advisory Board in accordance with Section 225-a of the County Law for a term of one (1) year; effective ***July 01, 2016 through June 30, 2017:***

Arcade	Gregory Landis	782 Geer Rd., Arcade, NY 14009
Attica	Terry Snyder	37 Buffalo St., Attica, NY 14011
Bennington	Joseph Heller	1290 Maxon Rd., Attica, NY 14011
Bliss	Richard Maher	3248 Rt. 39, Bliss, NY 14024

Castile	Michael Lindsay	6555 W. Center Rd., Castile, NY 14427
Cowlesville	Wilson Wild	1336 Blood Rd., Cowlesville, NY 14037
Gainesville	Gregory Lockwood	32 N. Main St., Gainesville, NY 14066
Harris Corners	Steven Mest	1988 Burrough Rd., Cowlesville, NY 14037
North Java	Joseph Syler*	1911 Rt. 78, Java Center, NY 14082
Perry	Frederick Eickhoff	33 Dolbeer St., Perry, NY 14530
Perry Center	James Brick	7618 Rt. 20A, Perry, NY 14530
Pike	Richard VanderPloeg	7520 Route 19, Gainesville, NY 14066
Sheldon	Richard Brzezicki, Jr.	2830 Valley View Lane, Strykersville, NY 14145
Silver Springs	John Proper	80 Orchard St., POB 183, Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Rd., Strykersville, NY 14145
Varysburg	Adam Vetter	POB 632, Varysburg, NY 14167
Warsaw	Joseph Cummins*	5400 Toolhouse Rd., Warsaw, NY 14569
Wyoming	John Moore	911 Tower Rd., Wyoming, NY 14591

**denotes new delegates*

Members At-Large for Towns without Departments:

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

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

RESOLUTION NO. 16-286
(July 12, 2016)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES ON BEHALF OF THE PUBLIC
DEFENDER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, New York on behalf of the Public Defender's Office. Said grant funds is for the Indigent Parolee Program in a minimum amount of one hundred eighty thousand dollars (\$180,000.00); effective April 1, 2016 through March 31, 2017. *(NYS DCJS Project Number LG16-1160-D00)*

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
July 12, 2016

**RESOLUTION NO. 16-287
(July 12, 2016)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH PREMIER MODULAR RAILROAD CROSSINGS
ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with Premier Modular Railroad Crossings, 1259 North Middleton Dr. NW, Calabash, NC 28467 on behalf of County Highway. Said contract is for precast concrete panel grade crossing system plus freight for Perry Road in the Town of Sheldon in an amount not to exceed twenty thousand seven hundred twenty-four dollars (\$20,724.00); effective June 17, 2016 through completion.

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 #19 through #30. Hearing no objection resolution titles were read.

#19

**RESOLUTION NO. 16-288
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF PERRY APPROVED

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

BE IT RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various

amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

ORIGINAL BILL: \$2,739.36

CORRECTED BILL: \$1,607.14

REFUND: \$1,132.22

TAX MAP PARCEL: Town of Perry ~ 100.8-4-40

LOCATION: 52 Park Avenue (*multiple residence*)

OWNER: Phillip R Sage
8155 State Street
Batavia, NY 14020

REASON: Incorrect Assessment

AUTHORITY: RPTL §550.2(g) "*an entry on an assessment roll or tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book or other final work product of the assessor.*"

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

**RESOLUTION NO. 16-
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

PARCELS RETURNED TO TAXABLE STATUS APPROVED

WHEREAS, Pursuant to Resolution No. 06-318 adopted by the Wyoming County Board of Supervisors on November 17, 2006, determining that there was no practical method to enforce the collection of delinquent tax liens on properties owned by A & A Metal Fabricating, Tax ID #100.10-2-1 and 100.6-1-3, located at Washington 8A within the Town of Perry and that supplementary proceedings to collect delinquent tax liens would not be effective; and

July 12, 2016

WHEREAS, Pursuant to Resolution No. 06-358, a Certificate of Cancellation was issued by the Wyoming County Treasurer on **November XX, 2006** which had the effect of canceling the outstanding delinquent tax liens; and

WHEREAS, The Wyoming County Treasurer issued a Certificate of Prospective Cancellation on **November XX, 2006** that was filed with the assessor of the assessing unit in which the parcel was located and the Director of Real Property Tax Services; and

WHEREAS, Title was transferred from A & A Metals to the WCBC Washington, LLC on or about February 17, 2016, then to 90 Washington Boulevard, LLC on or about June 13, 2016; now therefore

BE IT RESOLVED, That pursuant to Section 1138 of the Real Property Tax Law, the Wyoming County Board of Supervisors makes the following determination:

The property formerly owned by A & A Metals, Tax ID #100.10-2-1 and 100.6-1-3, located at Washington Boulevard in the Town of Perry shall be restored to the taxable portion of the assessment roll for the reason that future tax liens are expected to be enforceable; and be it

FURTHER RESOLVED, That the Wyoming County Treasurer shall file a Certificate of Restoration setting forth relevant facts with the assessor of the assessing unit of the town in which said parcel is located and the Wyoming County Director of Real Property Tax Services.

Carried:	Ayes:	Noes:	Absent:	Abstain:	#21
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**RESOLUTION NO. 16-289
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-301 AMENDED

WHEREAS, Resolution Number 15-301 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on August 18, 2015 and provided, in part, the following contract on behalf of the Wyoming County Community Health System:

- **HOWARD ANG, MD**, with an office at 400 North Main Street, Warsaw, NY 14569
 - Anesthesia services on each work day and call coverage and anesthesia services on nights and weekends fifty percent (50%) of the time during those two (2) months in an amount not to exceed twenty-one thousand five hundred thirty dollars (\$21,530.00) per month; effective ***July 1, 2015 through August 31, 2015.***

WHEREAS, That Resolution Number 15-301 was previously amended by the Board of Supervisors as follows:

- On September 8, 2015 by Resolution Number 15-329 to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***September 1, 2015 through October 31, 2015;*** and
- On December 8, 2015 by Resolution Number 15-464 to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***November 1, 2015 through December 31, 2015;*** and
- On February 9, 2016 by Resolution Number 16-090 to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***January 1, 2016 through February 29, 2016;*** and
- On April 12, 2016 by Resolution Number 16-189 to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***March 1, 2016 through April 30, 2016;*** and
- On June 14, 2016 by Resolution Number 16-263 to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***May 1, 2016 through June 30, 2016;*** now therefore,

BE IT RESOLVED, That Resolution Number 15-301 as previously amended as outlined above be hereby further amended to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***July 1, 2016 through August 31, 2016.*** All else remains the same.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#22

**RESOLUTION NO. 16-290
(July 12, 2016)**

July 12, 2016

By Mr. Kehl, 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 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:

- **Nicole Blair, MD**, 2003 Regency Court, Middletown, NY 10940 to provide OB/GYN services in an amount not to exceed two hundred forty thousand dollars (\$240,000.00) per year; effective July 1, 2016 through June 30, 2017 upon completion of credentialing and obtaining malpractice insurance.
- **Rajendra Agrawal, MD**, 408 North Main Street, Warsaw, NY 14569 to provide medical services in the area of varicose veins treatment and minor room clinic in an amount not to exceed ten thousand dollars (\$10,000.00) per year; effective July 1, 2016 through June 30, 2017.
- **Supplemental Health Care Services, Inc.**, 1640 W. Redstone Center Drive, Suite 200, Park City, Utah 84098 to provide OT, PT, SLP services along with LPN, RN and CAN. Bill rates as negotiated in Schedule A of the agreement in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective July 15, 2016 through July 14, 2017.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#23

**RESOLUTION NO. 16-291
(July 12, 2016)**

By Mr. Kehl, 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 **OBGYN Physician Provider** on Schedule “P” and set the salary at \$240,000.00/year; position available date is June 28, 2016.

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

**RESOLUTION NO. 16-292
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**WYOMING COUNTY COMMUNITY HEALTH SYSTEM
PURCHASING POLICY FOR NON CAPITAL ASSET PURCHASES
ADOPTED**

BE IT RESOLVED, That the Wyoming County Health System Purchasing Policy for Non Capital Asset Purchases annexed hereto is adopted as presented.

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

**WYOMING COUNTY COMMUNITY HEALTH SYSTEM
SYSTEM POLICY**

Title: Purchasing Policy – Non-Capital Asset Purchase Policy #:S-

Effective Date: 06/28/2016 Review Date: _____ By _____

Periodic Review: By: _____ Date: _____

Supersedes: Policy # Rev. 1 Dated 01/19/2016

Departments Affected: All

References: _____

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

Chief Executive Officer, Donald T. Eichenauer

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

Director of Finance, Jim Cullen

Chief Executive Officer Approval / Date Donald T. Eichenauer

July 12, 2016

POLICY

This policy defines non-capital asset purchase requirements.

DEFINITIONS**Non-Capital Assets**

Services (such as building or auto repairs, carpet installation), inventory (such as medical supplies, food for patient and cafeteria use, etc.), and other items (such as office supplies and items required to operate the facility) professional services and service contracts.

REFERENCES AND FORMS

The Wyoming County Purchasing Policy is incorporated by reference in this policy. The Wyoming County Purchasing Policy addresses certain NYS laws and regulations as it relates to purchasing and disposal of assets. Individuals using this policy should have and be aware of the Wyoming County Purchasing Policy and adhere to that policy specifically the portions that relate to NYS laws and regulations and purchase of professional services and service contracts.

For Capital Asset Purchases refer to the Capital Asset Acquisition Policy

PROCUREMENT

Purchase of services, inventory, and other non-capital items must be done in accordance with this Non-Capital Asset Purchasing Policy.

Purchases of services, inventory, and other items which are routinely purchased or for which the purchase exceeds \$5,000 must be done in accordance with the Wyoming County Purchasing Policy and NYS laws and regulations. Generally, this will require these routine items to be purchased through a NYS contract or group purchasing contract (which must be bid or entered into as per NYS regulations) or through a purchase bid in accordance with NYS regulations.

From time to time purchases are required of items needed on a non-routine or one time type situation or when required items are not included in items available through group purchase contracts. For these items the following procedure will be required.

One time purchases

Purchases involving an expected total cost of \$500 or less (including shipping or handling charges) may be done on a voucher.

Purchases up to \$1,000

Department Managers may approve and submit a purchase requisition which either provides enough detail for the Materials Management (Purchasing) Department to research and make the purchase or with a proposed vendor and proposed price for the item. It is the department manager's responsibility prior to approving the purchase requisition to assure the item is within the department manager's budget authority and approved budget amounts and in the normal course of business. If the department manager includes a proposed vendor and price with their requisition it is their responsibility to assure the price is reasonable and appropriate for the item.

Purchases between \$1,001 and \$5,000

Above approvals plus Senior Manager approval of the purchase requisition is required. The Senior Manager is responsible for assuring the item is within the department budget authority and approved budget amounts.

Purchases between \$5,001 and \$10,000

Above approvals plus any one of the following Chief Financial Officer (CFO), Chief Executive Officer (CEO), or Chief Operating Officer (COO) approval of the purchase requisition is required. The signer (CFO, CEO, or COO) is also responsible for assuring the item is required and its purchase is in the best interest of the hospital.

All Purchases between \$1,000 and \$10,000

The person submitting the purchase requisition is responsible for obtaining sufficient description, picture, make, model #, catalog information, etc. and providing it to the Materials Management (Purchasing) Department along with the required approved requisition form. Recommended vendors and price quotes may also be provided. The Materials Management (Purchasing) Department is responsible for initiating the purchase after verifying the completed requisition, verifying the quoted prices (on a test basis), or obtaining other quotes if they believe better pricing and terms are available.

Purchases in excess of \$10,000

In addition to the approvals required for the previous levels of purchasing, CEO and Board of Manager (BOM) approval is required. In addition, purchases in excess of \$5,000 must be made in accordance with the Wyoming County Purchasing Policy and adhere to the portions of that policy related to NYS laws and regulations for bidding.

Emergency purchases (which are required to safeguard the facility, ensure patient safety, ensure efficient operations, etc.) may be approved by the CEO for amounts up to \$25,000. The CEO should when practical, confer with the Executive Committee of the BOM regarding such purchases. In the absence of the CEO or his/her inability to approve, emergency purchases can be approved

upon agreement of the CFO or COO and the Executive Committee of the BOM. Emergency purchases in excess of \$25,000 can be approved by the CEO and the Executive Committee of the BOM. All emergency purchases must be reviewed and retroactively approved by the BOM at their next regularly scheduled meeting.

Professional services and service contracts

Professional services and service contracts will be handled in accordance with the Wyoming County Purchasing Policy. In addition, all purchases of professional services and service contracts in excess of \$5,000 will require the approval of the Hospital Board of Managers.

Wyoming County Community Hospital (WCCHS) – Department Manager Listing for Signature Authority as of June 22, 2016

Administration:

CEO

COO

Director of Finance

Senior Managers:

Superintendent of Buildings and Grounds (County Building)

County Human Resources Director

County Information Technology Director

Acute Director of Nursing (DON)

Director of Behavioral Health

SNF Director of Nursing (DON)/Program Director of the Adult Day Health Care

SNF Administrator

Department Managers by Functional Area:

Acute Quality

Admissions & Communication, Patient Accounts & Collections

Cardiac

Clinics

Corrections (Inpatient & Outpatient)

Dietary & Cafeteria

Emergency Department

Fiscal Services

Housekeeping, Laundry, & Linen

Hospital Informatics

Imaging and Testing

Infection Control

Information Systems

Laboratory
 Materials Management
 Med Surg & ICU
 Medical Records
 Mental Health Unit
 Nursing Administration
 Pharmacy
 Plant Operations, Safety, & Bio Med
 Regulatory Affairs & Patient Family Services
 Respiratory Therapy
 SNF Activities & Services
 SNF Administration
 SNF Adult Day Health Care
 SNF Long Term Care
 Surgery, Labor, Delivery & Nursery, and OB Services
 Therapies – Occupational, Physical, Speech, Respiratory
 Workplace Health

RECORD OF REVISION

REV. #	DESCRIPTION OF CHANGE	PAGE #S / SECTION #S IMPACTED BY CHANGE(S)	DATE
0	Original issue	All	05/28/2013
1	Revised approval / dollar limits	All	01/19/2016
2	Add paragraph regarding one time purchases less than \$500 to mirror the Wyoming County Purchasing Policy. Department Manager Listing for Signature Authority has been updated to remove the specific manager name, leaving department manager titles by functional area only.	2 3-4	06/28/2016

#25

RESOLUTION NO. 16-293 (July 12, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

July 12, 2016

RESOLUTION NUMBER 14-145 AMENDED

WHEREAS, Resolution Number 14-145 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on March 26, 2014 and provided, in part, for the following contract:

- **University of Rochester School of Medicine and Dentistry**, a division of the University of Rochester, an educational institution chartered by the State of New York with offices at 601 Elmwood Avenue, Rochester, New York 14642 for:
 - A physician to perform office and surgery services in the field of otolaryngology (ear, nose and throat) medicine services at WCCHS two days per week 47 weeks per year at a rate of \$214,184.00/year. Services would be performed in the hospital and/or the hospital’s staffed clinic/office facilities. WCCHS shall be entitled to retain all patient fees generated by the services provided by Physician(s) at WCCHS pursuant to this Agreement. Contract to become effective on or about July 1, 2014 upon the completion of the credentialing of the physician to be supplied up to a maximum period of 18 months.

now therefore

BE IT RESOLVED, That Resolution Number 14-145 be hereby amended to extend the contract term from January 1, 2016 through June 30, 2017. All else remains the same.

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

RESOLUTION NO. 16-294 (July 12, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-088 AMENDED

WHEREAS, Resolution Number 13-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on February 12, 2013 and provided, in part, for the following contract:

Regular Session

- **Western New York Physicians PLLC, 2261 Route 19 North, Warsaw, NY 14569** for a two-year contract to *provide Hospitalist Medical Services, SNF Medical Needs Director and Clinical Services* needed to cover patient needs who are unassigned to any primary care physician regardless of insurance, not to exceed \$435,000.00 annually; effective February 1, 2013 through January 1, 2015; and

WHEREAS, Resolution Number 15-030, passed by the Wyoming County Board of Supervisors on January 20, 2015 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” provides for various contracts which added the following services to the Western New York Physicians, PLLC contract:

- *Hospitalist Medical Services, SNF Medical Director Services, Adult Day Health Care Medical Director Services and Clinical Services* needed to cover patient needs who are unassigned to any primary care physician regardless of insurance in an amount not to exceed \$438,660.00 annually; effective February 1, 2015 through January 31, 2018; and

WHEREAS, That Resolution Number 13-088, as increased by Resolution Number 15-030, was further amended by the Wyoming County Board of Supervisors on September 8, 2015 by Resolution Number 15-328 to reflect the following changes to the **Western New York Physicians, PLLC** contract as they relate to *Hospitalist Medical Services, SNF Medical Director Services, Adult Day Care Medical Director Services and Clinical Services* to:

- Add 12 hours per week of additional *Nurse Practitioner* or *Physician Care* in the WCCHS Skilled Nursing Facility and provides in-house emergency department care with one mid-level (*Physician Assistants* or *Nurse Practitioner*) between the hours of 11:00 am and 11:00 pm, 365-days per year for the purpose of establishing an Emergency Department Express program.
- Includes compensation of an additional sum of \$36,060.00 monthly/\$432,720.00 annually through the end of the original contract for the additional services to be provided; effective September 1, 2015 through January 31, 2018; now therefore,

BE IT RESOLVED, That Resolution Number 13-088 be further amended to:

- Delete Section 3 ~ *Medical Director and Hospitalist Services* for Skilled Nursing Facility with minimum of 16 hours of *Physician*

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Services and 12 hours of *Physician* or *Nurse Practitioner Services* and insert *Medical Director* and *Hospitalist Services* for Skilled Nursing Facility with minimum of 16 hours per week of physician services and 40 hours per week of physician or *Nurse Practitioner Services* for annual compensation of \$192,000.00 per year plus fees through the end of the original contract for the additional services to be provided; effective August 1, 2016 through January 31, 2018.

All else remains the same.

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

**RESOLUTION NO. 16-295
(July 12, 2016)**

By Mr. Kehl, 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*
Elected Official							
Supervisor	6	BECKER, Brian	XXXX	XXXX		01/01/16-12/31/19	6.67
Supervisor	7	BERWANGER, A. Douglas	XXXX	XXXX	J	01/01/16-12/31/19	21.90

Regular Session

Supervisor	6	HASTINGS, Brett	XXXX	XXXX		01/01/16- 12/31/19	6.36
Supervisor	6	KEHL, Bryan	XXXX	XXXX		01/01/16- 12/31/19	4.69
Supervisor	6	KING, Sandra	XXXX	XXXX		01/01/16- 12/31/17	2.38
Supervisor	6	LEUER, Daniel	XXXX	XXXX		01/01/16- 12/31/17	12.36
Supervisor	6	MCCORMICK, Vanessa	XXXX	XXXX		01/01/16- 12/31/17	3.97
Supervisor	6	TALLMAN, David	XXXX	XXXX		01/01/16- 12/31/17	3.64
Supervisor	6	VASILE, Michael	XXXX	XXXX		01/01/16- 12/31/17	***

***Official did not submit their Record of Activities

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

**RESOLUTION NO. 16-296
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**INSURANCE PREMIUMS FOR THE 2016 ~ 2017 POLICY TERM
APPROVED**

BE IT RESOLVED, That the various premiums offered by the insurance carriers noted below for the 2016 ~ 2017 policy term through Tompkins Insurance Agencies, Inc., 14 Market Street, Attica, NY 14011 for the County of Wyoming are hereby approved as follows:

❖ **NYMIR INSURANCE:**

- Auto \$ 62,530.90
- Inland Marine ~ EMS \$ 3,524.40
- Owners Contractors Protective Liability ~ Hwy \$ 275.00
- Owners Contractors Protective Liability ~ IDA \$ 275.00
- Property \$ 99,049.05
- General Liability \$102,481.50
- Police Professional Liability \$ 52,045.40
- Public Officials \$ 36,679.50
- Excess Liability \$ 29,882.60

❖ **CINCINNATI INSURANCE:**

- Boiler and Machinery \$ 10,940.00

❖ **SELECTIVE INSURANCE:**

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○ Inland Marine ~ Highway	\$ 13,074.00
○ Inland Marine ~ Miscellaneous	\$ 4,320.00

❖ **TRAVELERS INSURANCE:**

○ Crime	\$ 1,863.00
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Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #29

**RESOLUTION NO. 16-297
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:

Office for the Aging

- One (1) position of **Student Aide** (Temporary) at a rate of \$10.00/hr. with only those benefits mandated by law beginning July 12, 2016 through December 31, 2016.

Building & Grounds (Co. Bldgs.)

- One (1) position of **Secretary to the Superintendent of Building and Grounds (Co. Bldgs.)**, FT and place on **Salary Schedule S** at an annual salary of \$30,000.00; position available date is July 13, 2015.

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

**RESOLUTION NO. 16-298
(July 12, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

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

- Place one (1) position of ***Director of Therapy Services Acute and Outpatient, FT*** on Salary Schedule "C" under Physical Therapy and set the salary at \$87,094.00 per year; position available date is May 31, 2016.
- Place one (1) position of ***Director of Reimbursement/Quality and SNF Rehabilitation, FT*** on Salary Schedule "C" under Fiscal Services and set the salary at \$94,094.00 per year; position available date is May 31, 2016.
- Place one (1) position of ***Director of Quality and Risk Management, FT*** on Salary Schedule "C" under Acute Quality and set the salary at \$80,000.00 per year; position available date is May 31, 2016.
- Place one (1) position of ***Director of Surgical Services & Maternity and Women's Health, FT*** on Salary Schedule "C" under Operating Room and set the salary at \$82,820.00 per year; position available date is May 31, 2016.
- Remove one (1) position of ***Director of Quality Improvement, Staff Education, Employee Enhancement & Community Outreach*** on Salary Schedule “C” under Acute Quality; effective May 31, 2016.
- Remove one (1) position of ***Assistant Director of Nursing*** on Salary Schedule "C" under Nursing Facility Administration; effective May 31, 2016.
- Remove one (1) position of ***Director of Surgical Services/Maternity & Women's Health, Risk Manager*** on Salary Schedule "C" under Operating Room; effective May 31, 2016.
- Place one (1) position of ***OBGYN Clinic Office Manager, FT*** on Schedule “C” under OB Services, and set the salary at \$41,600.00/annually; position available date is June 28, 2016.

Salary Schedule “G”:

Public Defender

- Provide a one-time stipend plus corresponding fringes to the ***Investigator*** (PD) in the amount of \$5,000.00 annually; effective March 18, 2016.

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- *Funds are provided through ILS Counsel at First Appearance Grant.*
- Funds (*stipend plus corresponding fringes*) provided through ILS Counsel at First Appearance Grant. Amounts to be paid annually; effective June 1, 2016 through December 31, 2017:
 - Public Defender \$ 5,000.00
 - Assistant Public Defender (2nd) \$12,500.00
 - Assistant Public Defender (3rd) \$12,500.00
 - Secretary to the Public Defender, PT\$ 2,000.00
 - Secretary I \$ 1,500.00
- Funds (*stipend plus corresponding fringes*) provided through ILS Grant Distribution #3. Amounts to be paid annually; effective June 1, 2016 through December 31, 2017:
 - Public Defender \$ 1,759.00
 - Assistant Public Defender (1st) \$ 1,031.00
 - Assistant Public Defender (2nd) \$ 1,950.00
 - Assistant Public Defender (3rd) \$ 1,031.00
 - Secretary to the Public Defender, PT \$ 424.00
 - Secretary I \$ 201.00

Salary Schedule “S”:

County Highway

- Set the salary of the ***Engineering Technician*** within the Highway Department at \$42,500.00 annually; effective June 13, 2016. After successful completion of six (6) months probationary period, salary will increase to \$45,000.00 annually.

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

Chairman Berwanger called on Director Santoro to explain the borrowing for 911 phone system equipment resolution.

**Two-Thirds Majority
#31**

RESOLUTION NO. 16-299 (July 12, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE COUNTY OF WYOMING, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS” AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY

WHEREAS, The County of Wyoming, New York (hereinafter, the “County”) heretofore issued \$7,010,000 Public Improvement (Serial) Bonds, 2009 pursuant to various bond resolutions to pay the cost of road improvements, as further described in the bond determinations certificate of the County Treasurer dated June 15, 2009 (hereinafter referred to as the “2009 Bond Determinations Certificate”), such Public Improvement (Serial) Bonds, 2009, being dated June 15, 2009 with remaining maturities on June 15 in the years 2017 through 2023, both inclusive, as more fully described in the 2009 Bond Determinations Certificate (the “Refunded Bonds”); and

WHEREAS, It would be in the public interest to refund all or a portion of the outstanding callable principal balance of the Refunded Bonds by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, Such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law; now therefore,

BE IT RESOLVED, By the Board of Supervisors of County of Wyoming, New York, as follows:

Section 1. For the object or purpose of refunding the callable portion of the outstanding principal balance of the Refunded Bonds as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as

hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$3,300,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$3,060,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-16 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the County Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the County Treasurer. Notice of such call for redemption shall be given by mailing such notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the County shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the County Treasurer as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or first business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the County Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the County Treasurer as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The County Treasurer, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form.

The County Treasurer is hereby further delegated all powers of this Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

- (a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;
- (b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the objects or purposes for which such Refunded Bonds were issued is fifteen years;

- (c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the object or purpose for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law;
- (d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the “Refunding Financial Plan”), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County Treasurer shall file a copy of his certificate determining the details of the

Refunding Bonds and the final Refunding Financial Plan with the Clerk of the Board of Supervisors not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The County Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said County Treasurer shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding

Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the County Treasurer shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof plus the redemption premium, if any, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at private sale for purchase prices to be determined by the County Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the County Treasurer, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds.

Section 11. The County Treasurer and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection thereof are hereby delegated to the County Treasurer.

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Section 13. The validity of the Refunding Bonds may be contested only if:

- (a) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper(s) of said County, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried: XXX Ayes: 1471 Noes: Absent: Abstain:
Two-Thirds Majority
#32

RESOLUTION NO. 16-300
(July 12, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**A RESOLUTION AUTHORIZING THE COST OF EMERGENCY 911
PHONE SYSTEM EQUIPMENT FOR WYOMING COUNTY
EMERGENCY SERVICES IN AND FOR THE COUNTY OF
WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF
\$700,000.00 AND AUTHORIZING THE ISSUANCE OF \$700,000.00
BONDS OF SAID COUNTY TO PAY THE COST THEREOF**

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

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

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

Section 1. The 911 Phone System Equipment in and for the County of Wyoming, New York, on behalf of Wyoming County Emergency Services are hereby authorized at a maximum estimated cost of \$700,000.00.

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

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$700,000.00 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is ten (10) years, pursuant to subdivision 13 of paragraph section 25.00 of the Local Finance Law.

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

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also

including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

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

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

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 2:58 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum,^{CMC}

REGULAR SESSION
(August 16, 2016)
Tuesday
2:00 PM

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

At 1:55 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:

Emil Schell

Mr. Schell was born in Buffalo, New York and attended Public School Number 43. By age 14, he worked for the infamous Statler Hotel as a "page-boy" and advanced to bellhop.

As WWII was inducting our nation's "greatest generation", Mr. Schell's brother answered this call, but sadly was killed in the European Theatre. At age 17, Mr. Schell enlisted in the United States Navy with his father's approval, seeking "personal revenge" for the loss of his brother.

Mr. Schell headed to the Asiatic-Pacific Theatre of Operations landing in the Philippines. While serving as a ship security machine gunner, he participated in the Philippine Liberation where the US Navy transported war distraught natives. His next assignment was the occupation of China and Japan and his duties included mortuary affairs and military police investigation. While in Japan, the young Schell earned his G.E.D so that he could participate in high priority missions.

The end of WWII ushered in a reduction in force. Mr. Schell transferred from the Navy to the Marine Corps, 1st Division, as a Tank Operator while the Korean conflict escalated. He rushed into one of the deadliest battles in military history along with many Marines whose only training took place onboard the ship to Korea. The Marines pushed north to the Chosin Reservoir where they joined a contingent of 30,000 United Nations troops. Little did they know, a Chinese

force 120,000 strong was closing in around them. The ensuing fight lasted for weeks where the temperature plunged to minus 35 degrees causing major equipment failures, weapon malfunctions and non-battle casualties. Two days into the battle, Mr. Schell was once again wounded and resulted in a second Purple Heart for his part in the Korean Conflict.

Returning stateside, Mr. Schell was married and continued to serve with the Marines in various positions including Drill Instructor. During his 20-years of service, he endured three different wars, the latter of which being Vietnam. His wife, Betty told to him, “If you go to this one, I won’t be here waiting!” For his valor and courageous service to our country, Mr. Schell earned the:

American Theatre Medal
 Asiatic-Pacific Theatre Medal
 Philippine Liberation Medal
 Occupation of China Service Medal
 WWII Victory Medal
 Purple Heart Medal with 1 Bronze Star
 Korean Service Medal with 3 Bronze Stars
 Presidential Unit Citation with 1 Bronze Star (WWII)
 Presidential Unit Citation with 1 Oak Leaf Cluster (Korea)
 United Nations Service Medal
 Good Conduct Medal (5th Award)
 National Defense Service Medal
 Pistol .45 Caliber Sharpshooter Badge
 Rifle M-14 Expert Badge
 Rifle .30 Caliber Sharpshooter Badge

Retiring in 1965, Mr. Schell moved to Wyoming County continuing to serve as a Warsaw Police Officer, Wyoming County Deputy Sheriff and even a chicken farmer. He owned and operated “Schell’s Janitorial Service” in Warsaw until 1972 when they relocated to his wife’s home state of Georgia. There he served as a police officer and held a variety of other jobs until officially retiring in 2002. He enjoyed fifty-four magnificent years of marriage before his beloved wife Betty passed away. Mr. Schell is now at home in Wyoming County and continues to enjoy life.

When one thinks of patriotism, honor, dedication, heroism and sacrifice ~ Mr. Schell is that person.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation to Mr. Schell and an opportunity to address the Board. At which time, Mr. Schell said

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that this was better than the Congressional Medal of Honor and thanked the Board.

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

National Anthem ~

- ***Sang by Susan Kehl / Town of Attica***
Daughter of Supervisor and Mrs. Kehl

Chairman Berwanger presented a Certificate of Recognition to Ms. Kehl. He thanked her for signing the National Anthem and wished her good luck at Fredonia where she will be attending college this fall.

#1

RESOLUTION NO. 16-301
(August 16, 2016)

By Mr. Brick, Chairman of the Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 13th through August 20th, 2016 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 2016 theme celebrates "All Roads Lead to Wyoming County Fair"; and

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaims the week of August 13th through August 20th in the year 2016 as:

"WYOMING COUNTY FAIR WEEK"

and be it

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

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

Chairman Berwanger invited Supervisor Brick, T/Perry to the microphone to read the Proclamation. Supervisor Brick asked Wyoming County Fair General Superintendent Michael Roche and the newly crowned Fair Queen Madison Butler, T/Perry to join him at the microphone. After reading the Proclamation, he presented it to Ms. Butler and asked if she would like to address the Board. Ms. Butler thanked everyone who helped her get here!

Introduction of Guests ~

- **Bryan Piligra**, Field Representative ~ Congressman Chris Collins
- **Darrel Aubertine**, Special Assistant for External Affairs ~ New York State Comptroller DiNapoli
- **Patrick Brennan**, former Commissioner of New York State Ag and Markets

Chairman Berwanger invited Commissioner Brennan to the microphone.

Mr. Brennan expressed a compliment to the residents and voters of Wyoming County for electing and reelecting these Supervisors and acknowledged the leadership provided by Chairman Berwanger and Wyoming County's professional staff. He said that he has worked in government for many years and there is no more efficient government than Wyoming County. He acknowledged Commissioner Aubertine as well and said that they both appreciate the emphasis that Wyoming County places on agriculture and the showcase of the Wyoming County Fair.

- **Patrick Gallivan**, New York State Senator
- **David DiPietro**, New York State Assemblyman
- **Thomas M. Reynolds**, Retired New York State Congressman

Chairman Berwanger invited retired Congressman Reynolds to the microphone.

Mr. Reynolds said that he loves this Fair and he acknowledged the able leadership of Congressman Collins, Senator Gallivan and Assemblyman DiPietro. He also said what an honor and privilege it was to represent the great County of Wyoming.

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

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

Chairman Berwanger invited Senator Gallivan to the microphone for his presentations.

Senator Gallivan said he was thrilled to be here and to represent Wyoming County in the Senate. He said that one of the most rewarding things he gets to do is meet and recognize individuals and organizations that make a community a much better place to live. The Senator said that all the people and the organizations being honored today were recognized earlier by the Senate in Albany and those recognitions are made a permanent part of the State record. They have also all been recognized in the same manner in the State Assembly.

- **Veteran Recognition:**

- Staff Sergeant Emil Schell
Senator Gallivan highlighted Mr. Schell's service to his Country. Mr. Schell thanked Senator Gallivan for the recognition.
- Private Leo Pelton
Senator Gallivan highlighted Mr. Pelton's service to his Country. Mr. Pelton thanked everyone for being here today.
- Major Michael Phillips
Senator Gallivan highlighted Mr. Phillips' service to his Country. Mr. Phillips thanked everyone for being here and acknowledged the honor and respect goes to Mr. Schell and Mr. Pelton as they laid the path that generations have followed and asked for a round of applause for these two men.

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

- **Business of the Year and Century Farm Recognition:**

- Table Rock Farm ~ DeGolyer Family
Senator Gallivan acknowledged their statewide recognition and congratulated them for that honor. He reviewed the history of the farm and asked for a round of applause. The DeGolyer's thanked everyone.

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

- **Volunteer Fireman Recognition:**

- Leonard Connelly ~ 50 Years of Service

Senator Gallivan asked that the Director of Fire and Emergency Services, Anthony Santoro and County Fire Coordinator William Streicher join him at the microphone. He also asked Mr. Connelly to come forward. Senator Gallivan acknowledged Mr. Connelly as a WWII Veteran and thanked him for his service. He also outlined his community service and specifically recognized him for fifty years of service as a volunteer fireman. Mr. Connelly acknowledged Mr. Schell and said that he also went to School No. 43 in 1934. He said that he joined the Fire Department when he was 38 years old and if you add 50 to that, you know how old he is. He said he has enjoyed his years in Arcade and Wyoming County.

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

- **175th Anniversary of Wyoming County Recognition:**

Senator Gallivan asked County Historian Cindy Amrhein to join him at the microphone for the recognition of the 175th anniversary of Wyoming County. Senator Gallivan stated that on May 19, 1841 thirteen members of the Wyoming County Board of Supervisors voted to divide the County of Genesee to create Wyoming County. As a couple points of interest, in 1841, there was a Town of China that is known today as the Town of Arcade and in 1846, Eagle, Pike and Genesee Falls were annexed to Wyoming County. In 1950, Wyoming County elected the first female district attorney in New York State. Years ago, a Wyoming County resident donated many acres of land to the State to create Letchworth State Park which was voted the #1 state park in the United States last year. He noted that Wyoming County is still a close-knit, safe and vibrant community where neighbors care about neighbors and a leader in agriculture. Senator Gallivan said he is extremely proud and honored to represent the County of Wyoming.

Senator Gallivan then presented a framed resolution to Chairman Berwanger and County Historian Armhein.

County Historian Armhein addressed the meeting attendees and said that her office is a little different than a historical society as they are part of county government and the office has been around since 1947. She asked for donations of photographs from people to memorialize today for generations to come.

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

Chairman Berwanger said it was discovered that there is actually a Wyoming County song and in order to continue the 175th celebration, Director for the Office of the Aging, Andrea Aldinger will be singing a rousing rendition of “Hail to Wyoming County”. Director Aldinger encouraged everyone to sing along with the chorus phrase...

- **General Carl (Tooey) Spaatz Award Recipient:**
 - Civil Air Patrol Cadet Colonel Meghan Duell

Chairman Berwanger invited Director Rick Perez to join him at the microphone to honor Civil Air Patrol Cadet Colonel Meghan Duell as the recipient of the General Carl (Tooey) Spaatz Award. Director Perez explained that this is a very prestigious award and less than one-half of one percent of the cadets in Civil Air Patrol ever achieve this accomplishment. General Spaatz was the first to participate in aerial refueling in the 1920's which was the dubbed the Flight of the 'Question Mark'. He later went on to lead the Allied Forces air power against the Germans and made the Air Force what it is today. Ms. Duell is the first female in Wyoming County to receive this award.

Director Perez and Chairman Berwanger both presented Cadet Colonel Duell with a Certificate of Recognition.

Ms. Duell spoke about what a great program Civil Air Patrol is and encouraged participation. She said that “leadership is not taught, it is experienced” and this program is a great way to experience that. She thanked everyone for being here today.

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

Chairman Berwanger then introduced Cornell Cooperative Extension Executive Director Shawn Tiede to honor some special 4-Her's.

Executive Director Tiede explained that the recently introduced Shooting Sports Competition has become one of the fastest growing and most active programs we have in the County. This year some of the 4-Her's attended the National 4-H Shooting Sports Competition in Nebraska and Jeffery Schenk took first place in the Standing Air Rifle Competition,. Other participants were Grace Book, Rebekah Spicer and Josh Spicer.

Chairman Berwanger presented each with a Certificate of Recognition and invited Jeffery Schenk to address the board. Mr. Schenk thanked all the coaches

for teaching the skills needed to compete and everyone who put the club together.

Chairman Berwanger asked if there was any communication this month... Clerk Ketchum noted a letter from New York State Association of Counties acknowledging receipt of Resolution No. 16-210.

#2

RESOLUTION NO. 16-302
(August 16, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2016 accounts as follows:

Office for the Aging			
From: 01.44.6772.4.42402 OFA Grant Programs To: 01.44.6772.1.10202 Temporary Employee Reason: Transfer funds to reflect anticipated grant costs.	\$1,500.00	\$1,500.00	
Office for the Aging Total			\$1,500.00
Social Services			
From: 01.40.6119.4.42253 Child Care To: 01.40.6123.4.42263 Juvenile Delinquent Reason: Transfer funds to reflect anticipated costs related to mandated caseloads.	\$112,600.00	\$112,600.00	
Social Services Total			\$112,600.00
County Clerk			
From: 01.34.1410.8.89001 Health Insurance To: 01.34.1410.2.20201 Computer Equipment Reason: For new Duplex ID card printer for Veteran's FAVOR cards and pistol permits.	\$3,297.06	\$3,297.06	
County Clerk Total			\$3,297.06

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

RESOLUTION NO. 16-303
(August 16, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

August 16, 2016

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Sheriff			
To: 01.37.3110.2.20501 Law Enforcement Equipmt <i>w/any funds available</i> Reason: To upgrade 26 rifles.	\$9,700.00	\$9,700.00	
Sheriff Total			\$9,700.00
Historian			
To: 01.46.7510.4.4101 Office Supplies w/01.09.7510.2705 Gifts & Donations Reason: Gifts & Donations are funds given to the office or raised (ie. yard sale) for the specific purpose of supplies needed for the office, in this case, archival supplies for glass negatives.	\$300.00	\$300.00	
Historian Total			\$300.00
Mental Health			
To: 01.38.4323.4.42412 Forensic Case Management <i>w/any funds available</i> Reason: To increase programing provided by WCCH to the Wyoming County Jail on behalf of the Wyoming County Mental Health Department.	\$22,721.88	\$22,721.88	
Mental Health Total			\$22,721.88
Emergency Services			
To: 01.37.3645.2.20101H Telecommunications 01.37.3645.2.20201H Computer Equipment w/01.12.3645.43890H Federal Aid HSG2016 Reason: To appropriate 2016 grant funds.	\$11,575.00 40,925.00	\$52,500.00	
Emergency Services Total			\$52,500.00

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

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$3,115,178.38** for the month of **July 2016**.

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

There was a motion by Ms. Grant, T/Bennington to combine resolutions #4 through #6. Hearing no objection resolution titles were read.

#4

RESOLUTION NO. 16-304
(August 16, 2016)

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
GENERAL SERVICES ON BEHALF OF VETERANS SERVICES**

Regular Session

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Office of General Services, 5 Empire Plaza, Suite No. 2836, Albany, New York 12242 on behalf of Veterans Services. Said funding, under Section 359 of the Executive Law, is in a minimum amount of eight thousand five hundred twenty-nine dollars (\$8,529.00); effective April 1, 2016 through March 2017.

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

**RESOLUTION NO. 16-305
(August 16, 2016)**

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

RESOLUTION NUMBER 16-110 AMENDED

WHEREAS, Resolution Number 16-110 entitled, “**RESOLUTION NUMBER 15-161 AMENDED**,” was passed by this Board of Supervisors on April 14, 2015 on behalf of the Office for the Aging and provided for a grant application and acceptance award with New York State Office for the Aging effective April 1, 2015 through March 31, 2016; and

WHEREAS, Resolution Number 16-110 was passed by this Board of Supervisors on March 8, 2016 and amended Resolution Number 15-161 to extend the expiration date of the grant application and acceptance award from March 31, 2016 to June 20, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-110 be hereby amended to correct the expiration date from June 20, 2017 to June 30, 2017.

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

**RESOLUTION NO. 16-306
(August 16, 2016)**

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;

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and

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

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim August 2016 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 noted Commissioner Rumsey's suggestion to waive the reading of the Proclamation due to the long meeting agenda. Supervisor Grant said that the welfare of our children is the most important responsibility we have and we want to recognize the child welfare officer, collection services, court and legal system that work to make sure families have enough money to support those children.

There was a motion by Mrs. Ryan, T/Warsaw to combine resolutions #7 through #10.

Hearing no objection resolution titles were read. Supervisor Ryan requested the Clerk read Resolution Number 9 in its entirety.

#7

RESOLUTION NO. 16-307
(August 16, 2016)

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

RESOLUTION NUMBER 15-406 AMENDED

WHEREAS, Resolution Number 15-406 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2016 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November 10, 2015 and provides for various renewal contracts for FY 2016 for Mental Health; and

WHEREAS, Resolution Number 15-406 was previously amended by the Board of Supervisors on March 8, 2016 by Resolution Number 16-120 to reflect the following changes:

B. **Suburban Adult Services, Inc.**, contract renewal in an amount not to exceed \$38,090.00; effective January 1, 2016 through December 31, 2016:

- Total contract amount increased by \$953.00 for a new total amount of **\$39,043.00**

F. **Spectrum Human Services, Inc.**, contract renewal in an amount not to exceed \$565,542.00; effective January 1, 2016 through December 31, 2016:

- Total contract amount decreased by \$8,441.00 for a new total amount of **\$557,101.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an amount not to exceed \$378,596.00; effective January 1, 2016 through December 31, 2016.

- Total contract amount increased by \$6,300.00 for a new total amount of **\$384,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120 was further amended by the Board of Supervisors on April 12, 2016 by Resolution Number 16-165 to reflect the following changes:

C. **Wyoming County Community Hospital**, contract renewal in an amount not to exceed \$171,573.00; effective January 1, 2016 through December 31, 2016 as follows:

- Total contract amount decreased by \$820.00 for a new total amount of **\$170,753.00**

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G. **Living Opportunities of DePaul**, contract renewal in an amount not to exceed \$305,817.00; effective January 1, 2016 through December 31, 2016 as follows:

- Original contract amount corrected to \$306,378.00
- Corrected contract amount increased by \$211.00 for a new total amount of **\$306,589.00**; and

WHEREAS, That Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165 was further amended by this Board of Supervisors on May 10, 2016 by Resolution Number 16-203 to reflect the following changes:

F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed \$557,101.00; effective January 1, 2016 through December 31, 2016:

- Total *amended* contract amount increased by \$1,909.00 for a new total amount of **\$559,010.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an *amended* amount not to exceed \$384,896.00; effective January 1, 2016 through December 31, 2016:

- Total *amended* contract amount increased by \$20,000.00 for a new total amount of **\$404,896.00**; and

WHEREAS, That Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165, Resolution Number 203 was further amended by this Board of Supervisors on June 14, 2016 by Resolution Number 16-248 to reflect the following changes:

E. **Hillside Children's Center**, contract renewal in an amount not to exceed \$91,101.00; effective January 1, 2016 through December 31, 2016

- Total contract amount increased by \$1,500.00 for a new total amount of **\$92,601.00**

F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed \$559,010.00; effective January 1, 2016 through December 31, 2016

- Total *amended* contract amount increased by \$2,768.00 for a new total amount of **\$561,778.00**

now therefore,

BE IT RESOLVED, That Resolution Number 15-406 as previously amended by Resolution Number 16-120; Resolution Number 16-165; Resolution Number 16-203 and Resolution Number 16-248 be further amended to reflect the following changes:

C. **Wyoming County Community Hospital**, contract renewal in an amount not to exceed \$171,573.00; effective January 1, 2016

through December 31, 2016 as follows:

- Total ***amended*** contract amount of \$170,753.00 increased by \$22,721.88 for a new total amount of **\$193,474.88**

All else remains the same.

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

**RESOLUTION NO. 16-308
(August 16, 2016)**

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

**DAVID RUMSEY APPOINTED TO THE MENTAL HEALTH
COMMUNITY SERVICES BOARD**

BE IT RESOLVED, That David Rumsey, Commissioner of Wyoming County Department of Social Services, 466 North Main Street, Warsaw, NY 14569 is hereby appointed to fill a vacant, unexpired four-year term as an Agency Representative on the Mental Health Community Services Board; effective August 16, 2016 through December 31, 2017 (*replacing Gordon Lew*).

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

**RESOLUTION NO. 16-309
(August 16, 2016)**

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

**RESOLUTION CALLING ON ALL STATE AND COUNTY OFFICIALS,
RESIDENTS AND BUSINESS OWNERS TO ADOPT THE "THINK
DIFFERENTLY" INITIATIVE TO ASSIST INDIVIDUALS WITH
SPECIAL NEEDS AND THEIR FAMILIES**

WHEREAS, The "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, Our state and communities are stronger because of our diversity and differences; and

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WHEREAS, According to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, For some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, It is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, It is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, The goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, Adopting the "Think Differently" initiative is an important statement that our State and County officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon all State and County officials, residents and business owners to adopt the "Think Differently" initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan and 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: #10

RESOLUTION NO. 16-310
(August 16, 2016)

Regular Session

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 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 2015 Diagnostic and Treatment Center (AHCF) Medicaid Cost Report in an amount not to exceed five thousand seven hundred dollars (\$5,700.00) plus direct expenses; effective August 1, 2016 through completion and upload of the cost report which is due October 1, 2016.

Contingent upon the availability of funds.

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

Chairman Berwanger acknowledged that Supervisor Ryan, T/Warsaw had some comments and offered the floor...

Supervisor Ryan recognized the attendees from Wyoming County ARC and asked that they come forward. Supervisor Ryan introduced the new President of the ARC, Cheryl Englert and asked her to say a couple of words.

President Englert thanked Wyoming County for the support of all of the programs at the ARC. They are constantly looking to expand and always "think differently" and creatively to provide the best product to the people and families they serve. They are currently redesigning Hilltop to meet the needs of the State and their consumers, as it is the right of all to make their own choices where they live work and play. It is their firm belief to "think differently" for the programs and the folks they serve now and going into the future. She again expressed her gratitude for the support received from Wyoming County.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #11 and #12. Hearing no objection resolution titles were read.

#11

**RESOLUTION NO. 16-311
(August 16, 2016)**

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

August 16, 2016

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application with New York State Division of Homeland Security, 1220 Washington Avenue, Albany, New York 12242 on behalf of the Sheriff's Department. Said grant is for law enforcement terrorism prevention activities in a minimum amount of seventeen thousand five hundred dollars (\$17,500.00); effective September 1, 2016 through August 31, 2019.

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

**RESOLUTION NO. 16-312
(August 16, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WRIGHT-
LINE, LLC ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wright-Line, LLC, 64 Oakshire Way, Pittsford, NY 14534 on behalf of Emergency Services. Said contract is for new Dispatch Center work surfaces and furniture in an amount not to exceed eighty-two thousand four hundred five dollars and fifty-six cents (\$82,405.56); effective upon arrival through completion (*OGS Contract Number GS-29F-0100G*).

Contingent upon the availability of funds.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #13 through #15. Hearing no objection resolution titles were read.

#13

**RESOLUTION NO. 16-313
(August 16, 2016)**

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 with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of Buildings and Grounds (Co. Bldgs.):

- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569 for the provision of cleaning services at the Office for the Aging, Public Defender Building, Health Department, Highway Administration Office, Courthouse and Mental Health for one (1) year in an amount not to exceed seventy-eight thousand five hundred two dollars and fifty-six cents (\$78,502.56); effective October 14, 2016 through October 13, 2017.
- **Warren's Commercial Cleaning, Inc.**, 454 North Main Street, Warsaw, NY 14569 for the provision of cleaning services at the Board of Elections and Department of Social Services for one (1) year in an amount not to exceed forty-three thousand six hundred twenty-five dollars (\$43,625.52); effective October 14, 2016 through October 13, 2017.
- **Ferguson Electric Service Co., Inc.**, 321 Ellicott St., Buffalo, NY 14203 for the provision of electrical preventative maintenance services at the Courthouse Campus for three (3) years in an amount not to exceed twelve thousand three hundred ninety dollars (\$12,390.00); effective July 20, 2016 through July 19, 2019.

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

**RESOLUTION NO. 16-314
(August 16, 2016)**

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, with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with Bergmann Associates, 28 East Main Street, Rochester, NY 14614 on behalf of County Highway. Said contract is for safety improvements following a Study for Intersection of Curriers Road and Genesee Road, Town of Arcade in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); effective August 16, 2016 through completion of job.

Contingent upon the availability of funds.

August 16, 2016

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

**RESOLUTION NO. 16-315
(August 16, 2016)**

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

**2015/2016 SALT BID APPROVED
2016/2017 SALT BID APPROVED**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to extend the bid award for the purchase of salt for the **2015/2016 and 2016/2017 Snow Season** to American Rock Salt Co., LLC, PO Box 190, Mt. Morris, New York 14510 in an amount not to exceed forty-eight dollars and fifty cents (\$48.50) per ton; effective September 1, 2015 through May 31, 2016 (**2015/2016 Snow Season**) and effective September 1, 2016 through May 31, 2017 (**2016/2017 Snow Season**); and be it

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

Contingent upon the availability of funds.

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

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #16 through #26. Hearing no objection resolution titles were read.

#16

**RESOLUTION NO. 16-316
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

PARCELS RETURNED TO TAXABLE STATUS APPROVED

WHEREAS, Pursuant to Resolution Number 06-358, adopted by the Wyoming County Board of Supervisors on November 14, 2006, determining that there was no practical method to enforce the collection of delinquent tax liens on properties owned by A&A Metal Fabricating, Tax ID #100.10-2-1 and

100.6-1-3, located at Washington Boulevard, in the Town of Perry and that supplementary proceedings to collect delinquent tax liens would not be effective; and

WHEREAS, Pursuant to Resolution Number 06-358, a Certificate of Cancellation was issued by the Wyoming County Treasurer on November 14, 2006 which had the effect of canceling the outstanding delinquent tax liens; and

WHEREAS, The Wyoming County Treasurer issued a Certificate of Prospective Cancellation on November 20, 2006 that was filed with the County Clerk; and

WHEREAS, Title was transferred from A&A Metals to the WCBC Washington, LLC on or about February 17, 2016, then to 90 Washington Boulevard, LLC on or about June 13, 2016; now therefore

BE IT RESOLVED, That pursuant to Section 1138 of the Real Property Tax Law, the Wyoming County Board of Supervisors makes the following determination:

- The property formerly owned by A&A Metals, Tax ID #100.10-2-1 and 100.6-1-3, located at Washington Boulevard, in the Town of Perry shall be restored to the taxable portion of the assessment roll for the reason that future tax liens are expected to be enforceable; and be it

FURTHER RESOLVED, That the Wyoming County Treasurer shall file a Certificate of Restoration setting forth relevant facts with the Assessor of the assessing unit of the town in which said parcel is located and the Wyoming County Director of Real Property Tax Services.

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

**RESOLUTION NO. 16-317
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-298 AMENDED

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

August 16, 2016

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

ACUTE QUALITY:

- Amend available date of one (1) *Director of Quality and Risk Management, FT*; from May 31, 2016 to June 17, 2016.
- Amend the effective date of the removal of one (1) position of *Director of Quality Improvement, Staff Education, Employee Enhancement & Community Outreach, FT* from May 31, 2016 to June 17, 2016.

OPERATING ROOM:

- Amend available date of one (1) *Director of Surgical Services & Maternity and Women's Health FT*; from May 31, 2016 to June 19, 2016.
- Amend effective date of the removal of one (1) position of *Director of Surgical Services/Maternity & Women's Health, Risk Manager FT* from May 31, 2016 to June 19, 2016.

NURSING FACILITY ADMINISTRATION:

- Amend effective date of the removal of one (1) position of *Assistant Director of Nursing FT* from May 31, 2016 to June 5, 2016.

PHYSICAL THERAPY:

- Amend the available date of one (1) position of *Director of Therapy Services Acute and Outpatient, FT* from May 31, 2016 to June 19, 2016.

FISCAL SERVICES:

- Amend the available date of one (1) position of *Director of Reimbursement/Quality and SNF Rehabilitation, FT* from May 31, 2016 to June 19, 2016.

All else remains the same.

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

**RESOLUTION NO. 16-318
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-244 AMENDED

WHEREAS, Resolution Number 13-244 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF**

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THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on July 9, 2013 on behalf of the Wyoming County Community Health System and provided, in part, for the following:

- **University of Rochester (URMC)**, 601 Elmwood Avenue, Rochester, NY 14642:
 - **Emergency Medical Services Agreement** and **Amendment No. 1** for a physician to provide emergency medicine services and emergency medicine assistant medical director services in an amount not to exceed six hundred two thousand three hundred sixty dollars (\$602,360.00) with 3% increase for each term thereafter; effective June 24, 2013 through June 30, 2014.
 - **Anesthesiology Services Agreement** for anesthesiology services, in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year based on volume; effective July 01, 2013 through June 30, 2014; and

WHEREAS, Resolution Number 13-244 was amended by the Board of Supervisors on May 10, 2016 by Resolution Number 16-224 as follows:

Amendment No. 1a:

- Allow for automatic renewal for up to two (2) additional terms of one (1) year each in accordance with the original agreement.
- Extend the term from July 1, 2014 through **June 30, 2015** in an amount not to exceed \$620,431.00.
- Extend the term from July 1, 2015 through **June 30, 2016** in an amount not to exceed \$639,044.00.

Amendment No. 2:

- Amend the agreement to allow for an additional one (1) year term from July 1, 2016 through **June 30, 2017** in an amount not to exceed \$750,000.00; now therefore

BE IT RESOLVED, That Resolution Number 13-244 be hereby further amended as follows:

Amendment No. 1a:

- Extend the term from July 1, 2015 through **July 31, 2016** in an amount not to exceed \$639,044.00.

Amendment No. 2:

- Amend the agreement to allow for an additional one (1) year term from **August 1, 2016 through July 31, 2017** in an amount not to exceed \$750,000.00.

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All else remains the same.

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

**RESOLUTION NO. 16-319
(August 16, 2016)**

By Mr. Kehl, 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 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:

- **St. Lawrence Radiology, PC** (*previously G. Michael Maresca, MD*), P.O. Box 698, Potsdam, NY 13676 to be the exclusive provider of Professional Radiology Services at WCCHS 24-hours per day, 7 days per week. In addition, St. Lawrence Radiology will provide a Board Certified Radiologist to fulfil the responsibilities of Chairman of the Department. The group will be responsible to charge and bill its patients for professional services and will be responsible for the billing and collection of such charges, \$0.00 cost to WCCHS, ; effective January 1, 2017 through December 31, 2020 cancellable in year 2 through year 4 of the agreement upon 180-day written notice.
- **University of Rochester**, 601 Elmwood Avenue, Rochester, NY 14642 to provide telestroke consultation services for WCCHS patients as ordered by WCCHS to provided 24/7 coverage in an amount not to exceed eighteen thousand dollars (\$18,000.00) per year with five (5) consults per month included and three hundred dollars (\$300.00) per consult thereafter; effective October 1, 2016 through September 30, 2017.
- **Niagara Frontier Anesthesia Services, LLP (NFA)**, 4185 Seneca Street, Suite 11, West Seneca, NY 14224 to provide services of Certified Registered Nurse Anesthetists (CNRA); effective January 1, 2016 through December 31, 2018.

- **Stericycle, Inc.**, 28161 North Keith Drive, Lake Forest, IL 60045 for sharps disposal management (comprehensive proactive sharps disposal service with reusable containers) in an amount not to exceed twenty-five thousand eight hundred ninety-three dollars and twenty-four cents (\$25,893.24) per year, effective August 1, 2016 through August 1, 2019.

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

**RESOLUTION NO. 16-320
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**AGREEMENT TO ACCEPT PAYMENTS IN-LIEU OF TAXES (PILOT)
FOR COMMERCIAL SOLAR INSTALLATIONS IN
WYOMING COUNTY**

WHEREAS, The County of Wyoming wishes to cooperate and partner with the towns, villages, and school districts in creating a unified policy to deal with the taxable status of commercial solar installations, and

WHEREAS, The real estate parcels that contain those solar installations will fall into overlapping taxing districts, and

WHEREAS, In order to treat all commercial solar installations equally within the County and to avoid a competition between townships because of variations in taxable status on commercial solar projects, and

WHEREAS, NYS Real Property Tax Law Section 487 (9) states that solar, wind and farm waste energy projects are exempt from property taxes for a period of fifteen (15) years, but are eligible to contribute to their host community through PILOT agreements, and

WHEREAS, The County of Wyoming and many of the towns, villages, and school districts agree that residential solar projects should be tax-exempt but commercial solar projects should pay their fair share of the costs of municipal expenses; and

WHEREAS, Upon approval of this Resolution, it is understood a PILOT (Payment in Lieu of Taxes) agreement will be put into place for all new commercial solar installations and no action is needed as far as "opting out" of the automatic tax exemption by any of the taxing districts. Each taxing entity will leave the state-adopted exemption in place as-is. The Town will be the lead agency in putting Solar PILOT agreements in place. Each taxing district will

August 16, 2016

have input into the PILOT agreement but will accept the Town's final decision; and

WHEREAS, All commercial solar panel arrays will be subject to a PILOT agreement to be put into place by the Town, and the PILOT proceeds will be shared by each taxing district on a pro-rated amount based upon their percentage of tax payments prior to the solar installation; and

WHEREAS, All residential and agricultural solar installations would remain as tax exempt for the fifteen (15) year period unless the law changes regarding tax exempt status; and

WHEREAS, This Resolution only applies to commercial installations, and

WHEREAS, Under Section 487(9) of the Real Property Tax Law, the PILOT agreement must not exceed the amount of taxes that the entity would have paid on the new array if there were no tax exemption; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors is in agreement with this multi-jurisdictional cooperation agreement.

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

**RESOLUTION NO. 16-321
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL
AGREEMENTS WITH THE TOWNS OF COVINGTON, GAINESVILLE,
GENESEE FALLS, JAVA AND PIKE FOR COUNTYWIDE ASSESSING
SERVICES**

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Inter-Municipal Agreements with the Towns Covington, Gainesville, Genesee Falls, Java and Pike to participate in the Countywide Assessing Services program in accordance with the fee schedule negotiated by each municipality; effective October 1, 2016 through September 30, 2019.

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

RESOLUTION NO. 16-322
(August 16, 2016)

By Mr. Kehl, 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)
Elected Officials								
Supervisor	6	VASILE, Michael	XXXX	XXXXXX		01/01/15-12/31/15	2.14	
Supervisor	6	VASILE, Michael	XXXX	XXXXXX		01/01/16-12/31/17	2.14	
Coroner	6	HILL, Renee	XXXX	XXXXXX		01/01/16-12/31/19	N/A	
Coroner	6	WILLIAMS, Neil	XXXX	XXXXXX		01/01/16-12/31/19	N/A	

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#23

RESOLUTION NO. 16-323
(August 16, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

August 16, 2016

**PRIMARY COMMERCIAL AND PRIMARY PROFESSIONAL
LIABILITY INSURANCE PREMIUMS FOR THE 2016 ~ 2017 POLICY
TERM APPROVED**

BE IT RESOLVED, That the various premiums offered by Physicians' Reciprocal Insurers (PRI) for the 2016 ~ 2017 policy term through Tompkins Insurance Agencies, Inc., 90 Main Street, Batavia, NY 14020 for the County of Wyoming are hereby approved as follows:

- ❖ Primary Commercial General Liability Insurance
 - \$57,772.00
- ❖ Primary Professional Liability Insurance
 - \$420,868.00

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

**RESOLUTION NO. 16-324
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-229 AMENDED

WHEREAS, Resolution Number 16-229 entitled, **“MEMORANDUMS OF UNDERSTANDING BY AND BETWEEN CSEA AND THE COUNTY OF WYOMING APPROVED,”** passed by this Board of Supervisors on May 10, 2016 and provided Memorandums of Understanding by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreements to allow for the following:

- Adjust salaries for the ***Respiratory Therapy*** and ***Medical Technologies*** positions employed at Wyoming County Community Hospital.
- Amend the clinical ladder program for ***Registered Professional Nurses (RPNs)*** employed at Wyoming County Skilled Nursing Facility.
- Establish twelve (12) hour shift assignments for ***Registered Professional Nurses, Licensed Practical Nurses, and Certified Nursing Assistants*** employed at Wyoming County Skilled Nursing Facility

now therefore

BE IT RESOLVED, That Resolution Number 16-229 be hereby amended to remove the amendment to the clinical ladder program for ***Registered Professional Nurses (RPNs)*** employed at Wyoming County Skilled Nursing Facility. All else remains the same.

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

**RESOLUTION NO. 16-325
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

Probation

- Create one (1) position of ***Probation Officer Trainee, FT*** (Temporary) on CSEA Schedule A Grade 13 (\$18.73 - \$21.54); position available date July 26, 2016 with only those benefits mandated by law through medical leave of current employee within the department.

Youth Bureau

- Create one (1) position of ***Student Aide*** (Temporary) to be placed on Schedule G at a rate of \$10/hr., for a period not to exceed 6 weeks; position available date July 11, 2016 with only those benefits mandated by law.
 - Fully funded by New York State Office of Children and Family Services.

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

**RESOLUTION NO. 16-326
(August 16, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULES “P”, “C”, “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:

August 16, 2016

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

- Place two (2) positions of ***Certified Nurse Midwife, FT*** on Salary Schedule “P” and set the salary at \$100,000.00 annually; position available date is January 1, 2016.

Salary Schedule “C”:***Wyoming County Community Health System*****NURSING ADMINISTRATION (ACUTE):**

- Set the salary of the ***Director of Nursing*** at \$88,640.00 annually; effective July 1, 2016.

OB CLINIC:

- Place one (1) position of ***Clinic Office Manager FT*** (1.00 FTE) and set the salary at \$39,520.00 annually; effective July 31, 2016.
- Remove one (1) position of ***Clinic Office Manager Per Diem***

Salary Schedule “S”:***Budget Office***

- Set the salary of the ***Finance Clerk I*** within the Budget Office at \$33,500.00 annually effective August 1, 2016. After successful completion of six (6) months probationary period, salary will increase to \$34,500.00 annually.

Salary Schedule “G”:***Office for the Aging***

- Funds (*stipend plus corresponding fringes*) provided through Alzheimer’s Disease Caregiver Support Initiative Grant contract through Catholic Charities of Buffalo. Amounts to be paid annually effective January 1, 2016 through December 31, 2020 to current employees for additional assigned duties only for the duration of the grant:
 - Director of Aging and Youth ~ \$2,000.00
 - Deputy Director of Aging ~ \$5,000.00
 - Senior Clerk ~ \$3,000.00
 - Account Clerk ~ \$3,000.00
 - Transportation Coordinator ~ \$3,000.00

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****Retirement of Colors ~**

- ***By Dedicated Retired Wyoming County Veterans***

Chairman Berwanger thanked all meeting attendees and acknowledged that this is always the most well attended board meeting and appreciate people taking time out to see how County government works. Thank you!

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

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

August 16, 2016

REGULAR SESSION
(September 13, 2016)
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 M. Vasile, T/Genesee Falls and Supervisor J. Copeland, T/Wethersfield. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:39 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Charles Smith

Mr. Smith was born in Bliss, New York in the fall of 1932. He graduated from Letchworth Central when the district included Bliss, Silver Springs, Gainesville, Lamont and Castile. In 1950, Mr. Smith worked at Eastman Kodak for two years before being drafted into the United States Army.

The young draftee completed basic training at Fort Jackson, North Carolina before being assigned to the US Army Band with whom he played the French horn. Mr. Smith and fifty other select soldiers received special orders to deploy immediately to Korea. Seasickness over the ensuing days and weeks in turbulent seas over many thousands of miles was buffered by the companionship of a fellow Warsaw native.

Upon arrival at Inchon, Mr. Smith was assigned to a command that served as clergy for the entire country. He was the personal driver for a Senior Officer who was considered a high value target by the enemy. Under constant pressure from opposing forces, Mr. Smith and his fellow clergymen devoted their time comforting countless ailing comrades. Soldiers deployed to Korea endured the casualties of war that affected their emotional well-being. For that reason, many sought spiritual guidance. The long journey back to Wyoming County gave him a chance to reflect on his Korean War experience. Mr. Smith returned stateside with an Honorable Discharge and for his valor and courageous service to our country, Mr. Smith earned the:

United Nations Service Medal

Regular Session

National Defense Service Medal
 Good Conduct Medal
 Korean Service Medal with One Bronze Service Star

Mr. Smith was welcomed back to his position at the then thriving Eastman Kodak and given a handsome raise. After dedicating more than three decades to the company, Mr. Smith retired. In 1984, the ambitious Smith came out of retirement to work for the Village of Warsaw as a crossing guard at the Village Park. The extra five years of income provided the Smiths' an opportunity to send their four children to college, all of whom became successful in their respective professions.

Nowadays, Mr. Smith spends his time scouring Western New York for particular stones that can be polished and made into custom jewelry for which he has received awards at the Wyoming County Fair. He also enjoys hunting, fishing and flint knapping stone tools. His most enjoyable moments are spent at family gatherings that include three grandchildren and four great grandchildren.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation to Mr. Smith and offered him an opportunity to address the Board. At which time, Mr. Smith thanked the Board for the opportunity and said he was glad to see so many faces. He asked if anyone was missing and Chairman Berwanger advised that Supervisor Vasile, T/Genesee Falls and Supervisor Copeland, T/Wethersfield were absent. Mr. Smith asked to have this thanks passed along to them.

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

Communications ~

- 08-26-16 Correspondence from Assemblyman David DiPietro acknowledging receipt of Resolution Number 16-309.
- 09-02-16 Correspondence from NYSAC Executive Director Stephen J. Acquario acknowledging receipt of Resolution Number 16-309.

#1

RESOLUTION NO. 16-327 (September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2016 ACCOUNTS

September 13, 2016

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Treasurer			
To: 01.49.8710.4.41802 Taxes on Cty. owned property. <i>w/any funds available</i>	\$4,454.39	\$4,454.39	
Reason: To cover 2016 School Taxes increased due to assessment increase.			
Treasurer Total			\$4,454.39
Building Codes			
To: 01.37.3620.1.10302 OT–Includes Full/Part Time w/01.03.3620.1289 Other Income	\$274.07	\$274.07	
Reason: To cover overtime spent on the Buffalo Hill concert.			
Building Codes Total			\$274.07
Emergency Services			
To: 01.37.3640.1.10302 OT–Includes Full/Part Time w/01.03.3640.1289 Other Income	\$2,197.73	\$2,197.73	
Reason: To cover overtime spent on the Buffalo Hill concert.			
			\$2,197.73
Animal Control			
To: 01.37.3510.4.41110 Dog Control Supplies w/ 01.09.3510.2705 Donations	\$719.04	\$719.04	
Reason: To cover needed supplies.			
Animal Control Total			\$719.04
Office for the Aging			
To: 01.44.6772.1.10101 Full Time CSEA 01.44.6772.4.42467 Alzheimer Grant w/01.03.6772.128922 Alzheimer Caregiver Grant Rev.	\$6,507.00 51,169.00	\$57,676.00	
Reason: To appropriate remainder of Alzheimer's Caregiver allocation. Previously appropriated \$51,723.00 on 6/22/16 of the \$109,399.00 allocation.			
Office for the Aging Total			\$57,676.00
Mental Health			
To: 01.38.4220.4.42476 CCSI w/01.12.4220.4492 Federal Aid	\$356.00	\$356.00	
Reason: COLA increase received from OASAS for Prevention Services.			
To: 01.38.4250.4.42405 Chemical Abuse w/01.11.4250.3490 State Aid	\$280.00	\$280.00	
Reason: COLA increase received from OASAS for Spectrum Direct service.			
Mental Health Total			\$636.00

September 13, 2016

Public Defender			
To: 01.32.1170.4.40201 Dues 01.32.1170.4.40305 Other 01.32.1170.4.40503 Gasoline 01.32.1170.8.84001 Unemployment w/01.11.1170.3089 (Other State Aid) Reason: To cover Public Defender costs of dues, professional services, gasoline, and unemployment expenses.	\$35.00 4,975.00 439.56 7,120.94	\$12,570.50	
Public Defender Total			\$12,570.50
District Attorney			
To: 01.32.1167.4.41010 Supplies w/01.12.1167.4389 Federal Block Grant Reason: This money was allowed to be rolled over from the 2015 grant to be used in the supply/misc. equipment line in the 2016 grant.	\$587.44	\$587.44	
District Attorney Total			\$587.44

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling
\$3,538,132.41 for the month of **August 2016**.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

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

#3

RESOLUTION NO. 16-329
(September 13, 2016)

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

RESOLUTION NUMBER 12-157 AMENDED

**WHEREAS, Resolution Number 12-157 entitled, “CHAIRMAN
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE BOARD OF
ELECTIONS ON BEHALF OF WYOMING COUNTY BOARD OF
ELECTIONS,”** passed by this Board of Supervisors on May 8, 2012 and

Regular Session

BE IT RESOLVED, That Resolution Number 12-157 as previously amended by Resolution Number 14-233 be further amended to extend the contract from March 31, 2016 through March 31, 2017. All else remains the same.

#4

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

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of September , 2016, a proposed local law entitled, “Local Law Introductory No. B, Year 2016, **“A LOCAL LAW TO CONTINUE TO IMPOSE A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY”**”; and

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 **11th day of October, 2016 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

September 13, 2016

INTRODUCTORY LOCAL LAW NO. B - YEAR 2016**A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008**

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

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

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

SECTION 1. This local law hereby repeals local law number 8 of 2008 which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 8 of 2008 is not retroactive. The purpose of the repeal is to make clear that this **2016** local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.

SECTION 2. IMPOSITION OF TAXES.

For the period commencing **December 01, 2016 through November 30, 2018**, there is hereby imposed in Wyoming County a tax of twenty five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). County of Wyoming.

SECTION 3. APPLICABILITY.

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either

inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Wyoming County,” unless a different meaning is clearly required.

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

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

SECTION 5. ADDITIONAL TAXES.

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

SECTION 6. DISPOSITION OF TAXES.

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

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

SECTION 7. EFFECTIVE DATE

This local law shall become effective **December 01, 2016 through November 30, 2018.**

DATED at Warsaw, New York
September 13, 2016 (Introduced)
Cheryl J. Ketchum,^{CMC}
Clerk

There was a motion by Ms. Grant, T/Bennington, to combine Resolutions #5 through #14. Hearing no objection resolution titles were read.

#5

RESOLUTION NO. 16-331 (September 13, 2016)

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

RICHARD S. PEREZ REAPPOINTED DIRECTOR OF VETERANS SERVICES

BE IT RESOLVED, That Richard S. Perez, 40 Dolbeer Street, Perry, NY 14530 be hereby reappointed to the position of Director of Veterans Services, pursuant to County Law §800, for a term of two (2) years; effective September 15, 2016 through September 14, 2018.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
57 Total

#6

RESOLUTION NO. 16-332 (September 13, 2016)

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

RESOLUTION NUMBER 16-326 AMENDED

Regular Session

NATIONAL YOUTH COURT MONTH PROCLAIMED

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

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

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

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

WHEREAS, That the Wyoming County Board of Supervisors strongly supports Youth Court programs because they help build healthier and safer communities. The Board of Supervisors 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 hereby proclaims the month of September 2016 as "**NATIONAL YOUTH COURT MONTH**"; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors call 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: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#8

RESOLUTION NO. 16-334
(September 13, 2016)

Regular Session

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MARIA
CZECHOWSKI 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 contract with Maria Czechowski, 13939 Whitney Road, Holland, NY 14080 on behalf of the Youth Bureau. Said contract is for pre-school related services (Occupational Therapy) in an amount not to exceed the 2015 ~ 2018 budget; effective September 1, 2016 through June 30, 2018.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#9

RESOLUTION NO. 16-335
(September 13, 2016)

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:

Agency Members

Two (2) year unexpired term effective September 13, 2016 through December 31, 2016

- Matt Hilton (YMCA Executive Director), 115 Linwood Avenue, Warsaw, NY 14569 (*replacing Gordon Lew*)

Community Members

Three (3) year unexpired term effective September 13, 2016 through December 31, 2017

- Bonnie Bagley (DSS Community Member) 466 North Main Street, Warsaw, NY 14569 (*filling vacant position*)

Youth Representatives

One (1) year term effective January 1, 2017 through December 31, 2017

September 13, 2016

- Morgan Millhollen, 2008 Simmons Road, Perry, NY 14530 (*replacing AC Casseri*)
- Sam Matthews, 3967 Sowerby Road, Silver Springs, NY 14550 (*replacing Jake Kramell*)

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#10

RESOLUTION NO. 16-336
(September 13, 2016)

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

RESOLUTION NUMBER 15-224 AMENDED

WHEREAS, Resolution Number 15-224 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE YOUTH BUREAU**”, was passed by this Board of Supervisors on June 9, 2015 and provided, in part, for the following contract:

- **Integrated Therapy Services of WNY (RS)**, 25 Liberty Street, Batavia, NY 14020

now therefore,

BE IT RESOLVED, That Resolution Number 15-224 be hereby amended to include the following:

- Coordination shall be reimbursed at the rate of fifty dollars (\$50.00) per half hour of individual services as established by the County for service providers coordinating two (2) or more related services pursuant to section 4410 (10) (c) of the Education Law.
- The rate shall be paid once monthly for up to ten (10) sessions during the school year and up to two (2) sessions during a summer or extended school year.

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

Regular Session

**RESOLUTION NO. 16-337
(September 13, 2016)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A CONTRACT WITH NEW DIRECTIONS YOUTH AND
FAMILY SERVICES, INC. ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with New Directions Youth and Family Services, Inc. (Community Based Treatment (CBT) Program on behalf of the Department of Social Services. Said contract to provide social work services, mentoring and supervised visitation for the youth served by the CBT Program in an amount not to exceed fifty thousand nine hundred twenty-four dollars (\$50,924.00); effective October 1, 2016 through September 30, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
57 Total

#12

**RESOLUTION NO. 16-338
(September 13, 2016)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with Berkshire Farm Center and Services for Youth, 13640 Route 22, Canaan, NY 12029 on behalf of the Department of Social Services. Said contract is for providing residential foster

September 13, 2016

care services for Wyoming County children/youth in an amount not to exceed eighty-four thousand three hundred ninety-two dollars (\$84,392.00); effective July 25, 2016 through June 30, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
 57 Total

#13

**RESOLUTION NO. 16-339
 (September 13, 2016)**

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

RESOLUTION NUMBER 16-277 AMENDED

WHEREAS, Resolution Number 16-277 entitled,
**“CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
 AUTHORIZED TO SIGN VARIOUS WELFARE MANAGEMENT
 SYSTEM CONTRACTS ON BEHALF OF THE DEPARTMENT OF
 SOCIAL SERVICES”**, was passed by this Board of Supervisors on July 12,
 2016 and provided, in part, for the following contract:

- **The William George Agency for Children’s Services, Inc.**, 380
 Freeville Road, Freeville, NY 13068 in an amount not to exceed
 seventy-five thousand four hundred ninety-seven dollars (\$75,497.00)
 for one (1) child; effective July 1, 2016 through June 30, 2017.

now therefore,

BE IT RESOLVED, That Resolution Number 16-277 be hereby
 amended to add an additional child, for a total of two (2) children, in an amount
 not to exceed one hundred thirty-eight thousand dollars (\$138,000.00) for a new
 total contract amount not to exceed two hundred thirteen thousand four hundred
 ninety-seven dollars (\$213,497.00).

All else remains the same.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
 57 Total

RESOLUTION NO. 16-340
(September 13, 2016)

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

HUNGER ACTION MONTH PROCLAIMED

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

WHEREAS, According to Feeding America, there are more than 4,500 Wyoming County residents (or one in nine people) who are considered food insecure, meaning they do not have enough food to live a healthy life; and

WHEREAS, For the youngest residents of our county, food insecurity is more ubiquitous, affecting one in five children; and

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims the month of September 2016 as **“HUNGER ACTION MONTH”** in Wyoming County.

September 13, 2016

Supervisor Grant then invited Phil Shippers and Mark Dwyer from Foodlink to join her at the podium for the reading and acceptance of the Hunger Action Month Proclamation.

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. 16-341
(September 13, 2016)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE SUICIDE PREVENTION CENTER OF NY ON
BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with Suicide Prevention Center of NY, 150 Broadway, Suite 130, Menards, NY 12204 on behalf of Mental Health. Said grant to fund the “Cup of Joe” event to be held at the Department of Social Services in a

#16

RESOLUTION NO. 16-342
(September 13, 2016)

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

RESOLUTION NUMBER 15-406 AMENDED

WHEREAS, Resolution Number 15-406 entitled, “CHAIRMAN AUTHORIZED TO SIGN 2016 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH” passed by this Board of Supervisors on November 10, 2015 and provides for various renewal contracts for FY 2016 for Mental Health; and

WHEREAS, Resolution Number 15-406 was previously amended by this Board of Supervisors on March 8, 2016 by ***Resolution Number 16-120*** to reflect the following changes:

B. **Suburban Adult Services, Inc.**, contract renewal in an amount not to exceed \$38,090.00; effective January 1, 2016 through December 31, 2016:

- Total contract amount increased by \$953.00 for a new total amount of **\$39,043.00**

F. **Spectrum Human Services, Inc.**, contract renewal in an amount not to exceed \$565,542.00; effective January 1, 2016 through December 31, 2016:

- Total contract amount decreased by \$8,441.00 for a new total amount of **\$557,101.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an amount not to exceed \$378,596.00; effective January 1, 2016 through December 31, 2016.

- Total contract amount increased by \$6,300.00 for a new total amount of **\$384,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by

September 13, 2016

Resolution Number 16-120 was further amended by this Board of Supervisors on April 12, 2016 by **Resolution Number 16-165** to reflect the following changes:

C. **Wyoming County Community Hospital**, contract renewal in an amount not to exceed \$171,573.00; effective January 1, 2016 through December 31, 2016 as follows:

- Total contract amount decreased by \$820.00 for a new total amount of **\$170,753.00**

G. **Living Opportunities of DePaul**, contract renewal in an amount not to exceed \$305,817.00; effective January 1, 2016 through December 31, 2016 as follows:

- Original contract amount corrected to \$306,378.00
- Corrected contract amount increased by \$211.00 for a new total amount of **\$306,589.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120 and Resolution Number 16-165 was further amended by this Board of Supervisors on May 10, 2016 by **Resolution Number 16-203** to reflect the following changes:

F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed \$557,101.00; effective January 1, 2016 through December 31, 2016:

- Total *amended* contract amount increased by \$1,909.00 for a new total amount of **\$559,010.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an *amended* amount not to exceed \$384,896.00; effective January 1, 2016 through December 31, 2016:

- Total *amended* contract amount increased by \$20,000.00 for a new total amount of **\$404,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165 and Resolution Number 16-203 was further amended by this Board of Supervisors on June 14, 2016 by **Resolution Number 16-248** to reflect the following changes:

E. **Hillside Children's Center**, contract renewal in an amount not to exceed \$91,101.00; effective January 1, 2016 through December 31, 2016

- Total contract amount increased by \$1,500.00 for a new total amount of **\$92,601.00**

F. **Spectrum Human Services, Inc.**, contract renewal in an ***amended*** amount not to exceed \$559,010.00; effective January 1, 2016 through December 31, 2016

- Total *amended* contract amount increased by \$2,768.00 for a new total amount of **\$561,778.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165, Resolution Number 16-203 and Resolution Number 16-248 was further amended by this Board of Supervisors on August 16, 2016 by ***Resolution Number 16-307*** to reflect the following changes:

C. **Wyoming County Community Hospital**, contract renewal in an *amended* amount not to exceed \$170,753.00; effective January 1, 2016 through December 31, 2016 as follows:

- Total *amended* contract increased by \$22,721.88 for a new total amount of **\$193,474.88**; now therefore,

BE IT RESOLVED, That Resolution Number 15-406 as previously amended by Resolution Numbers 16-120, 16-165, 16-203, 16-248 and 16-307 be further amended to reflect the following changes:

F. **Spectrum Human Services, Inc.**, contract renewal in an ***amended*** amount not to exceed **\$561,778.00**; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$280.00 for a new total amount of **\$562,058.00**; and

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an *amended* amount not to exceed **\$404,896.00**; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$356.00 for a new total amount of **\$405,252.00**

All else remains the same.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
57 Total

#17

RESOLUTION NO. 16-343
(September 13, 2016)

September 13, 2016

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

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

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with Health Research Incorporated, 150 Broadway, Suite 560, Menands, NY 12204 on behalf of the County Health Department. Said grant to fund the Integrated Breast, Cervical and Colorectal Cancer Screening Program for clinical services in a ***maximum amount*** of ten thousand dollars (\$10,000.00); effective June 30, 2016 through June 29, 2017.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

There was a motion by Mr. Leuer, T/Middlebury, to combine Resolutions #18 through #20. Hearing no objection resolution titles were read.

#18

RESOLUTION NO. 16-344
(September 13, 2016)

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL
AGREEMENTS WITH PARTICIPATING MUNICIPALITIES OF
WYOMING COUNTY ON BEHALF OF THE
PLANNING DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign applicable and appropriate inter-municipal agreements with the participating municipalities of Wyoming County on behalf of the Planning Department. Said agreements are for the provision of curbside collection services per the adopted rates outline in Resolution Number 15-201; effective January 1, 2017 through December 31, 2020.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
 57 Total

#19

RESOLUTION NO. 16-345
(September 13, 2016)

By Mr. Leuer, Chairman of the Planning Committee:

CHARLOTTE SMALLWOOD-COOK DAY PROCLAIMED

WHEREAS, Charlotte Munn Licht married Edward M. Smallwood in 1943 and graduated from Cornell University (A.B.) in 1944 and from Columbia Law School (LL.B.) in 1946. She then moved with her husband Edward (Ned) Smallwood moved back to Ned's hometown of Warsaw, New York where they began to practice law as partners; and

WHEREAS, In 1949, at the age of twenty-six, Mrs. Smallwood ran for the Office of Wyoming County District Attorney. She took office in January of 1950 and became the first female elected District Attorney in New York State. During her term she successfully prosecuted Wyoming County's first murder case in over forty years; and

WHEREAS, Mrs. Smallwood served one term as District Attorney before returning to a full-time law practice in Warsaw, later purchasing and moving into the Augustus Frank house on Main Street. Mrs. Smallwood and her husband Ned had two children, Edward and Susan. Mrs. Smallwood's husband Ned passed away in 1952 and in 1970, she married Frederick S. Cook; and

WHEREAS, Mrs. Smallwood-Cook has been a member of many Bar and Legal Associations in New York State and has received numerous awards over her lifetime. She received the Woman of Distinction Award, New York State Woman of the Year Award, and the Distinguished Career Award by the New York State District Attorney's Association. Mrs. Smallwood-Cook also enjoyed the arts and was an accomplished painter in her own right; and

WHEREAS, Charlotte Smallwood-Cook passed away on January 26, 2013. To honor her memory and compassion the Charlotte House Comfort home residence has been created as a place of rest and care for the terminally ill; now therefore

BE IT RESOLVED, That it is with great respect and admiration that the Wyoming County Board of Supervisors do hereby proclaim October 9, 2016

September 13, 2016

as **CHARLOTTE SMALLWOOD-COOK DAY IN WYOMING COUNTY;**
and be it

FURTHER RESOLVED, That this Board of Supervisors, in her memory, recognizes Mrs. Smallwood-Cook's contributions to the community and joins with the citizens of the County in celebrating her life and accomplishments on a day in her honor. The day will host a showing of her artworks and art classes at her former home, the historic Augustus Frank House, in Warsaw. The day will also celebrate Charlotte Smallwood-Cook's lasting legacy to the citizens of Wyoming County and will encourage others to be more involved in the community.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

After the adoption of Resolutions #18 and #19, Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to read the Charlotte Smallwood-Cook Day Proclamation.

#20

RESOLUTION NO. 16-346
(September 13, 2016)

By Mr. Brick, Chairman of the Agriculture Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH PIONEER FORESTRY, LLC (ERIC STAWITZKY) ON BEHALF OF WYOMING COUNTY REFORESTATION

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign contracts with Pioneer Forestry, LLC (Eric Stawitzky), 4000 Skunk Hollow Road, Jamestown NY 14701 on behalf of Wyoming County Reforestation. Said contract is for the following services in accordance with the August 2011 Ten-Year Plan:

- **Poplar Tree Road, Completed Softwood Timber Sale ~ Row and Group Thinning in Stands 1 and 5;** in an amount not to exceed four thousand five hundred dollars (\$4,500.00) for the following:
 - Designate material to remove
 - Establish skid roads and landing area to allow for tree removal
 - Retain purchaser to complete treatment
 - Execute contract and obtain sale proceeds/performance bond

- Perform harvesting inspections to ensure contract compliance (includes final cleanup)
- **Hobday Road, Completed Softwood Timber Sale ~ Row and Group Thinning in Stands 5, 7, 10 and 11;** in an amount not to exceed four thousand five hundred dollars (\$4,500.00) for the following:
 - Designate material to remove
 - Establish skid roads and landing area to allow for tree removal
 - Retain purchaser to complete treatment
 - Execute contract and obtain sale proceeds/performance bond
 - Perform harvesting inspections to ensure contract compliance (includes final cleanup)
- **Hobday Road, Completed Ash Only Timber Sale ~ Stand 2;** in an amount not to exceed two thousand dollars (\$2,000.00) for the following:
 - Designate material to remove
 - Establish skid roads and landing area to allow for tree removal
 - Retain purchaser to complete treatment
 - Execute contract and obtain sale proceeds/performance bond
 - Perform harvesting inspections to ensure contract compliance (includes final cleanup)

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

There was a motion by Mrs. May, T/Orangeville, to combine Resolutions #21 through #25. Hearing no objection resolution titles were read.

#21

RESOLUTION NO. 16-347
(September 13, 2016)

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

RESOLUTION NUMBER 15-312 AMENDED

WHEREAS, Resolution Number 15-312 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF THE SHERIFF’S DEPARTMENT**” passed by this Board of Supervisors on September 8, 2015 and provides for court security for County, Family and Supreme Court in a *maximum* amount of three hundred fifteen thousand dollars (\$315,000.00); effective April 1, 2015 through March 31, 2016; now therefore

September 13, 2016

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

Regular Session

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
 57 Total

#23

RESOLUTION NO. 16-349
(September 13, 2016)

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

RESOLUTION NUMBER 14-088 AMENDED

WHEREAS, Resolution Number 14-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATIONS AND ACCEPTANCES AWARD WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE,**” passed by this Board of Supervisors on February 11, 2014 and provides in part, for the following contract:

- **2013 ILSF Distribution** Contract Number C000356 in a minimum amount of fifty-one thousand sixty dollars (\$51,060.00) (\$17,020.00 per year); effective June 1, 2013 to May 31, 2016. ***Distribution #3***; and

WHEREAS, Resolution Number 14-088 was previously amended by this Board of Supervisors on April 12, 2016 by ***Resolution Number 16-182*** to extend the expiration date of the 2013 ILSF Distribution Contract Number C000356 for Distribution #3 from May 31, 2016 to December 31, 2018; now therefore

BE IT RESOLVED, That Resolution Number 14-088 as previously amended by Resolution Number 16-182 be further amended to correct the expiration date from December 31, 2018 to December 31, 2017.

All else remains the same.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
 57 Total

#24

RESOLUTION NO. 16-350
(September 13, 2016)

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

September 13, 2016

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

Salary Schedule “G”:

Public Defender

- Provide a one-time stipend plus corresponding fringes to the **Investigator** (PD) in the amount of \$5,000.00 annually; effective March 18, 2016.
 - *Funds are provided through ILS Counsel at First Appearance Grant.*

and;

WHEREAS, Resolution Number 16-298 was previously amended by this Board of Supervisors on August 16, 2016 by ***Resolution Number 16-317*** to amend Salary Schedule “C”; now therefore

BE IT RESOLVED, That Resolution Number 16-298 as previously amended by Resolution Number 16-137 be further amended to correct Salary Schedule “G” as follows:

Salary Schedule “G”:

Public Defender

- Provide an annual stipend plus corresponding fringes to the **Investigator** (PD) in the amount of \$5,000.00 bi-weekly; effective March 18, 2016 through December 31, 2017.
 - *Funds are provided through ILS Counsel at First Appearance Grant.*

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#25

RESOLUTION NO. 16-351
(September 13, 2016)

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

Regular Session

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign grant applications and acceptance awards with the following:

- **New York State Division of Criminal Justice Services**, 80 South Swan Street, Albany, New York 12210:
 - Funding for *Aid to Prosecution* in a minimum amount of twenty-nine thousand two hundred dollars (\$29,200.00); effective October 1, 2016 through September 30, 2017.
 - Funding for *Domestic Violence Prevention* in a minimum amount of twenty thousand dollars (\$20,000.00); effective November 1, 2016 through October 31, 2017.
 - Funding for *Youth Court Prevention* in a minimum amount of four thousand dollars (\$4,000.00); effective September 1, 2016 through August 31, 2017.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

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

#26

RESOLUTION NO. 16-352
(September 13, 2016)

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH T.C.C.T., INC. ON BEHALF OF
BUILDINGS AND GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with T.C.C.T., Inc., Joanne Ballard and Terry Pierson, 46 North Maple Street, Warsaw NY 14569 on behalf of Buildings and Grounds (Co. Bldgs.).

September 13, 2016

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Said contract is for cleaning services at the Ag and Business Center in an amount not to exceed forty-three thousand two hundred sixty dollars (\$43,260.00); effective October 14, 2016 through October 13, 2017.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#27

RESOLUTION NO. 16-353
(September 13, 2016)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Unified Court System, 92 Franklin Street, 3rd Floor, Buffalo, NY 14202 on behalf of the Buildings and Grounds (Co. Bldgs.). Said grant award is for the cleaning and minor repairs and maintenance of the Court Facility in a *maximum amount* of sixty-two thousand five hundred thirty-two dollars (\$62,532.00); effective April 1, 2016 through March 31, 2017. (*Contract Number C300358*)

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#28

RESOLUTION NO. 16-354
(September 13, 2016)

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

**CHAIRMAN TO ACCEPT THE “Onondaga County Bid Award, Contract
Reference Number 7823” AND EXERCISE THE RIGHT TO
“PIGGYBACK” AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER
GML §103 (16)**

Regular Session

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to accept the “*Onondaga County Bid Award, Contract Reference Number 7823*” and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16). Bid awarded to Kenworth Northeast Group, Inc., 100 Commerce Drive, Buffalo, NY 14218; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized and directed to sign a contract with Kenworth Northeast Group, Inc. for the purchase of a 2017 Kenworth T800 Cab/Chassis with steel dump body in an amount not to exceed one hundred forty-five thousand five hundred dollars (\$145,500.00); effective September 13, 2016 through the purchase of said vehicle. Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
 57 Total

#29

RESOLUTION NO. 16-355
(September 13, 2016)

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

RESOLUTION NUMBER 16-315 AMENDED

WHEREAS, Resolution Number 16-315 entitled, “**2015/2016 SALT BID APPROVED ~ 2016/2017 SALT BID APPROVED**”, was passed by this Board of Supervisors on August 16, 2016 on behalf of County Highway for the purchase of salt for the *2015/2016 snow season* and the *2016/2017 snow season* to American Rock Salt Co., LLC, PO Box 190, Mt. Morris, New York 14510 in an amount not to exceed forty-eight dollars and fifty cents (\$48.50) per ton; effective September 1, 2015 through May 31, 2016 (*2015/2016 snow season*) and effective September 1, 2016 through May 31, 2017 (*2016/2017 snow season*); now therefore

BE IT RESOLVED, That Resolution Number 16-315 be hereby amended to delete the *2016/2017 snow season* for the purchase of salt from American Rock Salt Co., LLC. All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
 57 Total

September 13, 2016

RESOLUTION NO. 16-356
(September 13, 2016)

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

2016 ~ 2017 SALT AND SAND BIDS APPROVED

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to award a bid for the purchase of salt for the **2016~ 2017 Snow Season** to **American Rock Salt Co., LLC**, PO Box 190, Mt. Morris, New York 14510 in an amount not to exceed forty-eight dollars and fifty cents (\$48.50) per ton; effective September 12, 2016 through May 31, 2017; 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 **2016~ 2017 Snow Season** per the attached schedule; effective September 12, 2016 through August 31, 2017; 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:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
 38 (Wethersfield)
 57 Total

WYOMING COUNTY HIGHWAY DEPARTMENT
Silver Springs, New York 14550

ABRASIVE GRIT

Bids opened September 9, 2016

Contract period – 9/12/16 – 8/31/17

<u>Town</u>	<u>Price/Ton @ Town Stockpile Location</u>	<u>Supplier</u>
Arcade	9.15	Gernatt Asphalt Products
Attica	10.80	M & M Aggregates
Bennington	10.80	M & M Aggregates
Castile	10.20	M & M Aggregates
Covington	11.20	M & M Aggregates
Eagle	9.25	M & M Aggregates
Gainesville	10.45	M & M Aggregates
Genesee Falls	10.95	Spallina Materials
Java	9.60	M & M Aggregates
Middlebury	11.00	M & M Aggregates
Orangeville	10.10	M & M Aggregates
Perry	11.05	M & M Aggregates
Pike	8.90	M & M Aggregates
Sheldon	9.70	M & M Aggregates
Warsaw	10.15	M & M Aggregates
Wethersfield	9.90	M & M Aggregates

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

#31

**RESOLUTION NO. 16-357
(September 13, 2016)**

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

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO
EXTEND THE SNOW & ICE REMOVAL AGREEMENTS WITH
TOWNS AND VILLAGES FOR 2017/2018**

September 13, 2016

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 §135a 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 **2017/2018**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2017/2018** ~ The base rate will be frozen at the 2016/2017 base rate. If the state snow index goes above 1.4 (as determined by New York State Department of Transportation calculations) the base rate will be increased by \$100.00 per mile.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

There was a motion by Mr. Kehl, T/Attica, to combine Resolutions #32 through #49. Hearing no objection resolution titles were read.

#32

RESOLUTION NO. 16-358
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 INVERGENT, INC. ON BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Invergent, Inc., 247 Cayuga Road North, Suite 300, P.O. Box 60, Cheektowaga, NY 14225 on behalf of Information Technology. Said contract is for the maintenance of the Adtran Voice Over IP (VOIP) phone system and network equipment in an amount not to exceed twelve thousand two hundred

seventy-eight dollars (\$12,278.00); effective August 10, 2016 through August 9, 2017. (*Contract Number PT65086*)

Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#33

RESOLUTION NO. 16-359
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

PROPERTY AUCTION SALES APPROVED

WHEREAS, the County has acquired the right to transfer the following properties pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law, and

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

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

183.14-1-93	Edward R. Church and Charles Horning, 5558 Boradway, Lancaster, NY 14086 has offered \$67,000 for property located at 266 Main Street in the Town of Arcade.
182.12-1-8	Jose Spolveda, 520 North Street, Arcade, NY 14009 has offered \$1,300 for property located at North Street in the Town of Arcade.
164.-1-14.12	Colleen Richardson, 12 Prospect Street, Arcade, NY 14009 has offered \$9,500 for property located at 6582 Youngers Road in the Town of Arcade.
6.10-2-31.1	KDS Enterprises Group, LLC, PO Box 27818, Tucson, AZ 85726 has offered \$200 for property located at North Street in the Town of Attica.
33.-2-55	Michael J. McPherson and Sandra M. McPherson Living Trust, 4057 Plowe Road, Attica, NY 14001 has offered \$4,500 for property located at 3397 Plowe Road in the Town of Attica.
55.-1-14	Milly Castro, 303 Jersey Street, Buffalo, NY 14201 has offered \$21,250 for property located at 1927 Alleghany Road in the Town of Bennington.
147.10-2-9	John W. Dunkle Jr. and Dawn M. Dunkle, 6230 Clinton Street, Elma, NY 14059 has offered \$18,500 for property located at 116 South Main Street in the Town of Castile.
112.-1-15	Eric Herrmann, 3786 Sowerby Road, Silvers Springs, NY 14550 has offered \$16,000 for property located at 7027 East Lake Road in the Town of Castile.

September 13, 2016

100.18-1-48	John W. Dunkle Jr. and Dawn M. Dunkle, 6230 Clinton Street, Elma, NY 14059 has offered \$15,000 for property located at 3873 (30) Perry Avenue in the Town of Castile.
100.17-2-35	John W. Dunkle Jr. and Dawn M. Dunkle, 6230 Clinton Street, Elma, NY 14059 has offered \$10,000 for property located at 3868 (31) Perry Avenue in the Town of Castile.
114.2-1-25	Scott Walters, 84 Sweeney Street, North Tonawanda, NY 14120 has offered \$47,500 for property located at 4553 Route 78 in the Town of Java.
35.-1-20	Curtis L. Cooke and Denice Watts, PO Box 314, Albion, NY 14411 has offered \$37,000 for property located at 5116 Fox Road in the Town of Middlebury.
100.7-10-35	Clayton M. Stowell and Brenda L. Stowell, 5867 Mungers Mill Road, Silver Springs, NY 14550 has offered \$21,500 for property located at 46 Leicester Street in the Town of Perry.
100.8-1-24	John W. Dunkle Jr. and Dawn M. Dunkle, 6230 Clinton Street, Elma, NY 14059 has offered \$9,000 for property located at 37 Water Street in the Town of Perry.
100.7-5-8	John W. Dunkle Jr. and Dawn M. Dunkle, 6230 Clinton Street, Elma, NY 14059 has offered \$8,000 for property located at 20 North Center St in the Town of Perry.
88.20-2-16	KRT Realty, LLC, 12 Fruit Street, Perry, NY 14530 has offered \$17,500 for property located at 37 Olin Avenue in the Town of Perry.
158.-1-29	Glenn Murray, 6047 Rt 39, Castile, NY 14427 has offered \$6,000 for property located at 5733 Route 39 in the Town of Pike.
158.-1-69.21	Duane A. Skiver, 4153 Route 39, Bliss, NY 14024 has offered \$10,250 for property located at 5819 Murphy Road in the Town of Pike.
80.2-1-31	Milly Castro, 303 Jersey Street, Buffalo, NY 14201 has offered \$8,000 for property located at Centerline Road in the Town of Sheldon.
85.11-3-3	Warsaw Property Management, LLC, 2071 Crittenden Road, Alden, NY 14004 has offered \$12,500 for property located at 11 Brooklyn Street in the Town of Warsaw.

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 28, 2016.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#34

RESOLUTION NO. 16-360
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

SALE OF PROPERTY APPROVED

WHEREAS, The County has acquired the right to transfer the following properties pursuant to a Judgment of Foreclosure Index 48218 under Article 11 of the Real Property Tax Law; and

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WHEREAS, The Finance Committee of the Board of Supervisors has obtained an offer to purchase said property and recommends the acceptance thereof, namely:

WHEREAS, The Town of Covington, has offered \$1.00 for said property located on Court Road, Town of Covington, namely

Tax Map # 25.-1-32: Town of Covington, 7083 Court Road, PO Box 128, Pavilion, NY 14525 has offered \$1.00 for property located on Court Road in the Town of Covington; now therefore

BE IT RESOLVED, That the above is hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by him on or before November 8, 2016.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
 57 Total

#35

RESOLUTION NO. 16-361
(September 13, 2016)

By Mr. Kehl, 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 2016~2017 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

September 13, 2016

against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#36

RESOLUTION NO. 16-362
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FISCAL
 ADVISORS ON BEHALF OF THE COUNTY TREASURER**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Fiscal Advisors, 120 Walton Street, Suite 600, Syracuse, NY 13202 on behalf of the County Treasurer. Said contract is for fiscal services for compliance with Securities and Exchange Commission Rule 15c2-12(b) (5) (i) (c) in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#37

RESOLUTION NO. 16-363
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-265 AMENDED

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

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

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

RESOLUTION NO. 16-364
(September 13, 2016)

RESOLUTION NUMBER 15-004 AMENDED

- **University of Rochester Medical Center** (a division of the University of Rochester) 601 Elmwood Avenue, P. O. Box 670, Rochester, NY 14642 for an ***Interim Consulting Agreement*** in an amount not to exceed two hundred thousand dollars (\$200,000.00); effective January 2, 2015; and

September 13, 2016

WHEREAS, That Resolution Number 15-004 was previously amended by this Board of Supervisors on February 9, 2016 by ***Resolution Number 16-086*** as follows:

Original Term:

- Add the end date of June 30, 2015.

Amendment No. 1:

- Amend the title of the contract from ***“Interim Consulting Agreement”*** to ***“Administrative Services Agreement”***.
- Extend term from July 1, 2015 through December 31, 2015.
- Increase the dollar amount to \$400,000.00.

Amendment No. 2:

- Extend term of the ***Administrative Services Agreement*** from January 1, 2016 through June 30, 2016 in an amount not to exceed \$400,000.00.

now therefore,

BE IT RESOLVED, That Resolution Number 15-004 as previously amended by Resolution Number 16-086 be further amended as follows:

Amendment No. 3:

- Extend term of the *Administrative Services Agreement* from June 30, 2016 to December 31, 2016.

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#39

RESOLUTION NO. 16-365
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-392 AMENDED

WHEREAS, Resolution Number 15-392 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on October 13, 2015 and provides, in part, for the

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- **American Data Network, LLC**, 10809 Executive Center Drive, Suite 300, Little Rock, Arkansas 72211 for chart abstracting services for quality measures, cost based on volume and varies quarterly in an amount not to exceed \$65,000.00 annually; effective October 01, 2015 through September 30, 2016.
- **Daniel M. Downs, M.D.**, 114 Cassie Drive, Apt. 2, Norwich, NY 13815 to provide orthopaedic clinic and surgery services for the New York State Department of Corrections and Community Supervision (DOCCS) at the department of corrections facilities and at WCCHS. Compensation will be at a rate of \$1,150 per half-day corrections clinic plus payment for services provided to DOCCS patients at WCCHS at the rate of 125% times the standard Medicare payment rate. WCCHS to provide or reimburse for malpractice insurance at cost; effective September 28, 2015 through September 27, 2016 and shall be automatically renewed for one (1) additional one-year term.

now therefore,

BE IT RESOLVED, That Resolution Number 15-392 be hereby amended as follows:

- **American Data Network, LLC**
 - To extend the term through September 30, 2017 in an amount not to exceed sixty-five thousand dollars (\$65,000.00) per year based on volume; varies quarterly.
- **Daniel M. Downs, M.D.**
 - To exercise the automatic renewal for one (1) additional one-year term effective September 28, 2016 through September 27, 2017.

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#40

RESOLUTION NO. 16-366
(September 13, 2016)

September 13, 2016

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-148 AMENDED

WHEREAS, Resolution Number 16-148 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,” passed by this Board of Supervisors on March 8, 2016 and provides, in part, for the following contract:

- **University of Rochester** (through the University of Rochester Medical Center), 601 Elmwood Avenue, Box 706, Rochester, NY 14624 to provide medical director services to WCCHS as follows:
 - Annual compensation in an amount not to exceed forty-eight thousand dollars (\$48,000.00) plus eligible WCCH business expenses; effective August 15, 2015 through December 31, 2015.
 - Annual compensation shall be increased by three percent (3%) annually plus eligible WCCH business expenses; effective January 1, 2016 through August 14, 2018; now therefore,

BE IT RESOLVED, That Resolution Number 16-148 be hereby amended as follows:

- Increase the time commitment required to 10-11 hours per week in Schedule A.
- Increase the annual compensation to sixty-five thousand dollars (\$65,000.00) plus eligible WCCHS business expenses; effective August 16, 2016.

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#41

RESOLUTION NO. 16-367
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

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 on behalf of the Wyoming County Community Health System and provides, in part, for the following contract:

- **F. F. Thompson Health System, Inc.**, 350 Parrish Street, Canandaigua, New York 14424 related to the provision of management and operational services in the areas of health information management (HIM), patient accounts and registration in an amount not to exceed one million two hundred eleven thousand nine hundred forty-three dollars (\$1,211,943.00) in year one; one million two hundred forty-two thousand two hundred forty-one dollars (\$1,242,241.00) in year two; and one million two hundred seventy-three thousand two hundred ninety-seven dollars (\$1,273,297.00) in year three; effective May 2, 2016 through May 1 2019; and

WHEREAS, That Resolution Number 16-088 was previously amended by this Board of Supervisors on May 2, 2016 by ***Resolution Number 16-227*** to rescind the contract with **F. F. Thompson Health System, Inc.** effective May 2, 2016 and replace it with the following contract:

- **F.F. Thompson Health System, Inc. (FFT)**, 350 Parrish Street, Canandaigua, NY 14424 to provide administrative services from July 11, 2016, or such earlier date that FFT is able to provide the services, through July 10, 2019 in the areas of Health Information Management (HIM), Patient Accounts and Registration.
 - The fee for services provided will be billed monthly based on the actual cost (including salary, benefits, direct expense, overtime costs and an allocation of human resource costs) of the staff providing services.
 - The level of staffing required will be mutually agreed upon and adjusted from time to time over the length of the contract as WCCHS staff vacates the identified positions; .

now therefore,

BE IT RESOLVED, That Resolution Number 16-088 as previously amended by Resolution Number 16-227 be hereby further amended to rescind

September 13, 2016

the contract with F.F. Thompson Health System, Inc. (FFT) in its entirety effective immediately. All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#42

RESOLUTION NO. 16-368
(September 13, 2016)

By Mr. Kehl, 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)
Elected Officials								
County Attorney	6	WUJCIK, James	XXXX	XXXXXX		01/01/16-12/31/17	N/A	
Public Defender	6	EFFMAN, Norman	XXXX	XXXXXX		01/01/16-12/31/17	18.44	
Supervisor	6	DAVIS, Jerry	XXXX	XXXXXX		01/01/14-12/31/17		√

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

Regular Session

RESOLUTION NO. 16-369
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 14-285 AMENDED

WHEREAS, Resolution Number 14-285 entitled, “**RESOLUTION NUMBER 14-258 AMENDED**,” was passed by this Board of Supervisors on August 12, 2014 on behalf of the Board of Supervisors; and

WHEREAS, Resolution Number 14-285 amended Resolution Number 14-258 which was passed by this Board of Supervisors on July 8, 2014 to rescind and replace the table presented in Resolution Number 14-258; now therefore

BE IT RESOLVED, That Resolution Number 14-285 be hereby further amended to correct the term of Supervisor James Brick from January 1, 2014 – December 31, 2015 to *January 1, 2014 – December 31, 2017*.

All else remains the same.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
57 Total

#44

RESOLUTION NO. 16-370
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-245 AMENDED

WHEREAS, Resolution Number 15-245 entitled, “**STANDARD WORK DAY AND REPORTING RESOLUTION**”, was passed by this Board of Supervisors on June 9, 2015 and established standard work days for elected and appointed officials whose term begins on or after August 12, 2009; now therefore,

BE IT RESOLVED, That Resolution Number 15-245 be hereby amended as follows:

September 13, 2016

- Amend “Participates in Employer’s Time Keeping System” from “Y” to “N” as per New York State Comptroller’s Office for District Attorney O’Geen; and
- Amend the term of Supervisor Bryan Kehl from January 1, 2015 – December 31, 2016 to ***January 1, 2015 – December 31, 2015.***

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#45

RESOLUTION NO. 16-371
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-295 AMENDED

WHEREAS, Resolution Number 16-295 entitled, “**STANDARD WORK DAY AND REPORTING RESOLUTION**”, was passed by this Board of Supervisors on July 12, 2016 and established standard work days for elected and appointed officials whose term begins on or after August 12, 2009; now therefore,

BE IT RESOLVED, That Resolution Number 16-295 be hereby amended as follows:

- Correct the term of Supervisor Bryan Kehl from January 1, 2016 – December 31, 2019 to ***January 1, 2016 – December 31, 2017.***
- Correct the term of Supervisor Vanessa McCormick from January 1, 2016 – December 31, 2019 to ***January 1, 2014 – December 31, 2017.***

All else remains the same.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#46

RESOLUTION NO. 16-372
(September 13, 2016)

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

- Set the salary of the Assessor within the Department of Real Property Tax Services to reflect an annual salary of \$44,000.00; effective October 1, 2016.

- Set the salary of the Administrative Assistant (.6 FTE) within the Mental Health Department at \$16,000.00 annually; effective September 12, 2016.

- To set a stipend for the Code Enforcement Officer to provide up to an additional ten (10) hours per month (five hours per pay period) for providing County Planner services in the amount of \$30.4443/hr. not to exceed \$3,653.32 annually; effective immediately.

- Funds (*stipend plus corresponding fringes*) provided through ILS Grant Distribution #6 (Contract No. C600056). Amounts to be paid bi-weekly and retroactive to January 1, 2016 through December 31, 2018:
 - Public Defender \$ 1,759.00
 - Assistant Public Defender (1st) \$ 1,031.00
 - Assistant Public Defender (2nd) \$ 1,950.00
 - Assistant Public Defender (3rd) \$ 4,531.00
 - Secretary to the Public Defender, PT \$ 424.00
 - Secretary I \$ 201.00

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

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RESOLUTION NO. 16-373
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SYSTEMS DEVELOPMENT GROUP, INC. (SDG) ON BEHALF OF
REAL PROPERTY TAX SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Systems Development Group, Inc. (SDG), 441 Trenton Avenue, Utica, NY 13502 on behalf of Real Property Tax Services. Said contract is for hosting Image Mate Online, a web based service to display certain assessment data on Wyoming County's website in an amount not to exceed sixteen thousand five hundred dollars (\$16,500.00); effective September 20, 2016 through September 19, 2021. Contingent upon the availability of funds.

Carried: XXX Ayes: 1542 Noes: Absent: 19 (Genesee Falls) Abstain:
38 (Wethersfield)
57 Total

#48

RESOLUTION NO. 16-374
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

Highway

- Abolish one (1) position of ***Sign Maintenance Worker, FT*** (position code # 014.370) on CSEA Schedule B grade 9 (\$17.24 - \$19.05/hr.); effective date August 22, 2016.
- Create one (1) ***Working Supervisor, FT*** on CSEA Schedule B grade 10 (\$17.73 - \$20.20/hr.); position available date September 14, 2016.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
 57 Total

#49

RESOLUTION NO. 16-375
(September 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULE “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 “G”:

District Attorney’s Office

- Set the salary of the ***Crime Victims Program Coordinator*** to reflect an annual salary of \$48,424.00; effective October 1, 2016.
 - This 2% increase is completely covered (*salary plus corresponding fringes*) by additional grant funds received from OVS.
- Set the salary of the ***Domestic Violence Coordinator*** to reflect an annual salary of \$30,882.00; effective October 1, 2016.
 - This 2% increase is completely covered (*salary plus corresponding fringes*) by additional grant funds received from OVS.

Carried: XXX **Ayes:** 1542 **Noes:** **Absent:** 19 (Genesee Falls) **Abstain:**
38 (Wethersfield)
 57 Total

Chairman Berwanger explained that there is one unanimous consent resolution and asked if any Supervisor objected to the presentation of Unanimous Consent Resolution Number 50. Hearing no objections, Chairman Berwanger requested that Clerk Ketchum read the resolution in its entirety...

Chairman Berwanger then asked the Board if there were any comments regarding Unanimous Consent Resolution Number 50...

Supervisor Davis, T/Covington was acknowledged and stated that, unfortunately, he would not be supporting the resolution at this time. He is looking for clarification if the land is taxable or not and stated that there seems

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to be a difference of opinion on this issue. He went on to say that the Town of Covington has taken a beating on this issue. He acknowledged that Town has been made whole by the County and is happy about that but said the Town would be losing \$7.5 million dollars in assessed valuation, which equates to 11.11% increase if all remains the same. He stated that until there is some clarification, he would not support the resolution.

Chairman Berwanger asked the if there were any other concerns or comments... He then acknowledged Supervisor Kehl, T/Attica.

Supervisor Kehl stated that he agrees with Supervisor Davis on the issue and also questioned if the land is taxable... He feels it is a sticky situation and would set a bad precedent if passed. He acknowledged that the equipment should be tax free as per the law passed by the state but as far as the land; he does not feel that it should be exempt as well. He does not agree with this passage of this resolution either...

Chairman Berwanger then asked County Attorney James Wujcik if he would like to offer a comment where this situation stands right now...

Attorney Wujcik stated that this resolution arises from and is in reaction to a modification and change in a state statute that specifically addresses the exemption of certain power producing bio digesters located within the State of New York. This company in particular, is the backdrop of the first law introduced in 2009 that has subsequently been changed ~ twice in 2012 and in the past legislative session. The resolution before this Board addresses the intervening years of 2012, 2013, 2014 and 2015.

Defeated
UC #50

RESOLUTION NO. 16-376
(September 13, 2016)

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

**CANCELLATION OF TAXES AFTER PARCEL HAS BEEN
WITHDRAWN FROM FORECLOSURE**

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

WHEREAS, The following parcel of real property exists within the County of Wyoming, and has been identified and so designated by the Committee of the Whole, now, therefore,

BE IT RESOLVED, That the County of Wyoming, in accordance with the Section 1138(6) of the Real Property Tax Law, hereby directs the cancellation of any and all delinquent taxes levied against the following tax parcel, and the Wyoming County Treasurer shall not, pursuant to Section 1138(6)(c) of the Real Property Tax Law, charge back to the appropriate municipal corporation the amount of such cancelled delinquent tax as shall have been credited or otherwise guaranteed to such municipal corporation.

AUTHORITY: RPTL Section 1138 (6) (a) ~ Cancellation of Tax

PARCEL ONE: Town of Covington

TAX MAP#: 37.-1-18.2/1

ASSESSED TO: Synergy LLC, 1818 Linwood Road, Linwood, NY 14486

Carried: XXX **Ayes:** 172 (Arcade) **Noes:** 164 (Attica) **Absent:** 19 (Genesee Falls) **Abstain:**

102 (Sheldon) 140 (Bennington) 38 (Wethersfield)

201 (Warsaw) 123 (Castile) **57 Total**

475 Total

53 (Covington)

51 (Eagle)

93 (Gainesville)

88 (Java)

62 (Middlebury)

58 (Orangeville)

187 (Perry)

48 (Pike)

1067 Total

During the vote, Supervisor Ryan, T/Warsaw stated is was with very mixed feelings that she would vote aye...

After the vote, Chairman Berwanger acknowledged that Unanimous Consent Resolution Number 50 was defeated.

Chairman Berwanger noted before adjourning the meeting that the beautiful fall decorations in Chambers are a result of the untiring efforts of Supervisor Ryan to add a little festivity to the drab proceedings of the Wyoming County Board of Supervisors!!

Supervisor Ryan, T/Warsaw stated that she had a little help....

Chairman Berwanger asked if there was any other business this afternoon and acknowledged Supervisor Davis, T/Covington. Supervisor Davis asked if the desk flags were new and Chairman Berwanger confirmed that they were. Clerk

Ketchum offered that a frugal purchase was made as the old flags were looking tired and worn.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:20 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

SPECIAL SESSION
(September 22, 2016)
Thursday
2:30 PM

The 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 Supervisor Brett Hastings, T/Eagle and Supervisor M. Vasile, T/Genesee Falls. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 3:10 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for this special board meeting is John Copeland, Supervisor of the Town of Wethersfield.

The pledge was said by all.

Chairman Berwanger, T/Arcade called on Mr. Kehl, Chairman of the Finance Committee for the introduction of Resolution Number 1.

Chairman Berwanger asked the if there were any other concerns or comments...

Supervisor Davis, T/Covington was acknowledged and stated that, unfortunately, he would still would not be supporting the resolution at this time.

#1

RESOLUTION NO. 16-377
(September 22, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**CANCELLATION OF TAXES AFTER PARCEL HAS BEEN
 WITHDRAWN FROM FORECLOSURE**

WHEREAS, pursuant to the Real Property Tax Law §1138(6)(a), the County Legislative Body may direct the cancellation of certain delinquent taxes where it is determined that there is no practical method to enforce collection of the delinquent taxes and a supplementary proceeding to enforce collection of the tax would not be effective, and

September 22, 2016

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

BE IT RESOLVED, that the County of Wyoming, in accordance with the Section 1138(6) of the Real Property Tax Law, hereby directs the cancellation of any and all delinquent taxes levied against the following tax parcel, and the Wyoming County Treasurer shall not, pursuant to Section 1138(6)(c) of the Real Property Tax law, charge back to the appropriate municipal corporation the amount of such cancelled delinquent tax as shall have been credited or otherwise guaranteed to such municipal corporation.

AUTHORITY: RPTL 1138 (6) (a) ~ Cancellation of Tax

PARCEL ONE: Town of Covington

TAX MAP#: 37.-1-18.2/1

ASSESSED TO: Synergy LLC

1818 Linwood Road

Linwood, NY 14486

Carried: XXX **Ayes:** 1495 **Noes:** 53 (Covington) **Absent:** 51 (Eagle) **Abstain:**

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, ^{CMC}

Clerk to the Board

REGULAR SESSION
(October 11, 2016)
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 D. Leuer, T/Middlebury. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:29 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Frank Fraser

United States Air Force Veteran Frank Fraser was born in Corning, NY shortly before the start of WWII. His father passed away when he was just a toddler. Mr. Fraser learned valuable life lessons from his mother who struggled to make ends meet on the family farm. In high school, he enjoyed participating in music as manager of the band.

Mr. Fraser joined the National Guard while still in high school. He was intrigued by the history of WWII during which time his brother served in the U.S. Navy. A sense of patriotism drove him to join the Air Force in 1957. Duty to country is evident in the Fraser household as four of his brothers also served in the armed forces.

After successfully completing Basic Training at Lackland AFB and advanced training in avionics at Sheppard AFB, Texas he received orders to RAF Sculthorpe England. The Soviet Union's enormous conventional force in Eastern Europe posed a major problem for NATO due to the Soviets maintaining high personnel levels after World War II when most of the American and British forces had demobilized. Mr. Fraser traveled to bases throughout the country on special duty assignments to work on a variety of tactical fighter aircrafts. Upon conclusion of his term of service, Mr. Fraser received an Honorable Discharge and for his valor and courageous service to our country, Mr. Fraser earned the Good Conduct Medal.

Mr. Fraser returned home finding the farm was no longer in the family and thus was hired at his cousin's gas station in Corning. In 1963, Mr. Fraser and high

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school sweetheart Connie married. His determined work ethic resulted in a successful career in the Southern Tier until he felt it was time for a change. He and family relocated to Wyoming County so that he could attend Houghton College from where he graduated in 1983.

Mr. Fraser moved to the Town of Pike. He worked as a counselor at the Office of Training and Employment Opportunity in Wyoming County and later as a Vocational teacher at Groveland Correctional Facility. In 1987, he became the Director of Employment and Training Opportunity where he served until 1997.

Mr. Fraser has a long history of community involvement. He helped launch Wyoming County Transit Bus service, was a member of Rotary Club, a Senior Counselor at the jail beginning in 1984 and has been active for decades supporting veterans' issues. He was Chaplain at the County jail in 2000 and 2001. Mr. Fraser still is active in ministry as a Spiritual Life Volunteer in the jail, at the Cloisters, within the community and his parish.

Mr. Fraser and his wife Connie, whom he has been married to for 53 years, are both avid readers of history and mystery books.

The pledge was said by all...

Chairman Berwanger presented the customary certificate of appreciation to Mr. Fraser. Chairman Berwanger introduced Congressman Collins to make a presentation. Congressman Collins explained his "Veteran of the Month" program and honored Mr. Fraser as this month's Veteran. In addition Mr. Fraser was presented with a flag that the Congressman had flown over the capitol in his honor.

Chairman Berwanger offered Mr. Fraser an opportunity to address the Board. Mr. Fraser expressed his appreciation for the Board of Supervisors and his fellow servicemen.

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

Communications ~

- 09-12-16 Correspondence from Senator Patrick Gallivan acknowledging receipt of Resolution Number 16-309

Open Public Hearing ~

- Local Law No. 2, Year 2016 (Introductory B, Year 2016) Entitled, "**A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008**"

RESOLUTION NO. 16-378
(October 11, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2016 accounts as follows:

Board of Supervisors			
From: 01.31.1010.8.89001 Medical/Hosp. Ins. To: 01.31.1010.4.40408 Supervisor Exp. Reason: To cover the 09-26-16 Beaver Hollow Retreat.	\$2,576.00	\$2,576.00	
Board of Supervisors Total			2,576.00
Mental Health			
From: 01.38.4323.4.42306 Other To: 01.38.4323.1.10001 Salaries S/D/I Reason: To cover the salary of the Administrative Assistant.	\$450.00	\$450.00	
Mental Health Total			\$450.00
Medical Examiners & Coroners			
From: 01.32.1185.4.40402 Conferences To: 01.32.1185.8.81001 Retirement Reason: To cover the shortage in the retirement line needed for the next quarterly payment.	\$354.63	\$354.63	
Medical			\$354.63
Probation			
From: 01.37.3140.4.40406 Employee Mileage To: 01.37.3140.1.10601 Unused Benefit Time Reason: To cover the cost of vacation pay.	\$364.00	\$364.00	
Probation Total			\$364.00
Buildings & Grounds (Co. Bldgs.)			
From: 01.34.16201.10001 Salary S/D/I 01.34.1620.4.40503 Gas To: 01.34.1620.2.23001 Motor Vehicles Reason: To cover the cost of the purchase of one (1) 2017 Chevy Silverado 4-wheel drive pickup truck and one (1) 2017 Ford utility van	\$37,727.39 972.61	\$38,700.00	
Buildings & Grounds (Co. Bldgs.) Total			\$38,700.00

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #2

RESOLUTION NO. 16-379
(October 11, 2016)

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By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Medicaid			
To: 01.40.6102.4.42250 MMIS IGT/DSH <i>w/any funds available</i> Reason: To cover the 50% County share of the NH IGT payment (2014).	\$1,464,700.00	\$1,464,700.00	
Medicaid Total			\$1,464,700.00
911			
To: 01.37.3020.2.20001 Furniture 01.37.3020.2.20101 Telecomm Equip 01.37.3020.4.42425 Dispatch Svc w/01.02.3020.114001 Wireless Surcharge 01.11.3020.3389 Other State Aid-911 Reason: To cover Microwave, LMR Radio Equipment and 911 Dispatch Service.	\$82,405.56 30,500.00 72,594.44	\$30,500.00 155,000.00	
911 Total			\$185,500.00
Sheriff			
To: 01.37.3110.2.23001 Vehicles w/01.11.3110.3315 State Aid Navigation <i>w/any funds available</i> Reason: To purchase a 2017 Ford F150.	\$36,571.69	\$18,285.85 18,285.84	
Sheriff Total			\$36,571.69
District Attorney			
To: 01.32.1168.4.41010 Office Supplies w/01.11.1168.3089 State Aid ATP Grant Reason: To match state grant budget for ATP.	\$53.17	\$53.17	
To: 01.32.1165.4.42447 Youth Court Grant w/01.11.1165.308904 Other State Aid - DA Reason: Legislative grant for Youth Court that was granted through the DA's Office.	\$3,040.00	\$3,040.00	
District Attorney Total			\$3,093.17
Mental Health			
To: 01.38.4322.4.42408 Livingston/Wyo. ARC w/01.11.4322.3490 State Aid Reason: To appropriate the .2% COLA received from OMH.	\$87.00	\$87.00	
To: 01.38.4320.4.42486 Case Management w/01.11.4320.3490 State Aid Reason: Appropriate .2% COLA from OMH.	\$135.00	\$135.00	
To: 01.38.4325.4.42446 Affirm 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42445 Supported Apartment 01.38.4325.4.42409 Advocacy Services 01.38.4325.4.42419 Drop In 01.38.4325.4.42441 Misc. MH Programs w/01.11.4325.3490 State Aid Reason: Appropriate .2% COLA from OMH.	\$ 75.00 207.00 282.00 246.00 594.00 51.00	\$1,455.00	

To: 01.38.4324.4.42476 CCSI w/01.11.4324.3490 State Aid Reason: To appropriate the .2% COLA received from OMH.	\$450.00	\$450.00	
To: 01.38.4325.4.42409 Advocacy Services w/01.11.4325.3490 State Aid Reason: Funds not previously appropriated.	\$50,304.00	\$50,304.00	
To: 01.38.4323.4.42441 Misc. Mental Health Program w/01.11.4323.3490 State Aid Reason: To appropriate the .2% COLA received from OMH.	\$111.00	\$111.00	
To: 01.38.4323.4.42441 Misc. Mental Health Program w/01.11.4323.3490 State Aid Reason: Funds not previously appropriated.	\$2,148.00	\$2,148.00	
Mental Health Total			\$54,690.00

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$3,117,536.85** for the month of **September 2016**.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

There was a motion by Mr. Tallman, T/Gainesville, to combine Resolutions #3 through #5. Hearing no objection resolution titles were read.

#3

RESOLUTION NO. 16-380 (October 11, 2016)

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

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

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

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

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

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WHEREAS, This local DMV operation is one of many examples of shared services that counties provide for the state; and

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

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

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

WHEREAS, Increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

WHEREAS, There is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs to fulfill these DMV services needed for state residents, yet the State takes 87.3 percent of the revenue generated from providing these service; and

WHEREAS, The State Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Richie's bill 5.4964, which would raise the 12.7 percent county share up to a 25 percent share; and

WHEREAS, The counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund; now therefore,

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

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

**RESOLUTION NO. 16-381
(October 11, 2016)**

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

RESOLUTION NUMBER 16-273 RESCINDED

WHEREAS, Resolution Number 16-273 entitled, “**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CSEA AND THE COUNTY OF WYOMING APPROVED**,” was passed by this Board of Supervisors on July 12, 2016 with Thompson Health, either directly or through one or more of its related business entities (collectively “Thompson Health”) such as, but not limited to, the F. F. Thompson Hospital, which is another community based hospital located in Canandaigua, New York) for the management and provision of certain business office functions of the County Hospital including but not limited to coding, billing and patient registration work per the provisions of the Memorandum of Understanding; now therefore,

BE IT RESOLVED, That Resolution Number 16-273 be hereby rescinded in its entirety effective immediately.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
#5

**RESOLUTION NO. 16-382
(October 11, 2016)**

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

RESOLUTION CALLING FOR THE FULL REPEAL OF THE NEW YORK STATE SCAFFOLD LAW OR REFORM TO INCLUDE A PURE STANDARD OF COMPARATIVE NEGLIGENCE

WHEREAS, New York Labor Law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

WHEREAS, The laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, The law was first imposed in 1885 at a time when worker

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

WHEREAS, The New York State Legislature did not implement any positive reform to the New York Scaffold Law in the 2016 legislative session; and

WHEREAS, The Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

WHEREAS, The Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500%; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and

WHEREAS, The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in neighboring states; and

WHEREAS, Not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment; and

WHEREAS, This negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

WHEREAS, Federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions to be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors is in support of Scaffold Law reform as well as meaningful protection of construction workers; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Chairman Berwanger explained the inordinate amount of resolutions. He explained that they are a result of a recent NYS Assoc. of Counties Conference where counties were asked to pass them at their home meetings.

There was a motion by Ms. Grant, T/Bennington, to combine Resolutions #6 through #18. Hearing no objection resolution titles were read.

#6

**RESOLUTION NO. 16-383
(October 11, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH 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 acceptance award with New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223-1251 on behalf of the Office for the Aging. Said grant is funding for the MIPPA (Medicare Improvements for Patients and Provider Act) which includes outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for subsidy programs in a maximum amount of nine thousand nine hundred seventeen dollars (\$9,917.00); effective September 30, 2014 through December 31, 2017. This is the third year of the grant funding authorized by Resolution Number 16-109.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:
#7

RESOLUTION NO. 16-384

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(October 11, 2016)

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

**RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE
DIVISION OF BUDGET TO IDENTIFY ALL OUTSTANDING CLAIMS
AND PRIORITIZE REIMBURSING COUNTY COSTS FOR EARLY
INTERVENTION SERVICES THAT WERE PROVIDED AND PAID
FOR BY COUNTIES PRIOR TO THE STATE FISCAL AGENT
ADMINISTRATIVE TAKEOVER AND REMAIN UNREIMBURSED**

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, Due to limitations of the New York State Department of Health's (NYSDOH's) New York Early Intervention System (NYEIS) system, and inaccuracies in reporting and data that continue since its launch in 2010, counties have sought to settle these outstanding reimbursements for almost three years, but are reliant on the NYSDOH to provide data to identify the exact claims outstanding; and

WHEREAS, NYSDOH and a special work group of counties that has been in place for over two years has made minimal progress due to a lack of dedicating resources and prioritization by NYSDOH; and

WHEREAS, This initial work is finding that up to 20% of claims submitted by counties for state share reimbursement remain outstanding after several years for a variety of NYEIS computer system technical problems; and

WHEREAS, Some of these unreimbursed claims are nearly five years old; and

WHEREAS, Counties estimate that tens of millions of dollars remain unreimbursed by the state as a result; and

WHEREAS, Counties cannot afford to wait any longer for reimbursement from the state, while also trying to maintain the state imposed property tax cap; now therefore,

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BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Department of Health and the Division of Budget to dedicate the resources to ensure the repayment of these outstanding claims to all counties including New York City a top priority with payments issued in the first quarter of the 2017-18 State Fiscal Year; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #8

**RESOLUTION NO. 16-385
(October 11, 2016)**

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

**RESOLUTION URGING THE STATE TO PROVIDE TECHNICAL AND
FINANCIAL ASSISTANCE TO COUNTIES TO HOLD LOCALITIES
HARMLESS FROM NEW COSTS ASSOCIATED WITH FEDERAL
CHILD CARE LAW CHANGES TO ENSURE LOCAL CHILD CARE
SLOTS ARE NOT LOST DUE TO INCREASED COSTS OF MEETING
THE NEW FEDERAL MANDATES**

WHEREAS, The federal government is implementing new child care safety and quality standards that are intended to improve child care services nationwide; and

WHEREAS, The new federal standards will require all child care providers to be checked against a variety of databases including FBI fingerprinting, National Crime Information Center, National Sex Offender Registry, State criminal and sex offender registry, and child abuse and neglect registry in each state an applicant has resided in over the past five years; and

WHEREAS, The State estimates there are over 220,000 regulated and legally-exempt providers as well as household members over the age of 18 that would be required to have a background check at a cost of nearly \$102 per person; and

WHEREAS, These federal standards will require annual, unannounced full inspections of all facilities, including legally-exempt providers; which will

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require New York to conduct 25,000 additional inspections each year; and

WHEREAS, New federal rules will require a mandatory pre-service/orientation and ongoing health and safety training for all child care staff in a variety of topical areas including first aid/CPR; and

WHEREAS, In New York the cost of First Aid/CPR classroom training is estimated at \$125 per person and would apply to as many as 220,000 individuals; and

WHEREAS, The State has estimated that meeting these new standards could increase costs for the state, counties and child care providers by up to \$90 million; and

WHEREAS, Due to significantly constrained property tax cap limits, counties do not have the ability to absorb new costs of this magnitude while also meeting new federal subsidy requirements including 12-month eligibility redetermination and the graduated phase-out of families leaving the subsidy program; and

WHEREAS, Without additional federal or state funding support to cover these increased costs counties may be forced to close intake (including closing active cases) or lower income thresholds which will reduce the number of low income working families receiving subsidized child care services; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to hold counties fiscally harmless to ensure that existing child care slots and subsidies provided by counties are not jeopardized over the coming years as these new federal standards are implemented; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #9

**RESOLUTION NO. 16-386
(October 11, 2016)**

Regular Session

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

**RESOLUTION URGING THE DEPARTMENT OF HEALTH AND THE
DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE
REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS**

WHEREAS, Prior to 2013, counties funded 100% of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, The state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, The State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health's Early Intervention System (NYEIS); and

WHEREAS, Recent problems have arisen under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires and a lack of follow through by providers when insurers ask for more information; and

WHEREAS, Any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the state and counties to pay; and

WHEREAS, We commend the Governor on his 2016/2017 state budget proposals for prioritizing and requiring providers to enforce current insurance regulations regarding payment of Early Intervention service claims and attempt to increase commercial insurance collections; and

WHEREAS, The Governor's proposal was rejected in the final 2016/2017 enacted budget, and we encourage the Governor to again include the requirement of timely provider claims again in the upcoming 2017/2018 state budget; 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 cities and state pay including, but not limited to, waived services, and resubmit those to Medicaid to identify if a child's coverage changed. We ask that Medicaid instead pay the claims in first instance,

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so that counties don't have to pay upfront and then receive these monies many years later; 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 provider claims are filed in a timely manner to commercial insurance providers and Medicaid; and be it

FURTHER RESOLVED, That the Governor's 2017/2018 budget again include a requirement for all providers to enroll in 835 electronic remits and a timely filing requirement; and be it

FURTHER RESOLVED, The State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the state Early Intervention reform proposal, ensure providers exhaust all appeals in a timely manner before moving on to the next payer of record; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #10

**RESOLUTION NO. 16-387
(October 11, 2016)**

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

**RESOLUTION CALLING FOR THE REVAMPING OF OUTDATED
NYSED PRESCHOOL SPECIAL EDUCATION SERVICE PROGRAM
REIMBURSEMENTS AND WAIVER REVIEW PROCESS FOR
CONTRACTED SERVICE AGENCIES**

WHEREAS, The New York State Education Department (NYSED) has been entrusted with designing and overseeing the implementation of vital, quality preschool special education programs, such as speech and occupational therapy, to be administered at the local level for children between 3 and 5 years of age; and

WHEREAS, County officials throughout the State of New York have both the responsibility and burden of insuring that local private and not-for-

profit service agencies efficiently manage such programs and, in so doing, adhere to the strict guidelines established by NYSED; and

WHEREAS, Counties throughout the State of New York are mandated to initially fund 100% of the costs of such important services for special needs children in hopes that within a two to three-year period counties will eventually be reimbursed by NYSED for 59.5% of the preschool special education program costs closed out years before; and

WHEREAS, Successful monitoring of these important preschool education programs by counties requires input, support and sound direction from NYSED looking at all related aspects of these important programs in a timely, collaborative and transparent fashion to positively impact and/or respond to a myriad of issues that arise over the course of a program year; and

WHEREAS, On too many occasions NYSED has chosen not to examine all relevant facts in matters of importance and dispute at the local level with said service providers, especially in regards to its post-contract year waiver review process wherein NYSED has unilaterally altered contract terms with preschool service providers, thus forcing host counties to endure unplanned financial hardships with no defined appeals process for the county; and

WHEREAS, Counties, for years, have been consistently calling for reforms to both the programming and funding of preschool special education programs for special needs children ages 3-5 years throughout the State of New York; and

WHEREAS, The New York State Comptroller's office has uncovered significant misappropriation of public dollars by local preschool special education providers across the state, highlighting the stressful conditions that continue to exist because of the lack of important reforms to the way these programs were designed long ago by the State; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State Legislature to undertake a thorough review of how NYSED and the State can improve transparency and accountability in the preschool special education program, including matters of retroactive rate-setting for providers, and supporting county efforts to improve accountability to local taxpayers; and be it

FURTHER RESOLVED, That NYSED and the State Comptroller work with counties to identify and recoup any funds owed as a result of audit findings; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #11

**RESOLUTION NO. 16-388
(October 11, 2016)**

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

**RESOLUTION URGING THE GOVERNOR 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, 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, That recommendation was never enacted; and

WHEREAS, We commend the Governor and New York State Legislature for the recent reimbursement reforms, including SEIS regional rates, in the 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, The fact that other states do not require county

government to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes to New York's highest in the nation property tax burden; and

WHEREAS, Over the last decade the failure of the state to fund these costs has shifted more than \$1.5 billion to county property taxpayers, exceeding \$250 million annually today, raising costs for homeowners and small business throughout New York; now therefore,

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

FURTHER RESOLVED, The first phase should include capping county fiscal liability for preschool special education at no more than what each county paid in 2013 and then implementing a three-year plan to incrementally reduce the county fiscal liability for this program to no more than 25% as intended at the inception of the program to help reduce pressure on property taxes; and be it

FURTHER RESOLVED, That the state should lift the reimbursement cap for transportation costs for the program and increase the state's share; and be it

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

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #12

**RESOLUTION NO. 16-389
(October 11, 2016)**

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

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

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign State Welfare Management contracts to provide day care services in variable amounts depending upon services provided as follows:

- **Pioneer Latchkey Program**, PO Box 9, Main and Church Street, Arcade, NY 14009; effective September 1, 2016 through June 30, 2017.
- **Delevan Latchkey ~ Yorkshire Pioneer CSD**, 12125 County Line Road, Yorkshire, NY 14042; effective September 1, 2016 through June 30, 2017.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #13

**RESOLUTION NO. 16-390
(October 11, 2016)**

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 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 policies of New York State that hold domestic violence offenders accountable and ensure the safety of victims and their children by focusing upon the improved working relationship with legal, law enforcement, human services, education and healthcare systems; and

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of domestic violence and to help families obtain assistance they need to be free from domestic violence; and

WHEREAS, Wyoming County is stronger when all citizens become aware of domestic violence prevention; and

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, the Board of Supervisors does hereby proclaim the Month of October 2016 as **DOMESTIC VIOLENCE AWARENESS MONTH** in Wyoming County, and commend this observance to the citizens of this County.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #14

**RESOLUTION NO. 16-391
(October 11, 2016)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE STATE LEGISLATURE TO WORK WITH NEW YORK'S
CONGRESSIONAL DELEGATION TO AMEND AND IMPROVE THE
FAMILY FIRST PREVENTION SERVICES ACT OF 2016 TO ENSURE
ESSENTIAL FISCAL RESOURCES ARE MAINTAINED
TO SUPPORT FAMILIES IN NEED**

WHEREAS, The Family First Prevention Services Act of 2016, H.R. 5456, is moving rapidly through Congress with no public hearings and little debate; and

WHEREAS, The legislation is well intentioned in that it would for the first time allow federal Title IV-E reimbursement for some preventive services to help children at risk of neglect or abuse; and

WHEREAS, The federal legislation also requires extensive new reporting and information system requirements, eliminates federal funding for currently authorized services, imposes restrictive administrative and implementation barriers, puts in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and

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WHEREAS, New York's Office of Children and Family Services estimates that New York State and its counties could lose up to \$250 million annually in currently available federal funds for child welfare; and

WHEREAS, The counties of New York fund a large percentage of these child welfare services with locally raised property taxes and other revenues; and

WHEREAS, New York State and its counties have provided prevention services for this population without any federal matching funds for decades and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and

WHEREAS, Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent a recent letter to United States Senators' Charles E. Schumer and Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and

WHEREAS, Some of specific amendments requested related to expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding to not to exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to Families with Dependent Children (AFDC) delinking; and placement settings for 16-17 year olds; and

WHEREAS, The loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon U.S. Senators Charles Schumer and Kirsten Gillibrand to work closely with New York's Congressional Delegation to amend and improve the Family First Prevention Services Act of 2016 so that early adopter states are not penalized by strict maintenance-of-effort provisions, that current federal reimbursement streams be maintained, and sufficient flexibility be provided to meet the unique circumstances in different states; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

**RESOLUTION NO. 16-392
(October 11, 2016)**

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

**RESOLUTION URGING NEW YORK STATE TO HOLD COUNTIES
HARMLESS FOR FEDERAL MEDICAID RECOUPMENTS THAT ARE
THE DIRECT RESULT OF STATE PROCEDURAL OR
ADMINISTRATIVE FAILURES**

WHEREAS, The State of New York is the single fiscal administrator and manager of the Medicaid program, and sole point of contact with the federal government in regard to the operation of Medicaid; and

WHEREAS, It is the full responsibility of the State Department of Health to properly interpret federal rules and regulations, and ensure that all calculations of federal costs, and savings when applicable, are accurate; and

WHEREAS, There have been several recent occasions when the State has made significant errors in calculating costs and savings under the Medicaid program, in addition to the misinterpretation of federal rules and regulations of the program; and

WHEREAS, These mistakes or misinterpretations of federal rules have required billions of dollars in restitution, or repayment, to the federal government, for which a portion of these costs is allocated back to counties and New York City; and

WHEREAS, Counties do not control the design or administration of the Medicaid program, and are required to follow the rules as directed by the State; and

WHEREAS, Counties make local budgeting decisions and set local property tax levies and rates based on the costs and savings provided by the State related to Medicaid; and

WHEREAS, Medicaid remains the single largest state mandated expense that counties pay for using local taxes, now exceeding \$7.4 billion each year; and

WHEREAS, These State mistakes and administrative failures are usually discovered years after they occur and can result in large cumulative lump sum repayments; and

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WHEREAS, Counties are required to adhere to strict property tax cap limits (.68 percent in 2017) that are one-fifth of the self-imposed spending and cost growth limits the State has placed on the overall Medicaid program (3.4 percent in 2016-17); and

WHEREAS, The property tax cap requirements do not allow counties to receive any relief from adhering to the revenue limits set under the State imposed tax cap due to federal penalties and repayments that stem from mistakes made by the State and are no fault of the counties; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to hold counties and local property taxpayers fiscally harmless for any federal Medicaid recoupments or restitution that is a direct result of the State improperly calculating costs and applicable savings, or resulting from the state misinterpreting federal Medicaid rules; and be it

FURTHER RESOLVED, The State should fully fund any such repayment or restitution in these situations, or at a minimum, ensure that local Medicaid costs do not increase as a result; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #16

**RESOLUTION NO. 16-393
(October 11, 2016)**

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

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
MAINTAIN OUR MUTUAL GOALS OF NOT SHIFTING NEW COSTS
TO COUNTIES, WHILE MAINTAINING REASONABLE LOCAL
FLEXIBILITY OVER ADMINISTRATIVE FUNCTIONS, AS THE
STATE REALIGNS MEDICAID ADMINISTRATIVE FUNCTIONS AND
HUMAN SERVICES PROGRAMS**

WHEREAS, The State Department of Health continues its multi-year effort to take over the administrative responsibilities of the Medicaid program from county government 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 for many counties this cap continues to be in place prior to the actual state takeover of a significant portion of local Medicaid administrative functions; and

WHEREAS, Local departments of social services (DSS) are now being required to take on additional administrative responsibilities including:

- Approving or authorizing services under the Community First Choice Option (CFCO) under Medicaid, which significantly alters the existing model of Medicaid long term care services and supports, and
- Implementing the Uniform Assessment System (UAS), which must be completed by a registered nurse, under the Immediate Need for Personal Care Services and Consumer Directed Personal Assistance programs; 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

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 several 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; and

WHEREAS, Security breaches, including violence committed against county employees at local social service districts, both nationally and locally

highlight the increased need for enhanced safety and security investments at local social service district offices; and

WHEREAS, Current state administrative reimbursement caps to local social service districts make such safety and security investments highly challenging; and

WHEREAS, The safety of all public employees is a priority and the need in certain county offices is more critical; now therefore,

BE IT RESOLVED, That until the state Medicaid administrative takeover is complete we urge the Governor and Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap, continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the state falls short in its attempt to takeover local Medicaid administrative functions; and be it

FURTHER RESOLVED, The State should not reduce counties' Medicaid administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts; and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and be it

FURTHER RESOLVED, The Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently associated with the Medicaid program on the local level; and be it

FURTHER RESOLVED, The State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; and be it

FURTHER RESOLVED, The state should exempt certain local investments that enhance the safety and security of local social services district employees and clients from state administrative reimbursement caps; and be it

FURTHER RESOLVED, That upon an act of violence perpetrated upon a local social services district employee in New York (or when an incident of national attention occurs against similar public employees), for safety and security reasons the state should acknowledge the act and notify all local district social services offices of the activity; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #17

**RESOLUTION NO. 16-394
(October 11, 2016)**

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

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
GRADUALLY RESTORE THE 50/50 STATE/COUNTY COST SHARING
FOR THE SAFETY NET PROGRAM, TO INCREASE SHELTER
GRANT REIMBURSEMENTS TO COUNTIES AND TO PROVIDE
SUFFICIENT RESOURCES TO PROVIDE SAFE
AND SECURE HOUSING**

WHEREAS, The 2011-12 State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent county / 29 percent state, severing the historic 50 percent state / 50 percent county partnership; and

WHEREAS, This continues a long line of state legislative actions that has transferred the State's constitutional and fiscal responsibility to care for the needy to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

WHEREAS, The Safety Net funding shift also builds upon recent trends where the State has leveraged significant savings from maximizing available federal resources largely for state financial plan purposes, at the expense of local property taxpayers; and

WHEREAS, The net effect of this state practice forces local property taxes to be higher than they should because available savings are being spent by the state rather than being used to lower the cost of state mandates which can provide direct relief to local property tax payers; and

WHEREAS, Nearly half of the states do not have Safety Net programs and New York is one of only 11 states that provide benefits to childless adults that do not have some disability; and

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WHEREAS, Most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, Counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

WHEREAS, State data through May 2016 indicates that non-federally participating Safety Net costs continue to grow faster than federally participating TANF costs; and

WHEREAS, Counties believe that the rising cost of providing shelter assistance to recipients is a major contributor to this increase; and

WHEREAS, Enhanced shelter assistance and state reimbursement, along with more permanent affordable housing, are essential components necessary to achieve State goals of reducing homelessness and providing stability for families and individuals in need; and

WHEREAS, Recent inspections by the State and local governmental agencies have uncovered poor conditions in some shelters and hotels/motels, which reinforces that the State must provide the necessary resources to local agencies to remediate and address the needs of individuals and families; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for the Safety Net program over a five year period, starting with an increase in county reimbursement for shelter assistance in order to help alleviate the lack of affordable housing alternatives in many areas of the state, while also lowering the local property tax burden for homeowners and small businesses; and be it

FURTHER RESOLVED, That counties should be consulted and advised of shelter inspection schedules, participate to the extent possible in the actual inspection and be part of a solution should issues within a shelter or hotel/motel need to be addressed; and be it

FURTHER RESOLVED, That the State needs to have fiscal resources available to assist in keeping the temporary housing supply code-complaint; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #18

**RESOLUTION NO. 16-395
(October 11, 2016)**

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

**RESOLUTION CALLING ON THE STATE TO PAY FOR ANY
REQUIRED INCREASES IN COST TO THE CHILD PROTECTIVE
SERVICE PROGRAM**

WHEREAS, Late in the 2016 legislative session, the Senate and the Assembly passed S.2691/A.10506; and

WHEREAS, This bill sets workload standards for child protective service providers requiring no more than fifteen active cases per month per full time child protective services worker; and

WHEREAS, Child protective services are provided for and partially paid for by our county governments; and

WHEREAS, Every county has unique challenges providing this service such as geography, population, economics, and demographics that make one statewide case-cap standard illogical; and

WHEREAS, Due to the fact that each county has unique challenges, it is the county themselves and the county DSS commissioners that are best situated to understand and manage caseload assignment; and

WHEREAS, A one-sized standard case-cap does not address county fiscal needs for any increases in costs this cap would cause, nor recognize case severity and overnight needs, along with each case worker's experience and skill level; and

WHEREAS, Counties cannot meet any new state unfunded mandates while maintaining the state-imposed property tax cap; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor to veto S.2691/A.10506; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls on the state to study the best possible way to provide the

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essential functions of child protective services and if part of any changes to the service require additional funding the state must meet that need; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

After the adoption of Resolutions #6 through #18, Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium.

Supervisor Grant invited Commissioner Rumsey to join her at the podium to read and receive the Domestic Violence Awareness Proclamation....

Before reading the resolution Supervisor Grant pointed out the different demographics impacted by Domestic Violence including gender. Domestic Violence encompasses all races, creeds and ethnicities. Domestic Violence occurs to men as well as to women.

At the conclusion of the reading, Commissioner Rumsey thanked the Board for their continued support and he requested that meeting attendees where purple on October 20th as a show of support to victims of domestic violence.

There was a motion by Mrs. Ryan, T/Warsaw, to combine Resolutions #19 through #23.

Hearing no objection resolution titles were read.

Supervisor Ryan explained that the several amended resolutions are as a result of the state's COLA increases to already approved contracts.

#19

**RESOLUTION NO. 16-396
(October 11, 2016)**

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

RESOLUTION NUMBER 15-406 AMENDED

WHEREAS, Resolution Number 15-406 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2016 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November

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10, 2015 and provides for various renewal contracts for FY 2016 for Mental Health; and

WHEREAS, Resolution Number 15-406 was previously amended by this Board of Supervisors on March 8, 2016 by **Resolution Number 16-120** to reflect the following changes:

- B. **Suburban Adult Services, Inc.**, contract renewal in an amount not to exceed \$38,090.00; effective January 1, 2016 through December 31, 2016:
 - Total contract amount increased by \$953.00 for a new total amount of **\$39,043.00**
- F. **Spectrum Human Services, Inc.**, contract renewal in an amount not to exceed \$565,542.00; effective January 1, 2016 through December 31, 2016:
 - Total contract amount decreased by \$8,441.00 for a new total amount of **\$557,101.00**
- H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an amount not to exceed \$378,596.00; effective January 1, 2016 through December 31, 2016.
 - Total contract amount increased by \$6,300.00 for a new total amount of **\$384,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120 was further amended by this Board of Supervisors on April 12, 2016 by **Resolution Number 16-165** to reflect the following changes:

- C. **Wyoming County Community Hospital**, contract renewal in an amount not to exceed \$171,573.00; effective January 1, 2016 through December 31, 2016 as follows:
 - Total contract amount decreased by \$820.00 for a new total amount of **\$170,753.00**
- G. **Living Opportunities of DePaul**, contract renewal in an amount not to exceed \$305,817.00; effective January 1, 2016 through December 31, 2016 as follows:
 - Original contract amount corrected to \$306,378.00
 - Corrected contract amount increased by \$211.00 for a new total amount of **\$306,589.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120 and Resolution Number 16-165 was further amended by this Board of Supervisors on May 10, 2016 by **Resolution Number 16-203** to reflect the following changes:

- F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed \$557,101.00; effective January 1, 2016 through December 31, 2016:

- Total *amended* contract amount increased by \$1,909.00 for a new total amount of **\$559,010.00**
- H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an *amended* amount not to exceed \$384,896.00; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract amount increased by \$20,000.00 for a new total amount of **\$404,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165 and Resolution Number 16-203 was further amended by this Board of Supervisors on June 14, 2016 by **Resolution Number 16-248** to reflect the following changes:

- E. **Hillside Children's Center**, contract renewal in an amount not to exceed \$91,101.00; effective January 1, 2016 through December 31, 2016
- Total contract amount increased by \$1,500.00 for a new total amount of **\$92,601.00**
- F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed \$559,010.00; effective January 1, 2016 through December 31, 2016
- Total *amended* contract amount increased by \$2,768.00 for a new total amount of **\$561,778.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165, Resolution Number 16-203 and Resolution Number 16-248 was further amended by this Board of Supervisors on August 16, 2016 by **Resolution Number 16-307** to reflect the following changes:

- C. **Wyoming County Community Hospital**, contract renewal in an *amended* amount not to exceed \$170,753.00; effective January 1, 2016 through December 31, 2016 as follows:
- Total *amended* contract increased by \$22,721.88 for a new total amount of **\$193,474.88**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165, Resolution Number 16-203, Resolution Number 16-248 and Resolution Number 16-307 was further amended by this Board of Supervisors on September 13, 2016 by **Resolution Number 16-342** to reflect the following changes:

- F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed **\$561,778.00**; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract amount increased by \$280.00 for a new total amount of **\$562,058.00**; and

- H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an *amended* amount not to exceed **\$404,896.00**; effective January 1, 2016 through December 31, 2016:

- Total *amended* contract amount increased by \$356.00 for a new total amount of **\$405,252.00**; now therefore,

BE IT RESOLVED, That Resolution Number 15-406 as previously amended by Resolution Numbers 16-120, 16-165, 16-203, 16-248, 16-307 and 16-342 be further amended to reflect the following changes:

- A. **Livingston/Wyoming ARC**, contract renewal in an amount not to exceed **\$49,671.00**; effective January 1, 2016 through December 31, 2016:
- Total contract amount increased by \$87.00 for a new total amount of **\$49,758.00.00**
- C. **Wyoming County Community Hospital**, contract renewal in an *amended* amount not to exceed **\$193,474.88**; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract increased by \$237.00 for a new total amount of **\$193,711.88**
- D. **Mental Health Association of Rochester/Monroe County, Inc.**, contract renewal in an amount not to exceed **\$267,975.00**; effective January 1, 2016 through December 31, 2016:
- Total contract amount increased by \$840.00 for a new total amount of **\$268,815.00**
- E. **Hillside Children's Center**, contract renewal in an *amended* amount not to exceed **\$92,601.00**; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract amount increased by \$21.00 for a new total amount of **\$92,622.00**
- F. **Spectrum Human Services, Inc.**, contract renewal in an *amended* amount not to exceed **\$562,058.00**; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract amount increased by \$321.00 for a new total amount of **\$562,379.00**
- G. **Living Opportunities of DePaul**, contract renewal in an *amended* amount not to exceed **\$306,589.00**; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract amount increased by \$282.00 for a new total amount of **\$306,871.00**
- H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an *amended* amount not to exceed **\$405,252.00**; effective January 1, 2016 through December 31, 2016:
- Total *amended* contract amount increased by \$450.00 for a new total amount of **\$405,702.00**

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #20

**RESOLUTION NO. 16-397
(October 11, 2016)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE VARIOUS
MENTAL HEALTH SUBCOMMITTEES**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the various Subcommittees as follows:

Alcohol & Substance Abuse Subcommittee

Unexpired vacant four (4) year term effective October 11, 2016 through December 31, 2017

- *David Rumsey*, Wyoming County Department of Social Services, 466 North Main Street, Warsaw, NY 14569 (*replacing Gordon Lew*)

MR/DD Subcommittee

Four (4) year term effective January 01, 2016 through December 31, 2019

- *Gretchen Jackson*, 181 West Buffalo Street, Warsaw, NY 14569

Unexpired vacant four (4) year term effective January 01, 2016 through December 31, 2019

- *Michelle Beyer*, 34 Liberty Street, Warsaw, NY 14569 (*replacing Kay Kilburn*)

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #21

**RESOLUTION NO. 16-398
(October 11, 2016)**

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

**RESOLUTION SUPPORTING AN END TO EXECUTIVE
ADMINISTRATIVE CUTS, AN INCREASE IN THE BASE GRANT, PER
CAPITA RATE, AND STATE AID FORMULA THAT CONSTITUTE
ARTICLE 6 STATE AID REIMBURSEMENT FOR MANDATED
GENERAL PUBLIC HEALTH WORK UNDERTAKEN BY LOCAL**

HEALTH DEPARTMENTS AS POPULATION HEALTH PARTNERS OF NEW YORK STATE

WHEREAS, The prevention and population health activities of local health departments in New York City and the 57 other counties in New York State are essential to the overall health of the state's residents and communities, and crucial to the success of the state's Medicaid Redesign Team efforts; and

WHEREAS, Unhealthy community environments lead to incidents such as the discovery of PFOA in drinking water supplies in Rensselaer County, which has presented significant disease risks to the residents of these communities; and

WHEREAS, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola, the harmful Zika virus, and other communicable diseases that may arrive from other nations via global travelers at any time; and

WHEREAS, Stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health Law is necessary for the protection of all communities within New York State; and

WHEREAS, Article 6 of the Public Health Law currently provides a base grant of either a set amount or a per capita rate of local health department (LHD) expenditures on core public health services, and then State reimbursement for 36% of LHD costs beyond the base grant; and

WHEREAS, The state has reduced its annual appropriations for Article 6 Public Health spending by 40% over the last several years; and

WHEREAS, New York State does not allow local government to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6; and

WHEREAS, In state fiscal year 2011-12, the State eliminated the allowance of state aid for so-called "optional services" by local health departments, such as early intervention administration, medical examiners, dental health services, some environmental health activities, certified home health agencies, and more; and

WHEREAS, Administrative actions by the New York State Department of Health (NYSDOH) such as the reduction since 2012, and

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eventual elimination, of revenue offset; the refusal to cover costs associated with the contribution that other local governmental offices make to the work of their local health department Maintenance in Lieu of Rent (i.e. "MILOR"); and a recent refusal to cover technical assistance in rural counties for well water and septic tank problems that can compromise the sanitation and health of communities throughout rural areas of the state; and

WHEREAS, The reduction and eventual elimination of the revenue offset and other administrative actions leads to a reduction in the generation of fee and penalty revenue that, in turn increases the need for local budget cuts, including staff reductions that compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public's health; and

WHEREAS, NYSDOH has frequently applied changing and inconsistent standards in what it allows as state aid claims without advance notice, from quarter to quarter, region to region, or county to county; and

WHEREAS, Inflation-adjusted payments by New York State for Article 6 state aid to local health departments have declined since 2011, and as a result, local expenditures for public health services and subsequent claims for such state aid have declined dramatically, with New York City claims alone dropping by \$85 million and state aid payments to New York City declining by \$120 million; and

WHEREAS, Executive administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public including:

- enforcing regulations intended to reduce the incidence and risk of Legionnaire's Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE;
- monitoring the public health impact of an influx of unaccompanied minors into the United States and specifically New York State;
- monitoring and responding to international health threats and emergencies, among other public health needs; and

WHEREAS, Local health departments deserve respect for their dedication to public health and their expertise in population health; and

WHEREAS, Local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda; and

WHEREAS, The current limits on base grants and state aid, combined with increasing administrative cuts and disallowances, are creating a cascading negative financial impact on local health departments and eroding their local public health infrastructure; and

WHEREAS, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor to compensate, within the 2017-18 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

1. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of state aid to local health departments;
2. Increase the base grants that ensure 100 percent reimbursement of local expenditures:
 - Increase the base grant to Full Service LHDs (i.e. those with environmental health units) from \$650,000 to \$750,000;
 - Increase the base grant to Partial Service LHDs (i.e. those with environmental health units) from \$500,000 to \$550,000;
 - Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30.
3. Increase the beyond-base-grant state aid reimbursement rate from 36% to 38%.
4. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation; and 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 and New York State Assemblyman David DiPietro, the

New York State Association of Counties, the New York State Department of Health and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #22

**RESOLUTION NO. 16-399
(October 11, 2016)**

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

**RESOLUTION SUPPORTING RABIES PREVENTION ACROSS THE
STATE AND PROVIDING APPROPRIATE FUNDING NECESSARY TO
ACHIEVE THIS GOAL**

WHEREAS, Rabies is a deadly disease caused by a virus that attacks the central nervous system, and is almost always fatal once symptoms appear; and

WHEREAS, Rabies is most often seen among wild animals such as raccoons, bats, skunks, and foxes; and infected mammals can transmit the rabies virus to humans and other mammals including cattle, cats and dogs; and

WHEREAS, The first signs of a rabies infection is usually change in an animal's behavior, an animal may become aggressive or tame, it may lose its fear of humans, or froth at the mouth; and

WHEREAS, Without vaccination dairy farms are at great risk when sending their cattle out to pasture where they could come in contact with rabid animals; and

WHEREAS, Rabies vaccination shots are expensive and can cost farms thousands of dollars annually; and

WHEREAS, Losing a single animal can be a significant financial burden for a farmer; and

WHEREAS, Luckily, humans are typically only exposed to rabies when an infected animal bites them, or when saliva from an infected animal enters an open cut or mucous membrane such as one's eyes, nose or mouth, but those who work on farms are at a greater risk of contracting rabies if working with unvaccinated livestock; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor to increase funding available to counties for rabies awareness, vaccination, and treatment in the 2017-18 state budget, proportionate

to the number of suspected rabies cases; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties, New York State Department of Health and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #23

**RESOLUTION NO. 16-400
(October 11, 2016)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
MEMBERS OF THE NEW YORK STATE LEGISLATURE TO URGE
CONGRESS TO TAKE EMERGENCY ACTION TO COMBAT THE
SPREAD OF THE ZIKA VIRUS IN THE UNITED STATES**

WHEREAS, The Zika virus is a mosquito-transmitted infection related to dengue, yellow fever and West Nile virus. It was discovered in the Zika forest in Uganda in 1947 and is believed to be common across Africa and Asia; and

WHEREAS, Zika is spread mostly by the bite of an infected Aedes species mosquito (Ae. aegypti and Ae. albopictus); and

WHEREAS, There are more than 749 confirmed cases of the Zika virus across New York State; and

WHEREAS, Though the majority of those infected have no symptoms, and those who do usually recover within a week, Zika can have devastating impacts on a pregnancy; and

WHEREAS, Zika can be passed from a pregnant woman to her fetus. Infection during pregnancy can cause certain birth defects including congenital microcephaly and other serious brain defects. There is also mounting evidence of neurological impacts on adults; and

WHEREAS, There is no vaccine or medicine for Zika, which means prevention of the Zika virus and control of the Aedes species mosquito population is of the utmost importance; and

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WHEREAS, For prevention and mosquito control to be effective, federal funding needs to be allocated to state and local entities as soon as possible; and

WHEREAS, United States Senator Chuck Schumer has urged Congress to pass emergency funding to fight the spread of Zika and support the development of a possible vaccine for the mosquito-borne viruses; and

WHEREAS, Congress has not approved the full \$1.9 billion in funding President Barack Obama has asked for to fight the disease; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to urge the United States Congress to take immediate action to approve funding to fight the spread of Zika; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties, New York State Department of Health and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

There was a motion by Mr. Brick, T/Perry, to combine Resolutions #24 through #26. Hearing no objection resolution titles were read.

#24

**RESOLUTION NO. 16-401
(October 11, 2016)**

By Mr. Brick, Chairman of the Agriculture Committee:

**CLERK TO THE BOARD DIRECTED TO PUBLISH NOTICE OF
30-DAY REVIEW OF AGRICULTURAL DISTRICT #3**

WHEREAS, The State of New York Department of Agriculture and Markets has notified this Board that Agricultural District No. 3 in the Towns of Covington, Perry, Castile, Pike, Genesee Falls and portions of Warsaw, Gainesville and Middlebury is due for an eight (8) year review; now therefore,

BE IT RESOLVED, That the Clerk of the Board of Supervisors is directed to publish a notice in a newspaper having general circulation within the area of Agricultural District No. 3, that this notice be posted in at least five (5) conspicuous places within the district, and that said notice also be sent to the

affected municipalities in the District; and be it

FURTHER RESOLVED, That after this thirty (30) day period, this Board of Supervisors hereby directs the Clerk to refer Agricultural District No. 3 to the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board for their respective recommendations, and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to Wyoming County Soil & Water Conservation.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #25

**RESOLUTION NO. 16-402
(October 11, 2016)**

By Mr. Brick, Chairman of the Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tail deer population within the County of Wyoming due to anticipated weather conditions; now therefore,

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2016 through April 1, 2017, 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.

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Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #26

**RESOLUTION NO. 16-403
(October 11, 2016)**

By Mr. Brick, 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, 2017 through Midnight, December 31, 2017, 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: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Chairman Berwanger acknowledged an Ag. Report provided by resident reporter for the Perry Herald, Mary Hotchkiss as follows:

The World Dairy Expo was held in in Madison, Wisconsin on October 4 – 8, and attracts more than 70,000 attendees from over 90 countries each year.

Wyoming County youth who participated at the World Dairy Expo included:

- **Tucker True** of Perry took 29th with his Brown Swiss winter heifer calf. He also placed 3rd out of 25 in the clipping

contest (the youngest in his age group).

- **Trenten True's** Brown Swiss winter heifer took 34th place. (Trenten's mom Stacia had to show his heifer as he is too young to show at the World Dairy Expo).
- **Liana Ilardi** of Perry took 30th with her Brown Swiss summer yearling heifer.
- **Casey Arlig** of Warsaw took 5th with her Ayrshire spring yearling heifer.
- **Elizabeth Peila** of Perry took 5th with her Milking Shorthorn winter heifer calf.
- **Angela Fuller** of Attica who took 5th with her Ayrshire summer yearling heifer and 9th with her Ayrshire Senior Two-Year-Old Cow.
- **Jared Dueppengiesser** of Perry placed 6th with his Jr. Holstein fall heifer calf, 2nd with his Jr. Holstein yearling heifer in milk, 1st with Jr. Holstein senior two-year old cow, and 4th with his Jr. Holstein five-year old cow. Dueppengiesser also placed 27th with a Holstein yearling heifer in milk (must have freshened) and 4th with senior two-year old cow.

At the conclusion of the report, Chairman Berwanger assigned local agriculture reporting to Ms. Hotchkiss as a regular agenda item going forward. The report was enjoyed by all...

There was a motion by Mr. Davis, T/Covington, to combine Resolutions #27 through #31. Hearing no objection resolution titles were read.

#27

RESOLUTION NO. 16-404 (October 11, 2016)

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

RESOLUTION COMMENDING GOVERNOR CUOMO AND STATE LEGISLATORS ON AIRPORT FUNDING MEASURES AND URGING CERTAIN PROGRAMS BE MADE PERMANENT

WHEREAS, Airports play a critical role in New York State's economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and

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critical emergency response for all of New York's local and regional communities and for the nation; and

WHEREAS, A NYS Department of Transportation study quantified the aviation industry's \$50 billion contribution to the state's economy; and

WHEREAS, The 2016-2017 enacted state budget includes Governor Andrew Cuomo's initiative for a four year, \$200 million Aviation Capital Grant Program that includes a competitive process to award at least five airports up to \$40 million each for projects that enhance safety, improve operations, reduce environmental impact, create better passenger experiences, and leverage private investments; and

WHEREAS, While this funding is welcomed and will be used for critical infrastructure and safety enhancements, and economic development projects, this competition will assist only a few of the 74 eligible airports in upstate New York and there will still be airports in need of funding assistance; and

WHEREAS, New York has no dedicated funding source or permanent state capital program for airports and must rely on annual appropriations in the state budget for funding critical airport projects; now therefore,

BE IT RESOLVED, That the New York State Association of Counties does hereby commend Governor Cuomo and the Legislature for the new state financial commitments to New York airports that will help fund critical airport infrastructure rehabilitation, improvement and expansion projects; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and the Legislature to provide recurring and reliable funding for the maintenance and development of the State's airports thereby contributing to the promotion of a safe and efficient air transportation system and to create high-level employment opportunities in regions throughout New York; and be it

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

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**

**RESOLUTION NO. 16-405
(October 11, 2016)**

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

**RESOLUTION URGING NY STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION TO MODIFY ITS PROPOSED
PART 360 SOLID WASTE MANAGEMENT REGULATIONS TO
ADDRESS HIGHWAY CONSTRUCTION IMPACTS**

WHEREAS, The New York State Department of Environmental Conservation has proposed a comprehensive revision to the solid waste regulations found in 6 NYCRR Part 360 creating a new series of regulations from Part 360 to 369 and submitted the proposal for public comment; and

WHEREAS, Some of the proposed changes raise serious concerns as they will affect municipalities and their highway departments and contractors relative to reuse of asphalt containing materials (RAM), road milling projects, road milling reuse, material storage, facility and transporting registration and permitting and other mandates; and

WHEREAS, Road millings and reuse of asphalt materials is a well-developed practice of municipal highway departments and contractors that serve them across the state; and the regulations as proposed will have unintended consequences and add regulatory burden and costs where few seem necessary; and

WHEREAS, Common practices such as on-site masonry grinding operations at construction and demolition sites and even routine road milling operations could be severely impacted and municipalities may be forced to register or secure a permit for each site specific job; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors is urging that the Department of Environmental Conservation consider carefully the comments submitted by counties that urge several modifications to the proposed regulations including but not limited to revising the requirements under the C&D Debris Processing Facility Design and Operating Requirements and those dealing with storage limits for asphalt, brick, soil, rock, or wood that recognize the realities of the operation of county highway departments and their necessary facilities; and be it

FURTHER RESOLVED, Clarifications in these and other sections such as Section 360.15 Registered Facilities, Transporters and Events need to be

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made to remove ambiguities and unwarranted operational burdens and ease compliance; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #29

**RESOLUTION NO. 16-406
(October 11, 2016)**

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

**RESOLUTION CALLING FOR THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO
FURTHER REVISE THE PROPOSED RULEMAKING TO PART 360,
GOVERNING SOLID WASTE MANAGEMENT, TO PROTECT OUR
ENVIRONMENT AND MEET THE NEEDS OF OUR COMMUNITIES
WITHOUT DISPROPORTIONATELY BURDENING LOCAL
GOVERNMENTS**

WHEREAS, Local planning units create unique solid waste management systems that are complex and integrate various waste reduction methods, recycling programs, household hazardous waste collection opportunities, landfills and waste to energy plants; and

WHEREAS, Planning units are responsible for developing and implementing Local Solid Waste Management Plans (LSWMP) and current law requires a LSWMP to be updated every 10 years; and

WHEREAS, LSWMP requirements under the proposed regulations would be expanded to include multiple updates and planning unit reports, which will be very expensive. Cost estimates for preparation and compliance range between \$320,000 and \$560,000 per planning unit, not including the additional staff hours necessary to complete the requirements; and

WHEREAS, Expanded requirements for obtaining an approved LSWMP go far beyond existing statutory requirements, which only tie an approved LSWMP to applications for solid waste construction permits; and

WHEREAS, Counties also have concerns with linking an approved

LSWMP to a municipality's ability to seek recycling and solid waste grants, and permits related to landfills, transfer stations, combustion facilities and household hazardous waste facilities. These requirements would force municipalities to form planning units, which is costly and could delay permit and grant opportunities; and

WHEREAS, These proposed regulations give the New York State Department of Environmental Conservation (DEC) indeterminate authority when deciding whether the approval of a LSWMP is withdrawn; and

WHEREAS, Therefore it is vital that the regulations provide appropriate notice of a problem with a LWSMP and that an opportunity to correct it be given. It is also imperative that the department identify the criteria to be used when considering the approval or denial of a LSWMP and make it available to Local Solid Waste Planning Units; and

WHEREAS, Counties have raised serious concerns with the department's ability to declare a LSWMP to be no longer in effect if required annual reports or biennial updates are not submitted or if they are deemed insufficient by the department; and

WHEREAS, This is extremely problematic as it would prohibit disposal facilities from accepting waste from a municipality that doesn't have an approved LSWMP. Leaving no option for disposal, and creating new environmental and public health hazards; and

WHEREAS, Under proposed regulations, active gas collection systems would need to be installed and employed to collect and destroy landfill gas, either through a flare or a gas to energy facility; and

WHEREAS, Most public landfills already voluntarily have active gas collection systems and receive carbon credits for doing so. Carbon credits are then sold nationally and internationally to companies and individuals who want to reduce their carbon footprint; and

WHEREAS, Celling in the carbon market is a resourceful way for municipalities to offset the cost of operating landfills and provides an additional source of revenue that helps reduce the financial burden on local taxpayers; and

WHEREAS, If active gas collection is mandated, municipalities will no longer be eligible for carbon credits and will lose a valuable and private source of revenue; and

WHEREAS, Counties also have concerns regarding requirements

imposed related to transfer stations operations and limitations on container holding requirements; alternative daily operating cover at landfills; and lastly requirements and holding times related to Construction and Demolition (C&D) debris and the limited holding times imposed under these proposed regulations; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the New York State Department of Environmental Conservation to amend proposed regulations to ensure that counties are not disproportionately burdened while making these necessary updates; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #30

**RESOLUTION NO. 16-407
(October 11, 2016)**

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

RESOLUTION URGING THE NEW YORK STATE PUBLIC SERVICE COMMISSIONER TO WORK WITH UTILITIES TO DETERMINE THE CAUSE OF DELAYED INTERCONNECTION AGREEMENTS AND TO PROMOTE A STREAMLINED INTERCONNECTION PROCESS FOR CONNECTING EXISTING AND NEW RENEWABLE ENERGY PROJECTS TO THE GRID AND PROVIDE IMMEDIATE RELIEF TO DELAYED PROJECTS

WHEREAS, In 2015 Governor Cuomo announced the state's goal of securing 50% of state energy needs from renewable energy sources by the year 2030; and

WHEREAS, Counties and municipalities across New York have identified contracting with solar and small hydroelectric power facilities as a way to stabilize energy prices and improve municipal budget forecasting; and

WHEREAS, Encouraging solar development provides economic development support to a growing and major future industry upstate; and

WHEREAS, Small hydroelectric projects are an historic economic driver in upstate New York, representing over 830MW of existing capacity that supports hundreds of upstate jobs, contributing significantly to the local economy through property taxes and local spending; and

WHEREAS, The aging small hydroelectric fleet is in need of significant re-investment to protect them from ceasing operations and undermining the State's goals; and

WHEREAS, The region's small hydroelectric projects have been operating successfully for decades with current interconnection agreements already approved by the local utility; and

WHEREAS, Interconnection standards govern the process and technical requirements by which distributed clean energy projects such as solar and hydroelectric facilities physically connect to the utility grid; and

WHEREAS, Standards include technical requirements, timeframes, fees and the process in which a project is connected to the grid; and

WHEREAS, Meeting these requirements can be a lengthy process and renewable energy projects are often delayed for years before receiving an official interconnection agreement from the applicable utility; and

WHEREAS, Counties have submitted interconnection applications that have been, in some cases delayed for over two years and that these delays are causing counties significant renewable energy projects; and

WHEREAS, Utilities have outlined procedures for newer interconnection applications, but there remains a host of older applications which fail to move through utility review; and

WHEREAS, In order to reach Governor Cuomo's statewide goal, counties need support from the Public Service Commission to advance projects that have been in the pipeline for years, to finally achieve interconnection from the utility; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the New York State Public Service Commission to identify and prioritize solutions to resolve the ongoing delays of renewable energy projects due to stalled interconnection agreements; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State

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Senator Patrick Gallivan and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #31

**RESOLUTION NO. 16-408
(October 11, 2016)**

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

**2017 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 2017 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: 1537 Noes: Absent: 62 (Middlebury) Abstain:

There was a motion by Mr. Copeland, T/Wethersfield, to combine Resolutions #32 through #50. Hearing no objection resolution titles were read.

#32

**RESOLUTION NO. 16-409
(October 11, 2016)**

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

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY
REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY
INCREASES SET BY THE STATE**

WHEREAS, On December 24, 2015, New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, The recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

WHEREAS, On April 1, 2016 the state approved the Commission's recommendation; and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, For over 50 years, the state has funded all salary increases that they imposed on the counties; and

WHEREAS, The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase as well; and

WHEREAS, This salary increase recommendation occurred well after all counties set their 2016 budgets in law; and

WHEREAS, To the extent that the Commission's recommendations do, in fact, supersede the provisions of Judiciary Law section 221-d as applicable to District Attorney's annual salary; and

WHEREAS, DA's are entitled to the compensation they are owed pursuant to state law for fulfilling the state constitutional and statutory duties related to the enforcement of the state penal law; and

WHEREAS, On April 1, 2016 the State Legislature enacted a \$150 billion State Budget, but did not include the funding for the \$1.6 million in reimbursement costs for the increase in DA salaries; and

WHEREAS, The state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

WHEREAS, For some counties, this salary increase represents approximately one-third of their total allowable property tax growth for all government operation in 2016; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to immediately pass legislation and pay for this increase retroactive to April 1, 2016, and not pass this unfunded mandate on to local taxpayers; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls on the state to pay for this increase and any similar state mandated salary increase in future years; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #33

**RESOLUTION NO. 16-410
(October 11, 2016)**

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 HENDERSON FORD ON BEHALF OF
THE SHERIFF'S DEPARTMENT**

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

- **Henderson Ford**, 810 Ridge Road, Webster, NY 14580
 - Mini-bid No. 16080263 for one (1) new 2017 Ford F150 XL 4 x 4 Crew Cab Pickup in an amount not to exceed thirty-six thousand seven hundred seventy-one dollars and sixty-nine cents (\$36,571.69); effective through delivery of vehicle.
 - One-half of the cost to be reimbursed by New York State Office of Parks, Recreation and Historic Preservation through its Navigation Law Enforcement Aid Program.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

**RESOLUTION NO. 16-411
(October 11, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE
GOVERNORS TRAFFIC SAFETY COUNCIL ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Governors Traffic Safety Council, 6 Empire State Plaza, Room 414, Albany, NY 12228 on behalf of the Sheriff's Department. Said grant to fund the Selective Traffic Enforcement Program (STEP) in a minimum amount of nine thousand four hundred ninety-two dollars (\$9,492.00); effective October 1, 2016 through September 30, 2017.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:
#35

**RESOLUTION NO. 16-412
(October 11, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF
THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the State of New York Unified Court System, 8th Judicial District, 92 Franklin Street, Buffalo, NY 14202-3902 on behalf of the Sheriff's Department. Said contract to provide court security for County, Family and Supreme Courts in a *maximum* amount of three hundred thirty-eight thousand dollars (\$338,000.00); effective April 1, 2017 through March 31, 2017.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

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RESOLUTION NO. 16-413
(October 11, 2016)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
CHAUTAUQUA COUNTY SHERIFF'S OFFICE ON BEHALF
OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Chautauqua County Sheriff's Office, 15 East Chautauqua Street, Mayville, NY 14757-0128 on behalf of the County Jail. Said contract to provide housing for Chautauqua County Inmates in an amount not to exceed eighty-five dollars (\$85.00) per day; effective July 15, 2016 through June 30, 2017.

Revenue Contract.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:
#37

RESOLUTION NO. 16-414
(October 11, 2016)

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

**CHAIRMAN AUTHORIZED TO ACCEPT STATE BID AND SIGN A
CONTRACT WITH BLACK CREEK INTEGRATED SYSTEMS
CORPORATION ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with Black Creek Integrated Systems Corporation, 2900 Crestwood Boulevard, Irondale, AL 35210 on behalf of the County Jail. Said contract to provide jail management software for the upgrade to a Black Creek Super Display Touchscreen Control System in an amount not to exceed four hundred thirty-one thousand five hundred fifty-seven dollars and twenty-six cents (\$431,557.26); effective October 1, 2016 through September 30, 2017. (*NYS Contract Number PT65193*). Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

**RESOLUTION NO. 16-415
(October 11, 2016)**

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

**RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND
SUBSTANCE ABUSE SERVICES AND THE GOVERNOR OF THE
STATE OF NEW YORK TO PROVIDE STATE FUNDING TO
SUPPORT THE TREATMENT OF INDIVIDUALS WITH SUBSTANCE
USE DISORDERS, WHO ARE INCARCERATED IN COUNTY JAILS,
IN ORDER TO HELP COMBAT THE HEROIN AND OPIOID ABUSE
EPIDEMIC AND OTHER ADDICTIONS, SAVE LIVES, AND REDUCE
THE RATE OF RECIDIVISM**

WHEREAS, The rise in heroin and prescription opioid addiction and overdose-related deaths continue to be a major epidemic across New York State; and

WHEREAS, Substance use disorders, including heroin and opioid addiction, are very common among incarcerated individuals; and

WHEREAS, According to the National Center on Addiction and Substance Abuse at Columbia University, 65 percent of individuals incarcerated in jails and prisons in the U.S. meet the medical criteria for a substance use disorder and only 11 percent receive any treatment for substance abuse while incarcerated; and

WHEREAS, Without access to substance use disorder treatment while incarcerated, many individuals start using drugs again immediately upon release from incarceration; and

WHEREAS, In the first two weeks, after an individual with a substance use disorder is released from jail, the risk of a fatal drug overdose is much higher than at any other time. As a result, individuals are often either dying from overdoses in high numbers after they are released from incarceration or end up getting re-arrested for drug-related crimes; and

WHEREAS, Article 41 of the Mental Hygiene Law charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of services to individuals with mental illness, substance use disorders and developmental disabilities at the local level; and

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WHEREAS, The LGU works closely with local correctional facilities, community providers and other stakeholders to improve in jail behavioral health treatment, facilitate community linkages upon reentry and reduce recidivism with very limited resources; and

WHEREAS, While the Office of Mental Health provides some State Aid to counties for the provision of mental health services in the jails, there is no comparable funding provided by the state for incarcerated individuals with substance use disorders; and

WHEREAS, State funding is needed to help provide access to comprehensive substance use disorder services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

WHEREAS, Access to substance use disorder treatment in jails, especially to medication assisted treatment for individuals with opioid addiction, is critical for positive post-release outcomes; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment of incarcerated individuals with substance use disorders in our county jails; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties, Office of Alcoholism and Substance Abuse Services and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #39

**RESOLUTION NO. 16-416
(October 11, 2016)**

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

**RESOLUTION IN SUPPORT OF GOVERNOR ANDREW M. CUOMO
AND THE FEDERAL GOVERNMENT TO CONTINUE EFFORTS TO
RECEIVE FEDERAL APPROVAL TO PROVIDE HIGH-NEED
INDIVIDUALS WITH MEDICAID COVERAGE 30 DAYS PRIOR TO**

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RELEASE TO AVOID RELAPSE AND RECIDIVISM

WHEREAS, A critical gap exists between medical care for individuals in jail or prison, and health coverage for individuals leaving incarceration; and

WHEREAS, While in jail or prison, medical care is provided through the correctional facility, and upon release many inmates are left without coverage at all; and

WHEREAS, It has been reported that one in 70 formerly incarcerated individuals are hospitalized within a week of release from prison or jail, and one in 12 are hospitalized within 30 days; and

WHEREAS, Numerous federal and state studies have shown that formerly incarcerated individuals are more susceptible to drug overdose and hospitalization; and

WHEREAS, In 2015 the Governor's Council on Community Re-Entry and Reintegration recommended expanding health care coverage for formerly incarcerated individuals. The authority for the initiative was included in the 2016-17 State Budget that builds on federal and New York State efforts to reduce rates of incarceration and recidivism, combat the opioid epidemic and other substance disorders, and improve community based mental health care; and

WHEREAS, The New York State Department of Health (DOH) has engaged with the federal government and is in the process of finalizing a waiver request with the Centers for Medicare and Medicaid Services; and

WHEREAS, The purpose of the waiver is to better connect individual to the outside healthcare system and prevent barriers that would prevent individuals access to health coverage both in the short and long terms; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors support the efforts put forth by Governor Cuomo to continue efforts to receive federal approval to provide high-need individuals with Medicaid coverage 30 days prior to release to avoid relapse and recidivism; 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 and New York State Assemblyman David DiPietro, the

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #40

**RESOLUTION NO. 16-417
(October 11, 2016)**

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

2017 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 2017 Stop DWI Plan with the Governors Traffic Safety Committee, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County's STOP DWI Program. The 2017 STOP DWI Plan Agreement is for continued work addressing the problem of impaired driving in a minimum amount of one hundred ten thousand seven hundred seventy-five dollars (\$110,775.00); effective January 1, 2017 through December 31, 2017.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #41

**RESOLUTION NO. 16-418
(October 11, 2016)**

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
WYOMING COUNTY STOP DWI**

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 Governors Traffic Safety Council; NYS STOP DWI Foundation, 6 Empire State Plaza, Albany NY 12228 on behalf of Wyoming County STOP DWI. Said grant to fund the special crackdown patrols during special holidays and events with high visibility road checks and saturation patrols in a minimum amount of ten thousand dollars (\$10,000.00); effective October 1, 2016 through September 30, 2017.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #42

**RESOLUTION NO. 16-419
(October 11, 2016)**

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

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant is for the 2016-2017 Public Safety Answering Points (PSAP) Operations Grant Program in a minimum amount of one hundred fifty-three thousand eight hundred forty-eight dollars (\$153,848.00); effective January 1, 2017 through December 31, 2017.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #43

**RESOLUTION NO. 16-420
(October 11, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SAIA
COMMUNICATIONS ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Saia Communications on behalf of Emergency Services. Said contract is for licensed microwave paths for the public safety emergency radio system in an amount not to exceed one hundred forty-nine thousand nine dollars and sixty cents (\$149,009.60); effective October 11, 2016 through completion of project.

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Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #44

**RESOLUTION NO. 16-421
(October 11, 2016)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE STATE LEGISLATURE TO MORE EQUITABLY AND
EFFICIENTLY IMPOSE THE 9-1-1 SURCHARGE ON ALL WIRELESS
COMMUNICATION DEVICES AND USE REVENUES TO FINANCE
LIFE-SAVING COUNTY 9-1-1 SERVICES**

WHEREAS, The State of New York imposes a \$1.20 public safety surcharge on wireless "contract telephones," which, when it was enabled in statute, was intended to fund 9-1-1 operations and help dispatchers, first responders and law enforcement officers to communicate and respond to emergencies; and

WHEREAS, Despite its access to 9-1-1 systems, the "pre-paid" cellular phone industry is currently not contributing resources to support 9-1-1 service; and

WHEREAS, NYSAC estimates, using FCC data, that about one-third of all cell phones are "pre-paid" and do not pay the \$1.20 state surcharge or the \$.30 local surcharge; and

WHEREAS, More than thirty states have expanded their 9-1-1 surcharge to "pre-paid" phones; and

WHEREAS, The growth of smart phones into the "prepaid" marketplace in recent years is accelerating and providers are moving away from annual contracts toward "prepaid" monthly programs; and

WHEREAS, The State's revenues from the \$1.20 surcharge totals nearly \$200 million annually but is declining, and the majority of these revenues are used by the state for purposes other than 9-1-1; and

WHEREAS, Current funding mechanisms do not provide enough funding to address the essential needs of all counties nor the implementation of NextGen; now therefore,

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BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency communication needs and furthermore authorize all counties the authority to impose a state surcharge up to a \$1.20 on ALL wireless devices that are capable of accessing 9-1-1 services; and be it

FURTHER RESOLVED, The state should provide optional authority for the local wireless \$.30 surcharge for the eight counties that do not currently impose this surcharge; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties, Commissioner of the Division of Homeland Security and Emergency Services and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #45

RESOLUTION NO. 16-422

(October 11, 2016)

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

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 9-1-1 IN NEW YORK STATE AND CREATE A NEW YORK STATE 9-1-1 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES

WHEREAS, Counties provide 9-1-1 services in New York State by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance; and

WHEREAS, Counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS, These changes are a fundamental shift toward an IP based 9-1-1 system that is commonly referred to as Next Generation (NG) 9-1-1; and

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WHEREAS, NG 9-1-1 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

WHEREAS, The majority of states across the country have aggressively begun preparing for NG 9-1-1 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG 9-1-1 system; and

WHEREAS, New York State has done comparatively little to prepare for NG 9-1-1 and is facing significant risk in becoming a straggler in the deployment of NG 9-1-1 technologies; and

WHEREAS, A lag in planning and investment in NG 9-1-1 places New York's citizens at risk as they rely on a legacy 9-1-1 system that is rapidly becoming obsolete; and

WHEREAS, The New York State Public Service Commission (PSC) conducted a telecommunications study on 9-1-1 that required the insight of public safety and 9-1-1 experts to relay relevant public safety information to the PSC as they make 9-1-1 related telecommunications decisions; and

WHEREAS, The PSC intends to work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 9-1-1 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG 9-1-1 in New York State, while maintaining their oversight of 9-1-1 system affordability and reliability as it pertains to providers of 9-1-1 services; and

WHEREAS, A New York State effort to provide coordinated leadership in the area of 9-1-1 would be most appropriately empowered to both support the mission of the PSAPs in the state as well as transition the current state's 9-1-1 legacy system to a NG 9-1-1 system that will better serve its citizens for years to come; and

WHEREAS, Leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 9-1-1 network; and

WHEREAS, Counties urge New York State to adopt the Automated Secure Alarm Protocol (ASAP) which automates all alarms coming from alarm companies and allows for an electronic link between the Central States Alarm Association, the NLETS system and the PSAP's via the NYS e-justice system; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 9-1-1 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the fifty-seven counties outside of NYC to receive emergency 9-1-1 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to enable a State 9-1-1 Department that would:

- Provide funding;
- Issue RFPs and award contracts as necessary to support 9-1-1;
- Establish standards for 9-1-1;
- Apply for and distribute Federal Grant Funds;
- Coordinate and provide training for 9-1-1 directors, supervisors and call takers;
- Provide public education;
- Provide necessary networks to support 9-1-1 both in a legacy and NG 9-1-1 environment;
- Provide a Statewide ESInet to support interoperability within and outside of New York State;
- Create, maintain and distribute GIS databases;
- Create and maintain NG 9-1-1 and other appropriate databases to support 9-1-1 efforts;
- Provide and propose appropriate regulation / legislation / tariffs to support 9-1-1;
- Represent New York State in efforts to support and advance 9-1-1 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC;
- Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques and standards;
- Help manage Civil Service exams;
- Manage the TERT program;
- Provide legal expertise in 9-1-1 related matters;
- Serve as the liaison to 9-1-1 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.);
- Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 9-1-1 field;
- Provide for connectivity via the e-justice system to allow for the Automated Secure Alarm Protocol (ASAP); and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports the extension of 9-1-1 surcharges to any device capable of connecting to 9-1-1, including prepaid devices as essential to preserving current resources for 9-1-1 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties, Commissioner of the Division of Homeland Security and Emergency Services and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #46

**RESOLUTION NO. 16-423
(October 11, 2016)**

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

RESOLUTION NUMBER 16-211 AMENDED

WHEREAS, Resolution Number 16-211 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LINEAGE ON BEHALF OF THE WYOMING COUNTY AG AND BUSINESS CENTER**,” passed by this Board of Supervisors on May 10, 2016 and provides for a postage machine to be located at the Ag and Business Center on behalf of the Wyoming County Ag and Business Center; now therefore,

BE IT RESOLVED, That Resolution Number 16-211 be hereby amended to correct the contractor name and address to Mail Finance, 478 Wheelers Farms Road, Milford, CT 06461.
All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #47

**RESOLUTION NO. 16-424
(October 11, 2016)**

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

**RESOLUTION URGING GOVERNOR CUOMO TO SIGN INTO LAW
THE PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)**

WHEREAS, The United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS, In 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, The decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of cost for this state responsibility; and

WHEREAS, The New York State Senate and Assembly have passed historic legislation entitled Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% by 2023 and thereafter; and

WHEREAS, That the Wyoming County Board of Supervisors thanks the State Senate and the State Assembly for recognizing and addressing this need by passing the Public Defense Mandate Relief Act; and

WHEREAS, The Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of Executive Law Section 832; and

WHEREAS, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit and has begun to expend substantial amounts of State funds to create a more equitable and Constitutional system of representation in only the five settlement counties, therefore creating an unequal system of justice in the remaining counties of the State; and

WHEREAS, By entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services for mandated representation; and

WHEREAS, Requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a

significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under *Gideon vs. Wainwright*, 372 U.S. 335, while also providing fiscal relief for local property taxpayers; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #48

**RESOLUTION NO. 16-425
(October 11, 2016)**

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

**RESOLUTION CALLING ON THE STATE OFFICE OF INDIGENT
LEGAL SERVICES TO CLARIFY THE DETAILS OF THE NEW
GUIDELINES FOR COUNTY ILDS PROGRAMS**

WHEREAS, The United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS, In 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, The decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of costs for this state responsibility; and

WHEREAS, The shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover over 80% of the cost; and

WHEREAS, Implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

WHEREAS, The State and multiple counties were sued, and ultimately settled, Hurrell-Harring, et. al v. State of New York, which sought to transform the indigent defense system and called for more government funding to be invested in the system; and

WHEREAS, The *Hurrell-Harring* settlement requires the parties involved in the suit to provide additional indigent defense services and costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

WHEREAS, Part of the *Hurrell-Harring* settlement are new state-imposed eligibility standards released on April 4, 2016 that expand eligibility in all counties to anyone with net income from 125% in many counties to 250% of the federal poverty level, which is \$30,000 for an individual and up to \$62,000 for anyone in a family of four; and

WHEREAS, These new guidelines, entitled "Criteria and Procedures for Determining Assigned Counsel Eligibility," were developed by the New York Office of Indigent Legal Services (ILS) by way of the New York Executive Law Section 832(3)(c) and the state-settled *Hurrell-Harring* lawsuit; and

WHEREAS, The income eligibility standards will considerably increase caseloads and indigent legal defense costs in most counties; and

WHEREAS, Implementation of these guidelines was supposed to take effect in October 2016, but now has been delayed to April of 2017; and

WHEREAS, There remain questions about whether these new eligibility standards will apply only in criminal courts or to other courts, such as family court, as well; and

WHEREAS, If these standards are expanded to other courts the increase in county costs and caseloads will be unsustainable under existing program parameters; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the New York State Office of Indigent Legal Services to clarify the guidelines it set forth on April 4, 2016 as soon as possible so that counties can plan for the expansion of the program; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties, Office of Indigent Legal Services and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #49

**RESOLUTION NO. 16-426
(October 11, 2016)**

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

**RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW
YORK STATE LEGISLATURE TO PASS LEGISLATION THAT
WOULD PROMOTE THE USE OF VIDEO CONFERENCING FOR
COURT APPEARANCES FOR INMATES HELD
AT A COUNTY JAIL**

WHEREAS, Under current law, video conferencing of inmates for arraignment or other court appearances is permitted in several counties, but is actually not in practice because the law requires the inmate to agree to such an appearance; and

WHEREAS, Many counties have state of the art video conferencing systems which are not used for inmate court appearances, simply because inmates routinely chose to be transported to court rather than make an appearance by video conference; and

WHEREAS, Expanded use of video conferencing for court appearances would save much time and county taxpayer expense by avoiding transporting inmates to court for minor or routine matters, make courtrooms safer, and avoid problems which might happen when inmates are transported by auto or van to a courtroom many miles away from the jail; now therefore,

BE IT RESOLVED, That upon the review and recommendation of the public safety committee that the Wyoming County Board of Supervisors supports legislation to promote the full and expanded use of video conferencing for court appearances for inmates held at a county jail; and be it

FURTHER RESOLVED, That the applicable judge in the presiding court, and not the inmate, should make the determination as to whether video conferencing is appropriate for the particular court appearance to be made; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #50

**RESOLUTION NO. 16-427
(October 11, 2016)**

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

**RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE
PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW
YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE
RELIANCE ON PRISON AND JAILS**

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 2016 from a 46.5% state share in 1990 to less than 10% in 2016, 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

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and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

- Eliminate the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.
- In response to Violation of Probation Petitions:
 - Require counties to develop swift, certain, graduated responses
 - Require the courts to dispose of the VOP's within 90 days
- Enable Probation to administratively modify Conditions of Probation in the provision of graduated responses.
- Establish a dedicated funding stream for juvenile services provided directly to Probation through DCJS/OPCA.
- Eliminate the requirement for dual supervision of Ignition Interlock parolees by delegating direct supervision to NYS Parole only of defendants sentenced to DOCCS.

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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

There was a motion by Mr. Davis, T/Covington, to read Resolution #51 and withdrawn Resolution #52. Hearing no objection the title of the resolution was read.

Before the roll call vote was taken, Chairman Berwanger commented on the county's process for purchasing vehicles. He said the county strives to include county dealerships to bid on vehicles. Even though the county does its very best to encourage local dealerships to provide bids, the response is not the greatest. Chairman Berwanger recognized Supervisor Tallman and his decades of experience in the automobile industry. Chairman Berwanger added that he would much rather see the business go to local dealerships, who employ Wyoming County residents and pay Wyoming County Real Property taxes...

#51

RESOLUTION NO. 16-428
(October 11, 2016)

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

CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN

Regular Session

**CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS
(CO. BLDGS.)**

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

- **Pioneer Ford, Inc.**, 566 West Main Street, Arcade, NY 14009 for one (1) new Transit 150 LR Van (preferred color white) in an amount not to exceed twenty-four thousand one hundred eighteen dollars (\$24,118.00); effective September 23, 2016.
- **Spurr Chevrolet, Inc.**, 6325 Brockport-Spencerport Road, Brockport NY 14420 for one (1) new, 2017 Chevrolet Silverado 1500 4WD regular pickup truck in an amount not to exceed fourteen thousand five hundred eight-two dollars (\$14,582.00); effective September 23, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #52

**RESOLUTION NO. 16-XXX
(October 11, 2016)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH JOHN W. DANFORTH COMPANY ON BEHALF
OF BUILDINGS AND GROUNDS
(CO. BLDGS.)**

WHEREAS, Energy performance contracting is an innovative financing technique authorized by New York State Energy Law, Article IV, §101 that uses cost savings from reduced energy consumption to repay the cost of installing energy conservation measures. This technique allows building users to achieve energy savings without upfront capital expenses. The costs of the energy improvements are borne by the performance contractor and paid back out of the energy savings; now therefore,

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with John W. Danforth Company, 300 Colvin Woods Parkway, Tonawanda, NY 14150 on behalf of Buildings and Grounds (Co. Bldgs.). Said

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contract is for is for an energy performance contract not to exceed two million nine hundred fifty thousand dollars (\$2,950,000.00) million; effective immediately through completion of project pending approval by the county attorney, obtaining necessary financing and upon full contract execution. Contingent upon the availability of funds.

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

There was a motion by Mr. Kehl T/Attica, to combine Resolutions #53 through #66. Hearing no objection resolution titles were read.

#53

**RESOLUTION NO. 16-429
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

REAL PROPERTY TAX OFFICE FEE SCHEDULE APPROVED

BE IT RESOLVED, That the Real Property Tax Office Fee Schedule is hereby approved annexed hereto.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:



Wyoming County Real Property

143 N.Main St.
Warsaw, NY 14569
Phone: 585-786-8828
FAX: 558-786-8827

FEE SCHEDULE - Reports, files, maps, subscriptions, etc

PRODUCT	FEE	
	(General Public)	(Government)
Tax Maps (paper 30"x42")	\$6.00	\$6.00
Ortho Photo w/property lines (paper 30"x42")	\$10.00	\$10.00
	<i>In color</i>	
Photo Copies	8.5"x11" \$0.50	\$1.00 Free
	11"x17" \$1.00	\$2.50 Free
<hr/>		
Assessment Rolls & Tax Rolls	\$.03/parcel (file) \$20/min. plus 25¢ page (print)	Towns & Villages -Free Other Gov't -.01/pci (file)
Cross Reference (Name, Street, SBL)	\$.02/parcel (file) \$15/min. plus 25¢ page (print)	Towns & Villages -Free Other Gov't -.01/pci (file)
Custom Reports / Data Files	\$.05/parcel (file) \$20/min. plus 25¢ page (print)	Towns & Villages -Free Other Gov't -.02/pci (file)
Labels	\$.05/each	\$.01/each
<hr/>		
Tax Extract	\$1000 /all (yearly subscription) \$600 /taxing period	
Digitized Tax Map File	see pricing schedule by town	
Subscription to assessment data on website	\$30 per month per subscriber \$300 per year and \$50 annually for each additional subscriber at same site	
<hr/>		
<u>Tax rolls & bills (includes tax extract and pdf's of bills on disk)</u>		
Schools & Villages	\$1.10 / parcel	
Towns	\$.35 / parcel	
RPS file only to taxing jurisdictions	\$.45 / parcel	

#54

RESOLUTION NO. 16-430 (October 11, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-387 AMENDED

October 11, 2016

WHEREAS, Resolution Number 15-387 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2016 & 2017 INSURANCE RATES ON BEHALF OF CURRENT AND RETIRED COUNTY EMPLOYEES,**” passed by this Board of Supervisors on October 13, 2015 and provides for the following:

Rates for January 1, 2016 through December 31, 2016

A. Employee BCBS PPO

❖ Single	\$ 852.02
❖ Family	\$2,311.42

B. Employee BCBS High Deductible Plan

❖ Single	\$ 420.18
❖ Family	\$1,139.85

C. Retiree BCBS PPO

❖ Single	\$1,330.33
❖ Family	\$3,572.85

D. Retiree BCBS High Deductible Plan

❖ Single	\$ 742.03
❖ Family	\$1,992.82

Rates for January 1, 2017 through December 31, 2017

A. Employee BCBS PPO

❖ Single	\$ 932.53
❖ Family	\$2,529.84

B. Employee BCBS High Deductible Plan

❖ Single	\$ 459.64
❖ Family	\$1,246.90

C. Retiree BCBS PPO

❖ Single	\$1,455.93
❖ Family	\$3,910.46

D. Retiree BCBS High Deductible Plan

❖ Single	\$ 811.72
❖ Family	\$2,179.98

and,

WHEREAS, That Resolution number 15-387 was previously amended by this Board of Supervisors on June 14, 2016 by Resolution Number 16-260 to reflect the following changes:

Rates for January 1, 2016 to December 31, 2016

C. Retiree BCBS PPO

❖ Single	\$1,330.33
❖ 2 Person	\$2,726.97
❖ Family	\$4,123.71

D. Retiree BCBS High Deductible Plan

❖ Single	\$ 742.03
❖ 2 Person	\$1,521.17
❖ Family	\$2,300.29

now, therefore,

BE IT RESOLVED, That Resolution Number 15-387 as previously amended by Resolution Number 16-260 be further amended to remove the 2017 rate sheet from Resolution Number 15-387 and replace with the following:

Rates for January 1, 2017 through December 31, 2017**A. Employee BCBS PPO**

❖ Single	\$ 932.53
❖ Family	\$2,529.83

B. Employee BCBS High Deductible Plan

❖ Single	\$ 459.64
❖ Family	\$1,246.90

C. Retiree BCBS PPO

❖ Single	\$1,456.03
❖ 2-Person	\$2,984.65
❖ Family	\$4,513.37

D. Retiree BCBS High Deductible Plan

❖ Single	\$ 811.72
❖ 2-Person	\$1,664.04
❖ Family	\$2,516.33

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #55

**RESOLUTION NO. 16-431
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

WHEREAS, The County has acquired the right to transfer the following properties pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, The Wyoming County Board of Supervisors has

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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:

115.-1-33.1	Johathan Daone, 3393 Mote Road, Gainesville, NY 14066 has offered \$36,000.00 for property located at 936 Route 78 in the Town of Java.
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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 28, 2016.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #56

**RESOLUTION NO. 16-432
(October 11, 2016)**

By Mr. Kehl, 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 with the approval of the County Attorney is hereby authorized and directed to sign various contracts on behalf of the County Treasurer as follows:

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

- **Mail Finance**, 478 Wheelers Farms Road, Milford, CT 06461 for a postage meter for Central Storeroom in an amount of one thousand nine hundred fifty-nine dollars (\$1,959.00) annually; effective January 1, 2017 through December 31, 2021.
- **Law Office of Theron A. Foote**, 23 West Court Street, Warsaw, NY 14569 for legal services in preparation Article 11 Tax Foreclosure not to exceed ninety thousand dollars (\$90,000.00); effective November 1, 2016 through October 31, 2017.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
#57

RESOLUTION NO. 16-433
(October 11, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

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

WHEREAS, The State has identified significant loopholes in certain internet-based sales tax collection practices and the State estimates that as much as \$200 million annually in state and local sales taxes are not being collected; and

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a more level playing field for retailers; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #58

**RESOLUTION NO. 16-434
(October 11, 2016)**

By Mr. Kehl, 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 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:

- **The Nurse Connection Staffing, Inc.,** 1 Computer Drive South, Albany, NY 12205 (Regional office 290 Elwood Davis Drive, Suite 290, Liverpool, NY 13088) for registered nurses, licensed practical nurses and certified nurses’ aides to provide agency staffing in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective September 1, 2016 through August 31, 2017.

- **Mark Varallo, M.D., PLLC**, P.O. Box 1207, Wilson, NY 14172 for Behavioral Health Services Agreement for physicians and mid-level providers to perform behavioral health services required by patients at the Health System in an amount not to exceed two hundred twenty-eight thousand eight hundred dollars (\$228,800.00) per; effective November 1, 2016 through October 31, 2018.
- **Clark Patterson Lee**, 205 St. Paul Street, Suite 500, Rochester, NY 14604 to provide consultant and professional engineering services in modifying the layout of the existing medical office suite located on the 2nd floor northwest corner of 408 North Main Medical Building, consulting and professional engineering services for other areas of the facility to include the old Emergency Department, clinic/office space currently occupied by Qutubuddin Dar, MD, and relocation of the MRI unit, in an amount not to exceed \$75,000, effective 06/01/2016 – 05/31/2017.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #59

**RESOLUTION NO. 16-435
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 14-102 AMENDED

WHEREAS, Resolution Number 14-102 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 11, 2014 on behalf of the Wyoming County Community Health System and provides, in part, for the following contract:

- **Mark Varallo, M.D., PLLC**, P.O. Box 1207, Wilson, New York 14172 for *Behavioral Health Services Agreement* for physicians and mid-level providers to perform behavioral health services required by patients at the Health System in an amount not to exceed two hundred twenty thousand dollars \$220,000.00 annually with a four percent (4%) increase over the contract amount initiated on January 1, 2010; effective January 1, 2014 through December 31, 2015;

now, therefore,

October 11, 2016

BE IT RESOLVED, That Resolution Number 14-102 be hereby amended to extend the term of the *Behavioral Health Services Agreement* dated January 1, 2014 through December 31, 2015 for an additional ten (10) months, effective January 1, 2016 through October 31, 2016.
All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #60

**RESOLUTION NO. 16-436
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-319 AMENDED

WHEREAS, Resolution Number 16-319 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on August 16, 2016 on behalf of the Wyoming County Community Health System and provides, in part, for the following contract:

- **Niagara Frontier Anesthesia Services, LLP (NFA)**, 4185 Seneca Street, Suite 11, West Seneca, NY 14224 to provide services of Certified Registered Nurse Anesthetists (CNRA); effective January 1, 2016 through December 31, 2018.

now, therefore,

BE IT RESOLVED, That Resolution Number 16-319 be hereby amended to rescind and replace that portion of the Resolution that provides for:

- Services of Certified Registered Nurse Anesthetists (CNRA); effective January 1, 2016 through December 31, 2018

and replace with a contract that provides for a 3-year agreement to provide services of Certified Registered Nurse Anesthetists (CNRA); effective September 1, 2016 through August 31, 2019 cancellable upon 90-day written notice, as follows:

- Two (2) full time equivalent CRNA to provide anesthesia services each workday at WCCHS.
- One (1) CRNA to provide anesthesia call coverage and anesthesia services on nights and weekends 365 days per year.
- An additional CRNA for a 7:00 am to 4:00 pm workday when requested by WCCHS.

- All CRNA's provided to WCCHS under this agreement must have the appropriate clinical privileges at WCCHS to perform the services.
- NFA will bill and collect for all services provided and WCCHS will compensate NFA the difference between amounts collected and \$73,000.00 per month, plus \$1,200.00 for each day an additional CRNA is requested, plus \$1,000.00 per month lodging expenses for the first eight (8) months of the agreement.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #61

**RESOLUTION NO. 16-437
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULES “C”, “P” 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

- Place five (5) positions of **RN Supervisor SNF** (Per Diem) under Nursing Facility Administration and set the salary at \$150/4-hour shift; position available date is September 28, 2016.
- Remove one (1) position of **Mid-Level Provider** (Per Diem) under Pediatric Clinic; position available date is September 28, 2016.
- Set the salary for the position of **Director of Behavioral Health** under Mental Health Unit at \$69,000.00 per year; add \$3,000.00 upon successful completion of six (6) month goals; effective date October 9, 2016.
- Set the salary for the position of **Financial Analyst** under Fiscal Services at \$71,200.00 per year; effective date October 9, 2016.

Salary Schedule P:

Wyoming County Community Health System

- Place one (1) position of **Mid-Level Provider** (0.60 FTE) under Pediatric Clinic and set the salary at \$53.04 per hour; position available date is September 28, 2016.

Salary Schedule G:

District Attorney's Office

October 11, 2016

- To provide Stipends from the 2016~2017 Aid to Prosecution Grant plus corresponding fringes to be paid annually after January 1, 2017 as follows:
 - 1st Assistant DA \$15,000.00
 - 2nd Assistant DA \$ 5,000.00
 - Secretary to the District Attorney \$ 3,462.00

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #62

**RESOLUTION NO. 16-438
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE
LEGISLATURE TO PROVIDE ADDITIONAL RESOURCES AND
TECHNICAL ASSISTANCE TO COUNTY OPERATED NURSING
HOMES AS THEY TRANSITION TO A MANDATORY MANAGED
CARE MODEL**

WHEREAS, Sixteen counties and New York City operate twenty-two public nursing homes across the state; and

WHEREAS, County nursing facilities differ from proprietary and voluntary homes as they often serve as a safety net provider in their communities; and

WHEREAS, County operated homes also carry additional fiscal burdens because of their governmental status and state requirements to adhere to different personnel, labor and procurement standards that add to their cost base; and

WHEREAS, The unique mission and cost structure attributable to county operated nursing facilities often creates significant operating deficits that directly impacts local taxpayers; and

WHEREAS, The Federal Government recognizes the unique mission and burdens that publicly operated nursing facilities face and they have put in place a substantial intergovernmental transfer program that is designed to help offset shortfalls and improve service quality and health outcomes in county facilities; and

WHEREAS, The State continues to struggle with adhering to a regular annual schedule to complete the intergovernmental transfer payments to the

point where we are now one year behind schedule and nearly \$600 million in total payments have not been distributed; and

WHEREAS, The State is now requiring that all nursing homes move to a mandatory Medicaid managed care nursing home care delivery model; and

WHEREAS, This new care delivery model will, for technical reasons, gradually eliminate the current intergovernmental transfer program; and

WHEREAS, The State has assured counties that as the intergovernmental transfer program phases out a new federal matching assistance program will take its place to ensure the unique mission of county-operated nursing facilities in New York can continue and succeed; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to provide transitional and ongoing assistance to counties that:

- Facilitates and places on a regular annual schedule the remaining intergovernmental transfers and related federal matching funds;
- Ensures a strong working partnership between the State, counties and federal government to develop and implement in a timely manner a replacement for the intergovernmental transfer program that meets the goals of improving quality of care and moving toward satisfying new federal reimbursement objectives that focus on value-based payments; and
- Creates an ongoing fiscal commitment from the State to support the unique mission and added expenses government facilities incur under state law to ensure county-operated facilities can maintain the highest standards of care and fulfill their safety net function; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

**Local Law
#63**

October 11, 2016

**RESOLUTION NO. 16-439
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. C,
YEAR 2016**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11th day of October, 2016, a proposed local law entitled, “Local Law Introductory No. C, Year 2016, **“A LOCAL LAW TO AUTHORIZE THE SALE AND USE OF SPARKLER DEVICES,”** 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 **8th day of November, 2016 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

INTRODUCTORY LOCAL LAW C – YEAR 2016

A Local Law to Authorize the Sale and Use of Sparkler Devices

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

SECTION 1. LEGISLATIVE INTENT AND ENACTMENT

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A1041) which allows for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal

enjoyment.

- C. Whereas the Governor signed this version of the bill into law in part due to is strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405(B), this Board of Supervisors further finds and determines that “sparkler devices” are neither “fireworks” nor “dangerous fireworks” as defined in Section 270 of the New York State Penal Law, and may be sold and enjoyed, only in the manner described below, within Wyoming County.
- E. This Board of Supervisors finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- G. Whereas this local law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124, 2006 edition.
- H. This Board of Supervisors further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
 - 1. Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2. All distributors’ manufacturers and retailers must be licensed through the New York Department of State.
 - 3. Only those 18 years of age or older may purchase said products.
 - 4. Comply with Part 1228 of Title NYCRR Section 1228.3 of the New York State Uniform Fire Prevention and Building Code.

SECTION 2. DEFINITIONS:

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or

hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

1. **Cylindrical Fountain:** Cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
2. **Cone Fountain:** Cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as in outlined in this subparagraph.
3. **Wooden Sparkler/Dipped Stick:** These devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
4. Novelties which do not require approval from the United State department of transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
 - a. **Party Popper:** Small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

- b. **Snapper:** Small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEPARABILITY

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in this operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4. EFFECTIVE DATE

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

DATED at Warsaw, New York
October 11, 2016 (Introduced)
Cheryl J. Ketchum,^{CMC}
Board Clerk

#64

RESOLUTION NO. 16-440 (October 11, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION CALLING ON STATE LEGISLATIVE LEADERS TO REFORM THE HOME RULE REVENUE PROCESS BY ENACTING A 4-YEAR AUTHORIZATION PERIOD FOR ALL LOCAL SALES TAX EXTENDERS

WHEREAS, Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap; and

WHEREAS, Counties must administer and pay for more than 40 state programs that can consume up to 85 percent of a county's entire budget; and

WHEREAS, Counties' ability to raise revenues from the property tax are limited by the state imposed property tax cap — which resulted in an

October 11, 2016

inflation growth factor of only .73 percent in 2016 and .68 percent in 2017 (three times smaller than the State's self-imposed two percent spending cap); and

WHEREAS, Locally raised revenues are necessary to implement and deliver State mandated programs as well as local public health and safety, economic development and "quality of life" services demanded and expected in our communities; and

WHEREAS, Counties often share the local sales tax with other local governments, where more than one out of every four local sales tax dollars collected are shared with cities, towns, and villages to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, The pass through of local sales tax revenue from counties to cities, towns, villages and school districts will approach \$2 billion in 2016; and

WHEREAS, Enacting a 4-year authorization period still allows for appropriate state legislative review; and

WHEREAS, The longer authorization period proposed would also cut in half the administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state and local level that is currently required under state law, while retaining state legislative review; and be it

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

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #65

**RESOLUTION NO. 16-441
(October 11, 2016)**

Regular Session

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION SUPPORTING REVENUES DEDICATED TO
REDUCING STATE MANDATES ON COUNTIES THROUGH THE
LEGALIZATION OF COMMERCIAL CASINO GAMING
OPERATIONS IN NEW YORK**

WHEREAS, In November 2013, New York State voters approved a constitutional amendment to allow commercial casino gaming in the state, within specific guidelines; and

WHEREAS, The state will distribute 80% of the net gaming revenues retained by the state for state education aid above the state education formula; and

WHEREAS, Under the Upstate New York Gaming and Economic Development Act, the host municipalities and surrounding counties split 20% of net gaming revenues; and

WHEREAS, Local municipalities and local residents have already seen a fiscal benefit as a percentage of the gaming license fee was shared with local governments, and

WHEREAS, The Division of the Budget projects the Upstate New York Gaming and Economic Development Act will produce \$238 million annually in additional aid for education or property tax relief across the entire State, plus an additional \$192 million in annual local government aid; and

WHEREAS, Casino expansion will increase local service costs in multiple areas such as local infrastructure and highway needs as well as law enforcement; and

WHEREAS, Current levels of funding municipalities will receive under the Upstate New York Gaming and Economic Development Act may not be sufficient to offset increased costs associated with gaming, such as increased infrastructure, public safety, and public works needs; and

WHEREAS, Counties restricted in raising revenue to fund those mandated programs and services may be forced to cut local programs, eliminate staff positions and reduce local services in order to pay for those mandated programs and services; and

WHEREAS, Commercial gaming funds will provide the State with revenue that the State can use to fund its own programs and services delivered at the county level; now therefore,

October 11, 2016

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Cuomo and members of the State Legislature to ensure the portion of the Commercial Gaming Revenue Fund paid to local municipalities and counties is at least sufficient to adequately cover and pay for all increased costs and services that local governments will incur by reason of commercial gaming operations; 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 and New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper; and be it

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #66

**RESOLUTION NO. 16-442
(October 11, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

Veterans Services:

- Amend one (1) position of Assistant Director of Veteran Services (position code #004.369) on Schedule S (\$16.06/hr.) from a .80 FTE to a 1.00 FTE; beginning November 16, 2016 through medical leave of Director.
- Create one (1) position of Clerk, PT (20 hrs./wk.) (Temporary) on CSEA Schedule A Grade 2 (\$14.75 - \$16.10/hr.); with only those benefits mandated by law through medical leave of Director (up to 3 months); position available date is November 16, 2016.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Public Hearing ~

- ***Comment Period***
 - *There were no registered comments to be heard.*
 - *County Clerk Pierce was invited to comment. She stated that the*

Regular Session

Local Law revenues amount to roughly \$166K annually.

Close Public Hearing ~

A motion to close the public hearing was made by Supervisor May, T/Orangeville, seconded by Supervisor Hastings, T/Eagle. All Aye. Carried.

**Local Law
#67**

**RESOLUTION NO. 16-443
(October 11, 2016)**

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

LOCAL LAW NO. 2 (INTRODUCTORY B) ~ YEAR 2016,
*“A Local Law to Continue to Impose a County Mortgage Recording Tax on
Obligations Secured by a Mortgage on Real Property and to Repeal Local Law
Number 8 of 2008,”* ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 13th day of September, 2016, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2016, entitled, *“A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008”*; and

WHEREAS, In accordance with the provisions of Resolution No. 16-330, there was a public hearing held by this Board of Supervisors on this 11th day of October, 2016, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore,

BE IT ENACTED, That Local Law 2, Year 2016, County of Wyoming, New York, as presented to this Board on the 13th day of September 2016, is hereby adopted in its original form as follows:

LOCAL LAW NO. 2, YEAR 2016

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

October 11, 2016

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

SECTION 1. This local law hereby repeals local law number 8 of 2008 which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 8 of 2008 is not retroactive. The purpose of the repeal is to make clear that this 2016 local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.

SECTION 2. IMPOSITION OF TAXES.

For the period commencing November 1, 2016 through November 30, 2018, there is hereby imposed in Wyoming County a tax of twenty five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). County of Wyoming,

SECTION 3. APPLICABILITY.

The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Wyoming County,” unless a different meaning is clearly required.

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

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

SECTION 5. ADDITIONAL TAXES.

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

SECTION 6. DISPOSITION OF TAXES.

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

SECTION 7. EFFECTIVE DATE

October 11, 2016

This local law shall become effective December 1, 2016 through November 30, 2018.

DATED at Warsaw, New York
September 13, 2016 (Introduced)
October 11, 2016 (Adopted)
Cheryl J. Ketchum,^{CMC}
Clerk to the Board

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #68. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #68 prior to the roll call vote.

Prior to the Roll Call Vote the Chairman explained that this resolution will allow for the purchase of new mechanicals throughout the various buildings of the county and stated that the hospital had undergone the same process just a few short years ago.

**2/3 Majority
UC #68**

**RESOLUTION NO. 16-444
(October 11, 2016)**

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

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY
OF AN ENERGY PERFORMANCE CONTRACT, A LEASE/PURCHASE
AGREEMENT AND RELATED DOCUMENTS**

WHEREAS, The County of Wyoming, New York (the “County”), has solicited requests for proposals in connection with various energy improvements in County facilities, and, as a result thereof, has selected John W. Danforth Company (“JW Danforth”) to undertake and perform the identified energy related improvements (the “Project”); and

WHEREAS, It is now desired to approve an energy performance contract with JW Danforth (the “EPC”) and the financing of this Project, at a maximum estimated cost of \$2,900,000.00 and to authorize various actions and the execution of the EPC, a lease purchase agreement (the “Lease”) which shall have a term not to exceed 16 years, as well as related documents; now therefore

BE IT RESOLVED as follows:

Section 1. The (i) form of the EPC presented to this Board of Supervisors upon approval by the County Attorney that the Chairman of the Board of Supervisors is hereby authorized to execute the EPC and (ii) County Treasurer is authorized to execute the Lease and the related escrow contract in order to finance the Project described in the preambles hereof.

Section 2. The County approves the engagement of (i) RLI, Energy Inc. to facilitate the procurement of financing of such Project and to serve as lessor under the Lease, if necessary, (ii) Fiscal Advisors and Marketing, Inc. to provide financial advisory services in connection with the Lease, and (iii) Orrick, Herrington & Sutcliffe LLP as bond counsel to review the Lease and provide its opinion in connection therewith.

Section 3. The County Treasurer and other officers of the County are hereby authorized to take all action necessary or reasonably required in order to effectuate the intent of this resolution.

Section 4. This resolution shall take effect immediately.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Presentation ~

- ***Dr. James M. Sunser, President of Genesee Community College***

Dr. Sunser provided a review of programs and facilities of the many college campuses in and around Wyoming County. Dr. Sunser told Supervisors that the Board of Directors makes arrangements to hold their meetings at the various campus centers so that they can see the facilities that make up the college first hand on a regular basis. There was some discussion over the State/County/Student partnership for payment of tuition. Dr. Sunser boasted that GCC College credits transfer to other NYS four-year institutions.

There was some discussion over increased tuitions. Supervisor Becker, T/Sheldon questioned the ability of local governments to “recoup” its share of tuitions from students who do not complete their college degrees.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:47 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

October 11, 2016

REGULAR SESSION
(November 08, 2016)
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 the November 8, 2016 Board Meeting is:

George Stover

Mr. Stover was born at Seamore-Johnson Air Force Base, North Carolina where his father was a career Airman. Eventually his family moved to Wyoming County where Mr. Stover attended Letchworth Central School.

Eager to serve his country, Mr. Stover left high school early and immediately enlisted in the United States Marine Corps. He completed basic training at Parris Island which graduates an estimated 16,000 Marine recruits each year.

After basic training, he attended Military Occupation Specialty (MOS) School at Twentynine Palms, California that is currently home of the Marine Air/Ground Combat Center. There he completed training as a Field Radio Operator and subsequently shipped out to Camp Lejeune, North Carolina.

Working his way through the ranks, Mr. Stover was quickly promoted to Staff Sergeant and was part of a special four-man operation. This team was inserted into various areas where they provided special ops with radio relay stations and intercept enemy intelligence. Mr. Stover also participated in Navy training exercises that took him all around the world to places such as Norway, Turkey Japan and the Philippines.

As a Marine, Mr. Stover loved the camaraderie he shared with his men. This special bond was demonstrated during a Christmas celebration one year. Most of the Marines from base went home for Christmas but Mr. Stover and his team stayed behind. They cut down a "Charlie Brown" Christmas tree, decorated it with aluminum foil decorations and shared care packages with one another from

their families.

After serving three-years in the Corps and with an honorable discharge, Mr. Stover returned to civilian life. For his valor and courageous service to his country, Mr. Stover earned the

Good Conduct Medal
Rifle Marksmanship Badge

For the next 20 years, Mr. Stover lived in Texas and hauled freight as a truck driver all over the country, eventually owning and operating his own rig. In 2010, he headed north to the great state of Alaska becoming an ice road trucker, hauling loads from Fairbanks to Seattle.

In 2014, he reluctantly left trucking as health conditions prevented him from being on the road. Coming to back Warsaw in 2015, he now enjoys retirement by spending his time as a published poet and researches and writes about the effects of PTSD. Mr. Stover also volunteers at the Pike Community Church and spearheaded, “*Christmas for Vets,*” a program that donates goods to Veterans living at the Batavia VA nursing home, guaranteeing, “*Nobody is forgotten.*”

The pledge was said by all.

Chairman Berwanger invited Town of Warsaw Supervisor, R. Ryan to join him at the podium in the presentation of the customary certificate of appreciation to Mr. Stover and an opportunity to address the Board. At which time, Mr. Stover graciously thanked the Board for the invitation to lead the pledge and a poem he wrote with attendees...

I thank you for inviting me here today and to give me the privilege in leading you in the pledge of allegiance. As a veteran this is a great honor to do this. Today is Election Day; the day that we as a country are choosing the person that will lead us for the next four years. Then this Thursday is a big day for me and all Marines because it is the birthday of the Marine Corps. We have served this great country for 241 years. Then this Friday is Veterans Day. What a great week to be a Marine veteran. I would like to honor all the combat veterans and say thank you for your sacrifices that you made.

But in saying that I would like to take a few minutes and speak to you about a group of veterans that seem to be forgotten. This era of veteran service mostly was done out of the public eye. They were the 1% that took their oath just like any other man or woman who entered into military service. They still signed a check for the amount up to and including giving their life for the freedoms that we all cherish so much. Even though at times it was not the cool thing to do.

This era of military service was during the cold war. Most of the American public calls this era of service peace time. Because they are not fully aware of the kinds of things going on in the darkness of the world at the time. But to be honest with you there were more mission deaths during the cold war than there have been in Iraq and Afghanistan combined. These service members have guarded the DMZ at the 38th parallel north in Korea to Guantanamo bay, Cuba. These service members also served in Germany and on ships protecting our shores, as well as many more places unnamed here.

Each time I hear the names of our fallen read I never hear of these men and woman that served so proudly. They did not do it for trinkets of ribbon and gold, or pieces of paper to be lost in a folder some place. They did it because it was what our country asked of them. They will never have a wall built to remember them nor will they have a statue built to give them credit. We do not ask for it or expect it from you.

But each one of these service members deals with their own demons the same as the combat veterans do. We suffer from PTSD from the things we saw as well.

So I ask of you only one thing. That the next time you say a prayer and say thank you to a combat veteran. Please remember the Cold War Veterans as well.

In closing I would like to read a poem that I wrote. I hope from its words you get the feeling that some of us as veterans feel every day as we try to live our lives in the darkness of this world.

A MAN STANDS ALONE

A man stands alone amongst a million,
He thinks of old friends now long gone,
And he longs for their friendships.

A man stands alone and thinks of,
The first time he made love to his lady,
The smell of her hair,
The softness of her skin and he desires her.

A man stands alone dreaming his dreams,
Of the times of bad,
The screams of outrage as all the things

He has done comes back to him.

A man stands alone and looks at his hands,
He thinks of all that met their end too early by them,
And wonders why them instead of him,
He hopes it will never have to happen again.

A man stands alone
And hears the yells of pain,
Of the men he fought so many battles with,
As the mortars fall around them.

A man stands alone and feels the burn,
Of hot lead as it enters his body,
And asks if it's his time to go,
He realizes he'll be able to fight again.

A man stands alone and remembers,
The bite of the needle, the high of the weed,
And the buzz of the bottle, trying to settle his mind,
He says to him self that these didn't work,

A man stands alone and kneels on one knee,
He says this verse to any one that wants to listen,
"Please forgive me the things I've done,
I've fought hard and played even harder,
Some I'm proud of and some I'm not,
If you can not I understand
I will bear the burden of my actions till the day I die.

There the man kneels alone,
Who will listen to his plea,
His brothers in arms now and then,
Will forgive me, as I kneel alone.

-- By George M. (recon) Stover

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

Communications ~

1. **William J. Leahy/Office of Indigent Legal Services**, letter dated October 18, 2016, regarding clarification of new Indigent Legal Services criteria and procedures for determining eligibility.
2. **Senator Gallivan** ~ Letter dated October 19, 2016 acknowledging receipt of several Wyoming County Board of Supervisors resolutions.
3. **Assemblyman DiPietro** ~ Letter dated October 19, 2016 acknowledging receipt of several Wyoming County Board of Supervisors.
4. **Stephen Acquario, Exe. Dir. for NYSAC** ~ Letter dated October 28, 2016 acknowledging receipt of several Wyoming County Board of Supervisors.

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Open Public Hearing ~

- “Local Law No. 3, Year 2016 (Introductory C, Year 2016) Entitled, “*A Local Law to Authorize the Sale and Use of Sparkler Devices*”

#1

RESOLUTION NO. 16-445
(November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2016 ACCOUNTS

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

Board of Supervisors			
From: 01.31.1010.8.89001 Medical/Hosp. Ins. To: 01.31.1010.4.41202 Printing 01.31.1010.4.40201 Dues Reason: To cover printing of 2015 Journal of Proceedings and 2017 Ag. Society Dues.	\$800.00	\$300.00 500.00	
Board of Supervisors Total			\$800.00
Real Property Tax Services			
From: 01.33.1355.4.40401 Training To: 01.33.1355.1.10001 Salary S/D/I 01.33.1355.8.81001 Retirement 01.33.1355.8.83001 FICA 01.33.1355.8.85001 Medicare Reason: To cover salary change for Assessor 10/1-12/31/16.	\$1,238.80	\$995.80 167.00 62.00 14.00	
Real Property Tax Services Total			\$1,238.80
DMV			
From: 01.34.1410.8.81001 Retirement To: 01.34.1410.4.40007 Telephone Basic Reason: To cover the cost of the new phone system.	\$340.00	\$340.00	
DMV Total			\$340.00
Mental Health			
From: 01.38.4323.4.42306 Other To: 01.38.4323.8.83001 FICA 01.38.4323.8.85001 Medicare FICA Reason: To cover the fringe cost of Admin. Assistant.	\$29.96	\$24.29 5.67	
Mental Health Total			\$29.96

Health Dept.			
From: 01.38.4051.4.41204 Advertising To: 01.38.4051.1.10001 Salaries – Fixed SDI Reason: For Director of Nursing Navigator hrs. to accommodate Navigator Open Enrollment running 11/01/16 through year end and translates to 100% of time in Navigator Prgrm v. PH. Funds budgeted and reimbursed w/ NYS DOH, Office of Health Ins. Prgrms/Bureau of Child Health Plus Policy and Exchange Consumer Assist.	\$5,731.50	\$5,731.50	
From: 01.38.4010.1.10001 Salaries – Fixed SDI 01.38.4010.1.10101 FT CSEA Contract To: 01.38.4010.4.42429 Rabies Treatment Reason: To cover additional Rabies Vaccine and Immune Globulin for Rabies Treatment for Human Exposure.	\$5,731.50 6,268.50	\$12,000.00	
Health Dept. Total			\$17,731.50

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

**RESOLUTION NO. 16-446
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

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

Real Property Tax Services			
To: 01.33.1355.1.10601 Unused Benefit Time 01.33.1355.8.83001 FICA 01.33.1355.8.85001 Medicare 01.33.1355.8.81001 Retirement <i>w/any funds available</i> Reason: To pay for unbudgeted, unused benefit time and retirement charge for employee that was not being accounted for in part of 2014 & 2015.	\$811.60 50.00 12.00 4,635.22	\$5,508.82	
Real Property Tax Services Total			\$5,508.82
Historian			
To: 01.46.7510.1.10001 Schedule S/D/I 01.46.7510.8.82001 Disability 01.46.7510.8.83001 FICA 01.46.7510.8.85001 Medicare-FICA 01.46.7510.8.89001 Health Insurance 01.46.7510.8.89002 HRA Expense <i>w/any funds available</i> Reason: To cover the cost of increased hours for the PT Historian to FT.	\$6,650.00 55.60 361.73 84.41 1,518.01 12.00	\$8,681.75	
Historian Total			\$8,681.75

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Health Dept.			
To: 01.38.4010.2.23001 PH – Motor Vehicles w/01.11.4010.340104 Additional State Aid Reason: For the purchase of a vehicle, in connection with the WCHD maximum award for NYSDOH 2015-16 Local Health Department (LHD) Performance Incentive Initiative	\$32,000.00	\$32,000.00	
To: 01.38.4010.4.42434 Komen for the Cure Grant w/01.03.4010.160113 (Komen for the Cure Grant) Reason: To increase awareness of breast cancer screenings and treatment services in connection with the Susan G. Komen for the Cure “Small Grant” from 10/2016-9/2017, per 03/30/16 PHC.	\$5,000.00	\$5,000.00	
Health Dept. Total			\$37,000.00
District Attorney			
To: 01.32.1165.4.41010 Misc. Equip./Supplies w/01.12.1165.4389 Federal Block Grant Reason: Recording Equipment as granted by DCJS through a Justice Assistance Grant (JAG).	\$24,677.00	\$24,677.00	
To: 01.32.1167.4.42494 LG Grant w/01.11.1167.3089 State Block Grant Reason: Legislative Grant appropriation for items being spent out in 2016. Remaining balance of grant to be appropriated in 2017 budget in the amount of \$8,591.00 (Total grant is \$20,000.00).	\$11,409.00	\$11,409.00	
District Attorney Total			\$36,086.00
Sheriff			
To: 01.37.3110.1.10302 OT/Schedule S&D w/01.03.3110.1289 Dept. Income Other Reason: To cover overtime expenses related to Jam In The Valley.	\$1,391.68	\$1,391.68	
To: 01.37.3110.1.10301 Overtime Full/Part Time w/ <i>any funds available</i> Reason: To cover overtime related to shift coverage	\$75,000.00	\$75,000.00	
Sheriff Total			\$76,391.68
Jail			
To: 01.37.3150.1.10601 Unused Benefit Time 01.37.3150.8.84001 Unemployment w/ <i>any funds available</i> Reason: To pay unbudgeted unused benefit time to three (3) Correction Officers who retired and unbudgeted unemployment for former Correction Officer.	\$6,200.00 11,050.00	\$17,250.00	
Jail Total			\$17,250.00

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

Prior to the roll call vote, Chairman Berwanger explained that he will be voting no on the following resolution because the rate from just Genesee Community College, the increase, for the cost to the county this year is a 32% increase and it amounts to a \$400,000 on next year's, the 2017 budget. It also includes, that is not the entire amount that the county is responsible for paying. The entire

amount, I believe, is \$580,000 for all community colleges. There is some convoluted formula that is basically another mandate from the state demanding that the county pay a portion, the largest portion, of students from Wyoming County for college tuition.

**Non-Consent
#3**

**RESOLUTION NO. 16-447
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

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

Treasurer			
To: 01.36.2490.4.41505 Community Colleges <i>w/any funds available</i>	\$250,000.00	\$250,000.00	
Reason: To cover community colleges expense.			
Treasurer Total			\$250,000.00

Carried: XXX Ayes: 965 Noes: 172 (Arcade) Absent: Abstain:
 53 (Covington)
 51 (Eagle)
 93 (Gainesville)
 19 (Genesee Falls)
 88 (Java)
 62 (Middlebury)
 58 (Orangeville)
38 (Wethersfield)
 634 Total

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$2,291,715.24** for the month of **October 2016**.

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

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

#4

**RESOLUTION NO. 16-448
(November 8, 2016)**

November 8, 2016

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
ELECTION SYSTEMS AND SOFTWARE ON BEHALF OF THE
BOARD OF ELECTIONS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Election Systems and Software, 6055 Paysphere Circle, Chicago, IL 60674 on behalf of the Board of Elections. Said contract to provide annual software maintenance in an amount not to exceed five thousand thirty-seven dollars and sixty-three cents (\$5,037.63); effective December 1, 2016 through November 30, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-449
(November 8, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
METRODATA SERVICES, INC. ON BEHALF OF THE HUMAN
RESOURCE DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Metrodata Services, Inc., 403 Main Street, Suite 624, Buffalo, NY 14203 on behalf of the Human Resource Department. Said contract is for pre-employment screening in an amount not to exceed eight thousand dollars (\$8,000.00) annually; effective November 15, 2016 through November 14, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-450
(November 8, 2016)**

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign various contracts on behalf of the County Attorney as follows:

- **Mark H. Dadd Law Office, PLLC**, 166 Main Street, Attica, New York 14011 for the provision of legal services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2017 through December 31, 2017.
- **Wendy Sisson**, P.O. Box 242, Geneseo, New York 14454 for the provision of legal services to the Wyoming County Department of Social Services in an amount not to exceed thirty thousand dollars (\$30,000.00); effective January 1, 2017 through December 31, 2017.
- **Jennifer Wilkinson**, 11 Exchange Street, Attica, New York 14011 for the provision of legal services to the Wyoming County Department of Social Services in an amount not to exceed seventy-five dollars (\$75.00) per hour and a total of ten thousand dollars (\$10,000.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #7 through #10 Hearing no objection resolution titles were read.

#7

**RESOLUTION NO. 16-451
(November 8, 2016)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
GATEWAY~LONGVIEW ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

November 8, 2016

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a State Welfare Management contract with Gateway-Longview, 6350 Main Street, Williamsville, NY 14701 on behalf of the Department of Social Services. Said contract to provide residential and therapeutic foster care services for Wyoming County child/youth in an amount not to exceed one hundred thirty-two thousand dollars (\$132,000.00); effective September 26, 2016 through June 30, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-452
(November 8, 2016)**

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

**CHAIRMAN AUTHORIZED TO ACCEPT THE NEW YORK STATE
OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE BID
AND SIGN A CONTRACT WITH WEBSTER FORD, INC., D/B/A
HENDERSON FORD ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

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

- **Webster Ford, Inc., d/b/a Henderson Ford**, 810 Ridge Road, Webster, NY 14580
 - Mini-Bid No. 16100147 for one (1) 2017 Ford Fusion SE in an amount not to exceed eighteen thousand two hundred fifty-eight dollars and fifty-six cents (\$18,258.56); effective October 23, 2016 through delivery of vehicle.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-453
(November 8, 2016)**

Regular Session

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

ADOPTION AWARENESS MONTH PROCLAIMED

WHEREAS, November 2016 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 19, 2016 help to raise public awareness of the fact that there are children available who are waiting for caring families; and

WHEREAS, There are currently five children freed for adoption and approximately 43 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 2016** is hereby proclaimed **NATIONAL ADOPTION MONTH** in Wyoming County; and be it

FURTHER RESOLVED, That it is the desire of this Board of Supervisors and Wyoming County Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

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

RESOLUTION NO. 16-454 (November 8, 2016)

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

NATIONAL CAREGIVERS MONTH PROCLAIMED

WHEREAS, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is

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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 2016** as **FAMILY CAREGIVERS MONTH** in Wyoming County.

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

After passage of the above resolutions Chairman Berwanger invited Supervisor Grant to the Podium to share the Proclamations just approved. In turn, Ms. Grant invited Social Services Commissioner, D. Rumsey to join her at the podium. Commissioner Rumsey read the National Adoption Month proclamation and thanked the Board for their continued support of the department and these programs. The 5 children free for adoption are all in adoptive homes and he expects adoptions to be approved in the near future...

Director of Aging and Youth, A. Aldinger was invited to the podium next to present the Family Caregivers Month proclamation. Director Aldinger talked about an event she attended this past Saturday with five (5) members of her staff at Beaver Hollow in Java. She spoke briefly of the topics presented and of a couple (younger seniors) from Bliss that attended the conference and the comments they shared at the end of the day. Director Aldinger said that she watched as the husband attended to his wife's simplest needs that afternoon and as they were leaving Beaver Hollow she commented to the husband that his wife is very lucky to have him. In turn the husband shared, "I'm very lucky to have her."

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #11 through #20. Hearing no objection resolution titles were read.

#11

RESOLUTION NO. 16-455
(November 8, 2016)

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 with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Suburban Adult Services, Inc.*, 960 West Maple Court, Elma, NY 14059 on behalf of Mental Health. Said contract is for sheltered workshop activities for the developmentally disabled population of southwest Wyoming County in an amount not to exceed thirty-nine thousand forty-three dollars (\$39,043.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

RESOLUTION NO. 16-456
(November 8, 2016)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
MENTAL HEALTH ASSOCIATION OF ROCHESTER AND MONROE
COUNTY ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Mental Health Association of Rochester and Monroe County*, 320 North Goodman Street, Rochester, NY 14607 on behalf of Mental Health. Said contract is for the operation of peer-run programs in Wyoming County in an amount not to exceed two hundred sixty-nine thousand ninety-five dollars (\$269,095.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-457
(November 8, 2016)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Living Opportunities of DePaul*, 240 Old Union Road, Cheektowaga, NY 14227 on behalf of Mental Health. Said contract is for adult programs and supported housing in Wyoming County in an amount not to exceed three hundred six thousand nine hundred sixty-five dollars (\$306,965.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-458
(November 8, 2016)**

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CAMP GET-A-WAY OF WESTERN NEW YORK ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Camp Get-A-Way of Western New York*, 18 West Buffalo Street, Warsaw, NY 14569 on behalf of Mental Health. Said contract is for camp services for youth in Wyoming County in an amount not to exceed fifty thousand dollars (\$50,000.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

RESOLUTION NO. 16-459
(November 8, 2016)

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 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 competitive employment services for the mentally ill in Wyoming County in an amount not to exceed forty-nine thousand seven hundred fifty-eight dollars (\$49,758.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

RESOLUTION NO. 16-460
(November 8, 2016)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
COORDINATED CARE SERVICES, INC. ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Coordinated Care Services, Inc.*, 1099 Jay Street, Building J, Rochester, NY 14611 on behalf of Mental Health. Said contract is for employment services for in an amount not to exceed three hundred ninety thousand seven hundred ninety dollars (\$390,790.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

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**RESOLUTION NO. 16-461
(November 8, 2016)**

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 with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Hillside Children's Center*, 96 West Buffalo Street, Warsaw, NY 14569 on behalf of Mental Health. Said contract is for children services in an amount not to exceed one hundred twenty-two thousand eleven dollars (\$122,011.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-462
(November 8, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SPECTRUM HUMAN SERVICES ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Spectrum Human Services*, 34 Main Street, Warsaw, NY 14569 on behalf of Mental Health. Said contract is for adult services in an amount not to exceed five hundred thirty-one thousand thirty-seven dollars (\$531,037.00) annually; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-463
(November 8, 2016)**

Regular Session

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

RESOLUTION NUMBER 15-406 AMENDED

WHEREAS, Resolution Number 15-406 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2016 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November 10, 2015 and provides for various renewal contracts for FY 2016 for Mental Health; and

WHEREAS, Resolution Number 15-406 was previously amended by this Board of Supervisors on March 8, 2016 by **Resolution Number 16-120** to reflect the following changes:

B. **Suburban Adult Services, Inc.**, contract renewal in an amount not to exceed \$38,090.00; effective January 1, 2016 through December 31, 2016:

- Total contract amount increased by \$953.00 for a new total amount of **\$39,043.00**

F. **Spectrum Human Services, Inc.**, contract renewal in an amount not to exceed \$565,542.00; effective January 1, 2016 through December 31, 2016:

- Total contract amount decreased by \$8,441.00 for a new total amount of **\$557,101.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an amount not to exceed \$378,596.00; effective January 1, 2016 through December 31, 2016.

- Total contract amount increased by \$6,300.00 for a new total amount of **\$384,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120 was further amended by this Board of Supervisors on April 12, 2016 by **Resolution Number 16-165** to reflect the following changes:

C. **Wyoming County Community Hospital**, contract renewal in an amount not to exceed \$171,573.00; effective January 1, 2016 through December 31, 2016 as follows:

- Total contract amount decreased by \$820.00 for a new total amount of **\$170,753.00**

G. **Living Opportunities of DePaul**, contract renewal in an amount not to exceed \$305,817.00; effective January 1, 2016 through December 31, 2016 as follows:

- Original contract amount corrected to \$306,378.00
- Corrected contract amount increased by \$211.00 for a new total amount of **\$306,589.00**; and

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WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120 and Resolution Number 16-165 was further amended by this Board of Supervisors on May 10, 2016 by ***Resolution Number 16-203*** to reflect the following changes:

F. **Spectrum Human Services, Inc.**, contract renewal in an ***amended*** amount not to exceed \$557,101.00; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$1,909.00 for a new total amount of **\$559,010.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an ***amended*** amount not to exceed \$384,896.00; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$20,000.00 for a new total amount of **\$404,896.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165 and Resolution Number 16-203 was further amended by this Board of Supervisors on June 14, 2016 by ***Resolution Number 16-248*** to reflect the following changes:

E. **Hillside Children's Center**, contract renewal in an amount not to exceed \$91,101.00; effective January 1, 2016 through December 31, 2016

- Total contract amount increased by \$1,500.00 for a new total amount of **\$92,601.00**

F. **Spectrum Human Services, Inc.**, contract renewal in an ***amended*** amount not to exceed \$559,010.00; effective January 1, 2016 through December 31, 2016

- Total ***amended*** contract amount increased by \$2,768.00 for a new total amount of **\$561,778.00**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165, Resolution Number 16-203 and Resolution Number 16-248 was further amended by this Board of Supervisors on August 16, 2016 by ***Resolution Number 16-307*** to reflect the following changes:

C. **Wyoming County Community Hospital**, contract renewal in an ***amended*** amount not to exceed \$170,753.00; effective January 1, 2016 through December 31, 2016 as follows:

- Total ***amended*** contract increased by \$22,721.88 for a new total amount of **\$193,474.88**; and

WHEREAS, Resolution Number 15-406 as previously amended by Resolution Number 16-120, Resolution Number 16-165, Resolution Number 16-

203, Resolution Number 16-248 and Resolution Number 16-307 was further amended by this Board of Supervisors on September 13, 2016 by ***Resolution Number 16-342*** to reflect the following changes:

- F. **Spectrum Human Services, Inc.**, contract renewal in an ***amended*** amount not to exceed **\$561,778.00**; effective January 1, 2016 through December 31, 2016:
 - Total ***amended*** contract amount increased by \$280.00 for a new total amount of **\$562,058.00**; and
- H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an ***amended*** amount not to exceed **\$404,896.00**; effective January 1, 2016 through December 31, 2016:
 - Total ***amended*** contract amount increased by \$356.00 for a new total amount of **\$405,252.00**; and

WHEREAS, That Resolution Number 15-406 as previously amended by Resolution Numbers 16-120, 16-165, 16-203, 16-248, 16-307 and 16-342 was further amended by this Board of Supervisors on October 11, 2016 by ***Resolution Number 16-396*** to reflect the following changes:

- A. **Livingston/Wyoming ARC**, contract renewal in an amount not to exceed **\$49,671.00**; effective January 1, 2016 through December 31, 2016:
 - Total contract amount increased by \$87.00 for a new total amount of **\$49,758.00.00**
- C. **Wyoming County Community Hospital**, contract renewal in an ***amended*** amount not to exceed **\$193,474.88**; effective January 1, 2016 through December 31, 2016:
 - Total ***amended*** contract increased by \$237.00 for a new total amount of **\$193,711.88**
- D. **Mental Health Association of Rochester/Monroe County, Inc.**, contract renewal in an amount not to exceed **\$267,975.00**; effective January 1, 2016 through December 31, 2016:
 - Total contract amount increased by \$840.00 for a new total amount of **\$268,815.00**
- E. **Hillside Children's Center**, contract renewal in an ***amended*** amount not to exceed **\$92,601.00**; effective January 1, 2016 through December 31, 2016:
 - Total ***amended*** contract amount increased by \$21.00 for a new total amount of **\$92,622.00**
- F. **Spectrum Human Services, Inc.**, contract renewal in an ***amended*** amount not to exceed **\$562,058.00**; effective January 1, 2016 through December 31, 2016:
 - Total ***amended*** contract amount increased by \$321.00 for a new total amount of **\$562,379.00**

G. **Living Opportunities of DePaul**, contract renewal in an ***amended*** amount not to exceed **\$306,589.00**; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$282.00 for a new total amount of **\$306,871.00**

H. **Coordinated Care Services, Inc. of Rochester**, contract renewal in an ***amended*** amount not to exceed **\$405,252.00**; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$450.00 for a new total amount of **\$405,702.00**

now therefore,

BE IT RESOLVED, That Resolution Number 15-406 as previously amended by Resolution Numbers 16-120, 16-165, 16-203, 16-248, 16-307, 16-342 and 16-396 be further amended to reflect the following changes:

E. **Hillside Children's Center**, contract renewal in an ***amended*** amount not to exceed **\$92,622.00**; effective January 1, 2016 through December 31, 2016:

- Total ***amended*** contract amount increased by \$4,898.16 for a new total amount of **\$97,520.16**

All else remains the same.

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

**RESOLUTION NO. 16-464
(November 8, 2016)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON
BEHALF OF THE COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign the following grant applications and acceptance awards on behalf of the County Health Department:

- **New York State Department of Health**, Division of Family Health, ESP, Corning Tower, Room 859, Albany, NY for a one-year extension

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of the Title X Program in a minimum amount of one hundred sixty-three thousand eight hundred seventy-eight dollars (\$163,878.00); effective January 1, 2017 through December 31, 2017.

- **Susan G. Komen for the Cure**, PO Box 237, Buffalo, NY 14231 for a community outreach event to promote breast cancer screening and treatment services and provide financial assistance with treatment and transportation expenses for Wyoming County residents with a breast cancer diagnosis in a *maximum* amount of five thousand dollars (\$5,000.00); effective October 2016 through September 2017.

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

Prior to the roll call vote of Joint Resolution Number 21, Chairman Berwanger called on the Director of Fire and Emergency Management, T. Santoro to explain the significance of the grant. The Director explained that the grant will help the county study both paid and volunteer services and provide the county with options on how to move into the future as to how these services are provided in Wyoming County. It is a phased project. Phase one is to hire a consultant to gather data and information to provide a comprehensive study. The study will provide the county with options that can be implemented over the next phases of the project.

**Joint Resolution
#21**

**RESOLUTION NO. 16-465
(November 8, 2016)**

By Ms. Ryan, Chairman of the Public Health Committee and Mr. Copeland, Chairman of the Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board, the Commissioner of Health and Director of Fire and Emergency Management with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with New York State Department of State, 99 Washington Avenue, Suite 1015, Albany, NY 12231 on behalf of the County Health Department and Fire and Emergency Management. Said grant is for the Wyoming County EMS Project in a minimum amount of sixteen

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thousand six hundred fifty-nine dollars (\$16,659.00) for the current phase and a total award in a **maximum** amount of three hundred thirty-three thousand one hundred eighty-one dollars (\$333,181.00); effective April 1, 2016 through completion of the project.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #22 and #23. Hearing no objection resolution titles were read.

Prior to the roll call vote, Supervisor Brick asked to address the board. Chairman Berwanger recognized the request and in turn Supervisor Brick provided some information on resolution number 22. He added that Governor Cuomo recently announced an award by the Genesee Valley Conservancy for Old Acres Farm, Towns of Leicester (Livingston County) and Perry (Wyoming County) totaling \$1,988,110. This land trust will permanently protect Old Acres Farm, a 1,294-acre dairy operation located in Livingston and Wyoming Counties. Old Acres Farm contains 39% prime and 27% statewide important soils. The farm is the first in New York to install a system that recycles its manure into bedding for its cows; doing so has eliminated the need for the farm to purchase any materials such as sand or sawdust for bedding. The landowners are contributing 12.5% of total project costs. Chairman Berwanger added that at the start of the program in Wyoming County it was met with some skepticism. Persistence prevailed in the number 1 dairy producing county in the state and he encouraged residence to continue support its continuance.

Supervisor Brick introduced Wyo. Co. Soil and Water Conservation District, Conservation Technician - Megan Boberg to review the amendments to Agricultural District #3.

In addition, Chairman Berwanger explained how the Board of Supervisors came to contract with Wyoming County Soil and Water Conservation District for Agricultural District reviews.

#22

**RESOLUTION NO. 16-466
(November 8, 2016)**

By Mr. Brick, Chairman of the Agriculture Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE
LAWMAKERS TO SUSTAIN FUNDING FOR FARMLAND
PRESERVATION**

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WHEREAS, The enacted 2016/17 state budget included \$30,915,000 in agricultural funding aid to localities; and

WHEREAS, The agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our state and beyond; and

WHEREAS, The agricultural sector, farms and related food system is a major economic engine in New York State; and

WHEREAS, While funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the historic commitment New York State has made toward farmland preservation; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to sustain this level of funding in future state budgets and continue New York's significant commitment to farmland preservation; 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 and 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: #23

**RESOLUTION NO. 16-467
(November 8, 2016)**

By Mr. Brick, Chairman of the Agriculture Committee:

FINDING TO MODIFY AGRICULTURAL DISTRICT NO. 3

WHEREAS, This Board has conducted the review of Agricultural District No. 3 located in the Towns of Covington, Perry, Castile, Pike, Genesee Falls and portions of Warsaw, Gainesville and Middlebury; and

WHEREAS, The review process was initiated with a 30-day review

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period and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify District No. 3; and

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

WHEREAS, This Board has reviewed the Review Plan and the Environmental Assessment Form; and

WHEREAS, This Board must make a finding whether the District should be continued, terminated or modified, now therefore

BE IT RESOLVED, That this Board determines that no unique circumstances exist which increase the likelihood of environmental significance and the proposed modification of Wyoming County Agricultural District No. 3 will not have a significant adverse environmental impact; and be it

FURTHER RESOLVED, That this Board does hereby make the finding Wyoming County Agricultural District No. 3 should be modified by adding four thousand one hundred ninety-seven point twenty-five (4,197.25) acres and removing two hundred sixty-four point eleven (264.11) acres as recommended by the County Agricultural and Farmland Protection Board and the County Planning Board; and be it

FURTHER RESOLVED, That the copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board be forwarded to the Commissioner of Agriculture and Markets for recertification as required by the New York State Agriculture and Markets Law.

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

Chairman Berwanger next invited Supervisor Brick to make Cornell Cooperative Extension presentations as follows:

4-H Educators Association

Service Awards ~State, Regional and National Winners

- Distinguished Service Award
 - o Holly Harwood

- Achievement in Service Award
 - Nate Smith
- Special Service Award
 - Jessie Nickerson

Specialty Awards ~ State and Regional Winners

- Excellence in Teen Programming
 - Tanya Nickerson, Nate Smith and Shawn Tiede

Communicator Awards ~ State, Regional and National Winners

- Feature Story “A Closer Look at the Wyoming County 4-H Horse Program”
 - Holly Harwood (Regional & National)
- Media Presentation “Wyoming County 4-H Agriculture in the Classroom Program”
 - Jessie Nickerson, Tanya Nickerson Nate Smith and Shawn Tiede
- Educational Package “Plant Science Lessons”
 - Tanya Nickerson and Nate Smith
- Educational Piece “Digestive System of a Cow”
 - Jessie Nickerson

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #24 and #25. Hearing no objection resolution titles were read.

#24

**RESOLUTION NO. 16-468
(November 8, 2016)**

By Mr. Leuer, Chairman of the Planning Committee:

SMALL BUSINESS SATURDAY PROCLAIMED

WHEREAS, Small business is the backbone of the nation’s economy and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

WHEREAS, Small business owners who work long hours, juggling family and career responsibilities and serving as community volunteers, are vital to our country's prosperity and to the vibrancy of our community. These entrepreneurs are vital to our country’s economy, creating over sixty percent of our nation’s new jobs; and

WHEREAS, Through the opportunities offered by the men and women

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who own and operate the almost one thousand small businesses including family farms in Wyoming County, many of our residents are able to pursue their dreams of a better life; and

WHEREAS, We recognize "Small Business Saturday" which is Saturday, November 26, 2016, a day to celebrate and support small businesses that create jobs, boost the economy, and strengthen neighborhoods around the country to encourage shopping locally; and

WHEREAS, The Wyoming County Board of Supervisors wishes to recognize small businesses for the key role they play in keeping our local economy strong and urging all our citizens to join in this observance, as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses; now therefore

BE IT RESOLVED, That **Saturday, November 26th, 2016** is hereby designated as **SMALL BUSINESS SATURDAY** in Wyoming County in conjunction with the Wyoming County Chamber & Tourism and communities across Wyoming County, the State of New York, and the United States who have declared this as an important day in celebration and recognition of small business.

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

**RESOLUTION NO. 16-469
(November 8, 2016)**

By Mr. Leuer, Chairman of the Planning Committee:

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

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

Voting Members

Unexpired three (3) years term effective September 1, 2016 through December 31, 2018

- Eric Parker (T/Castile), 3751 Middle Reservation Road, Perry, NY 14530 (*replacing J. Vrooman*)
-

Three (3) years term effective January 1, 2017 through December 31, 2019

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- Thomas Suto (T/Orangeville), 2932 Royce Road, Varysburg, NY 14167
- Jerome Marley (T/Gainesville), 5717 Hardy Road, Gainesville, NY 14066

Alternate Member #1

One (1) year term effective January 1, 2017 through December 31, 2017

- Lee Frette (T/Perry) 3692 Shearman Road, Perry, NY 14530

Alternate Member #2

One (1) year term effective January 1, 2017 through December 31, 2017

- Gerald R. Pfeifer (T/Warsaw) 261 Linwood Avenue, Warsaw, NY 14569

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

After the roll call vote was taken, Supervisor Leuer, T/Middlebury was given an opportunity to present the Small Business Saturday proclamation. He invited S. Gardner, Exec. Director of the Wyoming County Chamber of Commerce and Tourism. Exec. Director Gardner thanked the Board of Supervisors for the recognition and encouraged all to participate in the shop local initiative. November 25th starts the annual shop Wyoming and win promotion and it runs through December 24th.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #26 and #27. Hearing no objection resolution titles were read.

#26

RESOLUTION NO. 16-470 (November 8, 2016)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with New York State Division of Criminal Justice Services, 80 Swan Street, Albany, NY 12210 on behalf of the District

November 8, 2016

Attorney's Office. Said grant is for the funding of new video recording equipment in a minimum amount of twenty-four thousand six hundred seventy-seven dollars (\$24,677.00); effective October 1, 2016 through September 30, 2017.

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

**RESOLUTION NO. 16-471
(November 8, 2016)**

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

RESOLUTION NUMBER 16-412 AMENDED

WHEREAS, Resolution Number 16-412 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF THE SHERIFF’S DEPARTMENT**” passed by this Board of Supervisors on October 11, 2016 and provides for court security for County, Family and Supreme Courts in a *maximum* amount of three hundred thirty-eight thousand dollars (\$338,000.00); effective April 1, 2017 through March 31, 2017; now therefore

BE IT RESOLVED, That Resolution Number 16-412 be hereby amended to correct effective date from April 1, 2017 to April 1, 2016.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: 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. 16-472
(November 8, 2016)**

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 with the approval of the County Attorney is hereby authorized and directed to sign *any*

or all of the contracts with the following vendors for Bridge and Highway Related Engineering Design Services, as needed, in an amount not to exceed sixty thousand dollars (\$60,000.00) per contract per year, on behalf of County Highway; effective November 8, 2016 through November 7, 2019 which includes two (2) one-year extensions:

- **Bergman Associates**, 280 East Broad Street, Suite 200, Rochester, NY 14604
- **Clark Patterson Lee**, 205 Saint Paul Street, Suite 500, Rochester, NY 14604
- **LaBella Associates**, 300 State Street, Suite 201, Rochester, NY 14614

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-473
(November 8, 2016)**

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

RESOLUTION NUMBER 13-276 AMENDED

WHEREAS, Resolution Number 13-276 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SIMONSON ENTERPRISES ON BEHALF OF COUNTY HIGHWAY**” passed by this Board of Supervisors on August 13, 2013 and provides for the removal of deer at thirty-five dollars (\$35.00) per deer as per New York State contract; effective August 1, 2013 through December 31, 2018; now therefore

BE IT RESOLVED, That Resolution Number 13-276 be hereby amended to reflect an expiration date of September 30, 2016 due to the rebid of the New York State Department of Transportation work order contract.

All else remains the same.

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

**RESOLUTION NO. 16-474
(November 8, 2016)**

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

November 8, 2016

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SIMONSON ENTERPRISES ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Simonson Enterprises, 7903 Forty Dollar Road, Campbell, NY 14821 on behalf of County Highway. Said contract is for the removal of deer at thirty-seven dollars (\$37.00) per deer as per New York State Contract PA16005 in an *approximate* three (3) year amount of eleven thousand one hundred dollars (\$11,100.00); effective October 1, 2016 through September 30, 2019.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-475
(November 8, 2016)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE TRAFFIC SAFETY
BOARD**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Traffic Safety Board for a term of three (3) years; effective November 11, 2016 through November 10, 2019:

- **James Daniel** (T/Orangeville), 4286 Liberty Street, Warsaw, NY 14569
- **James Wright** (T/Perry), 2462 Simmons Road, Perry, NY 14569
- **David Ricketson** (T/Sheldon), 2011 French Road, Varysburg, NY 14167
- **Shirley Humphrey** (T/Warsaw), 3459 Truesdale Road, Warsaw, NY 14569
- **John Copeland** (T/Wethersfield), 5888 Sheppard Road, Bliss, NY 14025

and be it

FURTHER RESOLVED, That **Michael Bell**, T/Covington, 7718 Kendall Road, Pavilion, NY 14525 be hereby appointed to the Traffic Safety Board to fill an unexpired vacant three (3) year term effective November 11, 2016 through November 5, 2017 (*replacing Douglas Richardson*).

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

*There was a motion by Mr. Kehl, T/Attica, to combine resolutions #32 through
Regular Session*

#47. Hearing no objection resolution titles were read.

Prior to the roll call vote Supervisor May, T/Orangeville was recognized. She stated that she would abstain from voting on Resolution Office Number 46.

Chairman Berwanger asked that Resolution Number 46 be voted on separately. Resolution Numbers 32 through 45 & 47 were voted on first.

#32

**RESOLUTION NO. 16-476
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN
2017 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 **2017** as follows:

- **Univera Medicare ~ PPO High Option**
 - Single - \$480.17
- **Univera Medicare ~ PPO Low Option**
 - Single \$444.05
- **Excellus Medicare ~ PPO**
 - Single \$448.79
- **MVP Medicare Gold Anywhere ~ Buy Up Option**
 - Single \$335.30
- **MVP Medicare Gold Anywhere ~ Standard Option**
 - Single \$303.40

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-477
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

2017 WORKERS' COMPENSATION COSTS APPROVED

November 8, 2016

BE IT RESOLVED, That the cost of Workers' Compensation Insurance for the Participants covered by the Wyoming County Workers' Compensation Self-Insured Plan as based upon the 2017 budget of \$3,115,573.00 (total budget of \$3,155,190.00 minus a \$39,617.00 inter-fund transfer) are as follows:

TOWNS	
Arcade	\$40,954
Attica	36,214
Bennington	55,529
Castile	41,967
Covington	27,665
Eagle	35,198
Gainesville	40,437
Genesee Falls	23,750
Java	34,399
Middlebury	39,277
Orangeville	33,678
Perry	34,081
Pike	31,611
Sheldon	46,851
Warsaw	46,954
Wethersfield	33,099
TOTAL	\$601,664

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	\$319,202
County Highway Department	210,685
Wyoming Co. Community Hospital	804,533
Wyoming Co. Volunteer Fire Depts.	371,009
TOTAL	\$1,705,429

VILLAGES	
Arcade	\$108,920
Attica	73,568
Castile	10,730
Gainesville	40
Perry	88,510
Silver Springs	9,546
Warsaw	115,961
Wyoming	7,764
TOTAL	\$415,039
SCHOOL DISTRICTS	
Attica Central School	\$142,777
Perry Central School <i>tail claims prior 1/1/2017</i>	53,975
Pioneer Central School <i>tail claims prior 1/1/2016</i>	114,355
Warsaw Central School <i>tail claims prior 7/1/2003</i>	7,378
Wyoming Central School	30,604
TOTAL	\$349,089
OUTSIDE AGENCIES	
Community Action	\$39,405
Soil & Water Conservation	4,947
TOTAL	\$44,352

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

RESOLUTION NO. 16-478
(November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-148 AMENDED

WHEREAS, Resolution Number 16-148 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on March 8, 2016 and provides various contracts,

November 8, 2016

in part, on behalf of the Wyoming County Community Health System as follows:

- **Rajendra M. Agrawal, M.D.**, 408 North Main Street, Warsaw, NY 14569 for assistance and consulting related to surgery recommendations and recruiting in an amount not to exceed five thousand dollars (\$5,000.00) per year; effective January 1, 2017 through December 31, 2018.

now therefore

BE IT RESOLVED, That Resolution Number 16-148 be hereby amended to rescind the above contract in its entirety and replace with the following:

- **Rajendra M. Agrawal, M.D.**, 244 Wyoming Street, Warsaw, NY 14569, a two-year practice management agreement to provide advice and input on operations of the WCCHS clinic, consulting services related to the transition of private practice to a hospital based clinic including recruiting and assistance with vendor and insurance contracts in an amount not to exceed five thousand dollars (\$5,000.00) per year; effective January 1, 2017 through December 31, 2018.

All else remains the same.

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

**RESOLUTION NO. 16-479
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-290 AMENDED

WHEREAS, Resolution Number 16-290 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on July 12, 2016 and provides various contracts, in part, on behalf of the Wyoming County Community Health System as follows:

- **Rajendra Agrawal, MD**, 408 North Main Street, Warsaw, NY 14569 to provide medical services in the area of varicose veins treatment and minor room clinic in an amount not to exceed ten thousand dollars (\$10,000.00) per year; effective July 1, 2016 through June 30, 2017.

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now therefore

BE IT RESOLVED, That Resolution Number 16-290 be hereby amended to rescind the above contract in its entirety and replace with the following:

- **Rajendra M. Agrawal, M.D.**, 244 Wyoming Street, Warsaw, NY 14569, a one (1) year personal services agreement to provide consulting services regarding the planning, development, implementation and evaluation of services provided in WCCHS Department of Surgery in an amount not to exceed ten thousand dollars (\$10,000.00); effective July 1, 2016 through June 30, 2017.

All else remains the same.

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

**RESOLUTION NO. 16-480
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
PHYSICIANS PRN 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 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 *Physicians PRN*, 8751 West Broward Boulevard, Suite #108, Plantation, FL 33324 on behalf of the Wyoming County Community Health System. Said contract to furnish physicians to provide clinical services on a temporary basis, in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective August 25, 2016 through August 24, 2019.

Contingent upon the availability of funds.

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

November 8, 2016

RESOLUTION NO. 16-481**(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

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

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

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

SCHEDULE "P"
WYOMING COUNTY COMMUNITY HEALTH SYSTEM BENEFITS

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

PAID TIME OFF (PTO)

Thirty (30) Days of paid time off will be granted at the beginning of each anniversary year for full time employees; pro-rated for part time employment. PTO includes vacation, holiday and sick days. PTO must be used during the anniversary year or it will be forfeited. Requests for planned time off must be pre-approved.

HEALTH INSURANCE

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

DENTAL INSURANCE

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

NEW YORK STATE RETIREMENT

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

DEFERRED COMPENSATION RETIREMENT PLAN 457

Regular Session

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

WORKERS COMPENSATION

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

DISABILITY INSURANCE

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

CONTINUING MEDICAL EDUCATION (CME)

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

DUES AND SUBSCRIPTIONS

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

RECORD OF REVISION

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

November 8, 2016

**RESOLUTION NO. 16-482
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

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

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

Salary Schedule “C”:

Wyoming County Community Health System

- Remove one (1) position of ***Director of Quality and Risk Management, FT*** under Acute Quality; position available date is October 26, 2016
- Place one (1) position of ***Quality and Risk Management Coordinator, FT*** on Salary Schedule C under Acute Quality and set the salary at \$56,160.00 per year; position available date is October 26, 2016
- Include a stipend for the ***Director of Behavioral Health*** under Mental Health Unit in the amount of \$381.61 plus corresponding fringes payable each bi-weekly payroll period while providing social work services for the Skilled Nursing Facility; effective the first payroll period in August 2016 until such time other arrangements can be implemented.

Salary Schedule “D”:

Real Property Tax Services

- Adjust the stipend for the ***Director of Real Property Tax Services*** to \$6,693.00/annually (\$1/parcel) for Countywide Assessing Services; effective November 7, 2016 due to the addition of the Town of Sheldon in the assessment program.

Human Resources

- Set the salary of the ***Human Resource Director*** at \$82,500.00 annually pursuant to the offer of employment letter dated April 27, 2016 by and between the County of Wyoming and Peter Bendyna, which indicates that after completion of six (6) months of full time work Mr. Bendyna would be entitled to an increase of \$5,000.00 (annual salary of \$82,500.00), contingent upon satisfactory performance and meeting pre-established goals; effective November 11, 2016.

Fire and Building Code Enforcement

- Extend the stipend for the ***Code Enforcement Officer*** to provide administrative oversight of the Planning Department; effective January 1, 2017 through December 31, 2017 at \$17,171.00 annually.

Salary Schedule “S”:

Real Property Tax Services

- Set the salary of the ***Assessor*** within the Department of Real Property Tax Services to reflect an annual salary of \$49,000.00; effective November 7, 2016 due to the addition of the Town of Sheldon in the assessment program.

Salary Schedule “G”:

District Attorney

- To provide stipends from the Wyoming County Traffic Diversion Program plus corresponding fringes to the following:

○ Assistant District Attorney (2 nd)	\$ 5,000.00
○ Secretary to the District Attorney	\$10,000.00
○ Administrative Assistant (District Attorney)	\$10,000.00
○ Deputy County Treasurer	\$ 3,000.00

 - 2016 stipends to be paid in 2016.

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

RESOLUTION NO. 16-483 (November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

SEMI-ANNUAL MORTGAGE TAX REPORT

Mr. Kehl, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 01, 2016 through September 30, 2016 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 **\$206,975.24** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

November 8, 2016

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$20,349.87	\$4,550.65	\$15,799.22
Attica	\$18,184.03	\$3,555.14	\$14,628.89
Bennington	\$27,895.85		\$27,895.85
Castile	\$18,620.45	\$1,216.30	\$16,363.35
Perry Village		\$1,040.80	
Covington	\$7,550.19		\$7,550.19
Eagle	\$5,881.67		\$5,881.67
Gainesville	\$5,450.58	\$169.75	\$4,613.79
Silver Springs Village		\$667.04	
Genesee Falls	\$2,628.67		\$2,628.67
Java	\$14,245.46		\$14,245.46
Middlebury	\$5,320.62	\$393.68	\$4,926.94
Orangeville	\$12,112.94		\$12,112.94
Perry	\$20,115.19	\$4,677.71	\$15,437.48
Pike	\$3,169.97		\$3,169.97
Sheldon	\$12,251.64		\$12,251.64
Warsaw	\$27,344.69	\$8,145.40	\$19,199.29
Wethersfield	\$5,852.42		\$5,852.42
Total:		\$24,416.47	\$182,558.77
Grand Totals:		\$206,975.24	

Let This Be Your Warrant for Such Payment: **\$206,975.24** IN WITNESS
WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors
this 8th day of November 2016.

s/Cheryl J. Ketchum, Clerk
Board of Supervisors

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

RESOLUTION NO. 16-484
(November 8, 2016)

By Mr. Kehl, 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)
Elected Officials								
Supervisor	6	DAVIS, Jerry	XXXX	XXXX		01/01/14/12/31/17	9.44	
District Attorney	7	O'GEEN, Donald	XXXX	XXXX		01/01/15/12/31/18	22.33	
County Clerk	7	PIERCE, Rhonda	XXXX	XXXX		01/01/14/12/31/17	21.67	

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

**RESOLUTION NO. 16-485
(November 8, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

2017 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 2017 as indicated in the amount of **\$2,039,766.73** (two million thirty-nine thousand seven hundred sixty-six dollars and seventy-three cents) as indicated on the January Town and County tax bill and any other outstanding fees for services rendered:

MUNICIPALITY	RECYCLE	UNIT	TOTAL
Castile	Seasonal Garbage	219	\$26,391.69
	Year Round Garbage	1254	\$302,239.08

November 8, 2016

Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on *the 13th day of December, 2016 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.*

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

INTRODUCTORY LOCAL LAW NO. D - YEAR 2016

A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2017

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 2017 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 2017 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 2017 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,

November 8, 2016

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 08, 2016 (Introduced)
Cheryl J. Ketchum,^{CMC}
Clerk to the Board

#43

RESOLUTION NO. 16-487 (November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

DATE OF PUBLIC HEARINGS FOR THE CONSIDERATION OF THE 2017 TENTATIVE COUNTY BUDGET SET

BE IT RESOLVED, That two (2) Public Hearings upon the Tentative Budget of the County for the fiscal year and calendar year 2017 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 N. Main Street, in the Village of Warsaw, NY 14569, on ***Tuesday, November 22, 2016 at 11:30 AM and at 6:00 PM*** and that copies of that tentative County Budget will be available at the Public Hearing and after 3:00 P.M. on November 14, 2016, in accordance with Section 354(2) of the County Law of this State, at the office of the Clerk of the Board of Supervisors; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and be it

FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on November 22, 2016.

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

RESOLUTION NO. 16-488
(November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN INTER-MUNICIPAL
AGREEMENT WITH THE TOWN OF SHELDON FOR COUNTYWIDE
ASSESSING SERVICES**

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Inter-Municipal Agreement with the Town of Sheldon to participate in the Countywide Assessing Services Program per Real Property Tax Law Section 1537 and in accordance with the fee schedule negotiated by each municipality; effective November 4, 2016 through September 30, 2019.

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

RESOLUTION NO. 16-489
(November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

2017 EQUALIZATION TABLE PRESENTED AND TABLED

BE IT RESOLVED, That the 2017 Equalization Table is hereby presented; and be it

FURTHER RESOLVED, That its adoption be tabled for at least one (1) day.

November 8, 2016

2017 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
91.00%	ARCADE	213,973,619	235,135,845	0.103046480	213,967,269
100.00%	ATTICA	178,020,588	178,020,588	0.078016157	178,010,188
45.00%	BENNINGTON	114,797,428	255,105,391	0.111797980	114,773,897
100.00%	CASTILE	249,739,997	249,739,997	0.109446637	249,711,447
100.00%	COVINGTON	72,722,375	72,722,375	0.031870023	72,721,875
97.10%	EAGLE	61,314,599	63,145,828	0.027673175	61,302,299
100.00%	GAINESVILLE	112,122,831	112,122,831	0.049136970	112,122,831
100.00%	GENESEE FALLS	29,776,661	29,776,661	0.013049393	29,773,661
80.00%	JAVA	116,313,620	145,392,025	0.063716939	116,296,620
91.00%	MIDDLEBURY	106,574,668	117,115,020	0.051324759	106,574,068
100.00%	ORANGEVILLE	100,286,156	100,286,156	0.043949638	100,286,156
100.00%	PERRY	195,413,976	195,413,976	0.085635675	195,393,526
100.00%	PIKE	56,289,159	56,289,159	0.024668292	56,289,159
81.00%	SHELDON	134,953,406	166,609,143	0.073015178	134,928,306
100.00%	WARSAW	240,863,049	240,863,049	0.105556363	240,861,549
96.00%	WETHERSFIELD	61,540,356	64,104,538	0.028093322	61,529,056
	TOTALS	2,044,702,486	2,281,842,582	1.000000000	2,044,543,907

1-Nov-16

FINANCE COMMITTEE

Bryan Kehl	Ellen Grant	Jerry Davis
Rebecca Ryan	John Copeland	Daniel Leuer
David Tallman	James Brick	Susan May

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

RESOLUTION NO. 16-490 (November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

Jail

- Create five (5) positions of ***Correction Officer, PT*** on WCSEA Appendix A-4 Grade 3 (\$18.79 - \$23.05/hr.); positions available date is November 13, 2016.

Public Health

- Create one (1) position of ***Fiscal Officer I, FT*** on Schedule S with an annual salary of \$35,000.00 with a \$2,000.00 adjustment to \$37,000.00

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following a six (6) month successful performance evaluation; position available date is November 8, 2016.

Real Property Tax Services

- Create one (1) position of ***Secretary to the Director of Real Property Tax Services, FT*** on Schedule S with an annual salary of \$30,000.00; position available date is November 8, 2016.

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

RESOLUTION NO. 16-491 (November 8, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

SUSAN MAY REAPPOINTED TO THE WESTERN REGION OFF TRACK BETTING CORPORATION BOARD OF DIRECTORS

BE IT RESOLVED, That Susan May, 2916 Orangeville Center Road, Warsaw, NY 14569 is hereby reappointed to the Western Region Off Track Betting Corporation Board of Directors for a two (2) year term effective through January 1, 2017 through December 31, 2018.

Carried: XXX Ayes: 1541 Noes: Absent: Abstain: 58 (Orangeville)

Public Comment ~

- *None heard*

Supervisor Copeland, T/Wethersfield explained that he is the Supervisor that motioned for the passage of the local law in Finance Committee. The local law was under consideration previously but did not pass because of the belief of inherent risk to minor children. Supervisor Copeland stated that several neighboring counties allow for the sale and use of the sparkler devices and with proper adult supervision there should be no reason why Wyoming County should not enjoy the sales tax benefit of these sales...

Motion to close the Public Hearing was made by Supervisor May, T/Orangeville. Seconded by Supervisor Brick, T/Perry. Carried.

**Local Law
#48**

RESOLUTION NO. 16-492 (November 8, 2016)

November 8, 2016

By Mr. Kehl, Chairman of the Finance Committee:

LOCAL LAW NO. 3 (INTRODUCTORY C) - YEAR 2016, “A *Local Law to Authorize the Sale and Use of Sparkler Devices*,” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 11th day of October 2016, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2016, entitled, “*A Local Law to Authorize the Sale and Use of Sparkler Devices*,” and

WHEREAS, In accordance with the provisions of Resolution No. 16-439, there was a public hearing held by this Board of Supervisors on this 8th day of November, 2016, 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 2016, County of Wyoming, New York, as presented to this Board on the 11th day of October 2016, is hereby adopted in its original form as follows:

Local Law 3, year 2016

This Local Law shall be entitled “*A Local Law to Authorize the Sale and Use of Sparkler Devices*”

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

SECTION 1. LEGISLATIVE INTENT AND ENACTMENT

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A1041) which allows for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action, and
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts

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business and personal enjoyment.

- C. Whereas the Governor signed this version of the bill into law in part due to is strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405(B), this Board of Supervisors further finds and determines that “sparkler devices” are neither “fireworks” nor “dangerous fireworks” as defined in Section 270 of the New York State Penal Law, and may be sold and enjoyed, only in the manner described below, within Wyoming County.
- E. This Board of Supervisors finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- G. Whereas this local law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124, 2006 edition.
- H. This Board of Supervisors further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
 - 1. Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2. All distributors’ manufacturers and retailers must be licensed through the New York Department of State.
 - 3. Only those 18 years of age or older may purchase said products.
 - 4. Comply with Part 1228 of Title NYCRR Section 1228.3 of the New York State Uniform Fire Prevention and Building Code

SECTION 2. DEFINITIONS

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or

hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- A. Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
- B. Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as in outlined in this subparagraph.
- C. Wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
- D. Novelties which do not require approval from the United State Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
 - 1) Party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
 - 2) Snapper: small, paper-wrapped devices containing not more than one

milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEPARABILITY

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in this operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4. EFFECTIVE DATE

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

DATED at Warsaw, New York
 October 11, 2016 (Introduced)
 November 8, 2016 (Adopted)
 Cheryl J. Ketchum,^{CMC}
 Board Clerk

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

In closing, Chairman Berwanger directed everyone's attention to the article in this season's NYSAC News there is an article written by Sheriff Rudolph on Emergency Preparedness and Response in Wyoming County. In the past Steve Perkins wrote an article on the Environmental Unit and the County Public Health Department has participated in trainings on turning the Certified Home Health Agency around from a money loser to a money maker. Certainly Wyoming County has enjoyed its time in the limelight. Chairman Berwanger recommended that the publication be read as there are several very good articles on Emergency Preparedness all over New York State.

Secondly, he announced that it was Director Andrea Aldinger's birthday today and it was customary for the County Attorney to act as the Board's official choir director in leading the Board in singing Happy Birthday!! Happy Birthday was sung by all! I think Director Aldinger was impressed!! 😊

Chairman Berwanger reminded the Supervisors to stick around for a

November 8, 2016

continuation of the Committee of the Whole meeting to finish going through the 2017 Budget.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:34 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

SPECIAL SESSION
(November 22, 2016)
Tuesday
11:30 AM

The special 2017 budget hearing session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except B. Hastings, T/Eagle; D. Tallman, T/Gainesville; M. Vasile, T/Genesee Falls; B. Becker, T/Sheldon and J. Copeland, T/Wethersfield. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum, Deputy Clerk to the Board, Lisa Perez, several county department heads, contract agency directors and members of the public as follows:

Name	Town
Maria L. A. Piazze	Warsaw / Harrisville
Kenneth Zacher	Warsaw / Warsaw
Ruth Kosmick	Arcade
Louisa Paduacci	WCCH + Health Dept
DAVE PUMSEY	WYASS
Shawn Tied	CCE
Steve Perkins	WCHD + WCUWA
Darrell Rogers	Arcade
John Dindora	Warsaw / RR
Cheryl Grynager	Peter
Julia Ferriani	Perry
DEANNA ALKIE	VARYSSELY
Sean Montelione	Warsaw
DIXIE PERKINS	WARSAW
Jocelyn Kibbe	Warsaw
SARAH MATTHEWS	Castle
Dan Eichmann	WCHS
Kristenmann	to BGS -
Kate Hirst	Action
Joe Lantieri, et al	Daily News

Denise Coffey	Eainesville
NANCY BALBICK	Middlebury
Anthony Santos	Alicia

At 11:31 AM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the meeting is:

Social Services Commissioner, D. Rumsey

The pledge was said by all.

Chairman Berwanger turned the meeting over to Budget Officer Cook to present the 2017 proposed Budget.

Wyoming County 2017 Budget



**NOVEMBER 22, 2016
PRESENTED BY: JANIS COOK,
BUDGET OFFICER**

Summary of Proposed 2017 Budget

Proposed budget - \$128,900,000

Proposed tax levy - \$20,324,000

✧ An increase of 8.04% over 2016 Adopted tax levy

Taxable Valuation - \$2,044,543,907

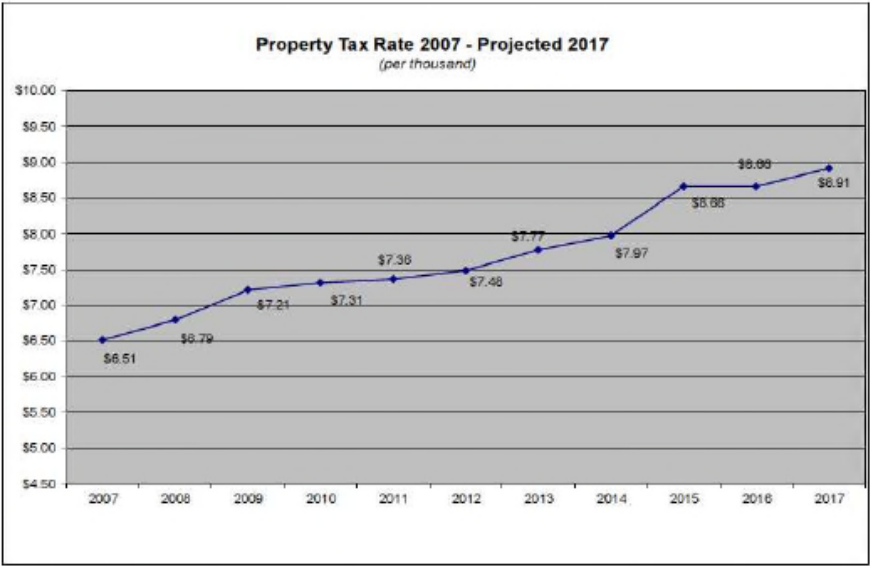
✧ An increase of 4.41%

Proposed tax rate @ 100% assessment -
\$8.91 per thousand

✧ An increase of 2.89%

2017 Property Tax Levy and Rate

	2016	2017	Amt change from prior yr	% change from prior yr
Property Tax Levy	\$ 18,812,000	\$ 20,324,000	\$ 1,512,000	8.04%
Taxable Valuation	\$ 1,958,246,587	\$ 2,044,543,907	\$ 86,297,320	4.41%
Full Valuation	\$ 2,173,063,583	\$ 2,281,842,582	\$ 108,778,999	5.01%
Property Tax Rate **100% Equalization in both FY 2016 & 2017	\$ 8.66	\$ 8.91	\$ 0.25	2.89%



Property Tax Cap Calculation

2016 Tax Levy	18,812,000
+ Special District Levy	2,414,727
2016 Total Adjusted Tax Levy	21,226,727
✕ Tax Base Growth Factor (Provided by NYS)	1.0033
	21,296,775
+ PILOTS in 2016 (est.)	374,135
	21,670,910
✕ Allowable Levy Growth (0.68%)	1.0068
	21,818,272
= PILOTS in 2017 (est.)	392,960
2017 ESTIMATED TOTAL TAX CAP	\$21,425,312
Amount Allowed to Increase Tax Levy	\$198,585
	0.94%

2017 Property Tax Cap

General County Levy	Adopted 2016	Tentative 2017	2017 (+ / -)	2017 Percentage (+ / -)
Revenue	103,377,676	107,312,621	3,934,945	3.81%
Expenses	123,289,676	128,900,000	5,610,324	4.55%
Reserve to offset	1,400,000	1,263,379	-136,621	-9.76%
Allow For Uncollectable Taxes	300,000	0	-300,000	
Total General County Levy	18,812,000	20,324,000	1,512,000	8.04%
Special District Levy				
Town Balances	16,772		-16,772	-100.00%
Board of Elections	21,778	21,486	-292	-1.34%
Recycling	1,763,957	2,039,767	275,810	15.64%
Worker's Comp	611,983	601,664	-10,319	-1.69%
Total Levy All Districts	21,226,490	22,986,917	1,760,427	8.29%
NYS Tax Levy Limitation		21,425,312	198,822	0.94%
Over / (Under) Allowable Cap		1,561,605		

General Fund Recap

General Fund ONLY	Adopted 2016	Tentative 2017	Change Amount + / (-)
Total Revenues	39,407,681	40,492,614	1,084,933
.1 Personal Svc	13,886,715	14,194,594	307,879
.2 Capital	228,100	287,500	59,400
.4 Contractual	28,468,609	30,932,595	2,463,986
.6 Principal Pmt	1,192,842	1,402,842	210,000
.7 Interest Pmt	472,766	480,088	7,321
.8 Fringe	7,983,953	8,329,316	345,362
.9 Transfers	6,686,696	5,939,680.00	(747,016)
Total Expenditures	58,919,681	61,566,614	2,646,933
Fund Balance	(1,000,000)	(750,000)	250,000
Allowance for Taxes	300,000	0	(300,000)
Levy	18,812,000	20,324,000	1,512,000

Highway & Machinery Fund Recap



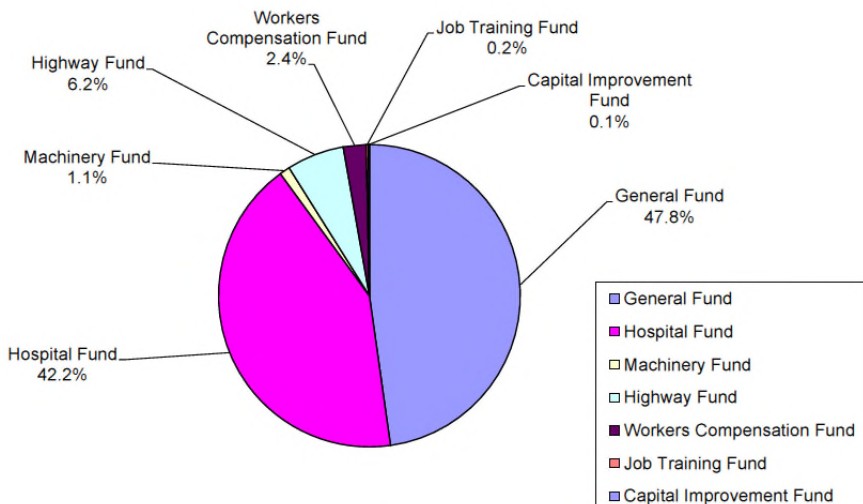
Highway & Machinery ONLY		Adopted 2016	Tentative 2017	Change Amount + / (-)
Total Revenues		9,035,435	8,846,709	(188,726)
.1	Personal Svc	1,397,248	1,360,401	(36,847)
.2	Capital	0	381,212	381,212
.4	Contractual	7,090,835	6,478,012	(612,823)
.6	Principal Pmt	0	150,000	150,000
.7	Interest Pmt	0	3,750	3,750
.8	Fringe	947,352	986,713	39,361
.9	Transfers	0	0	0
Total Expenditures		9,435,435	9,360,088	(75,347)
Fund Balance		(400,000)	(513,379)	(113,379)
Levy		0	0	0

Hospital Fund Recap



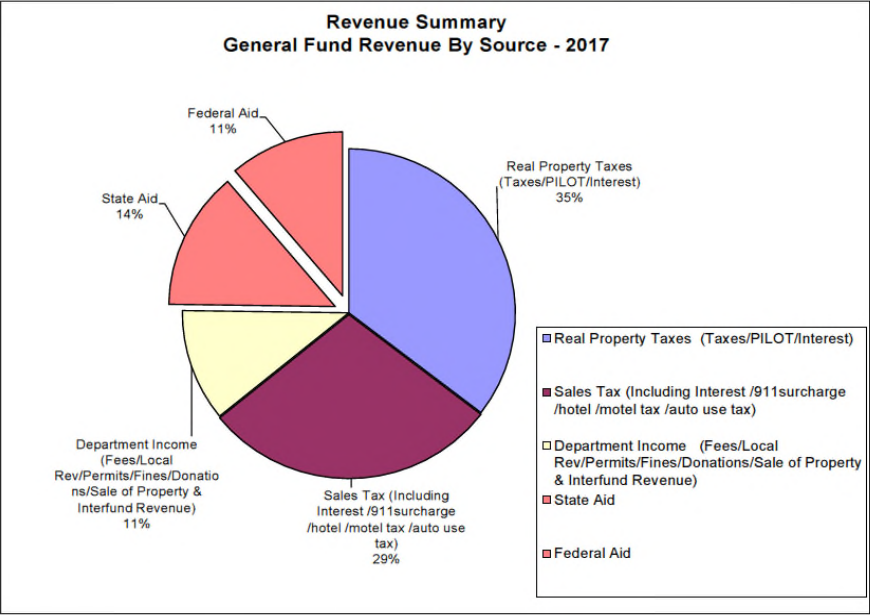
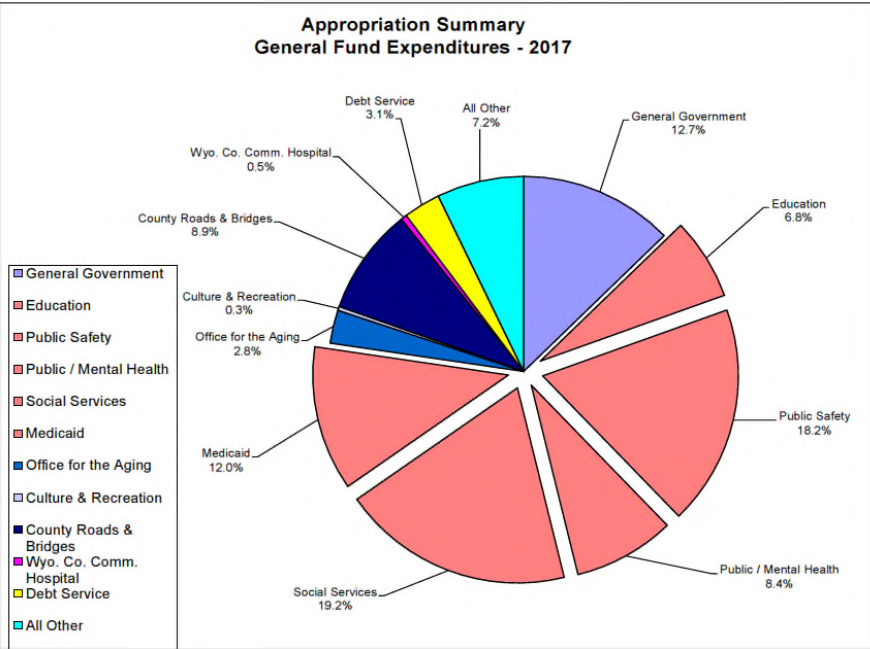
Hospital Fund ONLY		Adopted 2016	Tentative 2017	Change Amount + / (-)
Total Revenues		51,056,486	54,380,510	3,324,024
.1	Personal Svc	20,804,111	21,642,739	838,628
.2	Capital	1,000,000	500,000	(500,000)
.4	Contractual	16,665,618	20,078,070	3,412,452
.6	Principal Pmt	1,103,000	1,158,650	55,650
.7	Interest Pmt	882,189	854,985	(27,204)
.8	Fringe	10,601,568	10,146,066	(455,502)
.9	Transfers	0	0	0
Total Expenditures		51,056,486	54,380,510	3,324,024
Fund Balance		0	0	0
Levy		0	0	0

Appropriation Summary Expenditures By Fund - 2017

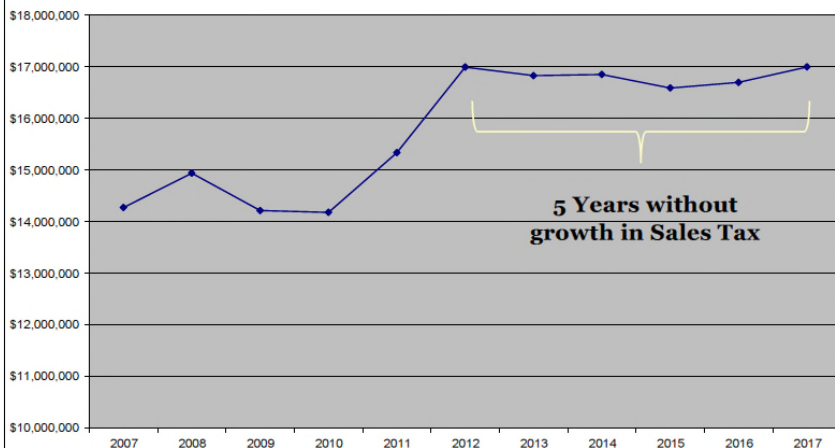


SUMMARY OF 2017 BUDGET BY FUNCTION				
FUNCTION	APPROPRIATIONS	STATE & FEDERAL AID	REVENUES	TAX LEVY / SURPLUS
General Governmental Support	\$0	\$225,000	\$17,779,160	(\$18,004,160)
Legislative	\$735,625	\$0	\$600	\$735,025
Judicial	\$1,584,648	\$675,886	\$114,000	\$794,762
Finance	\$1,234,571	\$0	\$880,882	\$353,689
Staff	\$3,556,677	\$80,500	\$1,649,145	\$1,827,032
Special Items	\$734,589	\$0	\$0	\$734,589
Education	\$4,169,751	\$1,065,720	\$0	\$3,104,031
Public Safety	\$11,234,121	\$522,627	\$890,541	\$9,820,953
Health	\$5,168,705	\$3,701,361	\$704,727	\$762,617
Social Services (Less Medicaid)	\$11,798,118	\$7,527,710	\$623,200	\$3,647,208
Social Services (Medicaid / MMIS)	\$7,386,747	\$0	\$0	\$7,386,747
Economic Development	\$935,837	\$0	\$275,933	\$659,904
Other	\$193,004	\$11,652	\$6,400	\$174,952
Economic Assistance	\$1,698,204	\$934,225	\$226,276	\$537,703
Recreation	\$203,614	\$38,827	\$12,500	\$152,287
Culture	\$108,254	\$0	\$3,880	\$104,374
Adult Recreation	\$95,000	\$95,000	\$0	\$0
General Environment	\$2,299,483	\$0	\$2,227,785	\$71,698
Natural Resources	\$602,056	\$0	\$8,000	\$594,056
Employee Benefits	\$5,000	\$0	\$5,000	\$0
Debt Service	\$1,882,930	\$193,414	\$12,664	\$1,676,853
Interfund Transfers	\$5,939,680	\$0	\$0	\$5,939,680
Highway Funds	\$9,360,088	\$1,977,233	\$6,869,476	\$513,379
Hospital Funds	\$54,380,510	\$1,449,000	\$52,931,510	\$0
JTPA Funds	\$287,598	\$287,598	\$0	\$0
Compensation	\$3,155,190	\$0	\$3,155,190	\$0
Machinery BAN Fund	\$0	\$0	\$0	\$0
Capital	\$150,000	\$0	\$150,000	\$0
TOTALS:	\$128,900,000	\$18,785,753	\$88,526,868	\$21,587,379
Less Surplus:				
General Fund				\$750,000
Machinery Fund				\$131,131
County Road Fund				\$382,248
Compensation				\$0
Capital				\$0
Subtotal Surplus Applied				\$1,263,379
TAX LEVY:				\$20,324,000

November 22, 2016




Sales Tax w/ assoc. Interest 2007 - 2017 Projection



State Mandates

State Mandates	2016 Budget	2017 Budget	Levy Increase
Medicaid (inc. IGT)*	6,795,000	7,386,747	591,747
All other mandated DSS Programs**	3,574,132	3,647,208	73,076
NYS mandated Retirement Contribution	5,537,269	5,572,371	35,102
Community College Expense	1,625,000	2,135,000	510,000
Probation	588,761	603,787	15,026
Indigent Defense	245,769	256,734	10,965
Special Ed Pre-K	970,731	969,031	-1,700
Early Intervention	227,953	233,893	5,940
2017 Cost of Mandated Programs	19,564,616	20,804,772	1,240,157
2017 Tentative Levy		20,324,000	


 Mandated programs account for
more than 102%
 of the County Tax Levy

* Medicaid Levy includes a budgeted \$2.1M local share of estimated IGT funding.

** Public Assistance, Safety Net, Child Welfare

Contract Agencies



Contract Agencies	2017 Allocation
Wyoming County Community Action	\$10,000
Wyoming County Chamber of Commerce (Tourism)	\$150,234
Wyoming County Business Education Council	\$4,300
Wyoming County Business Center	\$60,000
Wyoming County Arts Council	\$11,432
Wyoming County Wildlife Federation	\$904
Wyoming County Soil and Water	\$159,710
Cornell Cooperative Extension	\$390,400
Wyoming County Fair Association	\$23,000
Total Budgeted Expenditures	\$809,981
Percentage of Total Levy:	4.0%

Mandate Relief From Albany?

Please contact your local representatives to request mandate relief so that Wyoming County can continue to focus on the priorities that make our county great.

Starting With:

NYS Governor
Hon. Andrew M. Cuomo
Executive Chambers
State Capitol Building
Albany, NY 12224
(518) 474-8390

Contact Information:

NYS Senator (59 th District)	NYS Assemblyman (147 th District)
<p>Hon. Patrick M. Gallivan 947 Legislative Office Building Albany, NY 12247 (518) 455-3471</p> <ul style="list-style-type: none"> • 2721 Transit Road, Suite 116 Elma, NY 14059 (716) 656-8544 • 143 North Main St., Room 103 Warsaw, NY 14569 (585) 786-5048 	<p>Hon. David DiPietro 543 Legislative Office Building Albany, NY 12248 (518) 455-5314</p> <ul style="list-style-type: none"> • 411 Main St. E. Aurora, NY 14052 (716) 655-0951

Link to the 2017 Wyo. Co. Tentative Budget:

http://www.wyomingco.net/homepageitems/2017_Budget/2017_Wyoming_County_Tentative_Budget.pdf

At the conclusion of the presentation, Chairman Berwanger opened the meeting up to questions from the Supervisors and gallery.

Supervisor Brick, T/Perry questioned Budget Officer Cook about the increase under “Medical Examiners” in an approximate amount of \$70K... Budget Officer Cook explained that this amount was moved from under the “Public Health Department” to the “Medical Examiners” portion of the budget where it is more appropriate. This amount also includes the contract with Monroe County, which has increased significantly.

Public Health Administrator Paolucci was recognized and stated that any time there is a death in Wyoming County there are certain sets of circumstances that require the case to be referred to a medical examiner’s office to determine the manner and cause of death. One example is an overdose death and with rise of the heroine and opioid crisis, this cost has increased significantly.

November 22, 2016

Supervisor Davis, T/Covington stated that NYSAC is pushing for a 12.3% increase to 12.7% retained DMV fees so that counties can retain 25% of fees paid to local DMV Offices and although it is not big money, this money does stay in Wyoming County when patrons utilize their local DMV office. This is one of the issues that NYSAC will be pushing for and legislation will need to be passed in order to enact. He also mentioned that the establishment of sales tax on internet sales would help. Finally, Supervisor Davis said he would be remiss if he didn't (re)state the fact that the County lost \$7.5 million dollars' worth of assessed valuation to a manure digester in the Town of Covington. This equates to \$67,096.43 in taxes, which is one-third of one percent of the County levy. This was the result of a New York State law being passed...

Chairman Berwanger, T/Arcade wanted to take an opportunity to clarify a comment he made regarding community colleges and some questions about the actual percentage the County pays as opposed to what the state and students pay for tuition. He stated that Budget Officer Cook contacted the Association of Counties and the latest information shows that the state pays on average 25.6%, 43.9% is paid by the student and the County is responsible for 30.6%. Chairman Berwanger had previously stated the County pays 75%. However, there is still a question as to what the up to date percentage is...


Chairman Berwanger went on to say that, for example, the Fashion Institute of Technology in NYC (we actually have a few students go there each year), the numbers from 2012-2013 are 12.3% for the state, the student pays 25% and the local share, meaning the County, is 62.4%. He gave another example from the Community College in Hudson Valley.

The Chairman asked Treasurer Mayer if we have a spreadsheet that shows how many students go where... Treasurer Mayer stated the invoices are based on where the students go. He stated the point of the comment is that the taxpayers of this County spend \$2 million dollars per year on community college education, which is a significant number. This year that number increased by another \$510,000.00. He acknowledged that nobody wants to pay more taxes but some things are out of the control of this Board of Supervisors.

Chairman Berwanger noted that Budget Officer Cook made mention of public safety during the presentation which includes worker's compensation for firefighters. This year the Sheriff came to a Public Safety Committee meeting regarding the position of Deputy Sheriff. In another budget crisis a few years ago, the Sheriff was not allowed to fill this position and the slot has remained open. The Board felt this was not a time to reduce public safety due to the climate we now currently live in so it was agreed to move forward with filling the position.

Chairman Berwanger continued by stating that if anyone was to complain about

the cost of volunteer fire service in this County, once again, we did the research last year, and to go to a paid fire system (fire and rescue) the cost would be significantly higher as illustrated on the attached chart.

WYOMING COUNTY 2013 FIREFIGHTING COSTS		
CALLS		
Average Number of Calls Annually		5,000
Average Number of Members Responding to a Call		10
Average Length of a Call in Hours		2
Average Cost Per Member/Per Hour (Wage \$25/hour ~ Fringe Benefits \$15/hour)		\$40.00
5,000 calls x 10 Members x 2 Hours x \$40 Per Hour =		\$4,000,000.00
MANDATED TRAINING		
Average Required Training Hours Per Year / county		27,000
Average Cost Per Member/Per Hour (Wage \$25/hour ~ Fringe Benefits \$15/hour)		\$40.00
5+3		
27,000 Training Hours x \$40 Per Hour =		\$1,080,000.00
MAINTENANCE OF HALLS/EQUIPMENT		
Average Number of Hours Per Year Spent at Fire Halls for Maintenance*		56,000
* Figure does not include cost of construction, maintenance or insurance premiums for halls		
Average Cost Per Member/Per Hour (Wage \$25/hour ~ Fringe Benefits \$15/hour)		\$40.00
		\$2,240,000.00
EQUIPMENT		
Pumper Trucks		42
Tanker Trucks		11
Rescue Units		14
Ladder Trucks		3
Brush Fire Vehicles		4
Ambulances		18
Total Pieces of Equipment		92
Average Replacement Cost/Piece of Equipment	\$300,000.00	\$27,600,000.00
	CALLS	\$4,000,000.00
	MANDATED TRAINING	\$1,080,000.00
	FIRE HALLS	\$2,240,000.00
	EQUIPMENT	\$27,600,000.00
	TOTAL COST	\$34,920,000.00

Additionally, Chairman Berwanger mentioned the receipt of the \$20 million for the hospital. That money is to be used for debt reduction at the hospital and that payment is \$1.3 million per year. If that money had not been received, you would have to add an additional \$1.3 million onto the levy, which would be a significant increase.

Supervisor Leuer, T/Middlebury questioned the increase in Medicaid. Budget Officer Cook explained the capping of Medicaid and stated that the other portion, which we always budget \$1.5 million for, is “IGT – Intergovernmental Transfer”. That money comes from the federal government but in order for our nursing home to receive that money we have to match 50% of what is received. As an example, if we pay \$1.5 million, the federal government will give of \$3 million. This year the nursing home was eligible to receive over \$4.6 million dollars, which left a gap in our budget, as we did not anticipate receiving that much money. Next year, that number will be very similar and in an effort to be prepared to make that match, we are raising taxes to do that.

Budget Officer Cook went on to state that the money for the intergovernmental transfer is made because the County is a public nursing home who accepts Medicaid. It does completely cover the costs of those services. Because we accept everyone regardless, the federal government says, “Yeah, we know we did not pay you enough, so we are going to give you this but you have to match it by 50%”...

CEO Eichenauer stated that Medicaid does not pay the entire cost of a nursing home patient. If you are a private nursing home you can restrict the number of Medicaid patients but as a County-owned facility, you cannot restrict who our residents are so we serve a very high portion of the Medicaid residents. The Governor understands that Medicaid does not pay at the full rate so they have this additional funding.

Supervisor Leuer asked if New York State pays a higher amount than the federal government... CEO Eichenauer stated that, yes NYS rates are higher. Supervisor Leuer went on to say that our President Elect has stated he is going to get rid of the Affordable Care Act that would represent a significant threat to the county budget. Budget Officer Cook agreed.

Chairman Berwanger pointed out that the Board of Supervisors continues to demonstrate its support of agriculture by again funding Cornell Cooperative Extension and Wyoming County Soil and Water at the 2016 levels.

Chairman Berwanger asked for any other comments. Receiving none, he asked for a motion to close the public hearing...

At 12:06 pm, a motion to close the Public Hearing was provided by Supervisor

May, T/Orangeville. Second by Supervisor Granger, T/Castile. All Ayes. Carried.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 12:10 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

November 22, 2016

SPECIAL SESSION
(November 22, 2016)
Tuesday
6:00 PM

The special 2017 budget hearing session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except B. Hastings, T/Eagle; D. Tallman, T/Gainesville; and B. Ryan, T/Warsaw. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum, county department heads, contract agency directors and members of the public as follows:

Name	Town
KARL DRASGOW	WETHERSFIELD
Danna Davis	Covington
Robert King	Pike
Julia Furrer	Rury
Jake McCormick	JAVA
Editha	Warsaw
Nelly Cook	Warsaw
Shen Tie Le	CC E
Dr. Elenna	WELLS

At 6:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the meeting is:

Supervisor John Copeland ~ Town of Wethersfield

The pledge was said by all.

Chairman Berwanger turned the meeting over to Budget Officer Cook to present the 2017 proposed Budget.

For the actual budget presentation, please refer to the AM Session above...

Link to the 2017 Wyo. Co. Tentative Budget:

http://www.wyomingco.net/homepageitems/2017_Budget/2017_Wyoming_County_Tentative_Budget.pdf

Special Session

At the conclusion of the presentation, Chairman Berwanger opened the meeting up to questions from the Supervisors and gallery.

Supervisor Brick, T/Perry stated that there was quite a discussion in Committee of the Whole about the use of the fund balance and it was decided upon to use \$750,000 but Budget Officer Cook recommended using \$250,000. He stated that he is in favor of what Budget Officer Cook recommends as she works with this data every day.

Karl Drasgow of Drasgow, Inc. in the Town of Wethersfield asked about the percentages paid for community colleges and if it was still one-third by the state, student and county. Budget Officer Cook stated that it is all over the board depending upon which college the student goes to... On average according to the 2014-2015 school year, the state paid 27% and the student paid 46%. She thought that the dollars are up due to lower attendance but stated that the percentages are also down slightly.

Chairman Berwanger went on to say that, for example, the Fashion Institute of Technology in NYC, the numbers from 2012-2013 are 12.3% for the state, the student pays 25% and the local share, meaning the County, is 62.4%. He stated that the County has not had a student go there since 2012 but this shows you the differences on the calculation of the percentages depending upon how many students go to certain schools.

Chairman Berwanger acknowledged his statement that he thought the county share was 75% but we are unsure what the percentages are but are somewhere between 25 and 35% but we do not have the latest numbers so we cannot be certain what they are at this time.

Supervisor Brick, T/Perry asked if we have reached a sales tax ceiling... Do you think that people spend about the same amount each year and this is what it is going to be maybe unless gas prices go up?

Chairman Berwanger asked Supervisor Davis, T/Covington to speak about his Inter-County Meeting and what he spoke about in the morning budget session.

Supervisor Davis stated that NYSAC is pushing for a 12.3% increase in DMV fees to 25% retained by the counties and although it is not big money, this money does stay in Wyoming County. He also mentioned that the establishment of sales tax on internet sales would help. If the business has a physical location in the state, by law, they must pay sales tax but if they do not, no sales tax is paid on purchases.

Supervisor Davis also said as far as community colleges go, GCC has raised their tuition by 32% in September, we already had our budget in place before then so

that is part of the reason we fell short in the budget. Supervisor Davis feels enrollment is actually going down. Budget Officer Cook said some costs could be associated with high school students taking advance placement classes.

Supervisor Brick, T/Perry stated that there is one way to increase sales tax revenue but he wouldn't want to see it happen. Given that fact that we are an agricultural county and most agricultural items are sales tax exempt, a farmer can go to Tractor Supply and not pay any sales tax on the purchases.

Supervisor Leuer, T/Middlebury confirmed with Budget Officer Cook that this year we did not budget an allowance for uncollectable taxes. Budget Officer Cook confirmed this and further stated that it depends on what is on the horizon.

Supervisor Leuer asked for confirmation that the County would still cover the Towns if taxes are not paid. Chairman Berwanger confirmed that the county does make the towns, schools and villages whole.

Supervisor Leuer asked if that number is going up or down.

Budget Officer Cook said that for 2016 when the books are closed, it is going to be big because of what was on the horizon. She stated that was why \$300,000 was budgeted last year and there was \$300,000 in the line but we will still be short another \$250,000 that we will have to write off and that comes right out of the fund balance. At that point, there will not be any money in that line and if the County has to write off any other taxes it will come straight out of the fund balance. Budget Officer Cook further stated that the hope is when the County has to foreclose and have an auction, the sale of those parcels will cover the costs of the delinquent taxes and any fees associated with the auction. The theory is that the County will break even but obviously, there are some properties that we will never sell for what is owed. Budget Officer Cook further explained that it is a three year process and that is why we can look ahead to prepare for what is on the horizon.

Supervisor Becker, T/Sheldon agreed with what Supervisor Brick said and we are just kicking the can down the road. Last year, we took a greater fund balance amount just to have the rate lower and cut the contract agencies contributions and this year it is higher because we used so much last year. I will begrudgingly be voting for this budget.

Supervisor Leuer, T/Middlebury said that is an easy statement to make when you have no or minimal town taxes but if you are Middlebury taxpayer, you are going to see a 9.7% increase in the tax rate. It is difficult to explain to residents why they have to pay another increase. For those towns that don't have wind energy or have taxes subsidized it is really tough to explain. For that very reason, I am on

the fence on this budget and really have to think about the residents of Middlebury.

Chairman Berwanger took an opportunity to address the receipt of the \$20 million for the hospital. That money is to be used for debt reduction at the hospital. The primary debt the hospital has is for reconstruction which is about \$31 million but through a series of grants and funding opportunities such as the Capital One campaign, that debt was reduced to about \$20 million. The grant came with the restriction of debt reduction only and that is \$1.3 million per year. If that money had not been received, you would have to add an additional \$1.3 million onto this year's levy. We are very grateful that money was received but it does not mean we are all of a sudden debt free.

Chairman Berwanger pointed out that the Board of Supervisors continues to demonstrate its support of agriculture by again funding Cornell Cooperative Extension and Wyoming County Soil and Water at the 2016 funding levels along with funding for the other contract agencies.

Additionally, through Supervisor Davis' intercession, it has been agreed to offer Community Action \$10,000 to maintain its SUNY Attain Lab, which is located in the Cornerstone Building in Perry.

Chairman Berwanger asked for any other comments. Receiving none, he asked for a motion to close the public hearing... At 6:30 pm, a motion to close the Public Hearing was provided by Supervisor May, T/Orangeville. Second by Supervisor Vasile, T/Genesee Falls. All Ayes. Carried.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 6:30 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

November 22, 2016

REGULAR SESSION
(December 13, 2016)
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 2:36 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the December 13, 2016 Board Meeting is:

Robert Patterson

Mr. Patterson was born and raised in Perry, New York. At the age of 17, his father passed away leaving him to take care of his family while earning his GED, which he did in 1987.

Eager to serve his country, Mr. Patterson enlisted in the United States Navy and completed basic training at Great Lakes, Illinois. After basic training, he attended "A" School training as a Gunners Mate and "C" School training for the MARK-45, a naval artillery gun which can fire 16-20 rounds a minute with a 6-man crew. This weapon is designed for use against surface warships, anti-aircraft and shore bombardment to support amphibious operations.

After training, Mr. Patterson was off to Norfolk, Virginia to be stationed aboard the USS South Carolina. This ship was commissioned in 1974 and served until 1999 when it was recycled. Obtaining the rank of E-5, Mr. Patterson supervised fifteen sailors that operated the MARK-45 mounted guns. In 1990 during "Operation Desert Shield," Mr. Patterson was in the Red Sea stopping, boarding and searching ships for weapons. During this time, he and his men searched over twenty ships, which was extremely dangerous, as they did not know the ships layout or who could be hiding around a corner.

After that mission, Mr. Patterson served in the Caribbean working with the Coast Guard catching drug runners. During the various missions, there were eight prisoners captured and 500 pounds of cocaine seized which earned him the Coast Guard Special Operations Service Medal.

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Eventually Mr. Patterson became a Navy Recruiter and worked out of the Batavia office, which covered Wyoming County. After three years of recruiting and with his enlistment up, Mr. Patterson was honorably discharged as an E-6 with nine-years of service. The best memories of his time in the Navy were visiting places like the Eiffel Tower in France, the pyramids in Egypt and especially witnessing the camaraderie that service members have towards one another. In addition to the Coast Guard Special Operations Service Medal, for his valor and courageous service to his country, Mr. Patterson also earned

- (2) Good Conduct Medals
- M-14 Sharpshooter Medal
- Navy Unit Commendation Medal
- National Defense Service Medal
- Sea Service Deployment Ribbon
- Southwest Asia Service Medal
- Joint Meritorious Unit Award
- .45 Cal Pistol-Expert Marksmanship Medal
- Navy Achievement Medal
- A Letter of Commendation
- Navy Recruiting Service Ribbon
- Kuwait Liberation Medal
- Enlisted Surface Warfare Insignia

Returning to civilian life, Mr. Patterson pursued auto mechanics at Fisher Technical Institute. He worked at various dealerships over the years with the latest being McClurg's in Perry. In June 2014, Mr. Patterson and his wife Robin bought Ackerman's Sunoco in Castile where they keep busy fixing vehicles and running the station. They have two children, live in the Town of Gainesville and have been happily married for twenty-five years.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation to Mr. Patterson and also offered Mr. Patterson an opportunity to address the Board.

Mr. Patterson thanked the Board of Supervisors for this opportunity and expressed his appreciation for honoring veteran's, as they need the support.

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

Chairman Berwanger then welcomed Ms. Susan Stoppen who enlisted his help to recruit County personnel to ring the bell for Salvation Army red-kettle fundraiser. Chairman Berwanger also invited Warsaw Kiwanis Club leader Kevin Carlson to join Ms. Stoppen at the podium

Mr. Carlson told the Board there are opportunities abounding to ring the bell for Salvation Army red kettle. He said that they recently had a group of kids from Letchworth Central ring the bell to complete some public service for school.

Ms. Stoppen stated that she is building on the foundation laid by Fred Helmer. She said that last year \$4,000 dollars was raised outside Walmart and \$12,000 was raised at Tops in Warsaw with 98% of that money staying in the Warsaw area. She mentioned that they have recruited many this year to ring the bell... Warsaw Women's Auxiliary, the "Red Hats", Warsaw's Class of 2020 but there are still slots that need to be filled.

She also told a story about a family that was benefitted by the Kiwanis with a sponsorship to camp for their 12-year old child. This is also a goal for 2017, to send one child to camp again.

Another goal is to raise awareness of the need for volunteers to ring the bell. She would like to encourage Department Heads and Supervisors to ring the bell!! She acknowledged and thanked Sally Smith from the Historian's Office for ringing the bell on December 4th.

*She said **when** you sign up, **not if**, go home and tell your mother she raised you well!!!*

Chairman Berwanger then advised that he was going to "adjust" the agenda and called on Supervisor Leuer for Resolutions Number 21 and 22.

There was a motion by Mr. Leuer T/Middlebury, to combine resolutions #21 and #22. Hearing no objection resolution titles were read.

#21

**RESOLUTION NO. 16-493
(December 13, 2016)**

By Mr. Leuer, Chairman of the Planning Committee:

**APPROVING SOLE SOURCE PROCUREMENT FOR
WYOMING COUNTY COMMUNITY ACTION, INC.**

WHEREAS, The Wyoming County Board of Supervisors has identified the need to procure certain services essential to the operation and administration of the Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2015 (hereinafter collectively "WIOA"); and

WHEREAS, The Wyoming County Board of Supervisors has

Regular Session

considered possible entities to operate and administer services under the WOIA and has determined there is an insufficient number of eligible training providers within Wyoming County; and

WHEREAS, The County has determined that Wyoming County Community Action, Inc. qualifies to provide said services as a sole source procurement; now therefore

BE IT RESOLVED, That the Board of Supervisors for the County of Wyoming hereby authorizes, pursuant to Workforce Innovation and Opportunity Act Section 123(b), Wyoming County Community Action, Inc. to operate and administer the services of the WIOA as a sole source provider; and be it further

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

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

RESOLUTION NO. 16-494

(December 13, 2016)

By Mr. Leuer, Chairman of the Planning Committee:

WILLIAM MARSH APPOINTED TO THE WYOMING COUNTY PLANNING BOARD

BE IT RESOLVED, That William Marsh (T/Pike), Darby Lane, PO Box 213, Pike, NY 14130 be hereby appointed to the Wyoming County Planning Board as a voting member to fill an unexpired vacant three-year term effective January 1, 2017 through December 31, 2017. *(replacing E. Butler)*

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

Glow Recognitions ~

Chairman Berwanger then asked Supervisor Leuer to present the GLOW recognitions.

Supervisor Leuer invited Community Action Executive Director Connie Kramer, Nursing Facility Administrator Dawn James, CEO Eichenhauer and Director Dawn Kilner to join him at the podium.

December 13, 2016

- **Wyoming County Community Health System Skilled Nursing Facility** as the recipient of the Wyoming County GLOW Business Recognition:
 - Wyoming County Community Health System has had an on-going unmet need in finding Certified Nursing Assistants to work in the Nursing Home Facility. Through a partnership that was created between WCCH, the Genesee Valley Partnership and Community Action, efforts were made to recruit and train individuals interested in becoming nurse aides and who were also interested in working at the local health system. WCCH staff also expressed an interest in accepting interested candidates from the growing Bhutan Refugee group that has been moving into Wyoming County. A CNA program was held in the spring of 2016, with students conducting their clinical training at the Nursing Facility. WCCH offered employment to the graduates and through the efforts of the Skilled Nursing Facility, the individuals hired from this class have become a solid team that has helped fill the nursing' facility's need. WCCH has also established an incentive ladder to encourage employees to move forward in their careers.

Nursing Facility Administrator Dawn James stated that CNA's are the backbone of the facility and it is the hardest job at the facility. She explained how the program started... She sees this position as a "stepping stone" to start a career in health care. She acknowledged and thanked the partnership.

Community Action Executive Director Connie Kramer said it is Community Action's pleasure to work with the facility.

- **Kinzang Dorji** as the recipient of the Wyoming County GLOW Participant Recognition:
 - Kinzang Dorji is a Bhutan refugee who in 2015 arrived in the United State with his family. Expressing an interest in health care careers, he was referred to the Employment and Training Division and decided to pursue nurse aide training. He successfully completed the CNA course, passed the NYS Certification exam with no difficulty and was immediately hired by Wyoming County Skilled Nursing Facility. The staff has commented on how pleased they are to have him as part of their team and the patients he works with really enjoy him. His work ethic is impeccable.

Nursing Facility Administrator Dawn James spoke on behalf of Mr. Dorji. She stated if she could copy him, they would be very lucky to have more like him!

- **Cecilia Kenyon** as the recipient of the Wyoming County GLOW Youth Recognition:

- Since 2014, Cecilia Kenyon has been an active participant in Wyoming County Community Action's year-round youth and work experience program. Cecilia was accepted in to a summer work experience and completed 150 hours at Hilltop Gardens and More. During her senior year, she attended various workshop's at Community Action on "Becoming Part of Tomorrow's Workforce," completed her five-hour driving course, obtained her driver's license, earned a Food Handler Certification through the National Restaurant Association, filled out numerous college application and was accepted into Finger Lakes Community College Criminal Justice program. The summer before college, she completed another work experience at the Department of Military and Navel Affairs in Genesee. During the spring break semester at FLCC, she enrolled and obtained her security guard certification that she put to good use as a security guard with LIVE Nation during the summer of 2016. She is continuing her degree in Criminal Justice at FLCC and is looking to graduate in the summer of 2018.

Youth Specialist Matt Dussault from Wyoming County Community Action took a minute to publicly acknowledged Cecilia's accomplishments and congratulated her on all her achievements.

Ms. Kenyon said she was honored to receive the awards and is very proud of her accomplishments, as she has worked very hard.

Chairman Berwanger thanked Supervisor Leuer and congratulated all of the winners.

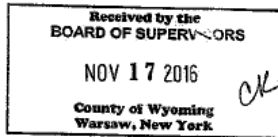
Chairman Berwanger asked Clerk Ketchum for the monthly communications.

Clerk Ketchum indicated that the resolution referred to by Assemblyman DiPietro in his correspondence is actually Resolution No. 16-466. She also read the correspondence received from Mr. Fraser's in its entirety.

Communications ~

- *11-18-16 Correspondence from NYSAC Executive Director Stephen J. Acquario acknowledging receipt of Resolution Number 16-466*
- *11-17-16 Correspondence from Assemblyman David DiPietro acknowledging receipt of Resolution Number 16-464 (should be 16-466)*
- *11-17-16 Correspondence from Frank Fraser thanking Congressman*

Chris Collins and the Board of Supervisors for the opportunity to lead the pledge at last month's board meeting.



Frank L. Fraser
5550 Babbit Rd.
Portageville, NY 14536
November 14, 2016

Wyoming County Board of Supervisors
143 North Main Street
Suite 220
Warsaw, NY 14569

Chairman A.D. Berwanger, Supervisor,

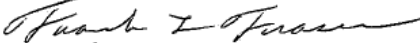
Thank you for your surprise honor to me at the Wyoming County Board of Supervisors on October 11, 2016.

My presence there was to lead the Board in the Pledge of Allegiance to our Flag.

It was a great honor for me to receive a Plaque from the Board of Supervisors and then a second honor from Congressman Chris Collins.

All I can say is a great big Thank You for this wonderful honor and Surprise.

In Great Appreciation,


Rev. Frank L. Fraser

Open Public Hearing ~

- “Local Law No. 4, Year 2016 (Introductory D, Year 2016) Entitled, *“A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2017”*”

#1

**RESOLUTION NO. 16-495
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

FUNDS TRANSFERRED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2016 accounts as follows:

Budget Office			
From: 12.61.9950.9.99004 Interfund Transfer	\$249,659.02		
To: 12.61.1620.2.21007 Jail Project		\$249,659.02	
Reason: To cover the cost of the Jail project.			
Budget Office Total			\$249,659.02
DMV			
From: 01.34.1411.8.81001 Retirement	\$340.00		
To: 01.34.1411.4.40007 Telephone Basic		\$340.00	
Reason: To cover the cost of the new phone system.			
DMV Total			\$340.00
Human Resource			
From: 01.34.1431.1.10001 Salaries – Fixed SDI	\$9,827.00		
To: 01.34.1431.4.41204 Advertising		\$9,827.00	
Reason: To cover the cost of WCCHS online and Penny Saver employment advertisements.			
Human Resource Total			\$9,827.00
Mental Health			
From: 01.38.4324.4.42306 Other	\$630.38		
To: 01.38.4250.8.81001 Retirement		\$630.38	
Reason: To cover the cost of retirement fees.			
Mental Health Total			\$630.38
Emergency Services			
From: 01.37.3640.4.40802 Contracted Bldg. Repair–Private	\$5,699.25		
To: 01.37.3640.8.81001 Retirement		\$1,139.85	
01.37.3640.8.89001 Medical-Hosp. Insurance		4,559.40	
Reason: To balance accounts for the remainder of 2016.			
Emergency Services Total			\$5,699.25
Probation			
From: 01.37.3140.8.89001 Health Ins. (Probation)	\$1,711.89		
To: 01.37.3141.8.81001 Retirement (ATI)		\$1,711.89	
Reason: To cover 2016 retirement expenses.			
Probation Total			\$1,711.89
Building & Grounds			
From: 01.34.1620.8.89001 Medical Hosp. Ins.	\$4,032.25		
To: 01.37.3620.8.89001 Medical Hosp. Ins.		\$4,032.25	
Reason: To cover remaining portion of the Principal Account Clerk's medical coverage from when transferred to Fire & Building Codes from Buildings & Grounds.			
Building & Grounds Total			\$4,032.25

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

December 13, 2016

**RESOLUTION NO. 16-496
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2016 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2016 accounts as follows:

Treasurer			
To: 01.34.1681.2.20401 Equipment 01.34.1681.4.41402 Computers w/01.03.1681.1289 Data Processing Projects Reason: For TASC annual payment for government wide improvements.	\$ 6,000.00 14,000.00	\$20,000.00	
To: 01.33.1325.1.10001 Salary D/S/I 01.33.1325.1.10401 Longevity 01.33.1325.1.10601 Unused Benefit time 01.33.1325.8.89001 Health Insurance 01.33.1325.8.89003 HRA Admin Fees w/ <i>any funds available</i> Reason: To cover reclassification of payroll to confidential schedule and new Principal Account Clerk position filled 8/15/2016.	\$14,576.57 330.00 1,050.00 5,500.00 24.00	\$21,480.57	
Treasurer Total			\$41,480.57
Budget & Reimbursement			
To: 01.33.1231.1.10001 Salary S/D/I 01.33.1231.8.89001 Health Insurance w/ <i>any funds available</i> Reason: To cover the change in over staffing in 2016.	\$11,571.60 5,129.35	\$16,700.95	
To: 12.61.1620.2.21007 Jail Project w/ <i>any funds available</i> Reason: To cover the cost of the Jail project.	\$350,340.98	\$350,340.98	
Budget & Reimbursement Total			\$367,041.93
County Historian			
To: 01.46.7510.4.41010 Office Supplies w/01.09.7510.2705 Gifts & Donations Reason: Funds donated to Historian's Office by James F. Gillen for the purpose of purchasing archival supplies.	\$200.00	\$200.00	
County Historian Total			\$200.00
Board of Elections			
To: 01.34.1450.4.40305 Voting Custodians w/01.04.1450.221501 School Revenue Reason: Additional Presidential Election Expense.	\$1,435.00	\$1,435.00	
To: 01.34.1450.4.41201 Postage w/01.04.1450.221501 School Revenue Reason: To refill postage meter.	\$2,500.00	\$2,500.00	
Board of Elections Total			\$3,935.00

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Veteran Services			
To: 01.43.6510.1.10202 Temporary w/ <i>any funds available</i> Reason: In order to pay P/T Temp. Secretary through 2016.	\$1,947.00	\$1,947.00	
Veteran Services Total			\$1,947.00
Office for the Aging			
To: 01.44.6772.4.40924 Homemaker Svcs w/ <i>any funds available</i> Reason: To cover year-end expenses.	\$62,000.00	\$62,000.00	
Office for the Aging Total			\$62,000.00
Public Health			
To: 01.38.4035.1.10202 FP Temporary 01.38.4035.4.40401 FP Training/Education 01.38.4035.4.40405 FP Employee Expenses 01.38.4035.4.40503 FP Gas w/01.12.4035.4489 Other Health/Fed. Reason: For Temporary, Training / Education, Employee Expenses, and Gas in connection with the NYSDOH Cicutelli Title X Learning Collaborative in Albany. First of three Learning Collaborative - Agency Participation stipends anticipated in connection with this Collaborative.	\$384.26 372.00 161.02 82.72	\$1,000.00	
Public Health Total			\$1,000.00

Prior to the roll call vote, Chairman Berwanger brought attention to the \$62,000.00 appropriation for the Office for the Aging and felt it was important to have Director Aldinger provide some background to this request.

Director Aldinger explained that the program allows homemakers to go into senior citizens homes to assist them with their daily living needs. The program came up short this year, as there were more seniors in need of assistance. Director Aldinger asked her committee if we should start a waiting list or cut back on these services and the response was a resounding “No”. It is much cheaper to keep senior citizens in their home versus providing care in a nursing home.

Chairman Berwanger stated that this program has been going on for years and the Board has been committed to maintaining this funding.

The Chairman then called for the roll...

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

Mrs. King, T/Pike, Chairman of the Audit Committee, presented bills totaling **\$3,896,051.28** for the month of **November 2016**.

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

There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 through #5. Hearing no objection resolution titles were read.

#3

**RESOLUTION NO. 16-497
(December 13, 2016)**

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

RESOLUTION NUMBER 16-450 AMENDED

WHEREAS, Resolution Number 16-450 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY ATTORNEY**,” passed by this Board of Supervisors on November 8, 2016 and provides, in part, for the following contract:

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

now, therefore

BE IT RESOLVED, That Resolution Number 16-450 be hereby amended to correct the contract terms from January 1, 2017 through December 31, 2017 to November 8, 2016 through November 7, 2017.
All else remains the same.

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

#4

**RESOLUTION NO. 16-498
(December 13, 2016)**

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

2016 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 2016 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships within Wyoming County as follows:

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Town	NO. ENROLLED VOTERS	AMOUNT OF LEVY	@.8400
Arcade	2682	2253.00	
Attica	2667	2240.00	
Bennington	2366	1987.00	
Castile	1935	1626.00	
Covington	775	651.00	
Eagle	817	686.00	
Gainesville	1475	1239.00	
Genesee Falls	314	264.00	
Java	1443	1212.00	
Middlebury	1001	841.00	
Orangeville	911	766.00	
Perry	2827	2375.00	
Pike	699	587.00	
Sheldon	1728	1452.00	
Warsaw	3357	2820.00	
Wethersfield	580	487.00	
Total	25,577	\$21,486.00	

Very truly yours,

Board of Elections

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

**RESOLUTION NO. 16-499
(December 13, 2016)**

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

JAMES SCHLICK REAPPOINTED ELECTION COMMISSIONER

BE IT RESOLVED, That James Schlick, 1468 Church Road, Darien, NY 14040 is hereby reappointed as Election Commissioner (R) for a term of two (2) years; effective January 1, 2017 through December 31, 2018.

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

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 through #14. Hearing no objection resolution titles were read.

December 13, 2016

**RESOLUTION NO. 16-500
(December 13, 2016)**

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

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

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Office for the Aging Advisory Council for a term of three (3) years; effective January 1, 2017 through December 31, 2019:

Community Reps

Three (3) year term effective January 1, 2017 through December 31, 2019

- Deb Gage (Foster Grandparent Program), 3 Murray Hill Drive, Mt. Morris, NY 14510
- Diane Scott (Peers Helping Peers), 27 West Buffalo Street, Warsaw, NY 14569 (*replacing C. Eccleston*)
- Karen Cutitta (Wyoming Transit), 4390 Gypsy Lane, Mt. Morris, NY 14510

Town Reps

Three (3) year term effective January 1, 2017 through December 31, 2019

- Charles Perl (T/Sheldon), 1025 Centerline Road, Sheldon, NY 14145
- James McIlroy (T/Covington), 7806 Big Tree Road, Pavilion, NY 14525
- Rose George (T/Eagle), 6660 Railroad Avenue, Bliss, NY 14024
- Gail Rogers (T/Genesee Falls), 6612 Portageville Road, Portageville, NY 14536
- Joanne Almeter (T/Java), 2077 Perry Road, North Java, NY 14113
- Carol Glor (T/Middlebury), 1253 State Route 19, Wyoming, NY 14591

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

#7

**RESOLUTION NO. 16-501
(December 13, 2016)**

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 2017**

Regular Session

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 2016:

- **The Pine Lounge**, 164 Clinton Street, Cowlesville, NY 14037 for congregate meals for seniors sixty (60) years old and older. Amount variable depending on use in an amount not to exceed 2017 budget; effective January 1, 2017 through December 31, 2017.
- **Susan Schell**, 3408 South Main Street, Warsaw, NY 14569 for dietician services to Office for the Aging as required by New York State Office for the Aging and the Older Americans Act in a *maximum* amount of eighteen thousand dollars (\$18,000.00); effective January 1, 2017 through December 31, 2017.
- **The Cloisters**, 171 North Maple Street Warsaw, NY 14569 for respite services to caregivers in Wyoming County as part of the Title III-E grant. Amount variable depending on use in an amount not to exceed 2017 budget; effective January 1, 2017 through December 31, 2017.
- **Wyoming County Skilled Nursing Facility**, 400 North Main Street, Warsaw, NY 14569 for Medical Respite services to caregivers in Wyoming County as part of the Title III-E grant and the Alzheimer's Caregiver Grant. Amount variable depending on use in an amount not to exceed 2017 budget; effective January 1, 2017 through December 31, 2017.
- **Carl's Eagle Inn**, 3129 Route 39, Bliss, NY 14024 for the provision of Congregate Meals for seniors sixty (60) years old and older. Amount variable depending on use in an amount not to exceed 2017 budget; effective January 1, 2017 through December 31, 2017.
- **Community Care of WNY**, 1225 West State Street, Olean, NY 14760 for In-Home Services to residents sixty (60) years old and older in Wyoming County. Services to be provided based on need in an amount not to exceed 2017 budget; effective January 1, 2017 through December 31, 2017.
- **Doyle Medical Monitoring**, 792 Calkins Road, Rochester, NY 14623 for PERS services to seniors sixty (60) years old and older in Wyoming County. This contract also includes the Fee for Service Individuals whose PERS units are provided through OFA. Fee for Service is

revenue for OFA in an approximate amount of \$17,500.00; effective January 1, 2017 through December 31, 2017.

- **Center for Elder Law and Justice**, 237 Main Street, Suite 1015, Buffalo, NY 14203-2717 for legal services to residents sixty (60) years old and older in Wyoming County in an amount not to exceed \$7,000.00; effective January 1, 2017 through December 31, 2017.
- **Spectrum Human Services**, P.O. Box 631 Orchard Park, NY 14127 for mental health information and assistance and outreach services in order to link them to appropriate services. This includes individuals of all ages in Wyoming County in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-502
(December 13, 2016)**

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

**CHAIRMAN/DIRECTOR OF AGING AND YOUTH AUTHORIZED TO
SIGN A CONTRACT WITH THE ELDERWOOD HEALTH PLAN ON
BEHALF OF THE 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 contract with Elderwood Health Plan, 7 Limestone Drive, Williamsville, NY 14221 on behalf of the Office for the Aging. Said contract is for home delivered, congregate meals, nutrition services and transportation for managed care enrollees in a minimum amount of seven thousand dollars (\$7,000.00); effective March 1, 2017 through December 31, 2017. *Revenue Contract*

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

**RESOLUTION NO. 16-503
(December 13, 2016)**

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

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATIONS AND
ACCEPTANCE AWARDS WITH 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 grant applications and acceptance awards with New York State Office for the Aging, 2 Empire Plaza, Albany, NY 12223-1251 on behalf of Wyoming County Office for the Aging as follows:

- For providing choices for Long Term Care Services to residents of all ages in Wyoming County in a *minimum* amount of forty-three thousand two hundred eight-nine dollars (\$43,289.00); effective October 1, 2016 through September 30, 2017.
- For the funding of Title's IIIB, C1, C2, D, E, EISEP, CSE, CSI, WIN, HIICAP, TRANS, Title V in an *approximate* amount of six hundred twenty-three thousand two hundred six dollars (\$623,206.00); effective January 1, 2017 through December 31, 2017 and April 1, 2017 through March 31, 2018.

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

**RESOLUTION NO. 16-504
(December 13, 2016)**

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

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

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

Community Members

Three-year term effective January 1, 2017 through December 31, 2019

- Valerie Lundy, 11 Shearing Road, Gainesville, NY 14066
- Fran Livingstone, 3870 Centerline Road, Warsaw, NY 14569
- Sheryl Montgomery, 3791 Hollow Road, Varysburg, NY 14167

Youth Members

One-year term effective January 1, 2017-December 31, 2017

December 13, 2016

- Jake Kramell, 6590 Cowie Road, Wyoming, NY 14591
- Bethany Messe, 7646 Route 39, Perry, NY 14530

Agency Members

Two-year term effective January 1, 2017 through December 31, 2018

- Matt Hilton (YMCA), 115 Linwood Avenue, Warsaw, NY 14569
- Jennifer Cooke (WNY Rural AHEC), PO Box 152, 20 Duncan Street, Warsaw, NY 14569
- Marie Wixner (Cooperative Extension), 36 Center Street, Suite B, Warsaw, NY 14569
- Julie Calvert (Tobacco-Free GLOW), Roswell Park Cancer Institute, 216 East Main Street, Suite 29, Batavia, NY 14020

Unexpired two-year term effective January 1, 2017 through December 31, 2017

- Erin Pataye (Partners for Prevention), 460 North Main Street, Warsaw, NY 14569 (*replacing Julie Calvert*)

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

**RESOLUTION NO. 16-505
(December 13, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS 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 various contracts as follows:

- **Finger Lakes Therapy Works**, 210 Clifton Springs Professional Park, Clifton Springs, NY 14432:
 - For pre-school related services in Wyoming County. Contract not to exceed 2016-2018 budget; effective December 1, 2016 through June 30, 2018.
 - A State Education Department (SED) contract for New York State Education Department approved pre-school evaluations and approved Special Education Itinerate Teacher (SEIT) in Wyoming County. Contract not to exceed 2016~2018 budget; effective December 1, 2016 through June 30, 2018.

- **Beth Wolcott**, 3675 Saint Helena Street, Perry, NY 15430 for pre-school related services in Wyoming County. Contract not to exceed 2016~2018 budget; effective December 1, 2016 through June 30, 2018.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-506
(December 13, 2016)**

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

RESOLUTION NUMBER 15-224 AMENDED

WHEREAS, Resolution Number 15-224 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE YOUTH BUREAU**,” passed by this Board of Supervisors on June 9, 2015 and provides for various contracts for the provision of Preschool Related Services and/or Preschool Special Education Services, in part, as follows:

- **Letchworth Little Learners ~ SED**
5550 School Road
Gainesville, NY 14066

now, therefore

BE IT RESOLVED, That Resolution Number 15-224 be hereby amended to add New York State Education Department approved Preschool Evaluation Team and Special Education Itinerate Teacher to this contract; effective December 1, 2016 through June 30, 2018; and be it

FURTHER RESOLVED, That the name of the contractor shall be known as Letchworth Central School.
All else remains the same.

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

**RESOLUTION NO. 16-507
(December 13, 2016)**

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

December 13, 2016

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN VARIOUS WELFARE MANAGEMENT SYSTEM
CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL
SERVICES FOR THE YEAR 2017**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with the following agencies on behalf of the Department of Social Services:

Santo Bentivegna, Ph.D

Variable amounts depending on services provided
Mental Health/Psychological Evaluations
Not to exceed \$10,000/year
Effective January 1, 2017 through December 31, 2017

David Nathanson, Ph.D.

Variable amounts depending on services provided
Mental Health/Psychological Evaluations
Not to exceed \$5,000/year
Effective January 1, 2017 through December 31, 2017

Accord Corporation

Variable amounts depending on services provided
Residential Domestic Violence
Not to exceed \$10,000/year
Effective January 1, 2017 through December 31, 2017

Chances & Changes, Inc.

Variable amounts depending on services provided
Residential Domestic Violence
Not to exceed \$15,000/year
Effective January 1, 2017 through December 31, 2017

Day Care Contracts ~

Contracts are variable amounts depending on services provided; effective January 1, 2017 through December 31, 2017:

- Early Bird Child Care Center
- Sandy Geercken
- Little Lights Child Care Center
- Kelly McLaughlin
- Ms. Jean's Child Care
- Mudpies and Milestones (WCCA, Inc.)
- Kathy Park

- Rainbow's End Early Childhood Learning Center
- Linda Smith
- Sara Smith
- Wyoming Co. YMCA School Age Child Care

Contract is variable amounts depending on services provided; effective November 1, 2016 through December 31, 2017:

- Kiddie Corner Too, Inc.

Personal Care/Private Duty Nursing Contracts ~

Contracts are variable amounts depending on services provided; effective January 1, 2017 through December 31, 2017:

- Aurora Home Care, Inc.
- Center for Disability Rights
- Home Care and Hospice
- VNA Life Line ~ VNA Home Care Service
- WNY Independent Living, Inc. ~ Independent Living of the Genesee Region

Funeral Services ~

Contracts are variable amounts depending on services provided; effective January 1, 2017 through December 31, 2017:

- Eaton ~ Watson Funeral Home, LLC
- Harmon ~ Watson Funeral Home
- Marley Funeral Home, LLC
- Robinson and Hackemer Funeral Home, Inc.
- W.S. Davis Funeral Home, Inc.

Contingent upon the availability of funds.

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

RESOLUTION NO. 16-508 (December 13, 2016)

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES FOR THE YEAR 2017**

BE IT RESOLVED, That the Chairman of this Board and

December 13, 2016

Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with the following agencies on behalf of the Department of Social Services:

- **Allegany Rehabilitation Association, Inc.**, 4222 Bolivar Road, Wellsville, NY 14895 for court ordered mental health evaluations and counseling in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 1, 2017 through December 31, 2017.
- **Spectrum Human Services**, 227 Thorn Avenue, PO Box 631, Orchard Park, NY 14127-0631 for court ordered mental health evaluations and counseling in an amount not to exceed thirteen thousand six hundred thirty dollars (\$13,630.00); effective January 1, 2017 through December 31, 2017.
- **Planned Parenthood ~ RESTORE Sexual Assault Services**, 114 University Avenue, Rochester, NY 14605 for domestic violence hotline and advocate in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2017 through December 31, 2017.
- **Interpretek – Communications Services, Inc.**, 75 Highpower Road, Rochester, NY 14623 for sign language interpretation services to meet DSS requirements to provide language assistance services to person with limited English proficiency including required services for child in Article 10 placement in an amount not to exceed twelve thousand dollars (\$12,000.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #15 through #19. Hearing no objection resolution titles were read.

#15

**RESOLUTION NO. 16-509
(December 13, 2016)**

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

**GORDON LEW APPOINTED TO THE MENTAL HEALTH
COMMUNITY SERVICES BOARD AND MENTAL HEALTH
SUBCOMMITTEE**

Regular Session

BE IT RESOLVED, That Gordon Lew, (Community at Large Member), 6031 LaGrange Road, Wyoming, NY 14591 is hereby appointed to the Mental Health Community Services Board to fill a vacant unexpired four-year term effective January 1, 2016 through December 31, 2019 (*vacancy created by P. Coggiola*); and be it

FURTHER RESOLVED, That Gordon Lew, (Community at Large Member) be also appointed to the Mental Health Subcommittee to fill a vacant unexpired four-year term effective January 1, 2016 through December 31, 2019 (*vacancy created by P. Coggiola*).

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

**RESOLUTION NO. 16-510
(December 13, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WARSAW
PROPERTY MANAGEMENT, LLC ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby Authorize Chairman to sign a contract with Warsaw Property Management, LLC, 2071 Crittenden Road, Alden, NY 14004 on behalf of Mental Health. Said contract is for the rental of 460 North Main Street, Warsaw NY 14569 (*upstairs*) in an amount not to exceed nine thousand six hundred dollars (\$9,600.00); effective February 1, 2016 through January 31, 2018. Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-511
(December 13, 2016)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO
AWARD BID AND SIGN A CONTRACT WITH MCCLURG
CHEVROLET BUICK ON BEHALF OF THE COUNTY HEALTH
DEPARTMENT**

December 13, 2016

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to award bid and sign a contract with McClurg Chevrolet Buick, 16 Parker Lane, Perry, NY 14530 on behalf of the County Health Department. Said contract is for the purchase of one (1) new 2017 Traverse AWD LS with trailer tow package in an amount not to exceed thirty-two thousand two hundred thirty-seven dollars (\$32,237.00); effective upon signing with delivery by December 30, 2016. Fully reimbursed by New York State Department of Health Performance Incentive Award. Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-512
(December 13, 2016)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO
ACCEPT STATE BID AND SIGN A CONTRACT WITH DAVIS ULMER
FIRE ALARM AND SUPPRESSION ON BEHALF OF THE COUNTY
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to award bid and sign a contract with Ulmer Fire Alarm and Suppression, One Commerce Drive, Amherst, NY 14228 on behalf of the County Health Department. Said contract is the replacement, programming, testing and monitoring of a new fire alarm system at the Wyoming County Health Department to meet New York State Department of Health Article 28 requirements in an amount not to exceed eight thousand six hundred fifty-five dollars (\$8,655.00) plus fifty-five dollars (\$55.00) per month for monitoring; effective upon signing through completion of the project. (*NYS Contract Number PT67038*)

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-513
(December 13, 2016)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE
COUNTY HEALTH DEPARTMENT FOR THE YEAR 2017**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign the following Contracts and Agreements for the year 2017 on behalf of the County Health Department. All amounts reflect amounts not to exceed:

ACM Laboratories	Per Price List
Clinical laboratory testing services (MWHS)	TBD based on volume
January 1, 2017 through December 31, 2017	Not to exceed amount budgeted
	Renewal of current agreement terms

Microbac Laboratories	Per Price List
Environmental laboratory (water testing services)	TBD based on volume
January 1, 2017 through December 31, 2017	Not to exceed amount budgeted
	Renewal of current agreement terms

Erie County Public Health Laboratory	Per Price List
Environmental laboratory (water testing services)	TBD based on volume
January 1, 2017 through December 31, 2017	Not to exceed amount budgeted
	Renewal of current agreement terms

Susan Schell, RD	\$45.00/hour
PH Registered Dietician Services	TBD based on volume
January 1, 2017 through December 31, 2017	Not to exceed amount budgeted

Denise Goodberlet, NP	\$55.00/hour
Nurse Practitioner Services	TBD based on volume
January 1, 2017 through December 31, 2017	Not to exceed amount budgeted

County of Monroe	Per Price List
Medical Examiner Services	TBD based on volume
January 1, 2017 through December 31, 2017	Not to exceed amount budgeted

WCJW	TBD based on volume
Radio Advertising	Not to exceed amount budgeted
January 1, 2017 through December 31, 2017	

Clark Patterson Lee

Professional Engineering Services

January 1, 2017 through December 31, 2017

TBD based on volume

Not to exceed amount budgeted

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****#20****RESOLUTION NO. 16-514****(December 13, 2016)**

By Mr. Brick, Chairman of the Agriculture Committee:

ANIMAL CONTROL FEE SCHEDULE APPROVED

BE IT RESOLVED, That the Fee Schedule for Animal Control be hereby approved; effective immediately and annexed hereto.

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****WYOMING COUNTY ANIMAL SHELTER****FEE SCHEDULE****Surrender Fee:**

- \$20.00 per dog

Rabies Fee:

- \$40.00 per dog

Redemption Fees:

- First Time: \$20.00 Fee
- Second Time: \$60.00 Fee plus \$3.00 per day
- Third Time: \$100.00 Fee plus \$3.00 per day

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #23 through #25. Hearing no objection resolution titles were read.

#23**RESOLUTION NO. 16-515****(December 13, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH
WYOMING COUNTY ATTICA LEGAL AID ON BEHALF OF THE
PUBLIC DEFENDER'S OFFICE FOR THE YEAR 2017**

Regular Session

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign various contracts with Wyoming County Attica Legal Aid, 18 Linwood Avenue, Warsaw, NY 14569 on behalf of the Public Defender's Office as follows:

- **Indigent Parolee Program** in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 1, 2017 through December 31, 2017.
- **Alternatives to Incarceration Program** in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2017 through December 31, 2017.
- **Part-Time Secretary to the Wyoming County Public Defender's Office** in an amount not to exceed fifteen thousand dollars (\$15,000.00) a year, plus an additional Stipend from the Indigent Legal Services contract in the amount of one thousand two hundred eighty-six dollars (\$1,286.00) for a total amount not to exceed sixteen thousand two hundred eighty-six dollars (\$16,286.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-516
(December 13, 2016)**

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

RESOLUTION NUMBER 13-403 AMENDED

WHEREAS, Resolution Number 13-403 entitled, "**CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC DEFENDER'S OFFICE**," passed by this Board of Supervisors on December 10, 2013 and provides, in part, for the following contract:

- **Upstate Quality Improvement and Caseload Reduction Contract** C000656 for a full time Investigator in a minimum amount of \$192,758.00 over three (3) years; effective February 1, 2014 through January 31, 2017:

December 13, 2016

- Year 1 ~ \$65,468.00
- Year 2 ~ \$63,130.00
- Year 3 ~ \$64,160.00

WHEREAS, That Resolution Number 13-403 was previously amended by this Board of Supervisors on July 8, 2014 by Resolution Number 14-251 to reduce the Upstate Quality Improvement and Caseload Reduction Contract C000656 in the amount of \$192,758.00 over three (3) years to \$192,458.00 as follows:

- Year 1 ~ \$65,168.00
- Year 2 ~ \$63,130.00
- Year 3 ~ \$64,160.00

now therefore

BE IT RESOLVED, That Resolution Number 13-403 be hereby further amended to correct the original contract dates from February 1, 2014 through January 31, 2017 to January 1, 2014 through December 31, 2016; and be it

FURTHER RESOLVED, That Resolution Number 13-403 be amended to also extend the end date from December 31, 2016 to December 31, 2017.

All else remains the same.

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

**RESOLUTION NO. 16-517
(December 13, 2016)**

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

**CHAIRMAN AUTHORIZED TO SIGN SCHOOL RESOURCE OFFICER
CONTRACTS ON BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of the Sheriff's Department:

- **Letchworth Central School District**, 5550 School Road, Gainesville, NY 14066 to provide the school district with a School Resource Officer in an amount not to exceed \$25.44 per hour (Grade 4/Step 7) plus fringes; effective September 1, 2016 through June 30, 2017.

Regular Session

- **Attica Central School District**, 3338 East Main Street, Attica, NY 14813 to provide the school district with a School Resource Officer in an amount not to exceed \$25.44 per hour (Grade 4/Step 7) plus fringes; effective September 1, 2016 through June 30, 2017.

Revenue Contract

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #26 through #30. Hearing no objection resolution titles were read.

#26

**RESOLUTION NO. 16-518
(December 13, 2016)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH WINDOW SPECIALIST, INC. ON BEHALF OF
BUILDING AND GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to award bid and sign a contract with Window Specialist, Inc., 188 Erie Street, Lancaster, NY 14086 on behalf of Building and Grounds (Co. Bldgs.). Said contract is for the replacement of windows at the Wyoming County Community Health System in an amount not to exceed one hundred eighty-nine dollars (\$189,000.00); effective December 14, 2016 through completion of project.

Contingent upon the availability of funds.

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

#27

**RESOLUTION NO. 16-519
(December 13, 2016)**

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

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

BE IT RESOLVED, That the Chairman of this Board with the

December 13, 2016

approval of the County Attorney is hereby authorized and directed to the following contracts with Bergman Associates, 280 East Broad Street, Suite 200, Rochester, NY 14604 on behalf of County Highway as follows:

- Scoping/PE/Design/ROW incidentals for CR#59 Bixby Hill Road Preventative Maintenance, Town of Arcade; PIN 4WY0.00 in an amount not to exceed thirty-six thousand dollars (\$36,000.00); effective December 13, 2016 through completion of project.
- Scoping/PE/Design/ROW incidentals for CR#02 Broughton Road Preventative Maintenance, Town of Gainesville; PIN 4761.09 in an amount not to exceed thirty-two thousand dollars (\$32,000.00); effective December 13, 2016 through completion of project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 16-520
(December 13, 2016)**

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

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, A Project for the *CR-59 Bixby Hill Road Highway Preventative Maintenance, Town of Arcade; PIN 4WY0.00* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-federal funds; and

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

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

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and be it r

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

FURTHER RESOLVED, That the sum of **\$6,180.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it

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

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

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

FURTHER RESOLVED, This Resolution shall take effect immediately.

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

RESOLUTION NO. 16-521
(December 13, 2016)

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

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

December 13, 2016

WHEREAS, A Project for the *CR-2 Broughton Road Highway Preventative Maintenance, Town of Gainesville; PIN 4761.09* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-federal funds; and

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

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 **\$4,120.00** 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 be it

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

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

FURTHER RESOLVED, This Resolution shall take effect immediately.

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

**RESOLUTION NO. 16-522
(December 13, 2016)**

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

PETTY CASH DECREASED IN THE OFFICE OF COUNTY HIGHWAY

BE IT RESOLVED, That the Petty Cash fund in the Office of County Highway be hereby decreased from seven hundred fifty dollars (\$750.00) to three hundred dollars (\$300.00); effective immediately.

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

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #31 through #50. Hearing no objection resolution titles were read.

#31

**RESOLUTION NO. 16-523
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL CONTRACT
WITH PRINTER COMPONENT, INC. ON BEHALF OF
INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Printer Component, Inc., 155 Periton Parkway, Fairport, NY 14450 on behalf of Information Technology. Said contract to extend the toner bid contract in an amount not to exceed awarded bid pricing; effective December 9, 2016 through December 10, 2017. *(Third renewal per Resolution Number 14-429)*

Contingent upon the availability of funds.

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

December 13, 2016

**RESOLUTION NO. 16-524
(December 13, 2016)**

By Mr. Kehl, 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, 2016 through September 30, 2016 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY
You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling thirty-eight thousand two hundred seventeen dollars and sixty-six cents (\$38,217.66) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$3,757.58
Attica	\$3,357.64
Bennington	\$5,151.11
Castile	\$3,438.24
Covington	\$1,394.13
Eagle	\$1,086.05
Gainesville	\$1,006.44
Genesee Falls	\$485.38
Java	\$2,630.40
Middlebury	\$982.45
Orangeville	\$2,236.64
Perry	\$3,714.23
Pike	\$585.33
Sheldon	\$2,262.25
Warsaw	\$5,049.15
Wethersfield	\$1,080.64
Grand Totals:	\$38,217.66

Let this be your Warrant for Such Payment: **\$38,217.66** (thirty-eight thousand

two hundred seventeen dollars and sixty-six cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8th day of December, 2016.

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

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

RESOLUTION NO. 16-525
(December 13, 2016)

By Mr. Kehl, 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, 2017.

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

RESOLUTION NO. 16-526
(December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RPTS DIRECTOR AUTHORIZED TO APPROVE CORRECTION OF ERRORS

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL §§550-559) by authorizing the Director of Real

December 13, 2016

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 2017; 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 2017.

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

**RESOLUTION NO. 16-527
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

ABOLISHED:

Real Property Tax Services

- One (1) position of **Real Property Tax Services Aide** (CSEA); effective December 5, 2016.

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

**RESOLUTION NO. 16-528
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

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

BE IT RESOLVED, That the *Annual Organizational Meeting* of the Wyoming County Board of Supervisors will be set for ***Tuesday, January 3, 2017, at 2:00 PM***, in the Supervisors' Chambers located in the Wyoming

County Government Center, 2nd Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

RESOLUTION NO. 16-529
(December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

DATE OF JANUARY 10, 2017 REGULAR SESSION CHANGED

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

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors for the month of January 2017 will be held on *Tuesday, January 17, 2017 at 2:30 PM* in the Supervisors' Chambers located in the Wyoming County Government Center, 2nd Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

RESOLUTION NO. 16-530
(December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF
UNDERSTANDING WITH CONTRACT AGENCIES FOR 2017**

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 2017:

December 13, 2016

CONTRACT AGENCY	2017 EXPENDITURES
Wyoming County Community Action	\$10,000.00
Wyoming County Chamber of Commerce (Tourism)	\$150,234.00
Wyoming County Business Education Council	\$4,300.00
Wyoming County Business Center (LDC)	\$60,000.00
Wyoming County Arts Council	\$11,432.00
Wyoming County Wildlife Federation	\$904.32
Wyoming County Soil & Water	\$159,710.25
Wyoming County Fair Association	\$23,000.00
TOTAL	\$419,580.57

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

**RESOLUTION NO. 16-531
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-432 AMENDED

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

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

now therefore

BE IT RESOLVED, That Resolution Number 16-432 be hereby amended to correct the effective dates to reflect, “*three years starting on the date of execution of this agreement,*” (October 17, 2016 through October 16, 2019); and be it

FURTHER RESOLVED, That the contract is in an amount not to exceed five thousand seven hundred sixty dollars (\$5,760.00) per year for a total contract cost of seventeen thousand two hundred eighty dollars (\$17,280.00) for three (3) years. All else remains the same.

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Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#40

RESOLUTION NO. 16-532
(December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-485 AMENDED

WHEREAS, Resolution Number 16-485 entitled, “**2017 RECYCLING FEES LEVIED**,” passed by this Board of Supervisors on November 8, 2016 on behalf of the County Treasurer; now therefore

BE IT RESOLVED, That Resolution Number 16-485 be hereby amended to rescind and replace the chart with the following:

Municipality	Recycle	Unit	Cost per Unit	Total
Castile	Seasonal Garbage	219	\$ 118.73	\$ 26,001.87
	Year-Round Garbage	1254	\$ 237.46	\$ 297,774.84
Gainesville	Seasonal Garbage	18	\$ 118.73	\$ 2,137.14
	Year-Round Garbage	814	\$ 237.46	\$ 193,292.44
Genesee Falls	Seasonal Garbage	14	\$ 118.73	\$ 1,662.22
	Year-Round Garbage	187	\$ 237.46	\$ 44,405.02
Middlebury	Seasonal Garbage	9	\$ 118.73	\$ 1,068.57
	Year-Round Garbage	583	\$ 237.46	\$ 138,439.18
Orangeville	Seasonal Garbage	22	\$ 118.73	\$ 2,612.06
	Year-Round Garbage	482	\$ 237.46	\$ 114,455.72
Perry	Seasonal Garbage	7	\$ 118.73	\$ 831.11
	Year-Round Garbage	1850	\$ 237.46	\$ 439,301.00
Pike	Seasonal Garbage	18	\$ 118.73	\$ 2,137.14
	Year-Round Garbage	419	\$ 237.46	\$ 99,495.74
Sheldon	Seasonal Garbage	10	\$ 118.73	\$ 1,187.30
	Year-Round Garbage	892	\$ 237.46	\$ 211,814.32
Warsaw	Seasonal Garbage	8	\$ 118.73	\$ 949.84
	Year-Round Garbage	1806	\$ 237.46	\$ 428,852.76
Wethersfield	Seasonal Garbage	56	\$ 118.73	\$ 6,648.88
	Year-Round Garbage	323	\$ 237.46	\$ 76,699.58
	Town Subsidy			\$ (50,000.00)
				\$ 2,039,766.73

All else remains the same.

December 13, 2016

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

**RESOLUTION NO. 16-533
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-301 AMENDED

WHEREAS, Resolution Number 15-301 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on August 18, 2015 and provides various contracts, in part, as follows:

- **Wahl Media, Inc.**, 580 Packetts Landing, Fairport, NY 14450
 - Media buying services, not to exceed one hundred thousand dollars (\$100,000.00) per year; effective July 1, 2015 through December 31, 2015

now therefore

BE IT RESOLVED, That Resolution Number 15-301 be hereby amended to extend the expiration date through December 31, 2017.

All else remains the same.

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

**RESOLUTION NO. 16-534
(December 13, 2016)**

By Mr. Kehl, 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 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:

- **M.S. Hall & Associates, LLC**, P.O. Box 564, Syracuse, NY 13205 for cost report completion services relating to all institutional reports, assist with inquiries for appropriate agencies, assist as needed with related training for appropriate staff in data tracking as related to cost and Institutional Cost Report (ICR) information in an amount not to exceed seventy-eight thousand dollars (\$78,000.00) annually; effective January 1, 2015 through December 31, 2017.
- **Pediatric Nurse Practitioner, PLLC (Cecilia Lyons, NP)**, 311 Ortner Road, Darien Center, NY to provide pediatric patient care and practice management services, time requirements reduced from a minimum of forty (40) clinic hours per week to a minimum of thirty-two (32) clinic hours per week; plus specific duties related to practice management in an amount not to exceed one hundred six thousand one hundred twenty (\$106,120.00) annually; effective January 1, 2017 through December 31, 2019.
- **Press Ganey Associates, Inc.**, 404 Columbia Place, South Bend, IN for required patient satisfaction surveys and quality performance measurements in an amount not to exceed thirty-four thousand one hundred fifty-seven dollars and seventy cents (\$34,157.70) per year for surveys; twenty-five thousand nine hundred seventy-nine dollars (\$25,979.00) per year for measurements and sixty thousand one hundred thirty-six dollars and seventy cents (\$60,136.70) per year total; effective January 1, 2017 through December 31, 2018.
- **Margaret Wright, PA**, 9852 Meadow Lane, Houghton, NY 14744 to extend a physician provider employment agreement to provide pediatric clinic services and on call coverage for the emergency pediatric clinic patients, compensation in accordance with Salary Schedule "P" **Mid-Level Provider** (.6 FTE) position; effective October 16, 2016 through October 15, 2018.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#43

**RESOLUTION NO. 16-535
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

December 13, 2016

RESOLUTION NUMBER 13-369 AMENDED

WHEREAS, Resolution Number 13-369 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on November 12, 2013 and provides various contracts, in part, as follows:

- **University of Rochester (URMC) – Strong**, 601 Elmwood Avenue, Rochester, NY 14642 to provide pharmacy management services, effective ***December 1, 2013 through November 30, 2014*** at \$200,600.00 annual base amount to be paid monthly plus an estimated mileage reimbursement expense of \$2,000.00.
 - The agreement also includes a 3% increase for each term thereafter.

now therefore

BE IT RESOLVED, That Resolution Number 13-369 be hereby amended to authorize the ***Automatic Renewal Option*** for the a one (1) year term in an amount not to exceed \$206,618.00, the annual base amount to be paid monthly plus mileage reimbursement expense; effective ***December 1, 2014 through November 30, 2015***; and be it

FURTHER RESOLVED, That Resolution Number 13-369 be further amended to authorize the ***Automatic Renewal Option*** for the a one (1) year term in an amount not to exceed \$212,817.00, the annual base amount to be paid monthly plus mileage reimbursement expense; effective ***December 1, 2015 through November 30, 2016***; and be it

FURTHER RESOLVED, That Resolution Number 13-369 be further amended to authorize the ***First Amendment*** for a one (1) year term in an amount not to exceed \$219,201.00, the annual base amount to be paid monthly plus mileage reimbursement expense; effective ***December 1, 2016 through November 30, 2017***. Said ***First Amendment*** includes two (2) ***Automatic Renewal Options***.

All else remains the same.

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

**RESOLUTION NO. 16-536
(December 13, 2016)**

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By Mr. Kehl, 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 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;

now therefore

BE IT RESOLVED, That Resolution Number 15-004 be hereby amended to extend the contract expiration date through December 15, 2017 and change the administrative office address to 400 North Main Street, Warsaw, NY 14569.

All else remains the same.

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

RESOLUTION NO. 16-537 (December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

December 13, 2016

SALARY SCHEDULE “C” AMENDED

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

Salary Schedule “C”:

Wyoming County Community Health System

- Place one (1) position of ***Biomedical Supervisor, FT*** on Salary Schedule C under Biomedical Engineering; and set the salary at \$0.00; position available date is November 30, 2016.
- Place one (1) position of ***Clinical Documentation Improvement Coordinator, FT*** on Salary Schedule C under Patient and Family Services and set the salary at \$66,000.00 per year; position available date is November 30, 2016.

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

RESOLUTION NO. 16-538 (December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

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

BE IT RESOLVED, That Bryan Kehl, 914 Route 98, Attica, NY 14011 be hereby reappointed to the Wyoming County Community Hospital Board of Managers as a Supervisor Member for a one (1) year term; effective January 1, 2017 through December 31, 2017.

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

RESOLUTION NO. 16-539 (December 13, 2016)

By Mr. Kehl, Chairman of Finance Committee:

WYOMING COUNTY PURCHASING POLICY ADOPTED

BE IT RESOLVED, That this Board of Supervisors does hereby

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approve and adopt the Purchasing Policy for the County of Wyoming as presented to this Board for all County departments, except the Wyoming County Community Hospital which shall maintain their own procedures; and be it

FURTHER RESOLVED, That all County departments shall be responsible for the implementation and adherence to the attached Policy effective immediately.

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

PURCHASING POLICY



Adopted 12/31/2016

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*(This update was provided by the M. Dadd/County Attorney’s Office
12-13-2016)*

MISSION STATEMENT

The Wyoming County Board of Supervisors aspires to obtain goods or services of the best quality, in the appropriate quantity, from the most appropriate source, at the best possible price, in compliance with all applicable legal requirements.

ETHICS

In order to eliminate any suspicion of wrongdoing, unfairness or conflicts of interest prior to any purchase of materials, goods, or supplies, the County and its employees shall:

- Consider the interest of the County in the betterment of its government.
- Endeavor to obtain the greatest value for every dollar expended.
- Be receptive to advice and suggestions from department heads, insofar as such advice and suggestions are not in conflict with legal or moral restrictions in purchasing procedures.
- Strive for knowledge of municipal equipment and supplies in order to recommend items that may either reduce cost or increase municipal efficiency.
- Insist on and expect honesty in sales representation whether offered verbally or in writing, through advertising, or by providing samples of a product.
- Give all responsible bidders equal considerations and the assurance of unbiased judgment in determining whether their product meets specifications.
- Discourage the offer of, and decline any and all, gifts which in any way might influence the purchase of municipal equipment and supplies.
- Accord a prompt and courteous reception, insofar as conditions permit, to all who call on legitimate business missions, and cooperate with governmental and trade associations in the promotion and development of sound business methods in the purchasing of County equipment and supplies.

DEFINITIONS

AGENCY: County of Wyoming

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BID: An offer to furnish a described commodity or service at a stated price in accordance with the proposal and specification.

BIDDER: Any person, firm or corporation submitting a proposal to the County.

BOARD: Wyoming County Board of Supervisors

COMMITTEE: A standing committee of the Board which reviews matters from county departments assigned to that committee.

COMMODITIES: Materials, supplies, and equipment.

CONTRACTOR: Any bidder to whom a contract award is made by the County.

COUNTY: Wyoming

EMERGENCY PROCUREMENT: A public emergency arising out of an accident or other unforeseen occurrence or condition, whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants requires immediate action. *Lack of anticipation or planning cannot be deemed as a cause for declaring an emergency.*

GML: New York State General Municipal Law

INVOICE: A formal statement of billing submitted by a vendor that includes the TOTAL amount due and terms of payment for supplies received, or services rendered. A voucher or portion of a PO and packing slip should accompany all invoices submitted for payment.

PIGGYBACKING: Use of any existing contract which has been let by the United States or any agency thereof, any state or any other subdivision or district therein which have been made available for use by other governmental entities, through language extending the terms and conditions of said contract to other governmental entities.

PROFESSIONAL SERVICES: Services requiring specialized or technical skills, expertise or knowledge, the exercise of professional judgment, or a high degree of creativity.

PROPOSAL: The form which, when issued by the County, constitutes an invitation to bid on a commodity or service described therein and which, when completed by the bidder, constitutes an offer to the County to furnish such commodity.

PURCHASE ORDER (PO): The official form to be used by an Agency when placing an order for material, equipment or supplies with a contractor or vendor.

COUNTY PURCHASING AGENT: The Purchasing Agent or designee authorized to seek out and/or secure services or commodities in the best interest of the County appointed by the Board with jurisdiction over all purchases for which the County may be liable.

QUOTATION: An informal notice, written or verbal, stating the cost, terms and conditions to provide goods or services to the County.

REQUEST FOR PROPOSAL (RFP): A means of obtaining services by identifying the scope of a project and evaluating experience, price, and suitability to best serve the needs of the County.

REQUISITION: An electronic or paper request for a Purchase Order.

SPECIFICATION: A written description of a commodity and the conditions for its purchase.

VENDOR: A supplier of goods or services to the County.

VOUCHER: Request for payment attached to an invoice or bill for services rendered.

PURCHASING POLICIES

1. The County Purchasing Agent shall be responsible for developing and administering the purchasing program for the County of Wyoming.
2. Emergency Procurements.
 - a. Where an emergency exists, the Agency may allow procurement contracts without complying with formal competitive bidding requirements. Under such conditions, a waiver of the competitive bidding requirements must be approved by the County Purchasing Agent.
 - b. Under such conditions, the Agency shall document each transaction entered into as a result of the emergency situation, setting forth the nature of the emergency situation; the potential effect on the health, public safety, or the conservation of public resources; and a detailed description of the commodities, services and technology to be provided. The Agency shall make all reasonable attempts to solicit at least three oral competitive quotes

which shall be furnished within a reasonable time and maintained as official record. Contracts entered into as a result of the emergency situation shall be for only the commodities, technology and/or services necessary to remedy or improve the situation.

- c. Excessive shipping charges for URGENT deliveries will be declined if not deemed an emergency.
- d. Departments must furnish a written explanation (marked “EMERGENCY PURCHASE”) along with a voucher/requisition to the County Purchasing Agent within 48 hours of such an EMERGENCY purchase for written approval to generate a purchase order. A verbal purchase order number may be assigned during regular business hours on request.

3. ***The purchasing procedures employed shall comply with all applicable laws and regulations of the State and County. All thresholds are County-wide aggregate in the fiscal year.***
4. A good faith effort shall be made to obtain the required number of proposals or quotations as set forth by this Purchasing Policy. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.
5. Except when directed by the Board, no solicitation of written proposals or quotations shall be required under the following circumstances:
 - a. Emergencies;
 - b. Sole source situation;
 - c. Goods purchased from agencies for the blind or severely handicapped;
 - d. Goods purchased from New York State Department of Correctional Services;
 - e. Goods purchased from another governmental agency (including purchases from State Contracts);
 - f. Goods purchased at auction.
6. ***Sole Source:*** A sole source can be a manufacturer, software developer or service provider that sells direct and there are no other sources offering an “equal” product. Prior to a vendor being considered sole source, a letter on the manufacturer’s official letterhead must be on file detailing their sole source status. Sole source status of a vendor must be approved by the Board of Supervisors (Resolution required).

7. ***Single Source:*** A single source could be a distributor/wholesaler/ retailer that has a contractual agreement for a specific territory to the exclusion of others. Should you have a situation involving as single source supplier, a letter on the manufacturer's letterhead must be on file confirming the single source authorized vendor.
8. ***One time purchases*** involving an expected total cost of \$500 or less (including any shipping or handling charges) ***may*** be done on a voucher.
9. Recurring expenses (i.e. to the same vendor) ***must*** be processed utilizing a blanket PO.
10. All contracts that require public advertising and competitive bidding shall be awarded as provided by law and rules and regulations of the Board of Supervisors and the various standing Committees as applicable. ***All said contracts shall be on file in the Office of the Clerk to the Board of Supervisors.***
11. Use of available state contracts from the Office of General Services, Division of Purchasing, or County contracts shall be encouraged, whenever such purchases are in the best interest of the County.
12. No official or employee shall be interested financially in any contract entered into by the local government as defined in Article 18 of the GML including the acceptance of gratuities (financial or otherwise) from any supplier of materials or services to the County.
13. The County is authorized to purchase goods and/or services from any source duly quoted/bid by any local, state or federal governmental agency where the vendor is willing to supply said goods and/or services to the County at the exact price quoted and meeting the exact specifications (including quantity) offered in the original solicitation as long as said solicitation includes language allowing for such.
14. The County will not be responsible for commitments made circumventing these policies.
15. The County is hereby authorized to make all purchases of necessary goods and services by any means legal within the State of New York and within all applicable rules and regulations including piggybacking legislation.

PURCHASES OF GOODS AND/OR EQUIPMENT

NOTES:

- When the purchase of goods or equipment also requires a service

contract, said contract **MUST** comply with the “SERVICE CONTRACT REQUIREMENTS” section below.

- Purchases of \$10,000 or greater are to be made pursuant to GML, Sections 103 and 120
1. Purchases of \$5,001 or greater are to be made from a verified state contract or through the County bidding process (refer to “BIDS AND RFPs” section below);
 2. Purchases of \$501 - \$5,000 require oral or faxed quotes from at least two (2) vendors (documentation to be retained by the department and attached to Purchase Orders submitted for payment)
 3. Purchases of \$500 or less are left to the discretion of the department.
 4. **IT IS IMPORTANT THAT YOU READ AND UNDERSTAND THE APPENDIX A-1 IN GRANTS WHICH STATES THE ACCEPTABLE PROCUREMENT PROCEDURE FOR YOUR SPECIFIC GRANT!!**

PUBLIC WORKS

5. Public Works contracts requiring both material and labor over \$35,000 shall be formally bid / receive RFP pursuant to GML, Sections 103 and 120.
6. Public Works purchases of material/equipment over \$20,000 shall be formally bid / receive RFP pursuant to GML, Sections 103 and 120.
7. Public Works bid specifications must include language related to prevailing wage requirements. Projects must be pre-registered with the New York State Department of Labor in order to receive current Department of Labor prevailing wage rates.

COMPUTER PURCHASES

Computer hardware and software purchases are subject to purchasing restrictions as well as the approval of the Director of Information Technology. Refer to County Computer Use Policy.

BIDS AND RFPs

NOTES:

- *When bids and RFPs are awarded to vendors who did not submit the lowest bid/RFP, written justification and documentation must be provided.*
1. Requests for bid preparation should be made directly to the requesting

department's Committee. Information required from the requesting department includes:

- a. Description of item(s) and/or services to be bid;
 - b. What is to be included in the specifications;
 - c. Date when requesting department requires the delivery of goods and/or services being bid;
 - d. Where funds are allocated for said goods and/or services.
2. The requesting department shall compile a list of all vendors from whom written/fax/oral quotes have been requested.
3. Complete bidding records will be kept by the requesting department. Detailed specifications, when required, will be approved by the County Attorney.
4. The advertisement for bids shall contain a statement of the time and place where all bids will be publicly opened and read. Bids will be opened by the requesting department or another designated individual.
5. The requesting department is responsible for the placement of legal advertising for "Notice to Bidders" for their departmental bids.
6. At least five days must elapse between the first publication of the advertisement and the date specified for the opening and reading of bids (GML, § 103 [2]). This is a minimum requirement and, whenever possible, considering, among other things, the urgency of the need and complexity of the procurement, additional time should be given to bidders to assure they have adequate opportunity to receive and respond to the bid solicitation.
7. Bid/RFPs awards are to be approved by the department's committee.
8. Pursuant to New York State GML Section 103-g, "Iranian Energy Sector Divestment," each bid received is required to contain the following statement: By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to Paragraph (b) of Subdivision 3 of Section 165-a of the State Finance Law.

POLICY AND PROCEDURE FOR SECURING SERVICES (PURSUANT TO GML §104(b))

It is the intention of the County of Wyoming to determine when it is in the best interest of the County to solicit alternative proposals or quotations for

professional services and services requiring special expertise. The County shall choose providers based on the County's evaluation of reliability, experience, skill, education, training, demonstrated effectiveness, judgment and integrity, as well as, reasonable availability and location of the provider. Certain services may be deemed not appropriate for this process because of the inherent nature of the service. These include, but are not limited to:

1. Accounting (CPA)
2. Architectural/Design Services
3. Customized Software Programming Services
4. Consultants
5. Engineering
6. Instructors/Teachers/Training
7. Insurance Coverage and/or Insurance Broker
8. Investment Management Services
9. Laboratory Testing
10. Legal
11. Medical/Dental Services

It is the responsibility of the standing committee reviewing the proposed contract, after considering the written recommendation of the Department Head submitting the contract draft, to determine whether the service is one that lends itself to competitive procurement, and if it does, to determine whether (1) oral quotations, (2) written quotations, or (3) formal request for proposals ("RFP") is appropriate. Upon completion, the committee will submit the proposed final contract for Board action with written documentation of the foregoing process.

PROFESSIONAL SERVICE CONTRACT REQUIREMENTS

NOTES:

- ***When contracts are awarded for professional services to providers who did not submit the lowest cost proposal, written justification and documentation must be provided.***

1. Service contracts \$5,001 or greater will require committee approval to advance to the full Board for resolution.
2. Service contracts \$3,001 - \$5,000 will require committee approval;
3. Service contracts \$0 - \$3,000 will require Committee Chair notification prior to execution of the contract and listed on their agenda for the next committee meeting.

INSURANCE REQUIREMENTS

1. The Contractor shall procure and maintain, at his own expense and without expense to the County, appropriate insurance for Worker's Compensation and liability for damages imposed by law, of the kinds and in the amounts as approved by the Worker's Compensation Program Administrator and/or the County Insurance Agent. The insurance shall cover all operations under the contract whether performed by the contractor or by subcontractors. This insurance must remain in force until final acceptance by the County of the work covered by the contract.
2. The liability insurance policy must name the County as an additional insured as per the instruction of the County Insurance Agent and shall cover the types and limits of insurance prescribed by the County Insurance Agent.

#48

**RESOLUTION NO. 16-540
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

TRAVEL AND EXPENSE GUIDELINES AMENDED

BE IT RESOLVED, That this Board of Supervisors does hereby approve and adopt the amendment to page 7 of the Travel and Expense Guidelines as attached hereto; effective immediately.

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

- If breakfast is offered as part of the hotel accommodation rate, no additional reimbursement will be permitted for breakfast.
- All authorized meals should be identified on the Travel request.
- No reimbursement for lunch unless required to be at all-day meetings or attending a pre-approved "overnight" conference/training.
- No reimbursement for breakfast unless you are attending a pre-approved "over-night" conference/training.
- No reimbursement for dinner unless you are attending a pre-approved "over-night" conference training.

Note: If a traveler is required to be in an area where meals are significantly higher, the Department Head must provide prior approval.

When Wyoming County employees dine together at a business meal, one employee may pay the bill and submit the original itemized receipt for reimbursement. The detail shall include the names of those included on the bill and approved Travel requests for all parties must be included with the voucher. Employees may not submit a reimbursement request for meals paid for by others.

3.3 Meals Outside of Travel Status

Employees may have meal expenses covered for in-county functions where meals are an integral part of the function within the following guidelines:

- The meeting is directly related to the employee's job and is representing his/her department.
- The primary purpose of the meeting is to conduct business and the meal is incidental.
- The meal is an integral part of the function and it would not be practical to attend and not participate.
- The cost is included in a Travel request.

4.0 Lodging

4.1 Government Employee Program

Employees should use a hotel that offers discounts for government business whenever available and when a savings can be obtained by doing so. Employees attending a conference or other structured event may be required to pay a higher rate based on the need to stay at a specific hotel. All efforts should be made by the employee to obtain a discounted government rate to offset the higher price.

4.2 Making Hotel Reservations

All hotel reservations should be made by the traveler. If staying in New York State, the traveler must make the hotel aware that they are tax exempt and present a Form ST-129 NYS and Local Sales and Use Tax Exemption Certificate (Tax on occupancy of hotel or motel rooms) at check in. This form can be located on the County's Public Directory. The traveler should use either their County Procurement Card or a County Purchase Order/Voucher to secure all reservations.

4.3 Hotel Payment Procedures

Hotel lodging costs can be paid upon departure using the Employee's County Procurement Card. Travelers using this method of payment require a zero-balance receipt/folio statement upon checkout and

**RESOLUTION NO. 16-541
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING
TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL
BUDGET OF TOWNS OF WYOMING COUNTY**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2017; 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	\$ 40,930.53	\$ 346,995.03	\$ 387,925.56
ATTICA	\$ -	\$ 262,218.00	\$ 262,218.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 24,580.00	\$ 266,481.00	\$ 291,061.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 7,172.00	\$ 195,390.00	\$ 202,562.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 96,350.00	\$ 273,157.00	\$ 369,507.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 18,829.58	\$ 225,955.03	\$ 244,784.61
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 21,344.00	\$ 306,622.00	\$ 327,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
TOTALS:	\$ 209,206.11	\$ 1,876,818.06	\$ 2,086,024.17

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEVIED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 79,000.00		*** \$ 136,706.13		\$ 215,706.13
ATTICA		\$ 74,000.00				\$ 74,000.00
BENNINGTON		B \$ 95,000.00			* \$ 4,795.32	
		C \$ 79,590.60	\$ 1,800.00	* \$ 44,400.00		
		HC \$ 29,220.00				
		V \$ 9,250.55				\$ 264,056.47
CASTLE		\$ 76,500.00	\$ 6,000.00	** \$ 224,706.00	* \$ 2,778.72	\$ 309,984.72
COVINGTON		PA \$ 82,643.00				
		WY \$ 14,900.00		* \$ 350.00		
		PE \$ 5,850.00				\$ 103,743.00
EAGLE	\$ 180,390.00		\$ 6,000.00	* \$ 6,900.00	* \$ -	\$ 193,290.00
GAINESVILLE		G \$ 49,419.00				
		SS \$ 17,895.00				
		C \$ 2,000.00				\$ 69,314.00
GENESEE FALLS		\$ 35,900.00	\$ 7,900.00			\$ 43,800.00
JAVA	NJ \$ 3,386.38	NJ \$ 38,965.65	NJ \$ 2,600.00	* \$ 12,396.00	* \$ 5,742.34	
		S \$ 70,697.00	JC \$ 300.00			\$ 134,087.37
MIDDLEBURY		F1 \$ 82,789.00				
		F2 \$ 14,044.00				\$ 96,833.00
ORANGEVILLE		V \$ 51,748.91		* \$ 3,008.40	* \$ 17.89	
		O \$ 16,946.00	L3 \$ 700.00			\$ 72,421.20
PERRY	F3 \$ 3,472.97	F4 \$ 51,000.00	PC \$ 1,600.00	* \$ 15,580.00	* \$ 274.47	
				** \$ 26,172.00		\$ 98,099.44
PIKE	F1 \$ 40,900.00		L1 \$ 7,000.00		* \$ 997.65	\$ 52,017.65
			S1 \$ 3,120.00			
SHELDON	V \$ 10,241.97	ST \$ 36,814.27	L1 \$ 5,100.00	* \$ 68,800.00	* \$ 425.00	
		NJ \$ 8,022.51	L2 \$ 3,060.00		*** \$ 158.32	
		V \$ 36,395.70	L3 \$ 867.00			
		SH \$ 110,408.08	L9 \$ 1,591.00			
		HC \$ 30,400.00				\$ 312,283.85
WARSAW		\$ 58,737.00		* \$ 5,209.00	* \$ 420.45	\$ 113,469.32
				** \$ 48,805.00	** \$ 297.87	
WETHERSFIELD		G \$ 31,394.00				
		NJ \$ 18,733.00				
		B \$ 18,500.00				\$ 68,627.00
TOTALS:	\$ 238,391.32	\$ 1,326,763.27	\$ 47,638.00	\$ 593,032.53	\$ 15,908.03	\$ 2,221,733.15
			* = 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:

December 13, 2016

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$ 265,083.78	\$ 266,808.93	\$ 531,892.71
ATTICA	\$ 208,153.00	\$ 246,824.00	\$ 454,977.00
BENNINGTON	\$ 246,500.00	\$ 683,000.00	\$ 929,500.00
CASTILE	\$ 218,652.00	\$ 186,352.00	\$ 405,004.00
COVINGTON	\$ 189,501.00	\$ 334,333.00	\$ 523,834.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 178,346.00	\$ 264,602.00	\$ 442,948.00
GENESEE FALLS	\$ 123,603.00	\$ 257,814.00	\$ 381,417.00
JAVA	\$ 135,000.00	\$ 393,100.00	\$ 528,100.00
MIDDLEBURY	\$ 284,238.00	\$ 217,887.00	\$ 502,125.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 215,837.25	\$ 284,512.75	\$ 500,350.00
PIKE	\$ 189,341.00	\$ 307,227.00	\$ 496,568.00
SHELDON	\$ 82,274.40	\$ 173,299.60	\$ 255,574.00
WARSAW	\$ 376,090.00	\$ 330,923.00	\$ 707,013.00
WETHERSFIELD	\$ 33,220.00	\$ 44,900.00	\$ 78,120.00
TOTALS:	\$ 2,745,839.43	\$ 3,991,583.28	\$ 6,737,422.71

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

RESOLUTION NO. 16-542
(December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

LIFT THE 2017 EQUALIZATION TABLE, AMEND AND ADOPT

BE IT RESOLVED, That the 2017 Equalization Table, which was tabled on November 8, 2016, be lifted from the table and amended, 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 2017 is hereby adopted as amended.

2017 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
91.00%	ARCADE	213,973,619	235,135,845	0.103047435	213,967,269
100.00%	ATTICA	178,020,588	178,020,588	0.078016680	178,010,168
45.00%	BENNINGTON	114,797,428	255,105,391	0.11799016	114,773,897
100.00%	CASTILE	249,739,997	249,739,997	0.109447652	249,711,447
100.00%	COVINGTON	72,722,375	72,722,375	0.031870318	72,721,875
97.10%	EAGLE	61,314,599	63,145,828	0.027673431	61,302,299
100.00%	GAINESVILLE	112,122,831	112,122,831	0.049137426	112,122,831
100.00%	GENESEE FALLS	29,776,661	29,776,661	0.013049514	29,773,661
80.00%	JAVA	116,313,620	145,392,025	0.063717530	116,298,620
91.00%	MIDDLEBURY	106,574,068	117,115,020	0.051325234	106,574,068
100.00%	ORANGEVILLE	100,266,656	100,266,656	0.043941500	100,266,656
100.00%	PERRY	195,413,976	195,413,976	0.085639469	195,393,526
100.00%	PIKE	56,289,159	56,289,159	0.024668521	56,289,159
81.00%	SHELDON	134,952,066	166,807,489	0.073015130	134,926,966
100.00%	WARSAW	240,863,049	240,863,049	0.105557361	240,861,549
96.00%	WETHERSFIELD	61,540,356	64,104,538	0.028093582	61,529,056
	TOTALS	2,044,681,646	2,281,821,427	1.000000000	2,044,523,067

FINANCE COMMITTEE

	Bryan Kehl	Ellen Grant	Rebecca Ryan
21-Nov-16	John Copeland	David Tallman	James Brick
	Jerry Davis	Daniel Leuer	Susan May

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

Prior to the roll call, Chairman Berwanger recognized Supervisor Leuer, T/Middlebury. Supervisor Leuer questioned Resolution Number 45 and the salary listed as \$0.00. Clerk Ketchum explained that this is correct as the position is being placed on the salary schedule and the actual salary will be set at a later date. A salary range will be utilized.

Chairman Berwanger explained that Resolution Number 51 did not come out of Committee with unanimous consent and therefore will be voted upon separately.

**Non Consent
#51**

RESOLUTION NO. 16-543 (December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY FOR THE YEAR 2017

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

December 13, 2016

County, 36 Center Street, Suite A, Warsaw, NY 14569 for the payment of County appropriations in an amount not to exceed three hundred ninety thousand four hundred dollars (\$390,400.00) to fund the Agricultural Department and 4-H Department; effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

Chairman Berwanger then moved forward with the public hearing asking Clerk Ketchum if there were any written requests to speak at the public hearing. Clerk Ketchum responded there were none.

Chairman Berwanger then asked Budget Officer Cook how long the tax cap been in existence.

Budget Officer Cook stated that it started in 2006 and that was the only year that the County was able to stay under the two percent cap pending mandate relief which was part of the agreement with the state.

Chairman Berwanger reminded everyone that there has been little to no mandate relief other than capping the Medicaid increase over the last three to four years. Therefore, the situation still exists that in order to pass a budget that meets the County's governmental needs, including the hospitals, is it necessary to override the tax cap.

Public Comment:

- *None heard*

Motion to close the Public Hearing was made by Supervisor McCormick, T/Java. Seconded by Supervisor Becker, T/Sheldon. Carried.

Chairman Berwanger reminded the Supervisors that the passage of this resolution will require a sixty percent majority of the board.

**60% Majority
Local Law
#52**

**RESOLUTION NO. 16-544
(December 13, 2016)**

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

LOCAL LAW NO. 4 (INTRODUCTORY D, YEAR 2016) ~ YEAR 2016, “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2017” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 8th day of November, 2016, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2016, entitled, “*A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2017;*” and

WHEREAS, In accordance with the provisions of Resolution No. 16-486, there was a public hearing held by this Board of Supervisors on this 13th day of December, 2016, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 4, Year 2016, County of Wyoming, New York, as presented to this Board on the 8th day of November 2016, is hereby adopted, as advertised, enacted and passed by this Board in its form as follows:

LOCAL LAW NO. 4 ~ YEAR 2016

A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2017

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

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 2017 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

December 13, 2016

budget for the fiscal year 2017 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 2017 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.

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

Chairman Berwanger then commented on the following resolution which is necessary to pass the 2017 budget. He acknowledged the two public hearings that were held on this matter and the Board is prepared to vote on the budget today. Chairman Berwanger asked for any comments or questions and acknowledged Supervisor Leuer, T/Middlebury.

Supervisor Leuer stated that he would be voting no on the adoption of the 2017 budget. He recognized the amount of work that went into creating the budget but there is not a lot to like about it. He explained that from his own Town’s perspective, he has received many calls from constituents who are objecting to the 9.67% increase in the overall tax rate for Middlebury mainly because of the equalization rate. They also want to convey the message that the County needs to do a better job in budgeting.

Chairman Berwanger asked for any other comments or questions and acknowledged Supervisor Brick, T/Perry. Supervisor Brick spoke about the discussion on how much of the fund balance should be used to offset any tax increase. He also stated that the budget “is what it is” but it must be flexible.

#53

RESOLUTION NO. 16-545
(December 13, 2016)

By Mr. Kehl, Chairman of the Finance Committee:

TENTATIVE 2017 BUDGET FOR WYOMING COUNTY ADOPTED

BE IT RESOLVED, That the tentative budget for the year 2017, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2017, which requires the raising by tax levy in the amount of twenty million three hundred twenty-four thousand dollars (\$20,324,000.00); and be it

FURTHER RESOLVED, That the said sum of twenty million three hundred twenty-four thousand dollars (\$20,324,000.00) 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, 2017.

Carried: XXX Ayes: 1537 Noes: 62 (Middlebury) Absent: Abstain:

Chairman Berwanger commented on the lovely holiday decorating done by Supervisor Ryan, T/Warsaw. He said that she always makes Chambers come alive and thanked her for her efforts.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:34 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

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