

PROCEEDINGS

OF THE

BOARD OF SUPERVISORS

WYOMING COUNTY
NEW YORK

2021

Rebecca J. Ryan, Chairman
Cheryl Ketchum, Clerk
James Wujcik, County Attorney

CERTIFICATE OF CHAIRMAN AND CLERK

State of New York
County of Wyoming
Chambers of Board of Supervisors

Pursuant to Article 211 of the County Law, we, the Chairman and Clerk of the Board of Supervisors of the County of Wyoming, New York, do hereby certify that the foregoing volume was printed by authority of said Board of Supervisors, and that it contains a true record of the proceedings of the said Board and the whole thereof, in all regular and special sessions held during the year **2021**.

s/ **Rebecca J. Ryan**
Chairman, Board of Supervisors

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



*Wyoming County Court House
Warsaw, New York*

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**REGULAR SESSION
(July 13, 2021)**

**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 Kehl, T/Attica. 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. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link: <http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

At 2:31 PM Chairwoman Ryan, T/Warsaw, called the meeting to order.

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

Chief Warrant Officer 2, Richard C M Reed

Mr. Reed was born in Warsaw, New York and graduated from Letchworth Central High School in 2003. He entered the United States Army in May 2005 and attended basic training at Fort Sill, Oklahoma. His individual training to become a Cannon Crewmember was completed at Fort Benning, Georgia.

Mr. Reed was first stationed at Fort Richardson, Alaska. He was deployed to Iraq from 2006 to 2007 where his unit spearheaded the search for missing soldiers kidnapped from the Shiite holy city of Karbala. Next, he went to Fort Huachuca, Arizona where he became an Intelligence Analyst. His second tour in Iraq was completed during the troop withdrawal in 2009 and 2010. From there, it was on to Fort Riley, Kansas until he completed active duty service in 2011 as a Sergeant and moved on to the Army National Guard.

Once in the National Guard, Mr. Reed continued to advance in rank. He completed his Bachelor's Degree in History at Houghton College in 2012. He worked for Pioneer Credit as a debt collector until he trained as an All Source Intelligence Technical Analyst. In this full-time National Guard position, he

July 13, 2021

deployed to Jordan in 2020 under Operation Spartan Shield as a forward intelligence-gathering unit that would brief other units concerning Saudi Arabia, Jordan and Kuwait.

For is honorable service to date, Chief Warrant Officer 2 Reed has been awarded the:

- Army Service Ribbon
- Sharpshooter Badge with Rifle
- Driver and Mechanic Badge with Driver-Wheeled Vehicle Clasp
- Parachutist Badge
- Overseas Service Ribbon (3rd award)
- Combat Action Badge
- Non Commissioned Officer Professional Development Ribbon
- National Defense Service Medal
- Army Good Conduct Medal
- Global War on Terrorism Service Medal
- Army Commendation Medal (4th award)
- Iraq Campaign Medal with Three Campaign Star (3rd Award)
- Army Achievement Medal
- Armed Forces Reserve Medal with “M” Device

Mr. Reed married his wife, Jordan, in December of 2008 and they live in Castile. Together they have three boys, ages 10, 6 and 4. The whole family will accompany him on his next tour of duty in Iowa where he is hoping for a chance to share one of his hobbies with his sons and take them fishing.

Mr. Reed, on behalf of the Wyoming County Board of Supervisors and all gathered here today, thank you for your service and please accept our prayers and well wishes for your health and safety as your continue to serve our great nation.

The pledge was said by all.

Supervisor Klein, T/Castile, joined Mr. Reed at the podium with Chairwoman Ryan for the presentation of the customary certificate of appreciation to Mr. Reed and offered him an opportunity to address the Board.

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

There was a brief interruption of the meeting as pictures were taken.

Opening Prayer ~

- *Rev. Mack Bixby, via Call-In*

Regular Session

Opening Prayer was set aside in hopes Rev. Bixby would soon join the meeting.

Communications ~

- *June 15, 2021 Correspondence from NYSAC Executive Director Stephen J. Acquario acknowledging receipt of several resolutions passed by the Board of Supervisors*

Open Public Hearing ~

- *For Proposed Modifications to Agriculture District No. 5*

#1

RESOLUTION NO. 21-300 (July 13, 2021)

By Ms. Grant, Vice Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2021 accounts as follows:

Highway			
From: 04.53.5110.1.10101 FT CSEA Contract To: 04.53.5010.1.10202 Admin Temp. Reason: Due to the resignation of Todd Gadd and Anthony Santoro. Three admin-temporary positions have been added until the Highway Superintendent position is filled.	\$30,000.00	\$30,000.00	
Highway Total			\$30,000.00
Buildings and Grounds (Co. Bldgs.)			
From: 01.42.6422.2.21002 Property Renovations To: 01.42.6422.4.40803 Bldg. Supplies Repair Reason: To cover material cost of Ag. Center build out expenses.	\$10,000.00	\$10,000.00	
Buildings and Grounds (Co. Bldgs.) Total			\$10,000.00

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
#2

RESOLUTION NO. 21-301 (July 13, 2021)

By Ms. Grant, Vice Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2021 ACCOUNTS

July 13, 2021

BE IT RESOLVED, That funds are hereby appropriated to the various 2021 accounts as follows:

Real Property Tax Services			
To: 01.33.1355.1.10202 Temporary 01.33.1355.4.41701 Employee Physical <i>w/any funds available</i> Reason: To cover the cost of hiring a GIS Technician on a temporary basis including employee physical.	\$3,000.00 195.00	\$3,195.00	
Real Property Tax Services Total			\$3,195.00
WCCH			
To: 02.56.4510.2.20801 Capital Expenditures w/02.11.4510.348922 Lab Transformation Grant Reason: Establish unbudgeted Facility Transformation Program II Grant award.	\$3,078,848.00	\$3,078,848.00	
WCCH Total			\$3,078,848.00
CIP			
To: 12.61.1620.2.21002R Rotunda Project w/12.12.1620.4089R ARP Funding Reason: Funds to establish the Courthouse Rotunda project.	\$163,000.00	\$163,000.00	
CIP Total			\$163,000.00
County Attorney			
To: 01.34.1420.1.10601 Unused Benefit Time <i>w/any funds available</i> Reason: To pay unused benefit time for Janet Bensman who resigned; last day of work 6/11/2021.	\$17,866.21	\$17,866.21	
County Attorney Total			\$17,866.21
Historian			
To: 01.46.7510.4.41010 Supplies w/01.09.7510.2705 Gifts & Donations Reason: To appropriate funds donated for office use to be used for archival supplies.	\$125.00	\$125.00	
Historian Total			\$125.00
Youth Bureau			
To: 01.45.7310.4.42435 Other Grants w/01.11.7310.382002 Legislative Grant Reason: For a Youth Trip to Niagara Falls. Expenditures to be reimbursed through a NYS Parks "Connect Kids to Parks Grant".	\$1,020.00	\$1,020.00	
Youth Bureau Total			\$1,020.00
Water Resource Agency			
To: 01.48.8310.4.40704 Lab Basic PublicMuni w/01.04.8310.2378 Water Svc. Other Gov. Reason: To pay for unbudgeted water sampling to complete & comply with newly required PFOA, PFOS and 1,4 Dioxane sampling requirements. Funds will be realized through billable reimbursements from each participating public water system.	\$9,775.00	\$9,775.00	
Water Resource Agency Total			\$9,775.00
Highway			

To: 04.53.5110.4.41904 Bituminous Products w/ 04.11.5110.3501 Consolidated Hwy Aid Reason: Received notice from NYSDOT of significant increase in funding for CHIPs, PaveNY, (\$548,541.11 collectively) and EWR (\$364K) for 2021-2022.	\$912,541.11	\$912,541.11	
Highway Total			\$912,541.11
Emergency Services			
To: 01.37.3640.4.41410 Software w/ 01.03.3640.1289 Other Dept. Income Reason: For electronic patient care records program in compliance with NYSDOH rules and regulations. Funding will come from participating fire departments/agencies.	\$10,498.50	\$10,498.50	
To: 01.37.3640.2.20401 Misc. Equipment w/ 01.12.3640.438904 Fed Aid All Haz Mat Gr Reason: To appropriate FY2019 PDMC Grant Funds to pay for drone.	\$3,760.93	\$3,760.93	
Emergency Services Total			\$14,259.43
Public Defender			
To: 01.32.1170.1.10001 Salaries S/D/I 01.32.1170.4.42413 Distribution #11 01.32.1170.8.81001 Retirement 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare w/ 01.11.1170.302511 ILS D11 Reason: To appropriate ILS Distribution #11 funding allocation for the 2021 calendar year.	\$26,150.00 1,745.00 4,144.52 1,621.30 379.18	\$34,040.00	
To: 01.32.1170.1.10101 F/T CSEA Sch.G 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare w/ 01.11.1170.302502 State Aid - CAFA Reason: For reallocation of grant funds due to new employee positions.	\$2,500.00 155.00 36.25	\$2,691.25	
To: 01.32.1170.1.10101 F/T Sch. G 01.32.1170.1.10201 P/T All Contracts 01.32.1170.4.42495 ILS QICR 3 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare w/ 01.11.1170.302504 State Aid – ILS QICR Reason: Appropriate grant funds for salary, fringe and expenses for the remainder of the 2021 year.	\$11,605.00 27,068.00 4,643.00 2,397.72 560.76	\$46,274.48	
Public Defender Total			\$83,005.73
District Attorney			
To: 01.32.1169.1.10001 Salaries 01.32.1169.8.81001 Retirement 01.32.1169.8.83001 FICA 01.32.1169.8.85001 Medicare 01.32.1169.8.89001 Med/Hosp 01.32.1169.8.89003 HRA-Adm Ex w/ 01.12.1169.4389 Office Victim Serv 11122GG Reason: To appropriate additional grant funds for the 2020-2021 grant year.	\$8,329.44 841.27 516.43 120.78 3,525.49 17.38	\$13,350.79	
District Attorney Total			\$13,350.79

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Carried: XXX **Ayes:** 1435 **Noes:** **Absent:** 164 (Attica) **Abstain:**

Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$2,314,720.61** for the month of **June 2021**. No further action is required.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #3 through #5. Hearing no objection, resolution titles only were read.

#3

RESOLUTION NO. 21-302
(July 13, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
APPLICATIONS AND ACCEPTANCE AWARDS WITH THE NEW
YORK STATE OFFICE FOR THE AGING ON BEHALF OF WYOMING
COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign various grant applications and acceptance awards with the *New York State Office for the Aging*, 2 Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging as follows:

- Funding to continue the implementation, expansion and enhancement of NY Connects in a minimum amount of one hundred seventy five thousand nine hundred eighty-two dollars (\$175,982.00); effective April 1, 2021 through March 31, 2022
- Emergency grant funds for a major disaster declaration in a minimum amount of one hundred sixty-eight thousand four hundred thirteen dollars (\$168,413.00); effective April 1, 2021 through September 30, 2024.

Carried: XXX **Ayes:** 1435 **Noes:** **Absent:** 164 (Attica) **Abstain:**

#4

RESOLUTION NO. 21-303
(July 13, 2021)

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
PARKS, RECREATION AND HISTORIC PRESERVATION ON
BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Office of Parks, Recreation and Historic Preservation*, 625 Broadway, Albany, NY 12207 on behalf of the Youth Bureau. Said grant funding for “*Connect Kids to the State Parks*” with a trip to Niagara Falls for a Maid of the Mist ride and a trip to Cave of the Winds in a minimum amount of one thousand twenty dollars (\$1,020.00); effective June 1, 2021 through July 1, 2021.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #5

**RESOLUTION NO. 21-304
(July 13, 2021)**

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

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

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign various welfare management system contracts on behalf of the Department of Social Services. Said contracts to provide foster care services in variable amounts depending on the services provided as follows:

- ***Rebecca Anderson***, 24 Pioneer Lane, Delevan, NY 14042; effective June 30, 2021 through June 30, 2022.
- ***Northeast Parent & Child Society***, 60 Academy Road, Albany, NY 12208; effective July 1, 2021 through June 30, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

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There was a motion by Mr. Davis, T/Covington, to combine resolutions #6 and #7. Hearing no objection, resolution titles only were read.

#6

**RESOLUTION NO. 21-305
(July 13, 2021)**

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

RESOLUTION NUMBER 20-288 AMENDED

WHEREAS, Resolution Number 20-288 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF HEALTH, DIVISION OF FAMILY HEALTH ON BEHALF OF THE COUNTY HEALTH DEPARTMENT”** passed by this Board of Supervisors on July 14, 2020 and provides for reproductive healthcare funding in a minimum amount of one hundred sixty-three thousand eight hundred seventy-eight dollars (\$163,878.00); effective July 1, 2020 through June 30, 2021; now therefore,

BE IT RESOLVED, That *Resolution Number 20-288* be hereby amended *by increasing the minimum amount to two hundred forty-five thousand eight hundred seventeen dollars (\$245,817.00)* and extend the grant through *December 31, 2021*.

All else remains the same.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
#7

**RESOLUTION NO. 21-306
(July 13, 2021)**

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

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO ACCEPT THE “Onondaga County Division of Purchase, Bid Award Number 071-5 for Police and Administrative Vehicles” AND EXERCISE THE RIGHT TO “PIGGYBACK” AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER GML §103 (16) ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the

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Commissioner of Health, with the approval of the County Attorney, are hereby authorized and directed to accept the ***“Onondaga County Division of Purchase, Bid Award Number 071-5 for Police and Administrative Vehicles”*** and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16) on behalf of the County Health Department. Said bid awarded to ***Van Bortel Chevrolet***, 1338 West Main Street, Macedon, NY 14502; and be it

FURTHER RESOLVED, That the Chairman of this Board is hereby authorized and directed to sign the required documentation with ***Van Bortel Chevrolet***, 1338 West Main Street, Macedon, NY 14502 for the purchase of one (1) 2022 Chevrolet Malibu in an amount not to exceed sixteen thousand seven hundred seventy-one dollars and seventy-nine cents (\$16,771.79); effective May 25, 2021 and through delivery of vehicle.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #8 through #12. Hearing no objection, resolution titles only were read.

#8

**RESOLUTION NO. 21-307
(July 13, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION OPPOSING NEW YORK STATE SENATE BILL S4264-A
AND ASSEMBLY BILL A6967**

WHEREAS, This Legislative Body has a record of advocating for the best interests of the people of Wyoming County, including the protection of taxpayers in the County; and

WHEREAS, Both the Senate and Assembly are considering legislation that if passed, analysts predict would add a \$.55 or more per gallon tax to fuel at the gas pumps and increase the cost of heating residential homes by twenty-five percent (25%) for residents in New York State; and

WHEREAS, The cost of fuel is already high and has escalated in the past year; and

WHEREAS, These new proposed taxes will only add to the financial burden of already struggling residents; and

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WHEREAS, New Yorkers are already forced to pay higher taxes and fees for many services and purchases; and

WHEREAS, New Yorkers are already dealing with the effects of the pandemic, loss of jobs and economic hardships across the State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly opposes New York State Senate Bill S4264-A AND A6967 and urges the Senate and Assembly to consider the financial and economic impact these increases would have on the residents of New Yorkers; and be it

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

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #9

**RESOLUTION NO. 21-308
(July 13, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION IN SUPPORT OF A LOCAL WATERFRONT
REVITALIZATION PLANNING GRANT SUBMISSION AND
AUTHORIZING THE COUNTY OF WYOMING TO ACT AS LEAD
APPLICANT FOR THE PURPOSES OF IMPROVING AND
PROTECTING THE WATER QUALITY OF SILVER LAKE AND TO
PROMOTE SUSTAINABLE ECONOMIC AND COMMUNITY
REVITALIZATION IN THE TOWNS OF PERRY AND CASTILE AND
THE VILLAGE OF PERRY**

WHEREAS, New York State Governor Andrew Cuomo has created ten (10) Regional Economic Development Councils; and

WHEREAS, As part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application has been developed and made available to distribute grant funds to advance the preparation of strategies for community and waterfront revitalization through the preparation of a Local Waterfront Revitalization Planning Document to increase and support job creation, increased tourism, further infrastructure improvements, increase public access to outdoor recreation activities and advance regionally significant economic development projects; and

WHEREAS, The New York State Department of State has made funding available for 2021 Local Waterfront Revitalization Program grants to assist applicants in implementing plans to community and waterfront revitalization efforts; and

WHEREAS, The following communities in Wyoming County deem it advantageous to join together in seeking a Local Waterfront Revitalization Planning grant from the Department of State to study and develop a strategic plan to improve and protect the water quality of Silver Lake and promote sustainable economic and community revitalization in the Towns of Perry and Castile and the Village of Perry; and

WHEREAS, The County of Wyoming will act as the lead applicant and all the other constituent municipalities consisting of the Town of Perry, Town of Castile and the Village of Perry will act as co-applicants in this application; and

WHEREAS, The application will seek \$120,000.00 in total monies, \$90,000.00 (75%) in a New York State Department of State Local Waterfront Revitalization Planning grant, and a pro-rated share from the each of participating municipalities (Town of Perry, Town of Castile and Village of Perry) for a total local share of \$30,000.00 (required 25%); now therefore

BE IT RESOLVED, That the County of Wyoming hereby agrees to act as the lead applicant for a Consolidated Funding Application Local Waterfront Revitalization Planning grant administered by the New York State Department of State for the purposes of improving and protecting the water quality of Silver Lake and to promote sustainable economic and community revitalization in the Towns of Perry and Castile and the Village of Perry; and be it

FURTHER RESOLVED, That said grant will be administered by the County of Wyoming through the auspices of the Wyoming County Water Resource Agency, and be it

FURTHER RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is hereby authorized to execute all necessary grant application documents for submission to the Consolidated Funding Application, Department of State Local Waterfront Revitalization Planning program.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
#10

RESOLUTION NO. 21-309
(July 13, 2021)

July 13, 2021

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION IN SUPPORT OF A LOCAL GOVERNMENT
EFFICIENCY GRANT SUBMISSION AND AUTHORIZING THE
COUNTY OF WYOMING TO ACT AS LEAD APPLICANT FOR THE
PURPOSES OF PURCHASING AND INSTALLING WATER METERS
AND THE ESTABLISHMENT OF A JOINT MUNICIPAL WATER
READING AND BILLING DEPARTMENT ADMINISTERED BY THE
WYOMING COUNTY WATER RESOURCE AGENCY**

WHEREAS, New York State Governor Andrew Cuomo, has created ten (10) Regional Economic Development Councils; and

WHEREAS, As part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application has been developed and made available to distribute grant funds for job creation, infrastructure improvements and regionally significant economic development projects; and

WHEREAS, The New York State Department of State has made funding available for 2021 Local Government Efficiency Grant Programs to assist applicants in implementing plans to improve local government efficiency and cost savings; and

WHEREAS, The following communities in the Wyoming County deem it advantageous to join together in seeking an Efficiency Implementation Grant from the New York State Department of State to implement a municipal joint water meter purchase and installation program and the establishment of a Wyoming County Water Resources Agency centralized meter reading and billing department that would include the Towns of Eagle, Java, Bennington, Perry, Pike and Warsaw; and

WHEREAS, The County of Wyoming will act as the lead applicant and all the other constituent municipalities will act as co-applicants in this application; and

WHEREAS, The application will seek \$270,000.00 in total monies, \$243,000.00 in a Consolidated Funding Application/Department of State Local Government Efficiency Grant, and a pro-rated share from each of the participating municipalities for a total local share of \$27,000.00, required 10% match; now therefore

BE IT RESOLVED, That the County of Wyoming will act as the lead applicant for a Consolidated Funding Application/Efficiency Implementation

Grant from the Local Government Efficiency Grant Program administered by the New York State Department of State for the purposes of purchasing and installing water meters and the establishment of a joint municipal water reading and billing department administered by the Wyoming County Water Resource Agency; and be it

FURTHER RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is hereby authorized to execute all necessary grant application documents for submission to the Consolidated Funding Application, Department of State Local Government Efficiency Grant Program.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #11

**RESOLUTION NO. 21-310
(July 13, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GLOW REGION SOLID
WASTE MANAGEMENT COMMITTEE INTER-MUNICIPAL
COOPERATION CONTRACT**

WHEREAS, The Genesee, Livingston and Wyoming Counties (“GLOW”) Region Solid Waste Management Project Inter-Municipal Cooperation Contract is scheduled to expire on December 31, 2021; and

WHEREAS, The GLOW Committee has prepared the seventeenth amended and restated Inter-Municipal Cooperation Contract and has recommended that this contract be submitted to the three (3) counties for their review and approval, said contract to expire December 31, 2023; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute said contract on behalf of the County of Wyoming.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #12

**RESOLUTION NO. 21-311
(July 13, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

July 13, 2021

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
QUADIENT LEASING USA ON BEHALF OF
PLANNING AND DEVELOPMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Quadient Leasing USA***, Department 3684, PO Box 123682, Dallas, TX 75312 on behalf of Planning and Development. Said contract is for a Neo-Post IX-5AF postage machine located in the Ag and Business Center in an amount not to exceed one hundred sixty-five dollars and forty-one cents (\$165.41) per month for a term of sixty-three (63) months for total amount not to exceed ten thousand four hundred twenty dollars and eighty-three cents (\$10,420.83); effective upon the date of delivery.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mr. Brick, T/Perry, to combine resolutions #13 and #14. Hearing no objection, resolution titles only were read.

#13

**RESOLUTION NO. 21-312
(July 13, 2021)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH VILLAGE CONSTRUCTION, INC. ON BEHALF
OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with ***Village Construction, Inc.***, 425 Old Macedon Center Road, Fairport, NY 14450 on behalf of County Highway. Said contract to furnish equipment and labor for crushing bank run gravel and reclaimed asphalt millings in an amount not to exceed thirty thousand dollars (\$30,000.00); effective June 30, 2021 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

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**RESOLUTION NO. 21-313
(July 13, 2021)**

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

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

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

- ***Seal-A-Deal***, 5957 Bauer Road, Warsaw, NY 14569 for sealing and striping of lots at the Wyoming County Department of Social Services in an amount not to exceed thirteen thousand dollars (\$13,000.00); effective June 18, 2021 through completion of project.
- ***Siemens Industry, Inc.***, 85 Northpointe Parkway, Suite 8, Amherst, NY 14228 for the installation of a new fire panel at the Wyoming County Government Center in an amount not to exceed twenty-one thousand eight hundred fifty-five dollars and fifty-seven cents (\$21,855.57); effective July 5, 2021 through December 31, 2021.
- ***MJ Mechanical Services, Inc.***, 95 Pirson Parkway, Tonawanda, NY 14150 for preventative maintenance on HVAC equipment at various county buildings in an amount not to exceed fifteen thousand eight hundred twelve dollars (\$15,812.00); effective July 5, 2021 through December 31, 2023.
- ***Picone Construction Corporation***, 10995 Main Street, Clarence, NY 14031 for construction of the airlock entry to the Rotunda in an amount not to exceed one hundred nine thousand seven hundred dollars (\$109,700.00); effective July 14, 2021 through completion of project.
- ***Johnson Controls Fire Protection LP***, 90 Goodway Drive, Rochester, NY 14623 for the installation of sprinkler systems in the new airlock entry to the Rotunda in an amount not to exceed six thousand seven hundred forty-two dollars and forty cents (\$6,742.40); effective July 14, 2021 through completion of project. (*Contract No. PT68816*)

Contingent upon the availability of funds.

July 13, 2021

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #15 through #20. Hearing no objection, resolution titles only were read.

#15

**RESOLUTION NO. 21-314
(July 13, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LETCHWORTH CENTRAL SCHOOL ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Letchworth Central School*, 5550 School Road, Gainesville, NY 14066 on behalf of the Sheriff's Department. Said contract to provide law enforcement and police services when school is in session in an amount not to exceed fifty-three dollars and twenty-six cents (\$53.26) per hour; effective September 1, 2021 through December 31, 2021 and fifty-five dollars and seventy-eight cents (\$55.78) per hour; effective January 1, 2022 through June 30, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

#16

**RESOLUTION NO. 21-315
(July 13, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WILMAC
BUSINESS EQUIPMENT COMPANY, INC. ON BEHALF OF 9-1-1**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Wilmac Business Equipment Company, Inc.*, 73 State Street, Rochester, NY 14614 on behalf of 9-1-1. Said contract to upgrade and expand the NICE equipment in an amount not to exceed forty-seven thousand fourteen dollars (\$47,014.00); effective July

1, 2021 through December 31, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #17

**RESOLUTION NO. 21-316
(July 13, 2021)**

By Mrs. May, 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 ON BEHALF
OF 9-1-1**

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*, 1220 Washington Avenue, Albany, NY 12226 on behalf of 9-1-1. Said grant funding for public safety call-taking and dispatching expenses in a minimum amount of one hundred thirteen thousand eight hundred ninety-seven thousand dollars (\$113,897.00); effective January 1, 2021 through December 31, 2021.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #18

**RESOLUTION NO. 21-317
(July 13, 2021)**

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

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

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *New York State Division of Homeland Security and Emergency Services*, 1220 Washington Avenue, State Office Campus, Building 7 A, Suite 710, Albany, NY 12242 on

July 13, 2021

behalf of Emergency Services. Said contract to provide Wyoming County a copy of Mutualink Edge software with up to seven (7) users subscriptions for County use, in addition to network interface controllers (NIC) to tie into available County media capabilities on a temporary loan basis at no cost to the County; commencing on the first Monday immediately following approval by the New York State Office of the State Comptroller through March 31, 2024.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
#19

RESOLUTION NO. 21-318
(July 13, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ESO ON
BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **ESO**, 11500 Alterra Parkway, Suite 100, Austin, TX 78758 on behalf of Emergency Services. Said contract to provide emergency medical electronic patient care report (ePCT) platform consistent with New York State Department of Health rules and regulations in an amount not to exceed ten thousand four hundred ninety-eight dollars and fifty cents (\$10,498.50); effective July 1, 2021 through June 30, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
#20

RESOLUTION NO. 21-319
(July 13, 2021)

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

2021 WYOMING COUNTY, NEW YORK
MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN
ADOPTED

WHEREAS, All jurisdictions within Wyoming County have exposure to hazards that increase the risk to life, property, environment, and the County

and local economy; and

WHEREAS; Pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS; A coalition of Wyoming County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Wyoming County; and

WHEREAS, The coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors:

- 1) Adopts in its entirety, the 2021 Wyoming County Multi-Jurisdictional All-Hazard Mitigation Plan (the “Plan”) as the jurisdiction’s Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Planning Partnership as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #21 through #30. Hearing no objection, resolution titles only were read.

#21

July 13, 2021

**RESOLUTION NO. 21-320
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

RESOLUTION NUMBER 21-481 AMENDED

WHEREAS, Resolution Number 21-481 entitled, “**POSITIONS(S) APPROVED**”, passed by this Board of Supervisors on November 10, 2020 and provides, in part, for the following position:

CREATED:

Workers Compensation

- One (1) position of ***Workers’ Compensation Prog. Administrator (Temp)*** (1.00 FTE) on Salary Schedule D at an annual rate of \$73,132.00. Position available date is November 16, 2020 and will last for a period of six (6) months.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 21-481*** be hereby amended to extend the position of ***Worker’s Compensation Prog. Administrator (Temp)*** through ***December 31, 2021***.

All else remains the same.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #22

**RESOLUTION NO. 21-321
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign various contracts on behalf of Information Technology:

ESRI, Inc., 380 New York St., Redland, CA 92373 to provide GIS

software support in an amount not to exceed eleven thousand one hundred dollars (\$11,100.00); effective June 15, 2021 through June 14, 2022. (*NYS Contract PM67345*)

- **ePlus**, 1020 John Street, West Henrietta, NY 14586 for the annual support of VMware software in an amount not to exceed eleven thousand three hundred ninety-seven dollars and fifty-seven cents (\$11,397.57); effective July 14, 2021 through July 14, 2022. (*NYS Contract PM67310*)
- **Frontier Communications**, 120 Plymouth Ave North Rochester 14608 for a fiber telecommunication connection to the Wyoming County Fire Training Center in an amount not to exceed one thousand three hundred twenty dollars (\$1,320.00) per month which includes one (1) gigabit of bandwidth; effective August 1, 2021 through August 30, 2024.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #23

**RESOLUTION NO. 21-322
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

RESOLUTION NUMBER 21-240 AMENDED

WHEREAS, Resolution Number 21-240 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DOX ELECTRONICS, INC. ON BEHALF OF INFORMATION TECHNOLOGY**”, passed by the Board of Supervisors on May 11, 2021 and provides for Configuring Exchange Server 2016 in an amount not to exceed six thousand dollars (\$6,000.00); effective through August 4, 2020 through March 31, 2021; now therefore

BE IT RESOLVED, That **Resolution Number 21-240** be hereby amended to extend the term through **December 31, 2021**. All else remains the same.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #24

**RESOLUTION NO. 21-323
(July 13, 2021)**

July 13, 2021

By Ms. Grant, Vice Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR AUTHORIZED TO SIGN A
CONTRACT WITH HOLOGIC, LLC 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 Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign a contract with *Hologic, LLC*, 250 Campus Drive, Marlborough, MA 01752 on behalf of the Wyoming County Community Health System. Said contract is for supplies and equipment in an amount not to exceed three hundred thousand dollars (\$300,000.00); effective July 1, 2021 through June 30, 2024.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #25

**RESOLUTION NO. 21-324
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

SALARY SCHEDULES “X”, “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 “X”:

Wyoming County Community Hospital

- Set the hourly rate for one (1) position of *Licensed Practical Nurse* (position code 04.581.147) under WYOMING COUNTY FAMILY MEDICINE – PERRY at \$20.34; position available date is July 14, 2021.

Salary Schedule “S”:

Animal Control

- Remove the one (1) position of *Laborer (Per Diem)* (position code 004.144) as it does not belong on Salary Schedule S.

Board of Elections

- Fill one (1) position of **Deputy Commissioner (R)** (1.00 FTE) (position code 004.502); and set the salary at \$35,000.00 per year; position available is July 7, 2021.

Public Health Dept

- Set the salary of one (1) position of **Nurse Practitioner (Per Diem)** (position code 133.311) to reflect an hourly rate of \$55.00; effective July 14, 2021. Grant funded.

Salary Schedule “G”:**Public Defender**

- Set stipends plus corresponding fringes as provided through ILS Distribution #11 Gran, Contract No. C110056, for the following positions:
 - Public Defender \$2,000.00
 - Assistant Public Defender (1st) \$6,575.00
 - Assistant Public Defender (3rd) \$4,075.00
 - Assistant Public Defender (4th) \$12,000.00
 - Secretary to the Public Defender \$1,500.00
 - Said amounts to be paid bi-weekly and retroactive to January 1, 2021 through December 31, 2023

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #26

**RESOLUTION NO. 21-325
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

**INSURANCE PREMIUMS FOR THE 2021 ~ 2022 POLICY TERM
THROUGH TOMPKINS INSURANCE AGENCIES, INC. APPROVED**

BE IT RESOLVED, That the various premiums offered by the following insurance companies for the 2021 ~ 2022 policy term through **Tompkins Insurance Agencies, Inc.**, 90 Main Street, Batavia, NY 14020 for the County of Wyoming are hereby approved as follows; effective July 1, 2021 through July 1, 2022:

- **New York Municipal Insurance Program Package** \$486,606.38
(includes cyber security and drone coverage)
- Owners Contractors Protective \$550.00

July 13, 2021

- ***Selective Insurance Inland Marine***
 - o Highway \$15,757.00
 - o Sheriff, etc. \$10,479.00

- ***Cincinnati Insurance Company***
 - o Boiler/Machinery \$13,008.00

- ***Travelers Insurance***
 - o Crime \$1,520.00

TOTAL - \$527,920.38

Contingent upon the availability of funds.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #27

**RESOLUTION NO. 21-326
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

**RESOLUTION IN SUPPORT OF A NEW YORK STATE OFFICE OF
PARKS, RECREATION AND HISTORIC PRESERVATION (OPRHP)
GRANT BY THE OATKA VALLEY SNOWMOBILE ASSOCIATION**

WHEREAS, The Oatka Valley Snowmobile Association is applying to the *New York State Office of Parks, Recreation and Historic Preservation (OPRHP)* for a grant under Title 9 of the Environmental Protection Act of 1993 for a Recreational Trails Project grant to purchase a new groomer and drag to maintain NYS Snowmobile Trails located in Wyoming County, trails that re within the territorial jurisdiction of this Board; and

WHEREAS, As a requirement under the rules of this program, said not-for-profit corporation must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve and endorse the application of the Oatka Valley Snowmobile Association for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project known as Oatka Valley Groomer Project, which is located within this community.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

Regular Session

**RESOLUTION NO. 21-327
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

DATE OF SEPTEMBER 2021 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, September 21, 2021 at 2:30 PM*** to allow Supervisors an opportunity to attend the 2021 Fall NYSAC Conference in Syracuse, New York on September 13th and 14th, 2021.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #29

**RESOLUTION NO. 21-328
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:

Jail

- One (1) position of ***Assistant Cook*** (1.00 FTE) on CSEA Schedule B, Job Grade 3 at an hourly rate of \$14.99/hr. - \$16.22/hr.; position available date is July 14, 2021.
- Two (2) positions of ***Food Services Helper (Per Diem)*** consistent with CSEA Schedule B, Job Grade 2 at an hourly rate of \$14.74/hr. - \$15.96/hr.; positions available date is July 14, 2021.

Public Health Dept

July 13, 2021

- One (1) position of ***Nurse Practitioner (Per Diem)*** on Schedule S at an hourly rate of \$52.00/hr. with only those benefits mandated by law; position available date is July 14, 2021.
- One (1) position of ***Community Health Nurse II*** (1.00 FTE) on CSEA, Schedule A, Grade 18, at an hourly rate of \$26.65/hr. - \$30.16/hr.; position available date is July 19, 2021.

Buildings and Grounds

- One (1) position of ***Building Maintenance Mechanic (Temp)*** (1.00 FTE) on CSEA Schedule B, Job Grade 9, at an hourly rate of \$19.04/hr. - \$21.03/hr.; position available date is July 14, 2021 through September 30, 2021.

ABOLISHED:

Jail

- One (1) position of ***Food Service Helper*** (1.00 FTE) (position code 093.119); effective July 14, 2021.

Public Health Dept

- One (1) position of ***Nurse Practitioner***, (PT - 0.60 FTE) (position code 066.311); effective July 14, 2021.
- One (1) position of ***Public Health Nurse*** (1.00 FTE) (position code 023.197); effective July 13, 2021.

MODIFIED:

Jail

- Increase the FTEs of one (1) position of ***Assistant Cook*** (.80 FTE) (position code 094.016) to 1.00 FTE on CSEA Schedule B, Job Grade 3, with no change in the hourly rate of \$14.99/hr.; position available date is July 14, 2021.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
Non-Consent
#30

RESOLUTION NO. 21-329
(July 13, 2021)

By Ms. Grant, Vice Chairman of the Finance Committee:

SALARY SCHEDULE “S” AMENDED

Regular Session

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

Salary Schedule “S”:

Office for the Aging

- Increase the salary of the ***Deputy Director of Aging*** by \$8,600.00 and set the adjusted salary at \$55,125.00 (without a COLA for 2022); effective July 13, 2021.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:
Non-Consent
#31

RESOLUTION NO. 21-330
(July 13, 2021)

By Ms. Grant, Vice Chairman of the Finance Committee:

RESOLUTION NUMBER 15-386 AMENDED

WHEREAS, Resolution Number 15-386 entitled, “**CHAIRMAN, COUNTY TREASURER AND DIRECTOR OF INFORMATION TECHNOLOGY AUTHORIZED TO SIGN A CONTRACT WITH ACS, A XEROX COMPANY, ON BEHALF OF ALL WYOMING COUNTY DEPARTMENTS**”, passed by this Board of Supervisors on October 13, 2015 and provides for an **APPLICATION HOSTING** and **TECHNOLOGY SUPPORT SERVICES** contract with ACS, a Xerox Company, for all Wyoming County Departments effective January 1, 2016 through December 31, 2020; and

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

- Amend the contracting party from ACS, a XEROX Company to ***Conduent Government Systems, LLC, 12410 Milestone Center Drive, Germantown MD 20874***
- Add ***Microfilm Storage Services*** to the Application Hosting and Technology Support Services contract for the Wyoming County Clerk’s Office in an amount not to exceed ***one thousand four hundred dollars (\$1,400.00)*** per year; effective November 7, 2017 through December 31, 2020.

And,

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 was further amended by ***Resolution Number 18-385*** by this Board of Supervisors on September 11, 2018 to remove the ***NY***

July 13, 2021

Property Tax Collection System Services from the Application Hosting and Technology Support Services contract for the Wyoming County Treasurer's Office; effective January 1, 2019; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 and Resolution Number 18-385 was further amended by this Board of Supervisor on February 12, 2019 by **Resolution Number 19-091** to change the contracting party name for the APPLICATION HOSTING and TECHNOLOGY SUPPORT SERVICES contract from Conduent Government Systems to **Avenue Insights and Analytics, LLC**, 5860 Trinity Parkway, Suite 120, Centerville VA as this business has been sold; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091 was further amended by this Board of Supervisors on October 13, 2020 by **Resolution Number 20-425** to include the *addition of conversion services system in an amount not to exceed forty thousand dollars (\$40,000.00) and extend the term of the APPLICATION HOSTING contract through December 31, 2021*; now therefore,

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091 and Resolution Number 20-425 was further amended by this Board of Supervisors on November 10, 2020 by **Resolution Number 20-478** to extend the TECHNOLOGY SUPPORT SERVICES contract to extend the contract term *through March 31, 2021 in an amount not to exceed forty-eight thousand dollars (\$48,000.00)*; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425 and Resolution Number 20-478 was further amended by this Board of Supervisors on March 9, 2021 by **Resolution Number 21-125** to *extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars (\$48,000.00); effective April 1, 2021 through June 30, 2021*; now therefore

BE IT RESOLVED, That **Resolution Number 15-386** as previously amended by **Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478** and **Resolution Number 21-125** be hereby amended to *extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars (\$48,000.00); effective July 1, 2021 through September 30, 2021*.

All else remains the same.

Carried: XXX **Ayes:** 1435 **Noes:** **Absent:** 164 (Attica) **Abstain:**

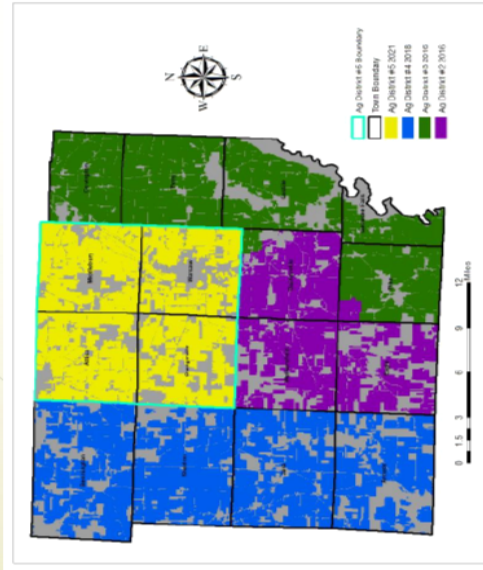
Public Hearing ~

- *Comment Period*
 - *No comments were heard by the general public.*
 - *Presentation of Proposed Modifications to Agriculture District No. 5*
 - *by Jacob Kelly, Soil and Water Conservation District Technician*

8 Year Review of Agricultural District #5



What is Agricultural District #5?



- An Agricultural District is a geographic area which consists predominantly of viable agricultural land. Agricultural operations within the district are the priority land use and are afforded benefits and protections to promote the continuation of farming and the preservation of agricultural land. These benefits include:

 - Limits to overly burdensome local regulations on agriculture.
 - Limits to eminent domain projects on agricultural lands.
 - Discouragement of private nuisance lawsuits to farms.
 - Ensures all NY State agencies seek to protect viable farm land.
- Wyoming County's Agricultural District # 5 was originally created in March, 1981. The current review will be the 5th completed for Ag District 5.
- With the latest review, we have begun the process of aligning district boundaries with town lines. This process will make reviews more efficient and consistent.

The Review Process

- Utilizing GIS, 2400 landowners within the review area were selected and sent surveys, asking for information about agricultural activity on their property.
- 895 responses were received, processed, and added to a spreadsheet after being verified using GIS. Any landowners that did not respond were reviewed using GIS and added to the spreadsheet.
- Using AFB approved criteria, each parcel was reviewed and determined whether to be added, remain in, delete, or out (not qualified).
- After all parcels were reviewed, notification letters were sent to all affected land owners, explaining the changes and how it affected their property.
- A report was given to the AFB outlining the changes proposed after reviewing the District.
- A draft final report was created and distributed to each affected town hall for the 30 day comment period.

Agricultural and Farmland Protection Board

- The Wyoming County Agricultural and Farmland Protection Board met on May 13th, 2021 and recommended the continuation of Agricultural District #5 with noted modifications to update the District map for validity and parcel boundaries. The Board also recommended to move forward with the consolidation of parcels from adjoining Districts to update the boundary of the District to mirror the town lines.

The Board believes that the following benefits will be realized by these recommendations:

- The District will serve to maintain the agricultural vitality of the area by encouraging the continuation of farming and the capital investments needed for the maintenance of competitive farming operations.
- The District boundaries will more accurately contain agricultural lands.
- The District will serve to protect prime farmlands in this area of the County.
- The District will help decrease the potential for conflicting development.

Summary of the Proposed Modifications to Ag District #5

- Review Area: 86,641 Acres
- Draft District 5 Area: 66,960 Acres
 - Area Farmed: 54,573 acres or 81% of the District
- Acres Remaining in: 48,911 Acres

Changes to District

- Area Added within District 5: **5,783 Acres**
- Area Consolidated from District 2: **628 Acres**
- Area Consolidated from District 3: **8,630 Acres**
- Area Consolidated from District 4: **3,007 Acres**

■ **Total Area Added: 18,048 Acres**

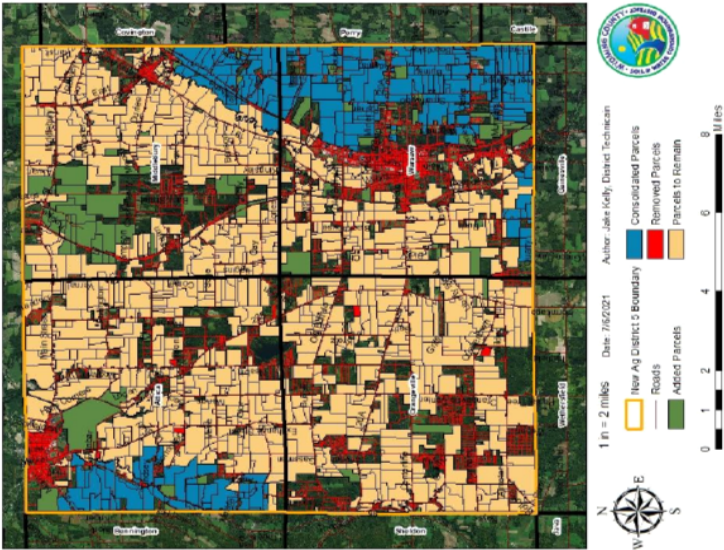
■ Area Removed: **128 Acres**

■ Total Change in Area: **+17,920 Acres**

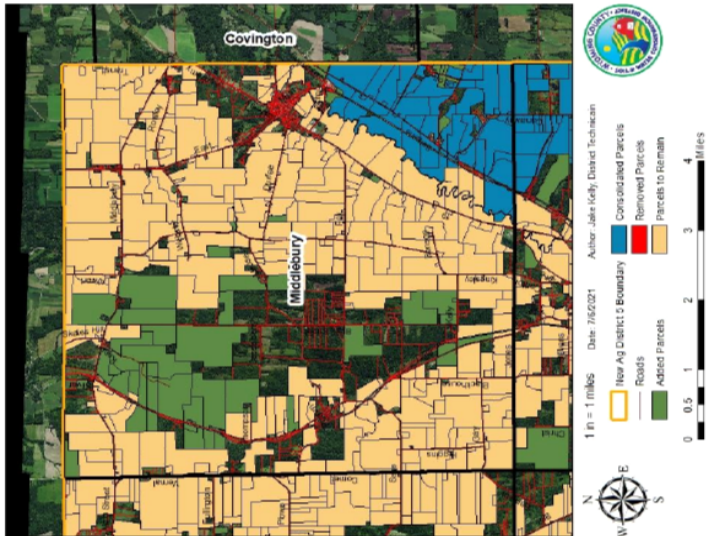
■ Change in Area Farmed: **+10,744 Acres**

■ Previous District 5 Area: 49,179 acres - Area Farmed: 43,829 acres or 89% of the District

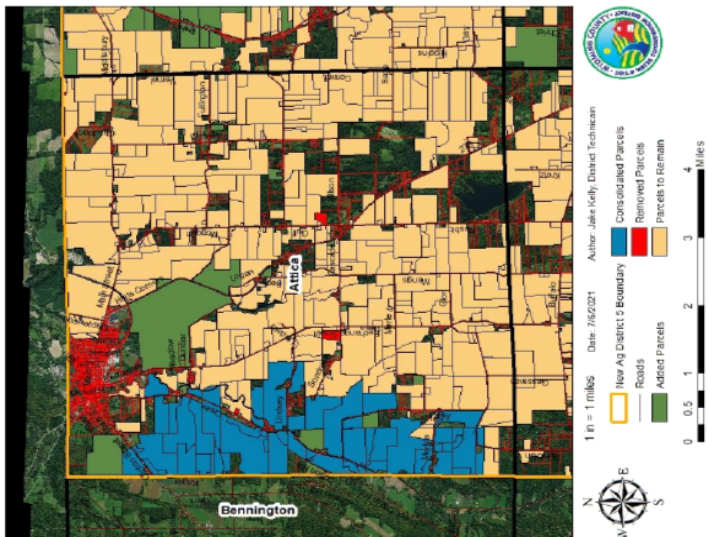
Agricultural District #5 Draft Parcel Status



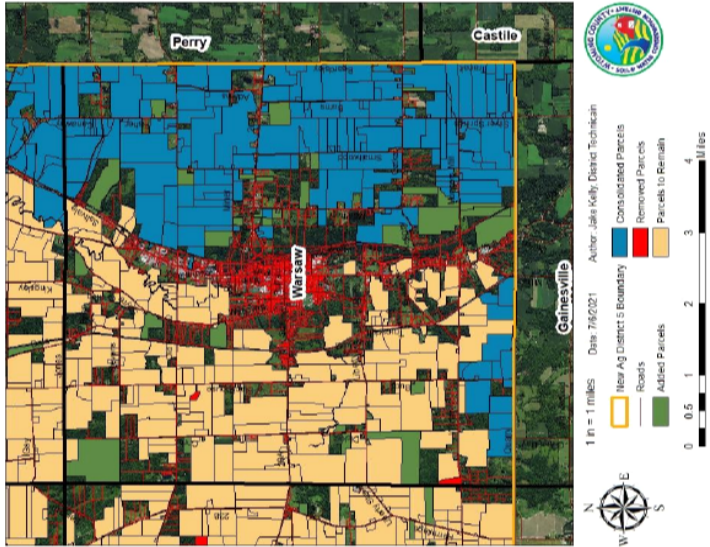
Agricultural District #5 Draft Parcel Status



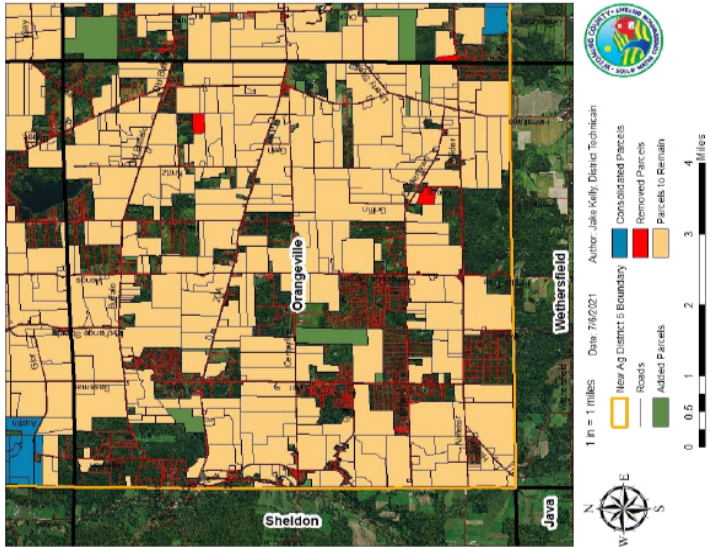
Agricultural District #5 Draft Parcel Status



Agricultural District #5 Draft Parcel Status



Agricultural District #5 Draft Parcel Status



Potential Environmental Impacts

	No. or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agencies Involved in the Review

- Wyoming County Soil and Water Conservation District Staff
- Wyoming County Board of Supervisors & Staff
- Wyoming County Agricultural & Farmland Protection Board
- Wyoming County Planning Board
- Wyoming County Real Property
- Cornell Cooperative Extension
- NYS Ag & Markets
- Cornell University

July 13, 2021

Close Public Hearing ~

- *Motion to close the Public Hearing was made by Supervisor Roche, T/Eagle, seconded by Supervisor Grant, T/Bennington. All Aye. Carried.*

#32

**RESOLUTION NO. 21-331
(July 13, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

FINDING TO MODIFY AGRICULTURAL DISTRICT NO. 5

WHEREAS, This Board has conducted the review of Agricultural District No. 5 located in the Towns of Attica, Orangeville, Warsaw, and Middlebury; and

WHEREAS, The review process was initiated with a 30-day review period and this Board directed the County Agricultural and Farmland Protection Board to prepare a report and recommendations and the County Planning Board to accept a referral for comments regarding Ag. District No. 5; and

WHEREAS, This Board has received the County Agricultural and Farmland Protection Board report and recommendations and the County Planning Board comments 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. 5 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. 5 should be modified according to the provisions set forth by Agriculture and Markets Law Section 303-C, Consolidation of Agricultural Districts, by adding five thousand seven hundred eighty-three (5,783) acres, consolidate six hundred twenty-eight (628) acres from Wyoming County Ag. District No. 2; consolidate eight thousand six hundred thirty (8,630)

acres from Wyoming County Ag. District No. 3; consolidate three thousand seven acres (3,007) acres from Ag. District No. 4 and remove one hundred twenty-eight (128) acres from Wyoming County Ag. District No. 5 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.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #33

**RESOLUTION NO. 21-332
(July 13, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

JAMES C. BRAGG APPOINTED SENIOR PLANNER

BE IT RESOLVED, That James C. Bragg, 550 12th Street, Niagara Falls, NY be hereby appointed provisionally to the position of Sr. Planner within the Department of Planning & Development; effective July 19, 2021.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain: #34

**RESOLUTION NO. 21-333
(July 13, 2021)**

By Ms. Grant, Vice Chairman of the Finance Committee:

SALARY SCHEDULE “D” AMENDED

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

Salary Schedule “D”:

Planning and Development

- Place one (1) position of *Senior Planner* and set the annual salary

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at \$55,000.00 per year. Upon completion of one year of service and successfully meeting pre-established goals, incumbent will be eligible for a \$5,000.00 increase in salary.

Carried: XXX Ayes: 1435 Noes: Absent: 164 (Attica) Abstain:

Planning Committee Chair Leuer, T/Middlebury was invited to the podium to make Mr. Bragg's introduction. Planning Committee Chair Leuer, T/Middlebury offered some pretty impressive background information about Mr. Bragg. We are certainly excited about his addition!

There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, 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
(August 10, 2021)

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 Leuer, T/Middlebury. Also present were County Attorney Jim Wujcik, Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link:
<http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

At 2:37 PM Chairwoman Ryan, T/Warsaw, called the meeting to order.

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

Sergeant Victor Bandinelli

Mr. Bandinelli was born in Buffalo, New York in 1946 and graduated from Lafayette High School in 1964. He joined the United States Air Force in March of 1966 and headed to Lackland Air Force Base in San Antonio, Texas for basic training. After basic, he completed individual training at Fort Lee, Virginia with the United States Army preparing to be a cook.

Mr. Bandinelli's first duty station was in the upper peninsula of Michigan at K. I. Sawyer Air Force Base where he worked in the main dining hall for the 355th. This base's humble beginning as a single airstrip was the dream of civil engineer Kenneth Ingalls Sawyer who died in 1944, one year before its completion. The base was named in his honor.

In 1955, the US government signed a 99-year lease and constructed a joint civil-military facility that opened in 1956. Not long after, the government proposed the construction of a separate civil airport nearby to allow them the sole use of the base. K. I. Sawyer closed on September 30, 1995.

On his second duty assignment, Mr. Bandinelli was stationed at Takhli Air

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Force Base in Thailand where he did the ordering and meal planning for the base kitchen. He was able to order whatever he wanted and made sure that anything he was unwilling to eat, was never on the menu. He was known for the fact that the base went an entire year without serving liver.

Mr. Bandinelli's final stop in the service was at Travis Air Force Base in Fairfield, CA where he was honorably discharged in February of 1970 and came back to his home in Buffalo, New York. For his valor and honorable service to his country, Mr. Bandinelli was awarded the:

- Air Force Service Ribbon
- National Defense Service Ribbon
- Expert Marksman Badge (M-16)
- Vietnam Service Ribbon
- Vietnam Campaign Ribbon
- Air Force Good Conduct Medal

Mr. Bandinelli attended ECC and earned his Associates of Civil Technology in 1972. While attending classes, a friend of his set him up on a blind date with the woman of his dreams. Debra consented to be his wife and they were married in June of 1973.

Mr. Bandinelli was employed by Pittsburg Testing in Buffalo for a few years, testing soil and concrete during building construction before getting a job with the Lockport Post Office. He worked for the post office for 27 years until his first retirement in 2004.

Becoming bored at home alone, he went back to work, this time for Surveys & Analysis – Gas Leak Detection from 2007 to 2018, which was when his wife retired as well. Together, Mr. and Mrs. Bandinelli, have one son who is married. Mr. Bandinelli has enjoyed hobbies like collecting stamps and square dancing with his wife but in recent years, he likes to spend time getting together with other veterans for coffee or breakfast.

The pledge was said by all.

Supervisor Roche, T/Eagle, joined Mr. Bandinelli at the podium with Chairwoman Ryan for the presentation of the customary certificate of appreciation to Mr. Bandinelli and offered him an opportunity to address the Board, which he graciously declined.

There was a brief interruption of the meeting as pictures were taken.

Opening Prayer ~

Regular Session

- *Rev. Mack Bixby*

Presentation by Senator Gallivan ~

- *Sandy Pirby ~ New York State Senate Women of Distinction*
 - *Senator Gallivan offered that every year the Woman of Distinction program provides members of the Senate with an opportunity to honor extraordinary women for their achievements.*
 - *Mrs. Pirby thanked Senator Gallivan for the nomination, gave a moving speech and received a standing ovation.*

Communications ~

- *July 26, 2021 correspondence from Senator Gallivan acknowledging receipt of the resolution opposing New York State Senate Bill S2464-1A relating to climate and community investment act.*

Mr. Kehl, T/Attica, requested the appropriation for 9-1-1 in the amount of \$105,000.00 be withdrawn. Hearing no objection, the resolution title was read.
#1

RESOLUTION NO. 21-334 (August 10, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2021 accounts as follows:

Board of Elections			
To: 011450 -542484 Early Voting	\$17,090.61		
w/ 0114505-430890 Other State Aid		\$17,090.61	
Reason: Early voting expansion grant funds.			
Board of Elections Total			\$17,090.61
Mental Health			
To: 014325-542409 Advocacy Services	\$2,536.00		
014325-542414 Respite Care	188.00		
014325 -542415 Family Support	427.00		
014325-542419 Drop-In	867.00		
014325-542441 Misc. MH Program	1,814.00		
014325-542467 Crisis Outreach	1,292.00		
014325-542468 Transportation Program	608.00		
w/ 01432500-434900 MH State Aid		\$7,732.00	
Reason: State aid adjustment.			
To: 014323-542409 Advocacy Services	\$122.00		
014323-542411 PAO	804.00		
014323-542412 Forensic Case Mgmt.	205.00		
014323-542420 Psycho/Social	347.00		

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014323-542441 Misc. MH Program w/01432301-434900 MH State Aid Reason: State aid adjustment.	356.00	\$1,834.00	
To: 014322-542408 Livingston/Wyoming ARC w/01432200-434900 MH State Aid Reason: State aid adjustment.	\$554.00	\$554.00	
To: 014320-542486 Case Management w/01432001-434900 MH State Aid Reason: State aid adjustment.	\$606.00	\$606.00	
To: 014250-542405 MH Alcoholism Treatment w/01425002-434900 State Aid Reason: State aid adjustment.	\$5,268.00	\$5,268.00	
Mental Health Total			\$15,994.00
Water Resource Agency			
To: 018310-540301 Prof. Svc Contract w/01831000-412890 Other Dept. Income Reason: In order to pay for unbudgeted grant writing services for the NYS Consolidated Funding Application: Local Government Efficiency (LGE) and Local Waterfront Revitalization Program (LWRP). Funds will be realized through billable reimbursements from each participating municipalities as part of their pro-rated grant required local share.	\$8,938.40	\$8,938.40	
Water Resource Agency Total			\$8,938.40
9-1-1			
To: 013020-540301 Prof Svc 013020-520101 Tele Communications w/01302005-433890 Other State Aid-911 <i>by Budget Office</i> Reason: Appropriate funds from SICG Targeted grant.	\$5,000.00 100,000.00	\$105,000.00	
9-1-1- Total			\$105,000.00
Emergency Services			
To: 013640-540301 Prof. Svc Contract <i>w/any funds available</i> Reason: To cover cost of a contract with Hogan Willig, Attorney at Law to restructure billing/reimbursement operations with Monroe Ambulance.	\$2,500.00	\$2,500.00	
Emergency Services Total			\$2,500.00
District Attorney			
To: 011165-510601 Unused Benefit Time <i>w/any funds available</i> Reason: To payout accrued vacation for employee leaving County employment.	\$16,955.31	\$16,955.31	
District Attorney Total			\$16,955.31

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$3,492,999.51** for the month of **July 2021**. No further action is required.

Regular Session

*There was a motion by Mrs. King, T/Pike, to combine resolutions #2 and #3.
Hearing no objection, resolution titles only were read.*

#2

**RESOLUTION NO. 21-335
(August 10, 2021)**

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

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

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

- For technology innovation funding in a minimum amount of thirty-nine thousand seventy-six dollars and eighty-seven cents (\$39,076.87); effective April 7, 2021 through January 27, 2023.
- For early voting expansion funding in a minimum amount seventeen thousand ninety dollars and sixty-one cents (\$17,090.61); effective April 7, 2021 through January 28, 2022.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:
#3

**RESOLUTION NO. 21-336
(August 10, 2021)**

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

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

BE IT RESOLVED, That the Chairman of this Board and Director of Human Resource, with the approval of the County Attorney and County Labor Attorney, are hereby authorized and directed to sign a Memorandum of Understanding by and between the Civil Service Employee's Association Local

August 10, 2021

1000, AFSCME, AFL-CIO and the County of Wyoming as set forth below and annexed hereto.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**

MEMORANDUM OF UNDERSTANDING
Between the
COUNTY OF WYOMING
And the
CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO
WYOMING COUNTY LOCAL 9250-01
SUPERVISORY UNIT

Critical Staffing in Skilled Nursing Facility
May 2021

WHEREAS, there is critical staffing shortfall within the Skilled Nursing Facility (SNF) of qualified Certified Nursing Assistants (CNA's), Licensed Practical Nurses (LPN's) and Registered Nurses (RN's) due to shortages in the labor market,

WHEREAS, Wyoming County and CSEA Supervisory Unit have reached this agreement to ensure the safety, well-being and high quality of care to all patients in the Skilled Nursing Facility,

THEREFORE, the parties agree to the following terms and modifications of the provisions of the Collective Bargaining Agreement with the Supervisory Unit and any prior Memorandums of Understanding between the parties in accordance with the provisions herein;

Any Clinical Coordinator (SNF) or Unit Coordinator (SNF) listed in Wage Schedule E, Grade 8, of the Supervisory Union who work additional shifts beyond their respective normal work schedule within the Nursing Facility will receive the current \$150.00 additional incentive for each four (4) hours worked beyond their regular schedule as is the current practice, and an additional payment for scheduled consecutive four (4) hours shifts worked as follows:

Qualifying Clinical Coordinator (SNF) or Unit Coordinator (SNF) employees shall be paid as follows:

- Seventy dollars (\$70.00) for four (4) hours per pay period
- One hundred and forty dollars (\$140.00) for eight (8) hours per pay period
- Two hundred and ten dollars (\$210.00) for twelve (12) hours per pay period.

***For Example:** a Clinical Coordinator (SNF) or Unit Coordinator (SNF) who works eight additional hours beyond their normal schedule will be paid \$150.00 for each four hours (\$300.00) and an additional \$140.00 pursuant to this Memorandum of Understanding, for a total of \$440.00.*

Employees covered under the provisions of this Memorandum of Understanding will be limited to a maximum of twelve (12) hours per week of these additional incentive shifts and will only be paid for shifts that are scheduled in addition to the employee's regularly scheduled shifts.

These incentive shifts will be offered on a first-come first-served basis to Supervisory bargaining unit employees classified as Clinical Coordinator (SNF) or Unit Coordinator (SNF) and will be created after the regular schedule has been completed. If in the event an employee commits to working an additional shift through the sign up procedure and fails to work the committed shift for whatever reason,

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this employee will be responsible for finding someone to work the shift. If he/she DOES find someone to cover the shift, there is NO occurrence on the attendance record. If she/he DOES NOT find someone to cover the shift, then the attendance policy will apply.

This Memorandum of Understanding shall not create a precedent or waiver for any other matter and can only be modified or extended by written mutual agreement.

Unless modified by written mutual agreement this Memorandum of Understanding shall remain in effect, however, either party to this agreement shall have the right to exit from this agreement for any reason with 24 hour prior written notice to the other party and return to the prior practice.

For the CSEA

For Wyoming County

Date _____

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #7. Hearing no objection, resolution titles only were read.

#4

**RESOLUTION NO. 21-337
(August 10, 2021)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD
WITH THE NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES, ADMINISTRATION FOR COMMUNITY LIVING
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 grant application and acceptance award with the *New York State Office of Children and Family Services, Administration for Community Living*, 52 Washington Street, Rensselaer, NY 12144 on behalf of the Department of Social Services. Said funding is a one-time federal allocation grant through New York State for providing goods and services to Wyoming County's adult protective services clients related to COVID-19 in a **maximum amount** of five thousand eight hundred eighty dollars (\$5,880.00); effective April 1, 2021 through May 31, 2022.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Regular Session

**RESOLUTION NO. 21-338
(August 10, 2021)**

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

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

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign various welfare management system contracts on behalf of the Department of Social Services. Said contracts to provide foster care services for Wyoming County children/youth as well as “Raise the Age” (RTA) standards as enacted by Part WWW of Chapter 59 of the Laws of 2017; effective July 1, 2021 through June 30, 2022 as follows:

- ***Gustavus Adolphus – Lutheran Social Services***, 200 Gustavus Avenue, Jamestown, NY 14701 in an amount not to exceed twenty-nine thousand six hundred dollars (\$29,600.00) for approximately one (1) child.
- ***The William George Agency for Children’s Services, Inc.***, 380 Freeville Road, Freeville, NY 13068 in an amount not to exceed one hundred eighty-eight thousand five hundred dollars (\$188,500.00) for approximately one (1) child.
- ***Berkshire Farm Center & Services for Youth***, 13640 State Route 22, Canaan, NY 12029; not to exceed ninety-nine thousand five hundred dollars (\$99,500.00) for approximately one (1) child.
- ***New Directions***, 6395 Old Niagara Road, Lockport, NY 14094-1499 in an amount not to exceed nine hundred sixteen thousand five hundred dollars (\$916,500.00) for approximately eight (8) children.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

August 10, 2021

**RESOLUTION NO. 21-339
(August 10, 2021)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
PRIDE & JOY CHILD CARE ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a welfare management system contract with *Pride & Joy Child Care*, 4624 Millennium Drive, Geneseo, NY 14454 on behalf of the Department of Social Services. Said contract to provide child day care services in a variable amount depending on the services provided; effective July 6, 2021 through December 31, 2021.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1537 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
#7

**RESOLUTION NO. 21-340
(August 10, 2021)**

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

CHILD SUPPORT AWARENESS MONTH PROCLAIMED

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

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

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisor do hereby proclaim August 2021 as **CHILD SUPPORT AWARENESS MONTH** in Wyoming County.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Supervisor Grant, T/Bennington was invited to the podium to present the Child Support Awareness proclamation and she requested Commissioner Barber join her.

Commissioner Barber thanked the board for the proclamation and said she wished some of the support staff could be here today. There are five people in the Support Unit and a lot of money comes through that office.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #8 through #17. Hearing no objection, resolution titles only were read with the exception of resolution #8, which was read in its entirety by the Board Clerk at the request of Supervisor Davis.

#8

**RESOLUTION NO. 21-341
(August 10, 2021)**

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

**A RESOLUTION IN HONOR OF THE MANY VOLUNTEERS AND
THANKING THEM FOR THEIR IMMEASURABLE EFFORTS IN
FIGHTING THE COVID-19 PANDEMIC IN WYOMING COUNTY**

August 10, 2021

WHEREAS, The COVID-19 pandemic presented unprecedented challenges and hardships for many residents in Wyoming County; and

WHEREAS, Volunteerism is an essential service that benefits every resident in this County in immeasurable ways; and

WHEREAS, The County of Wyoming is proud to acknowledge the selfless efforts made by the many volunteers in this community during the COVID-19 pandemic; and

WHEREAS, The vaccination efforts through the County's Public Health Department was heavily reliant on volunteers who used their skills and expertise for the greater good of the County; from clerical roles, administrative and operations staff and nursing personnel; and

WHEREAS, These volunteers are truly heroes and we recognize their unwavering commitment which allowed the County to operate the many vaccine clinics held in the fight against COVID-19; and

WHEREAS, Volunteers used their own time, money and energy while putting themselves at greater risk of contracting COVID-19 to assist the County during this pandemic; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors owes a debt of gratitude to these volunteers who sacrificed their time and safety to help others and put Wyoming County on the road to defeating a pandemic; and be it

FURTHER RESOLVED, That this Board recognizes, commends and offers our heartfelt thanks to all of these volunteers.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #9

**RESOLUTION NO. 21-342
(August 10, 2021)**

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

RESOLUTION NUMBER 20-513 AMENDED

WHEREAS, Resolution Number 20-513 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH**

Regular Session

LIVINGSTON/WYOMING ARC ON BEHALF OF MENTAL HEALTH,” passed by this Board of Supervisors on December 8, 2020 and provides for assisted competitive employment services for Wyoming County individuals with mental illness in an amount not to exceed fifty-five thousand six hundred fifty-nine dollars (\$55,659.00); effective January 1, 2021 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution 20-513* be hereby amended to reflect an increase in state aid for a new contract amount not to exceed *fifty-six thousand two hundred thirteen dollars (\$56,213.00)*.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #10

**RESOLUTION NO. 21-343
(August 10, 2021)**

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

RESOLUTION NUMBER 20-509 AMENDED

WHEREAS, Resolution Number 20-509 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HILLSIDE CHILDREN’S CENTER ON BEHALF OF MENTAL HEALTH,**” passed by this Board of Supervisors on December 8, 2020 and provides for assisted competitive employment services for various mental health programs for children in an amount not to exceed one hundred twenty-eight thousand six hundred eighty-eight dollars (\$128,688.00); effective January 1, 2021 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution 20-509* be hereby amended to reflect an increase in state aid for a new contract amount not to exceed *one hundred twenty-nine thousand six hundred seventy-one dollars (\$129,671.00)*.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #11

**RESOLUTION NO. 21-344
(August 10, 2021)**

August 10, 2021

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

RESOLUTION NUMBER 20-507 AMENDED

WHEREAS, Resolution Number 20-507 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PEERS TOGETHER OF WYOMING COUNTY ON BEHALF OF MENTAL HEALTH,**” passed by this Board of Supervisors on December 8, 2020 and provides for peer operated programs in an amount not to exceed three hundred one thousand twelve dollars (\$301,012.00); effective January 1, 2021 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution 20-507* be hereby amended to reflect an increase in state aid for a new contract amount not to exceed *three hundred four thousand sixteen dollars (\$304,016.00)*.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #12

**RESOLUTION NO. 21-345
(August 10, 2021)**

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

RESOLUTION NUMBER 20-512 AMENDED

WHEREAS, Resolution Number 20-512 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SPECTRUM HUMAN SERVICES, INC. ON BEHALF OF MENTAL HEALTH,**” passed by this Board of Supervisors on December 8, 2020 and provides for mental health and substance use treatment services for Wyoming County residents in an amount not to exceed five hundred fifty-three thousand two hundred fifty-five dollars (\$553,255.00); effective January 1, 2021 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution 20-512* be hereby amended to reflect an increase in state aid for a new contract amount not to exceed *five hundred sixty thousand nine hundred ninety-two dollars (\$560,992.00)*.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Regular Session

RESOLUTION NO. 21-346
(August 10, 2021)

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

RESOLUTION NUMBER 20-508 AMENDED

WHEREAS, Resolution Number 20-508 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CAMP GET-A-WAY ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on December 8, 2020 and provides for mental health and substance use treatment services for camp and family support services in an amount not to exceed one hundred thirty-four thousand one hundred eighty-four dollars (\$134,184.00); effective January 1, 2021 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution 20-508* be hereby amended to reflect an increase in state aid for a new contract amount not to *one hundred thirty-five thousand one hundred ninety dollars (\$135,190.00)*.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:
#14

RESOLUTION NO. 21-347
(August 10, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
CORRAL CUSTOM CATERING ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Corral Custom Catering*, PO Box 26, Perry, NY 14530 on behalf of Mental Health. Said contract is for event space and food for Dwyer events, including chicken BBQ for the Dwyer picnic, in an amount not to exceed seven thousand dollars (\$7,000.00); effective June 1, 2021 through December 31, 2021.

Contingent upon the availability of funds.

August 10, 2021

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #15

**RESOLUTION NO. 21-348
(August 10, 2021)**

By Mr. Davis, 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 the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign various grant applications and acceptance awards on behalf of the County Health Department as follows:

- ***Health Research, Inc.***, 150 Broadway, Suite 560, Menands, NY 12204 for COVID-19 screening testing program funding to support and maintain in-person learning in a minimum amount of nine hundred eighty-six thousand one hundred fourteen dollars (\$986,114.00); effective July 1, 2021 through July 31, 2022.
- ***Governor's Traffic Safety Committee***, 6 Empire State Plaza, Albany, NY 12228 for the Child Passenger Safety Program funding in a minimum amount of one thousand seven hundred dollars (\$1,700.00); effective October 1, 2021 through September 30, 2022.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #16

**RESOLUTION NO. 21-349
(August 10, 2021)**

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

RESOLUTION NUMBER 16-169 AMENDED

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

- ***New York State Department of Health***, Corning Tower ESP, Albany, NY 12237 for the provision of funding for Lead Poisoning Prevention Services;

effective October 1, 2015 through September 30, 2020. Master Contract funding amount of one hundred sixty thousand nine hundred sixty dollars (\$160,960.00) as follows:

○ 10/01/2015 ~ 09/30/2016	\$32,192.00
○ 10/01/2016 ~ 09/30/2017	\$32,192.00
○ 10/01/2017 ~ 09/30/2018	\$32,192.00
○ 10/01/2018 ~ 09/30/2019	\$32,192.00
○ 10/01/2019 ~ 09/30/2020	\$32,192.00

Now therefore,

BE IT RESOLVED, That **Resolution Number 16-169** be hereby amended to extend the term through **September 30, 2021** with an additional amount of thirty-two thousand one hundred ninety-two dollars (\$32,192.00) in annual funding for a total award of one hundred ninety-three thousand one hundred fifty-two dollars (193,152.00).

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #17

**RESOLUTION NO. 21-350
(August 10, 2021)**

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

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

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a Sub-Agreement with **Wyoming County Community Action, Inc.**, 6470 Route 20A, Suite 1, Perry, NY 14530 on behalf of the County Health Department. Said contract is for the reimbursement of Navigator Grant Program activities in an amount not to exceed eighty-six thousand seventy-nine dollars (\$86,079.00); effective August 1, 2021 through July 31, 2022. Fully reimbursed by the New York State Department of Health Consumer Assistance for New York State Department of Health - Navigator Program Grant approved by this Board of Supervisors on June 11, 2019 by Resolution Number 19-260.

August 10, 2021

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #18

**RESOLUTION NO. 21-351
(August 10, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The 2021 Wyoming County Fair will be held from August 14th through August 21st, 2021 in the Town of Pike, Wyoming County, State of New York; and

WHEREAS, The Wyoming County Fair is a fabulous opportunity for residents and visitors of Wyoming County to experience and enjoy the many exhibits, programs and demonstrations the Fair has to offer; and

WHEREAS, The Fair is also one of the favorite locations of the 4-H Youth Development Program which provides an opportunity for the youth in Wyoming County to gain invaluable life skills through development of their own projects and participation in club-based activities that help them grow in character, commitment, community service and responsibility; and

WHEREAS, The Fair's theme for 2021 is ***"Focused on the Future"***; 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 proclaim the week of August 14th through August 21st in the year 2021 as **"WYOMING COUNTY FAIR WEEK"**; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors does hereby recognize and applaud the untiring efforts of the Wyoming County Fair Association that makes this event a huge success, year after year.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

**RESOLUTION NO. 21-352
(August 10, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

RESOLUTION NUMBER 19-129 AMENDED

WHEREAS, Resolution Number 19-129 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH TIMBER RIDGE LOGGING, INC. ON BEHALF OF THE BOARD OF SUPERVISORS**,” passed by this Board of Supervisors on March 12, 2019 and provides for a *revenue* contract for the purchase of timber from a woodlot on both Poplar Tree Road and Hobday Road in the Town of Wethersfield in an amount not to exceed sixty thousand two hundred twenty-six dollars and fifty cents (\$60,226.50); effective March 12, 2019 through August 31, 2020 in accordance with the following payment schedule:

- First 25% of purchase price will be due at contract signing
- Second 25% will be due by August 1, 2019 or prior to harvesting
- Final payment of 50% will be due by June 1, 2020 or prior to harvesting

And

WHEREAS, That Resolution Number 19-129 was amended by this Board of Supervisors on August 11, 2020 by *Resolution Number 20-323* to extend the contract end date from August 31, 2020 to *August 31, 2021*; now therefore,

BE IT RESOLVED, That *Resolution Number 19-129* as previously amended by *Resolution Number 20-323* be hereby further amended to extend the contract end date from August 31, 2021 to *March 1, 2022*.

All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Supervisor Klein, T/Castile was invited to the podium to present the Wyoming County Fair Week proclamation. After which he invited Supervisor Roche, T/Eagle, who is also the General Superintendent of the Fair Association, to join him.

Supervisor Roche said he is looking forward to holding the August board meeting at the Fair again, hopefully next year.

August 10, 2021

Presentation ~

- *Friends of Wyoming County “Puppy Playground” Project Certification of Recognition*

Chairwoman Ryan acknowledged the members of the Animal Friends of Wyoming County that were attending the meeting and presented a certificate of recognition to them. She also asked President Samuel Goodell to say a few words about their recent project, the Puppy Playground.

President Goodell provided the background of this project and said he is humbled by the generous support of the community and the amazing work done by the entire team. He also spoke of the many compassionate people in Wyoming County that made this project possible.

#20

**RESOLUTION NO. 21-353
(August 10, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
MUNICIPAL SOLUTIONS, INC. ON BEHALF OF WYOMING
COUNTY WATER RESOURCE AGENCY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Municipal Solutions, Inc.***, Jeffrey R. Smith, President, 62 Main Street, Leroy, NY 14482 on behalf of Wyoming County Water Resource Agency. Said contract to provide documentation required for the Local Government Efficiency (LGE) and Local Waterfront Revitalization Program (LWRP) consolidated funding grant program applications through New York State in an amount not to exceed one hundred forty-eight dollars (\$148.00) per hour and a total contract amount not to exceed eight thousand nine hundred thirty-eight dollars and forty cents (\$8,938.40); effective June 1, 2021 through December 31, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

There was a motion by Mr. Brick, T/Perry, to combine resolutions #21 through #26. Hearing no objection, resolution titles only were read with the exception of resolution #21, which was read in its entirety by the Board Clerk at the request of Supervisor Brick.

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**RESOLUTION NO. 21-354
(August 10, 2021)**

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

**RESOLUTION OF THE WYOMING COUNTY BOARD OF
SUPERVISORS TO DEDICATE AND NAME THE SCHOELLKOPF
ROAD COVERED BRIDGE**

WHEREAS, Bennington native, Sgt. Charles R. Cannon, Army Corp. of Engineers, served with distinction during World War II as a member of the 35th Engineer Combat Battalion, Company C. He was drafted into the US Army on June 4, 1941. Following time at Fort Niagara then at Fort Leonard Wood, Missouri for basic training which included construction training and bridge building, the 35th Engineer Combat Regiment” Company C was formed; and

WHEREAS, On December 21, 1944 in Belgium, while setting up roadblocks and digging in his position, Sgt. Cannon heard approaching enemy tanks. Upon arriving at a point where he could see the advancing armor, his first bazooka team fired a shot, which stopped the leading tank. The two tanks that followed immediately opened up with machine gun fire pinning down the bazooka team. With complete disregard for his own safety, Sgt. Cannon advanced within range and immediately took up a position and fired, scoring a direct hit on the second tank and rendered it useless throughout the remainder of the engagement. The tenacity of purpose, courage and zealous attention to duty demonstrated by Sgt. Cannon symbolizes the highest traditions of the Armed Forces and reflect great credit upon himself; and

WHEREAS, On March 25, 1945 during an assault crossing of the Rhine River, heavy resistance was encountered by the Battalion, resulting in 9 killed in action, 6 missing in action and 19 wounded. Among the missing, was Sgt. Cannon. In April 1993, his status was changed to killed in action; and

WHEREAS, For his valor and courageous service to his country, Sgt. Cannon was awarded the:

- The Good Conduct Medal
- American Defense Service Medal WD Cir. 1944
- American Theatre Service Ribbon WD Cir. 1943
- European-African M. East Theatre Ribbon WD Cir 1 1943 with four battle stars
- He was also awarded the Purple Heart for wounds received in action resulting in his death on March 25, 1945; and

August 10, 2021

WHEREAS, Sgt. Cannon's relatives have been instrumental in commemorating and preserving the covered bridge history of Bennington, New York in Wyoming County and given Sgt. Cannon's experiences in bridge construction and maintenance while in service to his country the Bennington Town Board requests that the Wyoming County Board of Supervisors name and dedicate the new Schoellkopf Road covered bridge in Sgt. Cannon's honor and memory; now therefore

BE IT RESOLVED, That it is with distinct honor and great pleasure the Wyoming County Board of Supervisors do hereby name and dedicate the new Schoellkopf Road covered bridge as "***The Cannon Covered Bridge***" in honor of the service and supreme sacrifice of Sgt. Charles R. Cannon.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #22

**RESOLUTION NO. 21-355
(August 10, 2021)**

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

RESOLUTION NUMBER 19-385 AMENDED

WHEREAS, Resolution Number 19-385 entitled, "**2019 ~ 2020 SALT AND SAND BIDS APPROVED**," passed by this Board of Supervisors on September 10, 2020 and awarded a bid for the purchase of salt and sand for the 2019 ~ 2020 Snow Season to ***American Rock Salt Co., LLC***, PO Box 190, Mt. Morris, New York 14510 in an amount not to exceed fifty dollars and forty-five cents (\$50.45) per ton; effective September 1, 2019 through May 31, 2020; now therefore

WHEREAS, That Resolution Number 19-385 was previously amended by this Board of Supervisors on September 8, 2020 by ***Resolution Number 20-364*** to extend the bid with American Rock Salt, Co., LLC for the 2020 ~ 2021 Snow Season at the current rate of fifty dollars and forty-five cents (\$50.45) per ton; effective September 1, 2020 through May 31, 2021, the first of two, 1-year extension options; now therefore

BE IT RESOLVED, That ***Resolution Number 19-385*** as previously amended by ***Resolution Number 20-364*** be hereby further amended to ***extend the bid with American Rock Salt, Co., LLC*** for the 2021 ~ 2022 Snow Season at the current rate of fifty dollars and forty-five cents (\$50.45) per ton; effective September 1, 2021 through May 31, 2022, the second of two, 1-year extension

options. All else remains the same.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #23

**RESOLUTION NO. 21-356
(August 10, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
L.C. WHITFORD CO., INC. ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *The L.C. Whitford Co., Inc.*, PO Box 663, 164 North Main Street, Wellsville, NY 14895 on behalf of County Highway. Said contract is for the installation of a temporary pedestrian bridge at the Wyoming County Fairgrounds in the Town of Pike to be utilized specifically for the attendees of the Fair from August 10th through August 25th, 2021 in an amount not to exceed twenty-five thousand five hundred dollars (\$25,500.00); effective July 28, 2021 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #24

**RESOLUTION NO. 21-357
(August 10, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
FERGUSON ELECTRIC SERVICE COMPANY, INC. ON BEHALF OF
BUILDINGS AND GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Ferguson Electric Service Company, Inc.*, 321 Ellicott Street, Buffalo, NY 14203 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for repairs to the transformer located at the Courthouse campus in an amount not to exceed eight thousand eighty-four dollars (\$8,084.00); effective July 20, 2021 through

August 10, 2021

December 31, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #25

**RESOLUTION NO. 21-358
(August 10, 2021)**

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

RESOLUTION NUMBER 21-175 RESCINDED

WHEREAS, Resolution Number 21-175 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JOE LONGHINI’S DRAINAGE SOLUTIONS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**” passed by this Board of Supervisors on April 13, 2021 and provides for the relining of two (2) existing drain lines at the Wyoming County Jail in an amount not to exceed twenty thousand dollars (\$20,000.00); effective April 1, 2021 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution Number 21-175* be hereby rescinded in its entirety effective April 13, 2021 as the contract was never executed.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #26

**RESOLUTION NO. 21-359
(August 10, 2021)**

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

**WYOMING COUNTY COURTHOUSE AIRLOCK ENTRY CAPITAL
PROJECT ESTABLISHED**

WHEREAS, The Wyoming County Board of Supervisors’ Public Works Committee, and this Board of Supervisors, in consultation with Buildings and Grounds, through various discussions has identified the need for the construction of an airlock entry for the Wyoming County Courthouse located at 143-147 Main Street, Warsaw, NY; and

BE IT RESOLVED, That the Wyoming County Board of Supervisors,

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on the recommendation of the above mentioned committee and department, hereby establishes the ***Wyoming County Courthouse Airlock Entry Capital Project***; and be it

FURTHER RESOLVED, That permission is hereby granted to seek proposals for the completion of this established project.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #27 through #29. Hearing no objection, resolution titles only were read.

#27

**RESOLUTION NO. 21-360
(August 10, 2021)**

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

RESOLUTION IN OPPOSITION TO (A6762/S7196) ‘FIREARMS LIABILITY LAW’ AND OTHER RELATED ‘GUN CONTROL’ LAWS

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

WHEREAS, The Wyoming County Board of Supervisors in January of 2019 unanimously passed, by all present, a resolution entitled ***‘OPPOSING INFRINGEMENTS ON THE RIGHTS OF LEGITIMATE FIREARM OWNERS’***; and

WHEREAS, The ***‘Protection of Lawful Commerce in Arms Act of 2005’*** enacted by the 109th United States Congress, clearly and effectively afforded reasonable liability protections on lawfully manufactured and distributed firearms in the event that those firearms were used in a criminal manner; and

WHEREAS, The political environment in New York State and legislative initiatives such as ‘Raise the Age’ and ‘Bail Reform’ along with questionable decisions of the state parole board have severely hampered the abilities of law enforcement, prosecutor’s, courts and the correctional facilities’ to address the source of criminal activity and protect public safety; and

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WHEREAS, The New York State legislature has a history of enacting so called gun control legislation that does little to address or affect actual violent criminal activity; and

WHEREAS, The societal scourge of gun violence is typically concentrated in urban communities that currently have the most strict gun control measures in place; and

WHEREAS, The *Bureau of Alcohol, Tobacco, Firearms and Explosives* database shows that 17 individuals and/or businesses hold a *Federal Firearms License* within Wyoming County; and

WHEREAS, The text of the legislation (A6762/S7196) recently chaptered into law by Governor Cuomo defines a *‘Gun industry member’* as *a person, firm, corporation, company, partnership, society, joint stock company or any other agency or association engaged in the sale, manufacturing, distribution, importing or marketing of firearms, ammunition, ammunition magazines, and firearm accessories;* and

WHEREAS, The vast majority residents of Wyoming County understand and practice safe, responsible and legal use of firearms for sporting and self-defense purposes; and,

WHEREAS, The real world effect of (A6762/S7196) on legitimate firearm and ammo purchases will be felt locally in the form of potential business closures, job loss, reduced revenue, damage to the sporting economy and dramatically increased costs to our residents; and

WHEREAS, Misguided laws only impact those who wish to remain lawful and have no effect on societal predators who are the source of violent criminal activity; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors stands in strong opposition to the enactment of laws that place unreasonable liability exposure on the backs of legitimate manufacturers or ‘gun industry members’ as defined in legislation such as A6762/S7196; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors considers such laws to be egregious and beyond lawful legislative authority granted to our State representatives and a flagrant infringement of our resident’s Constitution rights; and be it

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

President Joe Biden, Vice President Kamala Harris, Governor Andrew Cuomo, United States Senators Charles Schumer, and Kirsten Gillibrand, Congressman Chris Jacobs, NYS Senator Patrick Gallivan, NYS Assemblyman David DiPietro, NYS Assembly Majority Leader Crystal D. Peoples-Stokes, NYS Assembly Minority Leader William A. Barclay, NYS Assembly Speaker Carl E. Heastie, NYS Senate Majority Leader Andrea Stewart-Cousins, NYS Senate Minority Leader Rob Ort.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #28

**RESOLUTION NO. 21-361
(August 10, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
ATTICA CENTRAL SCHOOL ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Attica Central School*, 3338 East Main Road, Attica, NY 14011 on behalf of the Sheriff's Department. Said contract to provide law enforcement and police services when school is in session in an amount not to exceed fifty-one dollars and thirty-one cents (\$51.31) per hour effective September 1, 2021 through December 31, 2021 and in an amount not to exceed fifty-three dollars and eighty-eight cents (\$53.88) per hour; effective January 1, 2022 through June 30, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #29

**RESOLUTION NO. 21-362
(August 10, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF 9-1-1**

August 10, 2021

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign various contracts on behalf of 9-1-1 as follows:

- **Frontier**, 401 Merritt 7, Norwalk, CT 06851 to provide a fiber connection for the consoles at the backup center in Wethersfield and as a backup to the microwave system in an amount not to exceed seven hundred twenty dollars (\$720.00) per month; effective August 1, 2021 through July 31, 2024.
 - To be paid from SICG Grant
- **Saia Communications**, 100 Stradtman Street, Buffalo, NY 14206 for obtaining ASR's for three (3) towers and FCC-FAA licensing of 6 800 TAC channels in an amount not to exceed thirteen thousand nine hundred dollars (\$13,900.00); effective August 1, 2021 through December 31, 2021.
 - To be paid from SICG Grant.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Supervisor May, T/Orangeville thanked Brian Krawczak and Larry Becker for bringing this resolution forward.

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #30 through #35. Supervisor Roberts, T/Genesee Falls asked that the Salary Schedule S position under the District Attorney in resolution #33 be voted on separately as she would be abstaining from voting on this due to a conflict of interest. Hearing no objection, resolution titles only were read.

#30

**RESOLUTION NO. 21-363
(August 10, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE FEDERAL EMERGENCY MANAGEMENT
AGENCY (FEMA) ON BEHALF OF THE BUDGET OFFICE**

WHEREAS, At the August 4, 2020 Finance Committee Meeting, approval was given authorizing the Chairman to sign a grant application with the **Federal Emergency Management Agency (FEMA)** to provide funds for

Wyoming County's COVID-19 response in a minimum amount of one million seven hundred thousand dollars (\$1,700,000.00); now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant acceptance award with the ***Federal Emergency Management Agency (FEMA)***, 500 C Street S.W., Washington, DC 20472 on behalf of the Budget Office. Said grant to provide funds for Wyoming County's COVID-19 response in a minimum amount of one million one hundred thousand dollars (\$1,100,000.00); effect March 13, 2020 through completion.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #31

**RESOLUTION NO. 21-364
(August 10, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF INFORMATION TECHNOLOGY**

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

- ***Brite Computers***, 7647 Main Street Fishers, Victor, NY 14564 for the renewal of Netmotion in an amount not to exceed five thousand three hundred sixty-one dollars and twenty-seven cents (\$5,361.27); effective October 25, 2021 through October 24, 2022.
- ***SHI International Corp***, 290 Davidson Avenue, Somerset, NJ 08873 for 400 Cisco Duo MFA's in an amount not to exceed twelve thousand four hundred dollars (\$12,400.00); effective August 10, 2021 through August 9, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #32

**RESOLUTION NO. 21-365
(August 10, 2021)**

August 10, 2021

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR 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 Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- ***Emergency Care Research Institute d/b/a ECRI***, 5200 Butler Pike, Plymouth Meeting, PA 19463 related to annual membership fee for Supply Guide and Capital Guide System that benchmarks our prices for medical supplies, implants, instruments, pharmaceuticals, industrial and office supplies, capital and IT equipment against those paid elsewhere in the nation enabling us to immediately pinpoint specific products and vendors that provide the best cost-saving opportunities in an amount not to exceed eighteen thousand seven hundred ninety dollars (\$18,790.00) per year; effective July 1, 2021 through June 30, 2024.
- ***Verity Solutions Group, Inc.***, 12131 113th Avenue NE, Suite 200, Kirkland, WA 98034 for implementation and subscription of 340B split billing software, a virtual inventory system that enables covered entities to participate in and manage compliance with the 340B Act without maintaining multiple physical drug inventories in an amount not to exceed two thousand five hundred fifty dollars (\$2,550.00) one-time setup fee plus two thousand fifty dollars (\$2,050.00) per month; effective August 1, 2021 through July 31, 2024.
- ***Davol, Inc. (subsidiary of C. R. Bard, Inc.)***, 100 Crossings Boulevard, Warwick, RI 02886 for special pricing direct agreement for mesh hernia surgical supplies in an amount not to exceed one hundred seventy-three thousand dollars (\$173,000.00) per term; effective July 15, 2021 through December 31, 2024.
- ***DCCS d/b/a Surgery Management Improvement Group, Inc.***, 205 Hackney Circle, Wilmington, DE 19803 for a consulting/perioperative program interim management agreement to provide surgery program leadership continuity services in an amount not to exceed one hundred

fifty thousand dollars (\$150,000.00) per term; effective August 1, 2021 through February 28, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #33

**RESOLUTION NO. 21-366
(August 10, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

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

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

Salary Schedule “C”:

Wyoming County Community Hospital

- Create one (1) position of *Director of Surgical Services* (1.00 FTE) (position code TBD) under OPERATING ROOM and set the salary at \$90,000.00 per year; position available date is July 25, 2021.
- Abolish one (1) position of *Director of Surgical Services & Maternity and Women's Health* (1.00 FTE) under OPERATING ROOM; effective August 21, 2021.

Salary Schedule P”:

Wyoming County Community Hospital

- Abolish one (1) position of *Orthopaedic Surgeon* (position code 10.108.589) under ORTHOPAEDIC CLINIC; effective July 10, 2021.

Salary Schedule “S”:

Zoning Department

- Set the salary of the *Zoning Enforcement Officer* (position code 026.554) at \$38,000.00 annually with eligibility for a \$2,000.00 increase after second year with a satisfactory performance and meeting pre-established goals; effective January 1, 2022.

Salary Schedule “G”:

Public Defender

- Set stipends plus corresponding fringes as provided through ILS Upstate Quality Improvement and Caseload Reduction Grant, Round 3, Contract No. 3RD656 for the following positions. Said amounts to be

August 10, 2021

paid bi-weekly; effective as indicated below and continuing through June 30, 2023:

- Assistant Public Defender (4th) - \$6,000.00; effective April 1, 2021
- Assistant Public Defender (5th) - \$6,000.00; effective April 1, 2021
- Assistant Public Defender (7th) - \$24,000.00; effective January 13, 2021
- Investigator - \$35,000.00; effective April 17, 2021

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Salary Schedule “S”:

District Attorney

- To set the salary of *Assistant District Attorney (2nd)* (1.00 FTE) (position code 005.503) to reflect \$80,000.00 annually; position available date is August 16, 2021.

Carried: XXX Ayes: 1518 Noes: Absent: 62 (Middlebury) Abstain: 19 (Genesee Falls)
#34

RESOLUTION NO. 21-367 (August 10, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:

Treasurer

- One (1) position of *Senior Account Clerk (Double Entry)* (1.00 FTE) CSEA Schedule A, Grade 6 (\$17.92 - \$19.98); position available date is August 11, 2021.

District Attorney

- One (1) position of *DA Investigator* (per diem) on Salary Schedule S at an hourly rate of \$40.00/hr., plus mileage and with only those other benefits mandated by law; position available date is July 14, 2021.

Fire & Building Code Enf.

- One (1) position of *Keyboard Specialist* (1.00 FTE) on CSEA

Schedule A, Job Grade 2, at an hourly rate of \$16.29/hr. - \$17.78/hr.; position available date is August 11, 2021.

Sheriff

- One (1) position of ***Secretary to the Sheriff*** (1.00 FTE) (Temp) on Salary Schedule S at an annual salary of \$60,268.00; position available date is August 11, 2021 for no longer than six (6) months and expiring on February 11, 2022.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain: #35

**RESOLUTION NO. 21-368
(August 10, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**DOWN PAYMENT TOWARD REAL PROPERTY TRANSFER OF THE
WYOMING COUNTY AGRICULTURE AND BUSINESS CENTER
APPROVED**

BE IT RESOLVED, That the Chairman of this Board, be hereby authorized and directed to sign an agreement, pursuant to approval by the County Attorney, for a good faith down payment in the amount of seventy-five thousand dollars (\$75,000.00). This down payment is to be applied towards prepayment of real property located at 36 Center Street, Warsaw NY 14569, also known as the Wyoming County Ag. & Business Center, which is to be transferred to the County of Wyoming and is identified by SBL # 85.7-5-2 and recorded in Liber 753 at Page 732.

Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) Abstain:

Presentation and Reception ~

- *COVID-19 Volunteer Appreciation ~ front steps of the Government Center*

Chairwoman Ryan invited all present to attend the presentation and reception for the COVID-19 Volunteers that are being honored today.

There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, adjourned the meeting at 3:34 PM with a rap on his desk.

August 10, 2021

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Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

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

Clerk to the Board

**REGULAR SESSION
(September 21, 2021)**

**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 Leuer, T/Middlebury who participated via zoom. Also present were County Attorney Jim Wujcik, Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link: <http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

At 2:36 PM Chairwoman Ryan, T/Warsaw, called the meeting to order.

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

Sergeant Anthony J. Solina

Mr. Solina was born in Buffalo in 1987 and graduated from Frontier High School in 2005. He joined the United States Army during his senior year and headed to Fort Knox, Kentucky for basic and individual training to become a Cavalry Scout.

Mr. Solina's first duty station was at Fort Lewis, Washington, where he was assigned to 2/14 Cavalry of the 1/25th Infantry Division. On June 1, 2006, the entire 4,000 soldier strong unit was reflagged to the 2nd Cavalry Regiment. Throughout that summer, all personnel and dependents relocated to Rose Barracks, Germany as a Stryker unit and deployed in support of Operation Iraqi Freedom and General Petraeus' 'surge' strategy during August 2007.

From there Mr. Solina's unit spent 10 months in Baghdad going on mounted and dismounted patrol's kicking in thousands of doors, discovering weapon caches and rounding up insurgents. They spent much of that time patrolling one of palaces of Saddam's son on the Tigris River. From there they were sent 70 kilometers northwest for the final five months of their 15-month deployment where they operated out of a tiny Combat Outpost with two platoons and no

September 21, 2021

working showers during 120 degree summer days.

Upon completion of their tour, the regiment redeployed to Germany where they enjoyed four-day weekends during which time Mr. Solina had the opportunity to ski in the Austrian Alps. He was honorably discharged two months later and for his valor and courageous service to his country, Mr. Solina was awarded the:

- Army Commendation Medal
- Army Achievement Medal
- National Defense Service Medal
- Global War on Terrorism Service Medal
- Iraq Campaign Medal with Campaign Star
- Army Service Ribbon
- Overseas Service Ribbon

Mr. Solina attended ECC and earned his Associates of General Studies in 2011. While attending classes, he worked in the concrete and roofing industries for mom and pop entities. During this time, he married the love of his life, Katie Farallo and purchased a home in the Village of Blasdell. Mr. Solina graduated from the Erie County Police Academy until health problems required a different career path. He went to work for Milk-Bone on the east side of Buffalo from 2012-2015 and then decided to return to school earning a Bachelor of Arts degree in 2017 from the University of Buffalo, where he majored in History and graduated with high distinction.

Mr. Solina then worked as a salesman for Setwest Holding in South Buffalo selling industrial recycling equipment; quickly learning sales were not for him. He left that job in 2019 to attend Niagara County Community College to pursue a one year Horticulture Certificate. During this time and wanting to move to the country, he and his wife found the home of their dreams in East Arcade. A place Mr. Solina describes as “God’s Country”. Upon moving to Wyoming County, he worked at Plato Dale Farm on Curriers Road in Arcade.

Mr. Solina and his wife have a daughter, Alessandra and just welcomed a son, Angelo, this past December. Mr. Solina enjoys hobbies like hiking, volunteering with the American Legion and doing yard work. He is thrilled to be the new Director of Veterans Services and looks forward to doing all that can to be an asset to the veterans of our wonderful county.

The pledge was said by all.

Supervisor Berwanger, T/Arcade, joined Mr. Solina at the podium with Chairwoman Ryan for the presentation of the customary certificate of appreciation.

Chairwoman Ryan, T/Warsaw officially welcomed Mr. Solina as the new Director of Veterans Services.

Opening Prayer ~

- *Rev. Mack Bixby*

Communications ~

- *None*

#1

RESOLUTION NO. 21-369 (September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2021 accounts as follows:

Board of Elections			
From: 011450.542484 Early Voting To: 011450. 520002 Computer Equip. Reason: For the purchase two (2) Dominion ICE Voting Machines.	\$16,381.00	\$16,381.00	
Board of Elections Total			\$16,381.00
Public Health (W&M)			
From: 016610.541214 Supplies Purchased To: 016610.510602 Insurance Buyout Reason: To transfer excess budgeted funds to cover unanticipated overage.	\$328.53	\$328.53	
Public Health (W&M) Total			\$328.53

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

#2

RESOLUTION NO. 21-370 (September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2021 accounts as follows:

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Treasurer			
To: 011325.541506 Employee Education <i>w/any funds available</i> Reason: To cover approved college expenses of Robin LaWall approved 6/1/2021.	\$2,500.00	\$2,500.00	
Treasurer Total			\$2,500.00
IT Capital			
To: 121680.540301 Prof. Svc. Contract w/12168006.440890 R Federal ARPA Funds Reason: Appropriate additional funding for MUNIS transition project. Additional ACS and MUNIS training and support.	\$126,000.00	\$126,000.00	
IT Capital Total			\$126,000.00
Human Resource			
To: 011430.541204 Advertising <i>w/any funds available</i> Reason: Budget short in advertising.	\$10,000.00	\$10,000.00	
Human Resource Total			\$10,000.00
Board of Elections			
To: 011450.520201 Computer Equip. w/01145005.430890 Other, State Aid Reason: Appropriate TIER grant funds for purchase of two (2) Dominion ICE Voting Machines.	\$6,000.00	\$6,000.00	
Board of Elections Total			\$6,000.00
Planning			
To: 016421.540311 Ag District Svc. <i>w/any funds available</i> Reason: To cover the cost of 2021 Ag districting service from Soil and Water.	\$2,518.34	\$2,518.34	
Planning Total			\$2,518.34
Mental Health			
To: 014325.542445 Supported Apt 014325.542409 Advocacy Services (MH) w/01432500.434900 Mental Health Reason: State Aid Adjustment.	(\$7,650.00) 55.00	(\$7,595.00)	
To: 014324.542476 CCSI (MH) w/01432401.434900 Mental Health Reason: State Aid Adjustment.	\$1,762.00	\$1,762.00	
To: 014220.542476 CCSI (MH) w/01422003.434920 Substance Abuse Reason: State Aid Adjustment.	\$1,780.00	\$1,780.00	
Mental Health Total			(\$4,053.00)
Public Health			
To: 014010.510601 Unused Benefit Time <i>w/any funds available</i> Reason: Unanticipated benefit payout due to Director of Environmental retirement and COVID-19 increased responsibilities for HD staff.	\$16,068.50	\$16,068.50	
To: 014010.510101 CSEA Pay 014010.520002 IT Communication 014010.540009 Cellular Phone 014010.541111 Computers & Tech 014010.541701 Employee Physical/Drug Test	\$19,280.00 2,620.00 60.00 1,400.00 195.00		

014010.542426 COVID CFDA Grant 014010.581001 Retirement 014010.582002 CSEA Disability 014010.583001 FICA 014010.585001 Medicare - FICA w/01401028.444890 COVID CFDA Grant RevFed Reason: Appropriate 2021 portion of additional Federal funds passed through by NYS. This is additional federal funding (\$324,210 total) that the CDC awarded to NYSDOH specifically for increased capacity to conduct case and contact investigations. CFDA #93.323. Grant application/acceptance approved in Res. #20-355, dated 09-08-20.	42,191.00 4,000.00 510.00 2,000.00 280.00	\$72,536.00	
To: 014010.542461 FELLW ELC COVID 19 Fellow Grant 014010.520002 IT Communication 014010.510101 CSEA Pay 014010.581001 Retirement 014010.582002 CSEA Disability 014010.583001 FICA 014010.585001 Medicare - FICA w/01401022.444890 ELC Schools & FellowsFed Reason: Appropriate Federal funds passed through by NYS for the CDC awarded to NYSDOH specifically for building public health capacity to support COVID-19 response operations and increase preparedness for future public health emergencies. CFDA #93.323. Anticipated start date for the graduate fellow is 9/20/2021.	\$1,595.00 1,400.00 16,000.00 2,640.00 200.00 992.00 232.00	\$23,059.00	
To: 014010.542461 ELCSC ELC COVID 19 Schools Grant 014010.520401 Misc Equipment 014010.510101 CSEA 014010.510001 FT SDI 014010.581001 Retirement 014010.582002 CSEA Disability 014010.583001 FICA 014010.585001 Medicare - FICA w/01401022.444890 ELC Schools & Fellows Fed Reason: Appropriate Federal funds passed through by NYS for the CDC awarded to NYSDOH specifically for reopening schools and establishing a COVID-19 screening testing program. CFDA #93.323	\$394,500.00 22,500.00 27,500.00 8,000.00 5,858.00 200.00 2,201.00 515.00	\$461,274.00	
Public Health Total			\$572,937.50
Sheriff -911			
To: 123021.520002 IT/Communications 123021.540301 Professional Services w/12302101.433970 Other State Aid-911 Reason: Appropriate funds from SICG Targeted Grant.	\$5,744,797.001 87,000.00	\$5,931,797.00	
Sheriff-911 Total			\$5,931,797.00

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

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Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$2,214,321.43** for the month of **August 2021**. No further action is required.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #3 through #7. Hearing no objection, resolution titles only were read.

#3

RESOLUTION NO. 21-371
(September 21, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
GREENFIELD HEALTH & REHABILITATION CENTER ON BEHALF
OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Greenfield Health & Rehabilitation Center***, 5949 Broadway, Lancaster, NY 14086 on behalf of the Office for the Aging. Said contract to provide respite services for caregivers in Wyoming County in an amount not to exceed 2021 budget; effective July 1, 2021 through December 31, 2021.

Contingent upon the availability of funds.

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

#4

RESOLUTION NO. 21-372
(September 21, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
GANRORMIC, INC. D/B/A WEE CAN PRESCHOOL & CHILDCARE
ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Ganrormic, Inc., d/b/a Wee Can Preschool & Childcare***, 40 Center Street, Orchard Park, NY 14127 on behalf of the Youth Bureau. Said contract is for preschool special education

services in an amount not to exceed 2021 budget; effective July 1, 2021 through December 31, 2024.

Contingent upon the availability of funds.

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

#5

**RESOLUTION NO. 21-373
(September 21, 2021)**

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
CHILD AND FAMILY SERVICES (OCFS) OFFICE OF YOUTH
DEVELOPMENT ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the *New York State Office of Child and Family Services (OCFS) Office of Youth Development*, 52 Washington Street, Albany, NY 12144 on behalf of the Youth Bureau. Said grant funding is for the Youth Bureau Administration, Stars, OMEGA/Youth Court and Safe Harbour programs in a minimum amount of sixty-one thousand three hundred thirty-three dollars (\$61,333.00); effective January 1, 2021 through December 31, 2021.

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

#6

**RESOLUTION NO. 21-374
(September 21, 2021)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH LETCHWORTH CENTRAL SCHOOL ON BEHALF
OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to award bid and sign a contract with *Letchworth Central School*, 5550 School Road, Gainesville, NY 14066 on behalf of the

September 21, 2021

Youth Bureau. Said contract to furnish transportation services for preschoolers with disabilities in an amount not to exceed 2021-2024 budget; effective July 1, 2021 through June 30, 2024.

Contingent upon the availability of funds.

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

#7

**RESOLUTION NO. 21-375
(September 21, 2021)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
HILLSIDE CHILDREN'S CENTER ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a welfare management system contract with *Hillside Children's Center*, 1183 Monroe Avenue, Rochester, NY 14620-1699 on behalf of the Department of Social Services. Said contract to provide foster care services in an amount not to exceed one million two hundred ten thousand dollars (\$1,210,000.00) for a total of twenty-four (24) children; effective July 1, 2021 through June 30, 2022.

Contingent upon the availability of funds.

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

Chairwoman Ryan, T/Warsaw presented a Chairman's proclamation recognizing Hunger Action Month in Wyoming County.

She invited Cindy Keel, Coordinator of the Warsaw Food Pantry to join her at the podium to read the proclamation. She also shared various statistics concerning food insecurity and thanked the Board for all they do in the fight against hunger.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #8 through #14. Hearing no objection, resolution titles only were read.

#8

RESOLUTION NO. 21-376
(September 21, 2021)

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

RESOLUTION NUMBER 20-513 AMENDED

WHEREAS, Resolution Number 20-513 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVINGSTON/ WYOMING ARC ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on December 8, 2020 and provides for assisted competitive employment services for Wyoming County individuals with mental illness in an amount not to exceed fifty-five thousand six hundred fifty-nine dollars (\$55,659.00); effective January 1, 2021 through December 31, 2021; and

WHEREAS, That Resolution Number 20-513 was previously amended by this Board of Supervisors on August 10, 2021 by *Resolution Number 21-342* to reflect an increase in state aid for a new contract amount not to exceed *fifty-six thousand two hundred thirteen dollars (\$56,213.00)*; now therefore

BE IT RESOLVED, That *Resolution 20-513* as previously amended by *Resolution Number 21-342* be hereby further amended to reflect a merger and name change to *Genesee-Livingston-Orleans-Wyoming Counties Chapter NYSARC, Inc., d/b/a ARC GLOW*.
 All else remains the same.

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

#9

RESOLUTION NO. 21-377
(September 21, 2021)

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

RESOLUTION NUMBER 20-506 AMENDED

WHEREAS, Resolution Number 20-506 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on December 8, 2020 and provides for residential programs in an amount not to exceed three hundred fifty-two thousand four hundred twenty-four dollars (\$352,424.00); effective January 1, 2021 through December 31, 2021; now therefore,

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BE IT RESOLVED, That *Resolution 20-506* be hereby amended to reflect a decrease in state aid for a new contract amount not to exceed *three hundred forty-four thousand eight hundred twenty-nine dollars (\$344,829.00)*.

All else remains the same.

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

**RESOLUTION NO. 21-378
(September 21, 2021)**

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

RESOLUTION NUMBER 20-510 AMENDED

WHEREAS, Resolution Number 20-510 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH COORDINATED CARE SERVICES, INC. (CCSI) ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on December 8, 2020 and provides for the staffing of various behavioral health programs in an amount not to exceed three hundred forty-nine thousand four hundred forty-three dollars (\$349,443.00); effective January 1, 2021 through December 31, 2021; now therefore,

WHEREAS, That Resolution Number 20-510 was previously amended by this Board of Supervisors on March 9, 2021 by *Resolution Number 21-098* to reflect an increase in funding in an amount not to exceed *twenty thousand dollars (\$20,000.00)* for Partners for Prevention staffing services defined in the STOP-Act Grant for a new total contract amount of *three hundred sixty-nine thousand four hundred thirty-three dollars (\$369,433.00)*; now therefore

BE IT RESOLVED, That *Resolution 20-510* as previously amended by *Resolution Number 21-098* be hereby further amended to reflect an increase in state aid in an amount not to exceed *three thousand five hundred fifty-two dollars (\$3,552.00)* for a new contract amount not to exceed *three hundred seventy-two thousand nine hundred eighty-five dollars (\$372,985.00)*.

All else remains the same.

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

**RESOLUTION NO. 21-379
(September 21, 2021)**

Regular Session

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

SUICIDE PREVENTION AWARENESS MONTH PROCLAIMED

WHEREAS, The month of September 2021 is National Suicide Prevention Awareness Month and is intended to help promote the awareness of this preventable cause of death and support those who are struggling with suicidal thoughts and death by suicide; and

WHEREAS, More people are lost to suicide in America than die by war, natural disaster and homicide, and in Wyoming County, our suicide rate is among the highest in the state; and

WHEREAS, Suicide loss sends ripples of grief throughout the community; and

WHEREAS, In this time of continued stress and uncertainty, the people of Wyoming County are dedicated to being there for our friends and neighbors; and

WHEREAS, We as citizens of Wyoming County can all prevent suicide by asking directly about suicidal thoughts, listening non-judgmentally, providing reassurance and hope, and being aware of resources for professional and self-help; and

WHEREAS, We recognize that we can take further steps to prevent suicide by talking openly about our emotional wellness; and

WHEREAS, We can support those in our community who are experiencing suicidal thoughts, who have survived a suicide attempt, or who have lost a loved one to suicide by respecting their experiences and extending our compassion; and

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors, do hereby proclaim September 2021 as **SUICIDE PREVENTION AWARENESS MONTH** in Wyoming County.

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

#12

RESOLUTION NO. 21-380

September 21, 2021

(September 21, 2021)

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

RESOLUTION NUMBER 20-355 AMENDED

WHEREAS, Resolution Number 20-355 entitled,
**“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
 VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON
 BEHALF OF THE COUNTY HEALTH DEPARTMENT”** passed by this
 Board of Supervisors on September 8, 2020 and provides, in part, for the
 following grant:

- **Health Research, Inc.**, 150 Broadway, Suite 560, Menands, NY 12204 to provide funding for COVID-19 Enhanced Detection and Response in a minimum amount of two hundred fifty-three thousand six hundred eighty-eight dollars (\$253,688.00); effective July 1, 2020 through June 30, 2022.

Now therefore,

BE IT RESOLVED, That **Resolution 20-355** be hereby amended to increase the amount of funding by **three hundred twenty-four thousand two hundred ten dollars (\$324,210.00)** for a new total amount of **five hundred seventy-seven thousand eight hundred ninety-eight dollars (\$577,898.00)** and extend the grant end date through **March 31, 2023**.

All else remains the same.

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

**RESOLUTION NO. 21-381
 (September 21, 2021)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
 VARIOUS CONTRACTS ON BEHALF OF THE COUNTY HEALTH
 DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the
 Commissioner of Health, pursuant to General Municipal Law §104(b) and with
 the approval of the County Attorney, are hereby authorized and directed to sign

Regular Session

various contracts on behalf of the County Health Department. Said contracts to help support and maintain in-person learning with the following Wyoming County School Districts; effective July 1, 2021 through July 31, 2022:

- **Attica Central School**, 3338 East Main Street, Attica NY 14011 in an amount not to exceed two hundred fifty-seven thousand seven hundred ninety dollars (\$257,790.00).
- **Perry Central School**, 33 Watkins Avenue, Perry, NY 14530 in an amount not to exceed one hundred eighty thousand eighty-two dollars (\$180,082.00).
- **Warsaw Central School**, 153 West Court Street, Warsaw, NY 14569 in an amount not to exceed one hundred eighty-seven thousand two hundred eighty-five dollars (\$187,285.00).
- **Wyoming Central School**, PO Box 244, 1225 Route 19, Wyoming, NY 14591 in an amount not to exceed twenty-six thousand eight hundred forty-nine dollars (\$26,849.00).
- **Letchworth Central School**, 5550 School Road, Gainesville, NY 14066 in an amount not to exceed one hundred eighty-six thousand one hundred ninety-four dollars (\$186,194.00).

Contingent upon the availability of funds.

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

#14

**RESOLUTION NO. 21-382
(September 21, 2021)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A CONTRACT WITH ABBOTT RAPID DX NORTH AMERICA, LLC
ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with **Abbott Rapid DX North America, LLC**, 30 South Keller Road, Suite 100, Orlando FL 32810 on behalf of the County Health Department. Said contract is for the purchase of COVID-19 testing instruments and supplies for schools, based on fee schedule and order volume in an amount not to exceed budgeted funds; effective August 19, 2021 through August 18, 2022.

Contingent upon the availability of funds.

September 21, 2021

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

Supervisor Davis, T/Covington invited Jenelle VonBuren, Duel Recovery Coordinator to the podium to read the Suicide Awareness Month proclamation.

There was a motion by Mr. Klein, T/Castile, to combine resolutions #15 and #16. Hearing no objection, resolution titles only were read.

#15

RESOLUTION NO. 21-383
(September 21, 2021)

By Mr. Klein, Chairman of the Agriculture Committee:

**SET PUBLIC HEARING FOR THE CONSIDERATION OF ADOPTING
A SPECIFIC SHORT ENVIRONMENTAL ASSESSMENT FORM (EAF)
RELATED TO THE AGRICULTURAL DISTRICT PROGRAM**

WHEREAS, The State Environmental Quality Review Act (“SEQRA”) and its corresponding regulations (6 NYCRR Parts 617 and 618) define those situations in which particular state and local actors must conduct an environmental review as part of their decision-making process; and

WHEREAS, In relation to agricultural districts certified pursuant to Article 25-AA of the Agriculture & Markets Law (“AML”), SEQRA applies to the adoption, modification, continuation, consolidation and termination of agricultural districts; and

WHEREAS, If an agricultural district is modified, consolidated or terminated upon its review, the modification, consolidation or termination would be deemed an Unlisted Action under SEQRA, requiring the completion of a short Environmental Assessment Form (EAF) to determine environmental significance; and

WHEREAS, The attached short EAF form is being adopted for use in review of actions designated as an “Unlisted Action” pursuant to the State Environmental Quality Review Act (SEQRA), and which involve the modification of an existing Agricultural District, which includes the termination or modification of such district, pursuant to AML section 303-a; the inclusion of viable agricultural land to an existing Agricultural District, pursuant to AML section 303-b; and/or the consolidation of existing Agricultural Districts, pursuant to AML section 303-c; and

WHEREAS, The Wyoming County Board of Supervisors hereby provides this notice and opportunity for a public hearing pursuant to Environmental Conservation Law Article 8, and Part 617.14(a) of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR), which states, in relevant part, a requirement that “all agencies to adopt and publish, after public hearing, any additional procedures that may be necessary for them to implement SEQR”; now therefore

BE IT RESOLVED, That a Public Hearing will be held on said matter by this Wyoming County Board of Supervisors on the *12th day of October, 2021 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center*, 143 North Main Street, Warsaw, New York for opportunity to hear all interested parties and to receive comments to consider the adoption of an agency specific short Environmental Assessment Form (EAF) related to Agricultural Districts Program, as described in Article 25-AA of the Agriculture and Markets Law (AML).

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

**STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
FOR AGRICULTURAL DISTRICTS**

UNLISTED ACTIONS ONLY

Please indicate lead agency status by checking the appropriate box below:

☐ The proposed action is within the scope of a cooperative agreement between the undersigned County Legislative Body ("CLB") and the Department of Agriculture and Markets ("Department"), the only other agency required to undertake an action in this case. Therefore, the undersigned CLB will serve as lead agency for the proposed action to ensure compliance with the requirements of the State Environmental Quality Review Act, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

☐ The proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department. The agency that will serve as Lead Agency is the undersigned CLB, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

Part 1 – Project and Sponsor Information

1. The proposed action is located in the County of _____ and the Town(s) of _____.

2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of _____ County.

3. The name, address, and e-mail address for the Clerk of the above named CLB is:

4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? ☐ Yes ☐ No

If Yes, attach a narrative description (including a location map) of the intent of the proposed action and the environmental resources that may be affected in the County. If No, this form should not be used to evaluate the potential environmental impacts of the proposed action.

5. Is this an action proposed to modify an existing agricultural district? ☐ Yes ☐ No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: _____ acres.

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? ☐ Yes ☐ No
- If yes, how many acres are involved in the change? _____ acres
 - Does this represent ☐ an increase or ☐ a decrease?

7. Check all present land uses that occur on, adjoining, and near the proposed action?

☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other

If Other, please describe: _____

8. Information on Coastal Resources. Is the action located within, or have a significant effect on:

- A Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☐ No
- A Coastal Erosion Hazard Area? ☐ Yes ☐ No
- A community with an approved Local Waterfront Revitalization Program? ☐ Yes ☐ No

If Yes, please identify the affected community or communities: _____

9. Information on Local Agricultural and Farmland Protection Plans

- Is the action compatible with the County's Agricultural & Farmland Protection Plan? ☐ Yes ☐ No

If Yes, date of Plan approval: _____

If Yes, please cite the applicable language: _____

10. Comments from Municipalities within the County

- Did the CLB receive any comments from municipalities about the addition or removal of land from the agricultural district? ☐ Yes ☐ No

If Yes, please briefly summarize the comments: _____

11. Attach any additional information as may be needed to clarify the proposed action.

I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
 BEST OF MY KNOWLEDGE

Name of Person

Authorized to Sign: _____ **Date:** _____

Signature: _____ **Title:** _____

September 21, 2021

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

Part 2: Impact Assessment

Part 2 is to be completed by the County Legislative Body ("CLB") as Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted to the CLB for the proposed modification, consolidation or termination of a county-adopted, State-certified agricultural district or otherwise available to the reviewer.

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification, consolidation or termination of an agricultural district(s). The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management actions that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

	None to small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

Part 3: Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur," or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from Responsible Officer)

**RESOLUTION NO. 21-384
(September 21, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

RESOLUTION NUMBER 21-014 AMENDED

WHEREAS, Resolution Number 21-014 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT**” passed by this Board of Supervisors on January 12, 2021 and provides for agricultural district review services on behalf of Wyoming County, in part, as follows:

- For the year **2021** in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2021 through December 31, 2021.

Now therefore,

BE IT RESOLVED, That *Resolution 21-014* be hereby amended to increase the total contract amount for the year **2021** for the completion of Ag District No. 5 review by *three thousand five hundred eighteen dollars and thirty-four cents (\$3,518.34)* for a new total contract amount not to exceed *eighteen thousand five hundred eighteen dollars and thirty-four cents (\$18,518.34)*.

All else remains the same.

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

Mr. Brick, T/Perry introduced Devin Blue as the new Highway Superintendent for Wyoming County. Mr. Blue said things are busy and going well.

There was a motion by Mr. Brick, T/Perry, to combine resolutions #17 through #21. Hearing no objection, resolution titles only were read.

#17

**RESOLUTION NO. 21-385
(September 21, 2021)**

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

**DEVIN BLUE APPOINTED AS COUNTY HIGHWAY
SUPERINTENDENT**

Regular Session

BE IT RESOLVED, That *Devin Blue*, 4045 Hobday Road, Bliss, New York 14024 is hereby appointed to the position of County Highway Superintendent, pursuant to County Highway Law §100, for a term of four (4) years; effective August 30, 2021 through August 29, 2025.

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

**RESOLUTION NO. 21-386
(September 21, 2021)**

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

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO
EXTEND SNOW AND ICE REMOVAL AGREEMENTS WITH TOWNS
AND VILLAGES FOR 2022/2023**

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on County roads for the winter season of **2022/2023**; and be it

FURTHER RESOLVED, That the County will make payment to Towns and Villages from the County Snow Funds as follows:

- **2022/2023** ~ The base rate will be increased by \$100.00 per centerline mile over the 2021/2022 agreement with a minimum snow index of 0.69.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-387
(September 21, 2021)**

September 21, 2021

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

ANNUAL HIGHWAY MATERIALS BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective September 1, 2021 through August 31, 2022, all ties were awarded by lot at the September 2, 2021 Public Works Committee; and be it

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

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

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

Bids opened August 18, 2021

Contract period – 9/1/21 – 8/31/22

		<u>Price/Ton – F.O.B. Plant</u>
D & H Materials 11939 Rt. 98 S Arcade, NY 14009	10811 Rt. 16 Delevan	NO BID
Frey Sand & Gravel 3850 Dry Bridge Road Alexander, NY 14005	Alexander Plant:	NO BID
Gernatt Asphalt Products, Inc. 13870 Taylor Hollow Road Collins, New York 14034 Phone 716-532-3371	Chaffee Plant: Freedom Plant:	3.70 5.20
M & M Aggregates 6128 Sheppard Road Bliss, NY 14024 Phone 585-786-5409	Sheppard Rd Plant:	6.00
Spallina Materials, Inc. PO Box 89 West Bloomfield, NY 14585 Phone 658-2248	Cohocton Plant	7.50

Chris Lester
Interim County Superintendent of Highways

September 21, 2021

WYOMING COUNTY HIGHWAY DEPARTMENT
Silver Springs, New York 14550

ABRASIVE GRIT

Bids opened August 18, 2021

Contract period – 9/01/21 – 8/31/22

<u>Town</u>	<u>Price/Ton @ Town Stockpile Location</u>	<u>Supplier</u>
Arcade	7.65	Gernatt Asphalt
Attica	10.90	Gernatt Asphalt
Bennington	9.25	Gernatt Asphalt
Castile	9.40	Gernatt Asphalt
Covington	11.70	M & M Aggregates
Eagle	8.40	Gernatt Asphalt
Gainesville	9.55	Gernatt Asphalt
Genesee Falls	10.20	Gernatt Asphalt
Java	8.90	Gernatt Asphalt
Middlebury	10.90	M & M Aggregates
Orangeville	9.50	Gernatt Asphalt
Perry	10.70	M & M Aggregates
Pike	8.70	Gernatt Asphalt
Sheldon	9.30	Gernatt Asphalt
Warsaw	9.85	Gernatt Asphalt
Wethersfield	9.40	Gernatt Asphalt

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

Chris Lester
Interim County Superintendent of Highways

ABRASIVE GRIT
LOWEST TO HIGHEST BIDDERS
2021-2022 SEASON

<u>Arcade</u>	1. Gernatt Asphalt	7.65
	2. M & M Aggregates	10.90
	3. Spallina Materials	14.50
<u>Attica</u>	1. Gernatt Asphalt	10.90
	2. M & M Aggregates	11.70
	3. Spallina Materials	14.50
<u>Bennington</u>	1. Gernatt Asphalt	9.25
	2. M & M Aggregates	11.70
	3. Spallina Materials	14.80
<u>Castile</u>	1. Gernatt Asphalt	9.40
	2. M & M Aggregates	10.70
	3. Spallina Materials	11.75
<u>Covington</u>	1. M & M Aggregates	11.70
	2. Gernatt Asphalt	11.95
	3. Spallina Materials	13.80
<u>Eagle</u>	1. Gernatt Asphalt	8.40
	2. M & M Aggregates	10.00
	3. Spallina Materials	13.30
<u>Gainesville</u>	1. Gernatt Asphalt	9.55
	2. M & M Aggregates	10.00
	3. Spallina Materials	13.40
<u>Genesee Falls</u>	1. Gernatt Asphalt	10.20
	2. M & M Aggregates	11.70
	3. Spallina Materials	11.85
<u>Java</u>	1. Gernatt Asphalt	8.90
	2. M & M Aggregates	10.00
	3. Spallina Materials	14.80
<u>Middlebury</u>	1. M & M Aggregates	10.90
	2. Gernatt Asphalt	11.70
	3. Spallina Materials	13.40
<u>Orangeville</u>	1. Gernatt Asphalt	9.50
	2. M & M Aggregates	10.00
	3. Spallina Materials	13.55

ABRASIVE GRIT
LOWEST TO HIGHEST BIDDERS
2021-2022 SEASON

<u>Perry</u>	1. M & M Aggregates	10.70
	2. Gernatt Asphalt	10.85
	3. Spallina Materials	12.80
<u>Pike</u>	1. Gernatt Asphalt	8.70
	2. M & M Aggregates	10.00
	3 Spallina Materials	12.85
<u>Sheldon</u>	1. Gernatt Asphalt	9.30
	2. M & M Aggregates	10.90
	3 Spallina Materials	13.90
<u>Warsaw</u>	1. Gernatt Asphalt	9.85
	2. M & M Aggregates	10.00
	3 Spallina Materials	12.00
<u>Wethersfield</u>	1. Gernatt Asphalt	9.40
	2. M & M Aggregates	10.00
	3 Spallina Materials	14.40
Plant Price	1. Gernatt Asphalt – Chaffee	3.70
	3. Gernatt Asphalt – Freedom & RT 16	5.20
	4. M & M – Sheppard Rd	6.00
	5. Spallina Materials	7.50

RESOLUTION NO. 21-388
(September 21, 2021)

By Mr. Brick, 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 Buildings and Grounds (Co. Bldgs.). Said grant funding for cleaning, minor repairs and maintenance at the Courthouse Campus, Government Center and Records Retention in a minimum amount of ninety-six thousand one hundred fifty-two dollars (\$96,152.00); effective April 1, 2021 through March 31, 2022.

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

#21

RESOLUTION NO. 21-389
(September 21, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
FEEDWATER TREATMENT SYSTEMS, INC. ON BEHALF OF
BUILDINGS AND GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Feedwater Treatment Systems, Inc.*, PO Box 439, Athol Springs, NY 14010 on behalf of Building and Grounds (Co. Bldgs.). Said contract to provide cooling tower and boiler loop maintenance in an amount not to exceed twelve thousand five hundred (\$12,500.00); effective October 1, 2021 through December 31, 2022.

Contingent upon the availability of funds.

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

September 21, 2021

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #22 and #23. Hearing no objection, resolution titles only were read.

#22

RESOLUTION NO. 21-390
(September 21, 2021)

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

WYOMING COUNTY SHERIFF'S WEEK PROCLAIMED

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

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

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby recognize the important services provided to the citizens

of this County by Sheriff Rudolph and the members of the Sheriff's Office and hereby proclaim September 19th to September 25th, 2021 to be Sheriffs' Week in Wyoming County.

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

**RESOLUTION NO. 21-391
(September 21, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH U.S.
GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF
THE INTERIOR ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *U.S. Geological Survey, United State Department of the Interior*, 425 Jordan Road, Troy, NY 12180 on behalf of Emergency Services. Said contract is for the operation and maintenance of the satellite telemetry at gauging station 04216428, Tonawanda Creek in Attica, New York in an amount not to exceed ten thousand seven hundred ten dollars (\$10,710.00); effective October 1, 2021 through September 30, 2025.

Contingent upon the availability of funds.

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

Supervisor May, T/Orangeville was invited to the podium to present the Wyoming County Sheriff's Week proclamation and she requested Sergeant Chris Bryant from the Civil Division to join her for the reading of the proclamation.

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #24 through #31. Hearing no objection, resolution titles only were read.

#24

**RESOLUTION NO. 21-392
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN 2022 INSURANCE

September 21, 2021

RATES ON BEHALF OF CURRENT AND RETIRED COUNTY EMPLOYEES

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign health insurance rate sheets with *Alliance of WNY Health Benefit Fund*, 2914 Pine Street, Niagara Falls, NY 14301 and *Blue Cross Blue Shield*, 257 Genesee Street, Buffalo, NY 14240; effective January 1, 2022 through December 31, 2022:

Employee BCBS High Deductible Plan

❖ Single	\$630.48
❖ Family	\$1,710.32

Retiree BCBS High Deductible Plan

❖ Single	\$1,002.05
❖ Two-person	\$2,054.25
❖ Family	\$3,106.38

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-393
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**INVESTMENT POLICY & GUIDELINES FOR WYOMING COUNTY
ADOPTED; CHAIRMAN AUTHORIZED TO SIGN CUSTODIAL
AGREEMENTS TO MAINTAIN PLEDGED SECURITIES**

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

INVESTMENT POLICY & GUIDELINES FOR WYOMING COUNTY

I. SCOPE

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

II. OBJECTIVES

The primary objectives of Wyoming County's investment activities are, in priority order:

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

To appropriately meet these objectives, Wyoming County will make investment decisions based on categories of cash with which the time horizon is continually calculated using a liquidity analysis of past and anticipated future financial requirements.

III. DELEGATION OF AUTHORITY

The County Treasurer maintains responsibility for administration of the investment program who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in Wyoming County to govern effectively. Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of Wyoming County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The County Treasurer shall establish appropriate limits for the amount of

investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. INTERNAL CONTROLS

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

The Finance Official is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

Wyoming County shall maintain a list of financial institutions and dealers approved for investment purposes. The County Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians.

VIII. COLLATERALIZATION

All demand and time deposits of Wyoming County in excess of the amount insured under the provision of the Federal Deposit Insurance Act shall be secured by eligible collateral, consisting of any one, or combination, of the following:

- A pledge of eligible securities, as provided in General Municipal Law, Section 10, which is provided in Appendix A.

IX. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of Wyoming County that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by:

- A pledge of "eligible securities" with an aggregate "market value" (as provided by New York State Law in appendix A) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."

- A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within New York State at the bank or trust company.
- An “eligible surety bond” payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
- An “eligible letter of credit,” payable to Wyoming County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An “eligible letter of credit” shall be an irrevocable letter of credit issued in favor of Wyoming County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company’s commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
- An “irrevocable letter of credit” issued in favor of Wyoming County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

X. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of Wyoming County shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of Wyoming County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to Wyoming County or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, Wyoming County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide Wyoming County with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

XI. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, Wyoming County's governing body authorizes the County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
- Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State; With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by

any municipality, school district or district corporation in the State other than Wyoming County;

- General obligation bonds and notes of any state other than this state, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller.
- Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six months, provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation.
- Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in clause (7). Provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company; or
- Obligations of, or instruments issued by or fully guaranteed as to principal and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation and the United States postal service, provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency.
- No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America or in obligations of agencies or

instrumentalities of the United States of America where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization, provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

All investment obligations shall be payable or redeemable at the option of Wyoming County within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of Wyoming County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the monies were obtained, and shall be secured as provided in Sections IX and X herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of Wyoming County authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of Wyoming County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which Wyoming County transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with Wyoming County. The

County Treasurer shall evaluate the financial position and maintain a listing of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers.

Wyoming County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

XIII. PURCHASE OF INVESTMENTS

The County Treasurer is authorized to contract for the purchase of investments:

- Directly, from an authorized trading partner
- By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

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

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, Wyoming County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide Wyoming County with a perfected interest in the securities.

The County Treasurer, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or

may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIV. DEFINITIONS

The terms “public funds,” “public deposits,” “bank,” “trust company,” “eligible securities,” “eligible surety bond,” and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law Section 10.

Appendix A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage (see Investment Policy, Section VIII)

[Note: This is not a list of Permitted Investments. Please see Investment Policy, Section X, for Permitted Investments. Moreover, this list is for purposes of illustration only. Governing boards, in the exercise of their prudent discretion, must determine which types of eligible securities, authorized by law, to list as permitted.]

“Eligible Securities” for Collateral	For purposes of determining aggregate “market value,” eligible securities shall be valued at these percentages of “market value”:
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development	100%

Bank, the Asian Development Bank and the African Development Bank.	
(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%

(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS."	80%

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

**RESOLUTION NO. 21-394
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 21-204 AMENDED

WHEREAS, Resolution Number 21-204 entitled, "**POSITION(S) APPROVED**" passed by this Board of Supervisors on April 13, 2021 and provides, in part, for the following position:

CREATED:

Real Property Tax Services

- One (1) position of ***GIS Technician*** (Per Diem/Variable FTE) (Temporary) at an hourly rate of \$35.00 per hr.; position available date is March 25, 2021.
 - Position to last for a period of six (6) months from approval, until October 14, 2021, unless abolished or renewed by action of the Board of Supervisors.

Now therefore,

BE IT RESOLVED, That ***Resolution 21-204*** be hereby amended to extend the ***GIS Technician (Per Diem) (Temp.)*** position through December 31, 2021 to coincide or slightly overlap the start date of the GIS Fellowship position.

All else remains the same.

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

RESOLUTION NO. 21-395
(September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR 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 Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- ***Medent***, 15 Hulbert Street, Auburn, NY 13021 for a license software agreement to provide electronic medical records for ENT and other WCCHS specialty clinics with remote on-line backup service, not to exceed one hundred thirty thousand twenty dollars (\$130,020.00) per year; effective September 1, 2021 through August 31, 2023.
- ***AB Staffing Solutions, LLC***, 3451 S. Mercy Road, Suite 10, Gilbert, Arizona 85297 for hard to fill positions to provide coverage where needed in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective August 18, 2021 through July 31, 2022.
- ***Stryker Medical (Howmedica Osteonics Corp.)***, 325 Corporate Drive, Manwah, NJ 07430 for a special pricing direct agreement for trauma surgical supplies in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00); effective September 1, 2021 through August 31, 2024.

Contingent upon the availability of funds.

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

#28

RESOLUTION NO. 21-396
(September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

HOSPITAL ADMINISTRATOR AUTHORIZED TO AWARD BID AND

September 21, 2021

SIGN A CONTRACT WITH FERGUSON ELECTRIC CONSTRUCTION CO., INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,**” the Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to award bid and sign a contract with *Ferguson Electric Construction Co., Inc.* on behalf of the Wyoming County Community Health System. Said contract is for the removal of two (2) distribution panels and installation of replacement panels and reworking the feeders to the new panels, provide temporary power during the feeder cut overs in collaboration with WCCHS staff in an amount not to exceed two hundred eighteen thousand six hundred dollars (\$218,600.00); effective August 15, 2021 through December 31, 2021.

Contingent upon the availability of funds.

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

#29

**RESOLUTION NO. 21-397
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

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

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

Salary Schedule “C”:

Wyoming County Community Hospital

- Increase the salary of six (6) positions of *Nursing Supervisor Per Diem in the Nursing Services Office* (position codes 02.148.502, 02.149.502, 02.151.502, 02.153.502, 02.154.502, and 02.171.502) under NURSING ADMINISTRATION (ACUTE) from \$150.00/4-hour shift to \$200.00/4-hour shift; effective September 7, 2021.
- Increase the salary of nine (9) positions of *RN Supervisor SNF (Per Diem)* (position codes 02.155.567, 02.156.567, 02.157.567, 02.158.567, 02.159.567, 02.163.567, 02.164.567, 02.167.567,

#2.168.567) under NURSING FACILITY ADMINISTRATION from \$150.00/4-hour shift to \$200.00/4-hour shift; effective September 7, 2021.

Salary Schedule “X”:

Wyoming County Community Hospital

- Set the hourly rate of the ***Medical Receptionist*** position (position code 12.221.153) under WYOMING COUNTY FAMILY MEDICINE – PERRY at \$16.50 per hour; effective September 1, 2021.
- Set the hourly rate for the position of ***Licensed Practical Nurse*** (position code 04.172.147) under WYOMING COUNTY FAMILY MEDICINE – PERRY at \$20.00 per hour; effective September 1, 2021.

Salary Schedule “G”:

Public Health

- Set stipends plus corresponding fringes for additional duties for the period July 1, 2021 through July 30, 2022 related to the COVID-19 screening testing program for Wyoming County schools as follows:
 - ***Fiscal Administrator*** (position code 089.405)
 - \$10,000.00 for grant & subcontract administration
 - ***Fiscal Officer*** (position code 136.580)
 - \$7,000.00 for vouchering and claiming

District Attorney

- Set stipends plus corresponding fringes for the following positions:
 - ***Assistant District Attorney (1st)***
\$2,000.00
 - ***Assistant District Attorney (2nd)*** \$3,000.00
 - ***Discovery Coordinator*** \$2,000.00
 - ***Administrative Assistant (DA)*** \$15,000.00
 - ***Secretary to the District Attorney*** \$5,000.00
 - ***Crime Victim Program Coordinator*** \$3,000.00
 - ***Domestic Violence Coordinator*** \$5,000.00
 - ***Principal Account Clerk (Treasurer’s Office)*** \$2,400.00
 - ***Fiscal Administrator (Treasurer’s Office)*** \$1,600.00
 - Pay pro-rated amount out to ***Principal Account Clerk (Treasurer’s Office)*** employee in September 2021 who is leaving County employment; effective August 18, 2021.
 - All other amounts to be paid out after November 1, 2021 from 2021 budgeted Traffic Diversion funds (1161).

Salary Schedule “S”:

Sheriff

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- Set the salary of ***Secretary to the Sheriff*** (1.00 FTE) (position code 002.503) at \$55,000.00 annually based on experience and qualifications; effective August 11, 2021.

Information Technology

- Set the hourly wage of ***IT Administrative Assistant*** (1.00 FTE) (position code 019.638) at \$21.89; effective July 26, 2021.

Zoning Department

- Set the salary of ***Zoning Enforcement Officer*** (position code 026.554) at \$34,000.00 annually.
 - Eligibility for an increase of \$2,000.00 upon the completion of two (2) years of service, satisfactory performance and all established goals met.

Salary Schedule “D”:

Highway

- Set the salary of the ***County Highway Superintendent*** at \$80,000.00 annually; effective August 30, 2021.
 - Upon successful completion of six (6) months of satisfactory performance incumbent will be eligible for a \$2,000.00 increase.
 - Upon successful completion of one (1) year of satisfactory performance incumbent will be eligible for a \$3,000.00 increase.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#30

RESOLUTION NO. 21-398 (September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 19-423 AMENDED

WHEREAS, Resolution Number 19-243 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AECOM ON BEHALF OF THE BOARD OF SUPERVISORS**” passed by this Board of Supervisors on October 8, 2019 and provides PFAS sampling and routine post-closure monitoring, inspection, and reporting services at the Wyoming County Fire Training Center pursuant to New York State Department of Environmental Conservation Voluntary Cleanup Program for Site Number V00604 in an

amount not to exceed twenty-six thousand five hundred sixty-three dollars (\$26,563.00); effective through October 31, 2021; now therefore,

BE IT RESOLVED, That *Resolution 19-423* be hereby amended to reflect Change Order No. 1 to provide for additional testing by increasing the contract amount by one thousand four hundred thirty-three dollars (\$1,433.00) for a new contract amount not to exceed amount of *twenty-seven thousand nine hundred ninety-six dollars (\$27,996.00)*.

All else remains the same.

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

**RESOLUTION NO. 21-399
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:

County Health Department

- One (1) position of ***Public Health Corps Graduate Fellow*** (1.00 FTE) and place on Salary Schedule G with an annual salary of \$54,483.00; position available date is September 20, 2021.
 - Benefit package consistent with current CSEA Bargaining Agreement.
- Two (2) positions of ***Public Health Corps Fellow*** (1.00 FTE) and place on Salary Schedule G with an annual salary of \$41,398.00; position available date is September 20, 2021.
 - Benefit package consistent with current CSEA Bargaining Agreement.
- One (1) position of ***COVID-19 Response Coordinator*** (1.00 FTE) and place on Salary Schedule G with an hourly wage of \$33.00; position available date is September 27, 2021.
 - Benefit package consistent with current CSEA Bargaining Agreement.

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Treasurer

- One (1) position of ***Fiscal Administrator*** (1.00 FTE) and place on Salary Schedule S with an approved annual salary range of \$42,000.00 - \$55,000.00; position available date is September 15, 2021.

Planning

- One (1) position of ***Account Clerk*** (1.00 FTE) on CSEA schedule A, job grade 4, at an hourly wage of \$17.10 - \$18.82; position available date is September 15, 2021.

Zoning

- One (1) position of ***Account Clerk*** (1.00 FTE) on CSEA schedule A, job grade 4, at an hourly wage of \$17.10 - \$18.82; position available date is September 15, 2021.

ABOLISHED:***Treasurer***

- One (1) position of ***Principle Account Clerk*** (1.00 FTE) (position code 019.182) on CSEA schedule A, job grade 14, hourly wage of \$21.18 - \$24.45; effective: September 15, 2021.

Planning

- One (1) position of ***Keyboard Specialist*** (1.00 FTE) (position code 007.337) on CSEA schedule A, job grade 2, at an hourly wage of \$16.29 - \$17.78.
 - Position abolished effective upon permanent appointment of provisional appointment to the newly created Account Clerk position.

Zoning

- One (1) position of ***Keyboard Specialist*** (1.00 FTE) (position code 028.337) on CSEA schedule A, job grade 2, at an hourly wage of \$16.29 - \$17.78.
 - Position abolished effective upon permanent appointment of provisional appointment to the newly created Account Clerk position.

RECLASSIFIED:***Real Property Tax Services***

- One (1) position of ***RPTS Assessor Trainee*** (position code 022.624) title change to ***RPTS Acting Assessor*** and amend Salary Schedule S to reflect same.

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

Chairwoman Ryan, T/Warsaw offered that Wyoming County joined 10 different counties in New York State signed a letter regarding the unintended consequences of this resolution and sent that to Governor Hochul and the press. She also said that these healthcare workers labored for months during COVID when a vaccine was not available and hopes there is a way to mitigate these consequences.

**Non-Consent
#32**

**RESOLUTION NO. 21-400
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION URGING GOVERNOR HOCHUL AND
COMMISSIONER ZUCKER TO MODIFY THE PROPOSED COVID-19
MANDATE FOR ALL HEALTHCARE WORKERS**

WHEREAS, Governor Hochul announced, in her first day in office, that she would be implementing a mandate that all healthcare workers in New York State be vaccinated against COVID-19 by September 27, 2021; and

WHEREAS, Many nursing homes and hospitals across the Finger Lakes region have indicated that significant numbers of their staff have threatened to resign effective September 26, 2021 rather than receive the COVID-19 vaccine; and

WHEREAS, Our nursing homes and hospitals are already experiencing staff shortages caused by complex and diverse factors; and

WHEREAS, While well-intentioned, the vaccine mandate proposed by Governor Hochul and Commissioner Zucker runs the risk of effecting the mass resignation of unvaccinated healthcare workers throughout the state; and

WHEREAS, Both hospitals and nursing homes have indicated they would be forced to shutter beds and reduce capacity if the threatened resignations come to fruition; and

WHEREAS, As the Delta variant of COVID-19 increases its spread through our communities and college and K through 12 schools resume classes, our community cannot risk losing critical healthcare workers and acute and long-term care capacity; and

WHEREAS, Allowing for a twice a week, or more frequent, testing

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alternative to the proposed vaccine mandate would protect patient safety, respect the personal rights of healthcare workers, and ensure that our medical system is as prepared as possible for the anticipated increase in COVID-19 cases heading into the fall and winter; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors encourages all eligible New Yorkers to get vaccinated against COVID-19; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby calls on Governor Hochul and Department of Health Commissioner Zucker to modify their proposed healthcare worker COVID-19 vaccine mandate to allow for a testing option for those workers who do not wish to receive the vaccine at this time; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, Department of Health Commissioner Howard Zucker, State Assembly Speaker Carl Heastie, Senate Majority Leader Andrea Stewart-Cousins, Assembly Minority Leader Will Barclay, and Senate Minority Leader Rob Ort.

Carried: XXX Ayes: 1537 Noes: 62 (Middlebury) Absent: Abstain:

Supervisor Brick, T/Perry said that the Compensation Committee vetted these requests and these were the committee's recommendations.

Supervisor King, T/Pike stated she understands the Compensation Committees recommendations but she will be voting no on this resolution as she feels it is not the right time to give out some raises when not every employee can have one.

Supervisor Roche, T/Eagle said he also is struggling with this request. Too many loose ends at this point and tied it back to the support of healthcare workers not having get a mandated shot but feel we have come through on the other end for them.

Chairwoman Ryan, T/Warsaw said that a process was formulated for these types of salary requests, which was followed.

**Non-Consent
#33**

**RESOLUTION NO. 21-401
(September 21, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

SALARY SCHEDULE “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 “S”:

District Attorney

- Set the annual salary of the ***Assistant District Attorney (1st)*** (position code 003.503) at \$99,385.00; effective January 1, 2022

Buildings and Grounds

- Set the hourly wage for the ***Sec. to Supt. of Build & Gr (CB)*** (position code 040.503) at \$25.01; effective January 1, 2022

Human Resource

- Set the hourly wage for the ***Human Resource Clerk*** (position code 025.568) at \$19.24; effective January 1, 2022

Office for the Aging

- Set the hourly wage for the ***Fiscal Officer I*** (position code 285.282) at \$23.24; effective January 1, 2022

Budget

- Set the hourly wage for the ***Finance Clerk I*** (position code 002.494) at \$24.27; effective January 1, 2022

Probation

- Set the hourly wage for the ***Finance Clerk I*** (position code 028.494) at \$23.24; effective January 1, 2022

Information Technology

- Set the annual salary for the ***Network Administrator*** (position code 015.496) at \$64,496.00; effective January 1, 2022
- Set the annual salary for the ***Information Technology Specialist*** (position code 002.302) at \$56,893.00; effective January 1, 2022
- Set the annual salary for the ***Information Systems Administrator*** (position code 003.243) at \$75,337.00; effective January 1, 2022.
- Set the hourly wage for the ***Information Technology Assistant*** (position code 017.419) at \$23.08; effective January 1, 2022.
- Set the hourly wage for the ***Information Technology Assistant***

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Carried: XXX	Ayes: 1178	Noes: 172 (Arcade) 51 (Eagle) 93 (Gainesville) 19 (Genesee Falls) 48 (Pike) <u>38</u> (Wethersfield)	Absent:	Abstain:
		421 Total		

Supervisor Berwanger, T/Arcade said that he agrees with the Compensation Committee and that process but also agrees with Supervisor King that all employees should be rewarded with a salary increase at the same time.

Non-Consent #34

RESOLUTION NO. 21-402
(September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULE "D" AMENDED

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

Salary Schedule “D”:

Social Services Dept

- Set the annual salary for the ***Commissioner of Social Services*** (position code 047.054) at \$76,115.00, an increase of \$3,975.00; effective January 1, 2022.

Buildings and Grounds

- Set the annual salary for the ***Director of Buildings and Grounds*** (position code 047.623) at \$75,250.00, an increase of \$5,250.00; effective January 1, 2022.

County Records Management

- Set the annual salary for the **County Records Manager** (position code 009.447) at \$50,125.00, an increase of \$4,000.00; effective January 1, 2022.

Probation

- Set the annual salary for the *Probation Director I* (position code

- Set the annual salary for the **Public Health Administrator** (position code 089.405) at \$85,675.00, an increase of \$10,345.00; effective January 1, 2022.

Non-Consent
#35

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

- Set the annual salary for the **County Treasurer** (position code 003.502) at \$80,000.00, an increase of \$5,769.00; effective January 1, 2022.

Non-Consent
Local Law - Introductory
#36

September 21, 2021

(September 21, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. B
YEAR 2021**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 21st day of September, 2021, a proposed local law entitled, “Local Law Introductory No. B Year 2021, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2022”**; 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 *12th day of October, 2021 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:** 1551 **Noes:** **Absent:** **Abstain:** 48 (Pike)

INTRODUCTORY LOCAL LAW NO. B - YEAR 2021

County of Wyoming, Providing Salaries for Certain County Officers for the year 2022

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

- Section 1. Effective as hereafter provided, the annual salary for the *Commissioner of Social Services* shall be increased by **\$3,975.00** for a new annual salary of **\$76,115.00**.
- Section 2. Effective as hereafter provided, the annual salary for the *County Treasurer* shall be increased by **\$5,769.00** for a new annual salary of **\$80,000.00**.
- Section 3. All salaries set forth in Section 1 above shall be effective as of *January 01, 2022*.

Section 4. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 5. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York
September 21, 2021 (Introduced)
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, 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 Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

September 21, 2021

REGULAR SESSION
(October 12, 2021)

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 Davis, T/Covington and Supervisor Becker, T/Sheldon. Supervisor Leuer, T/Middlebury and Supervisor Jacoby, T/Wethersfield participated via zoom. Also present were County Attorney Jim Wujcik, Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link:
<http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

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

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

Chief Petty Officer David J.R. Black

Chief Petty Officer Black was born in Niagara Falls in 1950 and graduated from LaSalle Senior High School. He joined the Navy less than a year after graduating and headed out for basic training to Great Lake Training Center outside Chicago and then onto Guided Missile School in Dam Neck, Virginia where he became a Quad Zero Gunner's Mate.

Chief Petty Officer Black's first duty station was at Norfolk, Virginia where he was assigned to his first ship, the USS Vogelgesang (DD-862), a Gearing-class destroyer commissioned in April of 1945 and decommissioned in 1982 where it was then sold to the Mexican Navy. On this ship, Chief Petty Officer Black (or "Chief" as he is commonly known to this day) worked with anti-submarine rockets and after that was assigned to a twin mount, double barrel .38 caliber guns on deck.

He was honorably discharged from active duty after four years of service. However, Chief Petty Officer Black was far from done... He then joined the

Regular Session

Naval Reserve where he served for another 30 years, a total of 34 years of dedicated honorable service to our great country!

Some assignments during this time included being at Naval Weapon Station Earle in Colts Neck, New Jersey where Chief Petty Officer Black inspected black powder bags dating back to The Great War. These bags had to weigh 110 pounds exactly, and if not, he added the powder with a spoon until it met weight. It took six of these bags to fire a 2,700-pound shell that could hit a target as far as 27 miles away! He also spent time at Old Fort Niagara until that closed and at Niagara Falls Air Base.

During the reserves, Chief Petty Officer Black spent twelve different years at Guantanamo Bay, Cuba where he worked on 14 different ships, one of them being on a minesweeper ship that recovered practice torpedoes. Chief Petty Officer Black would swim in the open ocean to retrieve these torpedoes while being covered by a sailor with an M1 in case of sharks. He also inspected solder joints on the circuit boards of “special secret weapons”.

For his valor and courageous service to his country, Chief Petty Officer Black was awarded the:

- Navy Commendation Medal
- Navy Achievement Medal
- Navy Unit Commendation
- Navy Meritorious Unit Commendation
- Navy Good Conduct Medal
- Naval Reserve Meritorious Service Medal (8 awards)
- National Defense Service Ribbon (3 awards)
- Armed Forces Reserve Medal
- Navy Marksman, Rifle- Expert
- Navy Marksman, Pistol- Expert

Chief Petty Officer Black was a City of Niagara Falls Fireman where he rose to the rank of Senior Captain until he was medically retired. He attended Niagara County Community College and was on the Dean’s List each semester while studying to become an RN. Upon earning his degree, he took a position as the 2nd shift supervisor at a now closed nursing home.

In 1988, Chief Petty Officer Black purchased property outside of Arcade where he lives today with his wife Betsy. He has two children, David J.R. Black II and daughter Jennifer and four grandchildren, Dia, Dax, Onalee and Julia.

Mr. Black enjoys hobbies like shooting, reloading his own ammo, of which he has donated a couple thousand of these rounds to the Wyoming County American Legion shooters, volunteering at Arcade American Legion where he

October 12, 2021

has been the Commander these past four years, as well as, supporting the NRA where he and Betsy are senior life members.

The pledge was said by all.

Supervisor Berwanger, T/Arcade, joined Mr. Black at the podium with Chairwoman Ryan for the presentation of the customary certificate of appreciation.

Supervisor Berwanger, T/Arcade commented on his friendship with Mr. Black and what an asset he is to the American Legion, the Town of Arcade and Wyoming County.

Chairwoman Ryan, T/Warsaw offered Mr. Black an opportunity to address the board.

Mr. Black thanked the board for this honor today and told a quick story about how important it is to acknowledge and thank veterans for their service...

Opening Prayer ~

- *Rev. Mack Bixby*

Communications ~

- *None*

Open Public Hearing ~

- For the Consideration of ***Adopting a Specific Short Environmental Assessment Form (EAF)*** Related to the Agricultural District Program
- “Local Law No. 2, Year 2021 (Introductory B, Year 2021) Entitled, ***“Providing Salaries for Certain County Officers for the Year 2022”***”

#1

**RESOLUTION NO. 21-405
(October 12, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2021 accounts as follows:

Information Technology			
From: 011681.541410 Software Purchased To: 011681.520002 IT/Communications Reason: To cover the cost of a storage appliance.	\$9,000	\$9,000	
From: 011680.540006 Telephone Maintenance To: 011681.520002 IT/Communications Reason: To purchase switches for our virtual environment.	\$15,000.0	\$15,000.00	
Information Technology Total			\$24,000.00
Planning			
From: 016421.510001 Salary S/D/I To: 016421.520002 IT/Communications 016421.541010 Office Supplies 016421.541111 Computers & Technology 016421.541410 Software Purchase Reason: To cover the purchases of computers/desk/chair	\$3,445.00	\$1,626.00 1,120.00 438.00 261.00	
Planning Total			\$3,445.00

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

#2

RESOLUTION NO. 21-406
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2021 accounts as follows:

Historian			
To: 017510.541010 Supplies 017510.542301 Books w/01751004.427050 Gifts & Donations Reason: To appropriate funds donated for office use to be used for archival supplies and books.	\$133.00 180.00	\$313.00	
Historian Total			\$313.00
Human Resource			
To: 011430.541204 Advertising w/ <i>any funds available</i> Reason: Expanded advertising region and additional higher cost one-off advertisements.	\$20,000.00	\$20,000.00	
Human Resource Total			\$20,000.00
Mental Health			
To: 014325.542409 Advocacy Services (MH) w/01432500.434900 Mental Health Reason: State aid adjustment.	\$216.00	\$216.00	

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To: 014326.542306 Misc. Other Dwyer w/ 01432601.434900 Mental Health/Dwyer Reason: State aid adjustment.	\$26,250.00	\$26,250.00	
Mental Health Total			\$26,466.00
Health Department			
To: 014010.540801 Contracted Bldg. Repair Cty w/ 01401016.434010 Additional State Aid Reason: Appropriate the Year 8 NYS Performance Incentive Award to fund upgrades to the employee and rear entrance at the HD in coordination with B&G, which must be expensed by 12/31/2021.	\$10,023.00	\$10,023.00	
Health Department Total			\$10,023.00
Reforestation			
To: 018710.540301 Professional Svc Contracts w/any funds available Reason: Per Res. No 21-099 to pay for 10-Year Forest Mgmt Plan (eff. 01/01/21 – 12/31/30).	\$9,000.00	\$9,000.00	
Reforestation Total			\$9,000.00
Emergency Services			
To: 013645.523001-2021 Motor Vehicle 013645.541410-2021 Software w/ 01364508.443890 Federal Aid HSG2021 Reason: To appropriate FY2021 SHSP Grant funding to cover cost of vehicle expense and software.	\$37,330.00 \$7,482.00	\$44,812.00	
To: 013640.542306 Misc. Other w/ 01364003.427050 Gifts & Donations Reason: To apply donated funds from Wyo. Co. Fire Advisory Board, Volunteer Fire Chief's Assoc. and Volunteer Fireman's Assoc. for the purchase of fire training protective book covers.	\$450.00	\$450.00	
Emergency Services Total			\$45,262.00

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$11,561,545.88** for the month of **September 2021**. No further action is required.

There was a motion by Mrs. King, T/Pike, to combine resolutions #3 through #7. Hearing no objection, resolution titles only were read.

#3

RESOLUTION NO. 21-407
(October 12, 2021)

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

Regular Session

**RESOLUTION CALLING FOR THE STATE OF NEW YORK TO
ALLOW FOR COUNTY HOME RULE AUTHORITY REGARDING
EMPLOYMENT RESIDENCY REQUIREMENTS**

WHEREAS, New York's Public Officers Law §3 requires certain employees reside in the political subdivision or municipality in which he or she holds such public office; and

WHEREAS, This law has a worthy intent, which is to promote that local officials interact with the community in which they serve, even in off hours, as well as to keep local tax-funded salaries within the community; and

WHEREAS, Since the 1970's, the State has authorized over 70 exceptions to POL residency requirements, including for police officers, in recognition that for some job specifications it is important to increase the potential hiring pool to obtain highly skilled employees; and

WHEREAS, In recent years, the population of upstate New York has declined, shrinking the potential hiring pool; and

WHEREAS, In this same period, the State has forced county governments to vastly increase skilled labor hires in order to implement new state reforms such as raising the age of criminal responsibility, expansion of indigent public defense services and criminal justice reforms such as bail, speedy trial and discovery; and

WHEREAS, County officials from all areas of the State are reporting difficulties finding and hiring employees to perform vital government services; and

WHEREAS, County governments are best situated to know what job titles should have residency requirements and which should have flexibility to ensure efficient and quality county services; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls for the State of New York to amend Public Officers Law §3 and allow for full Home Rule Authority to determine county employee residency requirements; and be it

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

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)

October 12, 2021

**RESOLUTION NO. 21-408
(October 12, 2021)**

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

**RESOLUTION CALLING FOR THE FULL REPEAL OF THE NEW
YORK STATE SCAFFOLD LAW OR REFORM TO INCLUDE A PURE
STANDARD OF COMPARATIVE NEGLIGENCE**

WHEREAS, New York Labor Law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

WHEREAS, The laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, The law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, The Scaffold Law has caused a dramatic increase in construction costs due to higher insurance rates required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

WHEREAS, The Scaffold Law is a boon to personal injury lawyers, as half of the 30 largest lawsuits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500 percent; 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

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 Kathy Hochul, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

RESOLUTION NO. 21-409
(October 12, 2021)

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

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

WHEREAS, 51 of the 62 New York Counties are mandated by the

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State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, 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, In recent years, increasingly, DMV fee transaction work has been moved online and for transactions of this type counties receive little to no funding; and

WHEREAS, The move to online transactions has not decreased the county DMV workload as the transactions selected for this are quick processing in nature, leaving the more difficult and often no fee workload to the county; and

WHEREAS, This dichotomy of the State taking easier fee transactions online, while not sharing any revenues generated from these transactions with most counties and for those that receive a share it is less than one percent, has created an unnecessary and confusing campaign by which counties encourage residents to go to the local DMV counter to ensure local spending stays local; 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 over the counter or internet-based sharing rate from the State DMV will not result in any increased costs or fees to residents or taxpayers and will provide counties with revenue to support necessary local government services; and

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and members of the State Legislature to increase the county DMV revenue share on over the counter and internet transactions to 15 percent; and

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York

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

Carried: XXX **Ayes:** 1406 **Noes:** **Absent:** 53 (Covington) **Abstain:**
 102 (Sheldon)
38 (Wethersfield)
 193 Total

Local Law - Introductory

#6

RESOLUTION NO. 21-410

(October 12, 2021)

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

SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. C YEAR 2021

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of October, 2021, a proposed local law entitled, “Local Law Introductory No. C Year 2021, “**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, 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 *28th day of October, 2021 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:** 1406 **Noes:** **Absent:** 53 (Covington) **Abstain:**
 102 (Sheldon)
38 (Wethersfield)
 193 Total

INTRODUCTORY LOCAL LAW NO. C - YEAR 2021

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 12, 2021

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 2021 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, 2021 through November 30, 2024, 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 12, 2021

146

This local law shall become effective December 01, 2021 through November 30, 2024.

DATED at Warsaw, New York
October 12, 2021 (Introduced)
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board of Supervisors

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

#7

RESOLUTION NO. 21-411
(October 12, 2021)

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

RECOVERY OF OVERPAYMENT OF REPRESENTED AND NON-REPRESENTED EMPLOYEES POLICY REVISIONS APPROVED

BE IT RESOLVED, That the Wyoming County Recovery of Overpayment of Represented and Non-Represented Employees policy revisions offered to this Board of Supervisors are hereby approved as presented and annexed hereto.

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

RECOVERY OF OVERPAYMENTS FOR REPRESENTED & NON-REPRESENTED EMPLOYEES

PURPOSE: To establish provisions governing authorized deductions for the benefit of employees, for the recovery of overpayments due to clerical or mathematical errors, and for repayment of advances consistent with the provisions of New York State Labor Law.

SCOPE: This policy applies to all employees of Wyoming County; either represented in a bargaining unit or non-represented who have been overpaid due to clerical or mathematical error where a recovery of this overpayment occurs.

Regular Session

POLICY: New York State Labor Law permits an employer to make deductions from an employee's wages for "an overpayment of wages where such overpayment is due to a mathematical or other clerical error by the employer." Such deductions are only permitted as follows:

(a) ***Timing and Duration.*** The County may only recover such overpayments as were made in the eight (8) weeks prior to the issuance of the notice described in subdivision (e) below. The County may make deductions to recover overpayments for a period of six (6) years from the original overpayment;

(b) ***Frequency.*** The County shall recover overpayments by wage deduction no more frequently than once per wage payment, provided that such deduction complies with this policy.

(c) ***Method of Recovery.*** Overpayments may be recovered through wage deduction or by separate transaction.

(d) ***Limitations on the Periodic Amount of Recovery.*** The County may recover overpayments by deducting the amount of the overpayment from the employee's wages if the deduction complies with any final determination made in accordance with the procedures required pursuant this policy, and as follows:

- 1 In such cases where the entire overpayment is less than or equal to the net wages earned after other permissible deductions in the next wage payment, the employer may recover the entire amount of such overpayment in that next wage payment.
- 2 Where the recovery of an overpayment exceeds the net wages after other permissible deductions in the immediately subsequent wage payment, the recovery may not exceed 12.5% of the gross wages earned in that wage payment nor shall such deduction reduce the effective hourly wage below the statutory state minimum hourly wage.

(e) ***Notice of Intent.*** The employer shall provide the employee with notice of the intent to commence the deductions to recover the overpayment. In such cases where the entire amount of the overpayment may be reclaimed in the next wage payment pursuant to paragraph (1) of subdivision (d) above, notice shall be given at least three days prior to the deduction. In all other cases, notice shall be given at least three weeks before the deductions may commence. Such notice shall contain the amount overpaid in total and per pay period, the total amount to be deducted and the date each deduction shall occur followed by the amount of each deduction. The notice shall also provide notice to the employee that he or she may contest the overpayment, provide the date by which the employee shall contest, and include the procedure by which the employee may contest the overpayment and/or terms of recovery, or provide a reference to where such

procedure can be located.

DISPUTE PROCEDURE:

An employee may dispute the overpayment and terms of recovery, and/or seek a delay in the recovery of such overpayment by utilizing the procedures detailed herein

- (1) The employee must respond in writing within one week from the date of the receipt of the notice of intent to recover overpayments that is prepared in accordance with policy to the Human Resources Department.
- (2) The Human Resources Department shall reply to the employee's dispute within one week of receipt of the employee's dispute. Such reply shall address the issues raised by the employee in his or her dispute, and contain a clear statement indicating the County's position with regard to the overpayment, including whether the County agrees with the employee's position(s) regarding the overpayment or disagrees with the employee's position(s) and provide a reason why the employer agrees or disagrees.
- (3) The County shall give the employee written notice of the opportunity to meet with the County Human Resources Department within one week of receiving the County's reply to discuss any disagreements that remain regarding the overpayment recovery.
- (4) The County shall provide the employee with written notice of the County's final determination regarding the deductions within one week of this meeting. In making a final determination regarding the existence of an overpayment, the employer shall consider the agreed upon wage rate paid to the employee and whether the alleged overpayment appeared to the employee to be a new agreed upon rate of pay. When making a final determination regarding the amount of the deduction to be made per pay period and the date such deduction(s) shall commence, the employer shall consider the issues raised in the employee's request regarding the amount of each deduction.
- (5) The failure of The County to afford this process to the employee will create the presumption that the contested deduction was impermissible.
- (6) Nothing in this policy shall be construed as abridging the rights of the employer or employee to seek redress in any other forum, including with the Department of Labor.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #8 through #15. Hearing no objection, resolution titles only were read.

#8

RESOLUTION NO. 21-412
(October 12, 2021)

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

**ANTHONY SOLINA APPOINTED DIRECTOR OF
 VETERANS SERVICES**

BE IT RESOLVED, That *Anthony Solina*, 2307 Sullivan Road, Arcade, NY 14009 be hereby appointed to the position of Director of Veterans Services, pursuant to County Law §800, for a term of two (2) years; effective September 13, 2021 through September 12, 2023.

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
 102 (Sheldon)
38 (Wethersfield)
 193 Total

#9

RESOLUTION NO. 21-413
(October 12, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
 ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION
 OF VETERANS' AFFAIRS ON BEHALF OF VETERANS SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with *New York State Division of Veterans' Affairs*, Matthew Courcelle OGS Division of Financial Administration, PO Box 2166, Empire State Plaza, Albany, NY 12220-0282 on behalf of Veterans Services. Said grant funding to provide services to veterans in our locality in a minimum amount of ten thousand dollars (\$10,000.00); effective April 1, 2021 through March 31, 2022.

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
 102 (Sheldon)
38 (Wethersfield)
 193 Total

#10

October 12, 2021

RESOLUTION NUMBER 21-262 AMENDED

- **C & F Transportation**, 420 Commerce Way, Warsaw, NY 14569 for transportation services for preschoolers with disabilities in an amount not to exceed the 2021 ~ 2024 budget; effective July 1, 2021 through June 30, 2024.

BE IT RESOLVED, That ***Resolution Number 21-262*** be hereby amended to add a route for the transportation of out-of-district students to Letchworth Little Learners.

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

#11

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

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAIMED

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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, That the Wyoming County Board of Supervisors does hereby proclaim the Month of October 2021 as **DOMESTIC VIOLENCE AWARENESS MONTH** in Wyoming County and commend this observance to the citizens of this county.

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

#12

RESOLUTION NO. 21-416
(October 12, 2021)

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

**RESOLUTION URGING THE GOVERNOR AND STATE
LEGISLATURE TO ADJUST THE EARLY INTERVENTION RATE
STRUCTURE TO IMPROVE ACCESS TO THESE SERVICES FOR
CHILDREN WHO LIVE IN POVERTY AND/OR IN RURAL AREAS**

WHEREAS, The structure of the Early Intervention rate methodology promotes inequitable availability of Early Intervention services in New York City and New York State; and

October 12, 2021

WHEREAS, The current structure of the Early Intervention methodology promotes unequal availability of Early Intervention services in New York City and New York State; now therefore

FURTHER RESOLVED, Any provider rate increase will be administered using State funding to ensure localities are not subject to additional EI program expenses; and be it

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

Regular Session

**AND CLARIFY ITS HOMELESSNESS PREVENTION GOALS BY
MAKING PERMANENT HOUSING THE CENTRAL FOCUS**

WHEREAS, Homelessness and housing affordability continue to be major concerns across the state; and

WHEREAS, The COVID-19 pandemic has made the situation worse by placing an estimated 830,000 New York households in jeopardy of losing their homes because of lost income caused by the pandemic, with past due rent estimated in excess of \$3.2 billion according to analysis by the University of Southern California; and

WHEREAS, In December 2020, Congress provided New York State with \$2.4 billion in emergency rental assistance funding, which has been augmented with another \$300 million in federal/state funding; and

WHEREAS, This funding was provided by Congress to prevent people from losing their homes and increasing homelessness; and

WHEREAS, The program did not open for applications until June 1, 2021 and faced numerous implementation challenges with less than \$2 million being expended in New York by August 1, 2021; and

WHEREAS, Every county that received similar federal funding to prevent evictions was strongly encouraged by the state to give their funding to the state so funds could be pooled and the process for distributing funds could be streamlined (with nearly every county turning their funds over); and

WHEREAS, The homeless population is facing new problems as the needs of families have become more complicated; and

WHEREAS, Regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, some are registered sex offenders, and still others are state prison parolees or on probation; with some facing several of these challenges at the same time; and

WHEREAS, The state is implementing new hotel regulations that could reduce the number of units available to homeless families and leaving county officials with very limited options that may be less effective and more expensive in managing local homeless populations; and

WHEREAS, The state requires counties to fund 71 percent of costs for Safety Net individuals and 100 percent of the costs of administering these

programs; and

WHEREAS, Local social service districts focus scarce resources on achieving permanent housing, preventing homelessness and providing temporary placement; and

WHEREAS, Counties maintain that preventing homelessness in the first place is the best way to keep families safe and secure; and

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to prioritize the distribution of the federal emergency rental assistance to prevent unnecessary homelessness; and be it

FURTHER RESOLVED, The state should make permanency the central focus of statewide homelessness policy; and be it

FURTHER RESOLVED, The State should coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts; especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH, OASAS, OPWDD and DOCCS; and be it

FURTHER RESOLVED, The state should target funding to counties that allows them to work with community partners to develop service models that achieve permanency through innovative and flexible approaches that meet local needs; and be it

FURTHER RESOLVED, The State should work with counties in developing a public education campaign to ensure the public better understands the plight of families and individuals struggling with homelessness and how everyone can benefit by helping them achieve stable housing in our communities; and be it

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

RESOLUTION NO. 21-418
(October 12, 2021)

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

WHEREAS, The gradual, but steady, pullback in State funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, youth detention and foster care creates an environment in which the State is

October 12, 2021

WHEREAS, The State Comptroller has recently identified in Monthly State Cash Reports that New York State currently has over \$16 billion in cash reserves; now therefore

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

#15

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

WHEREAS, Children with special needs may require more care than their typically developing peers; and

WHEREAS, It is in the best interest of those children that School Resource Officers (SROs) be well trained in addressing their special needs, so as to carefully protect the safety and security, as well as the legal rights, of those vulnerable populations; and

WHEREAS, The SRO training must be completed prior to an SRO being placed in a school district and this provision shall take effect one year after enactment of this new training program; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors Counties calls for the creation of standardized, mandated training for SROs on the developmental needs of those children, and their expressions of both visible and invisible disabilities, and strategies to interact with children with special needs, in order to nurture and guide children with special needs in the school setting; and be it

FURTHER RESOLVED, NYSED in consultation with DCJS shall develop, adapt, or implement a standardized, mandated training for SROs; and be it

FURTHER RESOLVED, That the creation of a standardized, State mandated training (regionally accessible in-person or virtual) that educates SROs on the developmental needs as well as expressions of both visible and invisible disabilities in order to nurture and guide children with special needs in the school setting is necessary; and be it

FURTHER RESOLVED, That this initial training is completed prior to the start of the officer interacting with the school population; and be it

FURTHER RESOLVED, That the officer shall complete an annual refresher training; and be it

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

Carried: XXX Ayes: 1406 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
38 (Wethersfield)
193 Total

Supervisor Grant, T/Bennington invited Commissioner Barber to the podium for

October 12, 2021

the presentation of the Domestic Violence Awareness Month proclamation. Commissioner Barber thanked the board for their support and acknowledged what a wonderful job Restore does in our community.

Brief Presentation on Domestic Violence in Wyoming County~

- *Andy Kershner and Lauren Berger from Restore*

Lauren Burger provided several statistics for Wyoming County concerning domestic violence and the services provided by Restore.

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #16 through #26. Hearing no objection, resolution titles only were read.

#16

**RESOLUTION NO. 21-420
(October 12, 2021)**

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

**RESOLUTION CALLING ON GOVERNOR KATHY HOCHUL TO
RESTORE THE STATE-COUNTY SHARE OF THE COST OF 730.20
COMPETENCY RESTORATION SERVICES AND MAKE REFORMS
TO THE PROGRAM THERETO**

WHEREAS, The SFY 2020-21 budget required counties to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; and

WHEREAS, Historically, counties have paid 50 percent of the per diem rate set by OMH, which has now reached an unsustainable cost burden on county budgets; and

WHEREAS, The derivation of Section 43.03 of Mental Hygiene Law (MHL), dates back to 1907 and allows the State to offset the costs of operating its Forensic Psychiatric Centers at county expense; and

WHEREAS, This statute no longer reflects the current mental hygiene system or the NYS Unified Court System and needs to be updated to be consistent with other statutes that makes the State responsible for its own costs for the treatment of mentally ill individuals in State-operated Forensic Psychiatric Centers; and

WHEREAS, OMH has also taken the position that the county mental
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BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to restore the historic 50/50 state/county share of mental health competency restoration services; and be it

FURTHER RESOLVED, That there must be a statutory timeframe and determination as to when an individual is unable to be restored through forensic services (CPL §730.50); and be it

FURTHER RESOLVED, CPL § 730.20 must be reformed to establish specific criteria for 730 examiners, streamlining the process to establish equity across the system, and that the psychiatrist or psychologist conducting the psychiatric exam tells the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment: and be it

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

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RESOLUTION NO. 21-421
(October 12, 2021)

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

**RESOLUTION FOR ALLOCATING UNRESTRICTED RESOURCES TO
LOCAL HEALTH DEPARTMENTS TO FORTIFY PROVISION OF
CORE PUBLIC HEALTH SERVICES AND PREPARE FOR
IMPLEMENTATION OF EXPANDED PUBLIC HEALTH MANDATES**

WHEREAS, Local health departments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises by protecting communities and residents; and

WHEREAS, Activities led by the 58 local health departments are paramount to our collective ability to achieve Prevention Agenda goals, address health disparities, improve health outcomes and ensure community safety and stability; and

WHEREAS, Directors and commissioners of public health are health strategists within their respective counties, with the unparalleled expertise needed to apply knowledge, bridge competency gaps, lead multi-sector health improvements, and identify vulnerable populations; and

WHEREAS, Un- and under-funded public health mandates continue to emerge routinely, including monitoring of contaminants in drinking water, registration of cooling towers, lowering of the elevated blood lead level in children (EBLL), and most recently, all activities related to the COVID-19 response; and

WHEREAS, The state aid share for core public health services has not kept up with growing public health needs, nor has it supported the implementation of new and expanded state mandates and has not received an increase in core public health aid in more than six years, nor have they received adequate compensation needed to respond to emerging health issues; and

WHEREAS, During the 2020-2021 State Budget Session, New York State became the epicenter of a global pandemic that has required a surge in and restructuring of the existing public health and health care infrastructure to ensure control of the virus and equitable distribution of COVID-19 vaccines; and

WHEREAS, During the 2021 Legislative Session, New York State adopted legislation to legalize adult-use cannabis, which will require increased response including education, surveillance, public awareness, and oversight by local health departments; and

WHEREAS, The public health workforce employed within local health departments are first responders, working at the forefront of communities during times of need and when emerging health issues occur, such as COVID-19 response; and

WHEREAS, Appropriations within the State Budget for public health spending has been reduced year after year and new funding streams for emergency response activities are frequently accompanied with stringent federal spending or supplanting restrictions that impact how funds can be utilized and reduces flexibility to respond to local community needs; and

WHEREAS, As demonstrated during the COVID-19 response, the public health workforce is central to New York State's public health infrastructure, yet is dwindling due to public-sector budget restraints, competition, a surplus of workers who are approaching retirement, and the inability to recruit new workers in all areas throughout the state, and all of these factors culminate in significant workforce retention challenges; and

WHEREAS, New York State does not allow local health departments to recover any of its necessary or fringe expenses for local health department personnel under Article 6, therefore creating a barrier to hiring new staff; and

WHEREAS, A thorough assessment of the full fiscal implications of any new policy is crucial if the state desires to maintain its' promise to local taxpayers through the two percent state property tax cap, and if the state wishes to deliver on new public health promises that they want to implement through state statute and regulations; and

WHEREAS, Now, more than ever, is the time for a call to action to allocate the resources that are truly needed to further expand public health and safety infrastructure in New York State, further demonstrating the State's commitment to pass progressive public health policy and thereby protect the residents of New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to provide resources, flexibility and support to local health departments within county and New York City governments by:

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- Allocating unrestricted, flexible funding to local health departments so they have the resources needed to respond to threats like COVID-19,
- Restoring Article 6 reimbursement to New York City at 36 percent, the same rate as the rest of the state,
- Providing 100 percent reimbursement for the first full year of any new and/or significantly expanded public health mandates emerging from law, rule, or regulation,
- Maintaining state public health grant funding for local public health department activities and services,
- Extending the Imminent Threat to Public Health declaration as we continue to respond to COVID-19, and
- Expanding Imminent Threat to Public Health declarations for non-communicable disease emergencies.

And be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#18

RESOLUTION NO. 21-422
(October 12, 2021)

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

**RESOLUTION SUPPORTING THE NEW YORK STATE OFFICE OF
 MENTAL HEALTH'S (OMH) COLLABORATION WITH THE
 COUNTIES IN PLANNING AND IMPLEMENTATION OF THE
 NATIONAL 988 SUICIDE PREVENTION HOTLINE**

WHEREAS, The U.S. Federal Communications Commission (FCC) approved a proposal to implement a new resource that will serve as a national suicide prevention and mental health crisis hotline, entitled the "National Suicide Hotline Improvement Act of 2018"; and

WHEREAS, This Act designates 988 as "a simple, easy-to-remember, 3-digit dialing code" for a national suicide prevention and mental health crisis hotline to help increase the effectiveness of suicide prevention efforts, ease

access to crisis services, and reduce the stigma surrounding suicide and mental health conditions; and

WHEREAS, The FCC ruling requires activation of 988 by July 2022 and involves sufficient local crisis center capacity to answer the projected significant increase in contact volume, which in turn, requires comprehensive state and local collaboration; and

WHEREAS, The Local Governmental Units (LGUs)/Directors of Community Services (DCSs) have specific responsibilities and authority under the Local Services provisions of Article 41 of the NYS Mental Hygiene Law (MHL) for planning, development, implementation, and oversight of services to adults and children in their counties affected by mental illness, addiction, and intellectual/developmental disabilities (I/DD); and

WHEREAS, The LGUs/DCSs have reported increases to inpatient/outpatient needs, calls to crisis services lines, homelessness, overdose deaths, addiction relapse, and suicide attempts; and

WHEREAS, County governments already plan for and implement comprehensive crisis response plans that may involve local crisis hotlines/call centers operated by either the county or through various contracted providers and in collaboration of these services with neighboring counties; and

WHEREAS, The LGUs/DCSs strongly support OMHs leadership and continued collaboration and involvement of the County Mental Health Commissioners in the planning and implementation in the rollout of the 988 response through the 988 State Planning Coalition; and

WHEREAS, The NYS Conference of Local Mental Hygiene Directors (CLMHD) supports the planning and successful implementation of this new crisis response throughout NYS and looks to OMH and other relevant state agencies for continued partnership and funding; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the Division of Budget to ensure appropriate federal and state aid funding is directed to OMH and appropriately allocated to the counties to facilitate the provision of the 988 crisis response going forward; and be it

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

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Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#19

**RESOLUTION NO. 21-423
 (October 12, 2021)**

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

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
 ADDRESS THE SEVERE DEFICIT OF QUALIFIED HOME HEALTH
 CARE PROFESSIONALS IN NEW YORK**

WHEREAS, COVID-19 has dramatically increased the demand for in home services, with clients and their families preferring to receive care in their own homes rather than in nursing homes; and

WHEREAS, New York has not been able to attract qualified home health care professionals to fulfill these needs even before COVID-19, and we need concrete solutions to address this urgent need; and

WHEREAS, "The American Rescue Plan Act of 2021" contains a spending plan supporting three categories one of which is Supporting and Strengthening the Direct Care Workforce; and

WHEREAS, The rate increases that are part of the American Rescue Plan Act of 2021 which expands capacity of programs and access does not directly give any compensation to the direct line staff; and

WHEREAS, County officials recommend the Department of Health (DOH) consider the following to address recruitment and retention shortcomings for our long-term care workforce:

- career ladders,
- assistance with transportation (car loan forgiveness) or bus passes,
- a traveling per diem staff pool,
- assistance with childcare,
- job sharing,
- career milestone incentives, among others, and
- standardizing language and communication needs; and

WHEREAS, Counties stand at the ready to be part of this solution/dialogue to address recruitment and retention of qualified home health care professionals so we can all fulfill our mission and have our communities

safely age in place in their own homes; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and Legislature to support programs that will encourage recruitment and retention in our long-term care workforce; and be it

FURTHER RESOLVED, The state needs to demonstrate a real partnership now, to ensure families and individuals can find qualified home health care professionals in New York; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#20

RESOLUTION NO. 21-424

(October 12, 2021)

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

RESOLUTION CALLING ON THE GOVERNOR AND THE LEGISLATURE TO SUSPEND ANY FURTHER STATE DIVERSION OF LOCAL SALES TAX FOR DISTRESSED HEALTH FACILITIES AND WORK TO IMMEDIATELY SUNSET THE LAW

WHEREAS, Over the last two budget cycles the State has enacted legislation to divert local sales tax so it can be spent in support of a state programs or to backfill state budget shortfalls; and

WHEREAS, The state diversion of county and New York City sales tax is approaching \$1 billion since first enacted three years ago; and

WHEREAS, In addition to the state sales tax diversions, counties were subject to a five percent state reimbursement cut of \$160 million in SFY 2021, while also being required to fund expanded state programs with no state fiscal support, and, when combined, these state funding cuts and new local costs are approaching \$1 billion annually for the counties outside of New York City; and

WHEREAS, Sales tax is the number one revenue source for many counties across the state and the primary local revenue to support services in our

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communities, especially for frontline workers responding to and facilitating recovery efforts from the pandemic; and

WHEREAS, Sales tax is also the number one local revenue source for counties that help keep property taxes lower, including those of hundreds of cities, towns and villages across the state that receive a share of the county sales tax; and

WHEREAS, The largest state diversion of county and New York City sales tax was enacted to support a temporary, two-year, \$250 million annual fiscally distressed health facilities pool to help them with fiscal impacts caused by the pandemic with this diversion scheduled to sunset at the end of SFY 2022; and

WHEREAS, As of September 2021, \$375 million in local sales tax has been diverted by the state with none of this funding being distributed to health facilities in New York; and

WHEREAS, The support of fiscally distressed health facilities has been a federal and state responsibility for decades as they set nearly all the rules of operation for the healthcare system, as well as the reimbursement levels for Medicare, Medicaid and other public health programs which account for nearly half of all health care expenditures in the United States; and

WHEREAS, The State Legislature does not support the diversion of local sales tax to pay for what they view as a state responsibility if they feel such assistance becomes necessary; and

WHEREAS, Congress recognized the fiscal stress that health facilities shouldered during the pandemic; and

WHEREAS, Congress has authorized \$178 billion in direct payments to health care facilities and providers through several different federal COVID response bills; and

WHEREAS, Healthcare facilities and providers in New York State have received \$11.6 billion in federal assistance so far, with \$40 billion of the federal funding still to be distributed; and

WHEREAS, According to press statements from Senators Schumer and Gillibrand, these federal payments replaced 87 percent of the lost revenues for health facilities in New York through the first half of 2020; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to suspend any further diversions of local sales tax for this program, as the Governor declared the COVID public

health emergency had ended as of June 24, 2021, and begin work to sunset the law immediately; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#21

RESOLUTION NO. 21-425
(October 12, 2021)

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

**RESOLUTION FOR EXPANDING VACCINATION ACCESS,
 DEVELOPMENT OF A RECORD KEEPING REQUIREMENT AND
 EXPANDING THE ROLE OF PHARMACISTS IN VACCINATION
 ADMINISTRATION FOR NEW YORKERS**

WHEREAS, Local health departments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and protecting communities and residents from all public health crises, including COVID-19; and

WHEREAS, New York State (NYS) does not require the reporting of all adult immunizations administered without consent of the person receiving the vaccine in New York State Immunization Information System or Citywide Immunization Registry; and

WHEREAS, It is challenging to adequately strategize around adult vaccination coverage and reduce disease burden because of a lack of complete vaccination records for adults; and

WHEREAS, Enabling decision support and facilitating targeted outreach to neighborhoods and groups that have low uptake would help ensure equitable access throughout NYS; and

WHEREAS, NYS has some of the most restrictive pharmacist vaccination laws in the country; and

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WHEREAS, The role of pharmacists should not replace recommended primary care provider visits; now therefore

- Amend NYS Public Health Law (PBH) § 2168 to require health care providers, registered professional nurses, and pharmacists to report to the NYS Department of Health, or, for health care providers located in New York City, NYC Department of Health, all adult immunizations administered without consent of the person receiving the vaccine; and
- Expand pharmacist authority to permanently allow pharmacists to administer all immunizations recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) to adults 18 years of age and older; and be it

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

RESOLUTION NO. 21-426
(October 12, 2021)

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AUTHORIZED TO SIGN A CONTRACT WITH PEERS TOGETHER OF WYOMING COUNTY ON BEHALF OF MENTAL HEALTH,” passed by this Board of Supervisors on December 8, 2020 and provides for peer operated programs in an amount not to exceed three hundred one thousand twelve dollars (\$301,012.00); effective January 1, 2021 through December 31, 2021; and

WHEREAS, That Resolution Number 20-507 was previously amended by this Board of Supervisors on August 10, 2021 by ***Resolution Number 21-344*** to reflect an increase in state aid for a new contract amount not to exceed ***three hundred four thousand sixteen dollars (\$304,016.00)***; now therefore

BE IT RESOLVED, That ***Resolution Number 20-507*** as previously amended by ***Resolution Number 21-344*** be hereby further amended to reflect an increase in state aid for a new contract amount not to exceed ***three hundred four thousand two hundred thirty-two dollars (\$304,232.00)***.

All else remains the same.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#23

RESOLUTION NO. 21-427
(October 12, 2021)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH PREVENTIONFOCUS 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 application and acceptance award with ***PreventionFocus, Inc.,*** 69 Linwood Avenue, Buffalo, NY 14209 on behalf of Mental Health. Said grant funding for opioid prevention activities in a minimum amount of five thousand dollars (\$5,000.00); effective September 10, 2021 through September 30, 2021.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#24

October 12, 2021

RESOLUTION NO. 21-428
(October 12, 2021)

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

**ANTHONY SOLINA APPOINTED TO THE MENTAL HEALTH
SUBCOMMITTEE**

BE IT RESOLVED, That *Anthony Solina*, 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550 is hereby appointed to the Mental Health Subcommittee to fill a vacant unexpired term; effective October 12, 2021 through December 31, 2023.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) **Abstain:**
102 (Sheldon)
 155 Total

#25

RESOLUTION NO. 21-429
(October 12, 2021)

By Ms. Grant, Vice-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 the Commissioner of Health, with the approval of the County Attorney, are hereby authorized and directed to sign various grant application and acceptance awards as follows:

- ***Health Research, Inc./New York State Department of Health (HRI/NYSDOH)***, 150 Broadway, Suite 516, Menands, NY 12204 to fund the NYS Public Health Corps (PHC) Fellowship Program contract agreement in a minimum amount of five hundred forty-eight thousand seven hundred fifty-two dollars (\$548,752.00); effective September 1, 2021 through July 31, 2023.
- ***New York State Department of Health***, Corning Tower, ESP, Albany, NY 12237 for funding of Early Intervention administration in a minimum amount of thirty-one thousand six hundred seventy-one thousand dollars (\$31,671.00) annually; effective October 1, 2021 through September 30, 2026.

- **New York State Department of Health (NYSDOH)**, Corning Tower, Albany, NY 12237 for funding of COVID-19 vaccine response contract agreement in a minimum amount of one hundred seventy-six thousand six hundred sixty-two dollars and fourteen cents (\$176,662.14); effective January 1, 2021 through June 30, 2024.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#26

**RESOLUTION NO. 21-430
 (October 12, 2021)**

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

RESOLUTION NUMBER 20-446 AMENDED

WHEREAS, Resolution Number 20-446 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**” was passed by this Board of Supervisors on November 10, 2020 and provides for the Preschool Development Grant Birth through Five “Baby Bundle” Program in a minimum amount of seventeen thousand one hundred ninety-four dollars (\$17,194.00); effective October 15, 2020 through December 31, 2021; now therefore

BE IT RESOLVED, That *Resolution Number 20-446* be hereby amended to extend the grant end date through **December 31, 2022**.

All else remains the same.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

There was a motion by Mr. Klein, T/Castile, to withdraw resolution #30 and combine resolutions #27 through #29 and #31 through #33. Hearing no objection, resolution titles only were read.

#27

October 12, 2021

RESOLUTION NO. 21-431
(October 12, 2021)

By Mr. Klein, Chairman of the Agriculture Committee:

**RESOLUTION IN SUPPORT OF RESEARCH INTO HARMFUL
ALGAL BLOOM PREVENTION AND MITIGATION**

WHEREAS, Harmful algal blooms (HABs) and hypoxic events (severe oxygen depletion) are some of the most scientifically complex and economically damaging issues challenging our ability to safeguard the health of our nation's aquatic ecosystems; and

WHEREAS, Almost every state in the union now experiences some type of a type of HAB event, and the number of hypoxic water bodies in the U.S. has increased 30-fold since the 1960s, with over 300 aquatic life systems now impacted; and

WHEREAS, Congress has long recognized the severity of these threats, authorizing the Harmful Algal Bloom and Hypoxia Research and Control Act (HABHRCA) in 1998 and reaffirming and expanding the mandate for the National Oceanic and Atmospheric Administration (NOAA) to advance the scientific understanding and ability to detect, monitor, assess, and predict HAB and hypoxia events with the HABHRCA Amendments Act of 2004; and

WHEREAS, Congress most recently reauthorized HABHRCA through the National Integrated Drought Information System in 2018; and

WHEREAS, A 2006 study shows that the economic impacts from a subset of HAB events in U.S. marine waters averaged to be \$82 million/year (2005 dollars), and we now know the nationwide economic impact of HABs to much larger, as just one major HAB event can cost local economies tens of millions of dollars; and

WHEREAS, A host of recent university and agency studies are developing an understanding of acute and chronic human health considerations associated with harmful algal blooms; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors the renewal of the Harmful Algal Bloom and Hypoxia Research and Control Act and encourages the Environmental Protection Agency (EPA) to collaborate with NOAA to identify nutrient reduction strategies and scalable Harmful Algal Bloom mitigation processes; and

FURTHER RESOLVED, That the Clerk to the Board shall forward

Regular Session

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

RESOLUTION NO. 21-432
(October 12, 2021)

By Mr. Klein, Chairman of the Agriculture Committee:

RESOLUTION IN SUPPORT OF THE RIGHT TO REPAIR

WHEREAS, The presence of technology parts in modern equipment and devices has enabled manufacturers like Apple, General Motors, Toyota, and John Deere to reduce access to repair by proclaiming that repair might violate their proprietary rights; and

WHEREAS, This creates a monopoly on repair services by requiring consumers to pay for these services exclusively through the manufacturer's repair division or manufacturer-authorized repair providers; and

WHEREAS, Limited authorized repair channels have result in inflated, high prices; poor service or non-existent service in rural areas; unnecessarily high turnover rates for electronic products; and a significant amount of electronic waste; and

WHEREAS, This is an acute problem for the agricultural industry, as equipment manufacturers often stop supporting old software when they introduce a new version, making it nearly impossible for farmers to repair existing equipment; and

WHEREAS, The lack of a "right to repair" not only forces current farmers to invest in costly new equipment or repairs to continue their work but also acts as a barrier for young farmers who lack access to capital to acquire these technologies when starting their farms; and

WHEREAS, On July 6, 2021, the U.S. Department of Agriculture acknowledged this as a significant problem when it announced that it will engage in a series of rulemakings to increase competition in agricultural industries with the goal of boosting farmers' and ranchers' earnings, fighting

October 12, 2021

back against abuses of power by giant agribusiness corporations, and giving farmers the right to repair their own equipment how they like; and

WHEREAS, Lawmakers in more than 35 states have introduced right-to-repair bills, including Delaware, New Jersey, Pennsylvania and Massachusetts, and states like Arkansas, Kansas and Vermont are considering right-to-repair laws specifically for agricultural equipment; and

WHEREAS, On June 10, 2021, the New York Senate passed the Digital Fair Repair Act (A.7006 (Fahy)/S.4104 (Breslin)) by a 51-12 vote, making it the first legislative body in the nation to pass a bill that would require original equipment manufacturers (OEM) to make diagnostic information, spare parts, schematics, special tools, and firmware available to independent repair providers; and

WHEREAS, On June 11, 2021, Representative Joe Morelle introduced the federal Fair Repair Act (H.R. 2006) to guarantee consumers and small businesses a right to repair their own products by requiring manufacturers to make diagnostic repair information, parts, and tools readily available; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Assembly to pass and the Governor to sign the Digital Fair Repair Act (A.7006/S.4104); and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the House of Representatives to pass the Fair Repair Act (H.R. 2006); and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#29

RESOLUTION NO. 21-433
(October 12, 2021)

By Mr. Klein, Chairman of the Agriculture Committee:

RESOLUTION IN SUPPORT OF NEW YORK STATE SHARING

Regular Session

**AGRICULTURAL MITIGATION FEES WITH COUNTIES TO
SUPPORT COUNTY AGRICULTURE AND FARMLAND
PROTECTION INITIATIVES**

WHEREAS, The New York State Energy, Research and Development Authority (NYSERDA) and the New York State Department of Agriculture and Markets (AGM) have entered into a Memorandum of Understanding (MOU) regarding the assessment and collection of an Agricultural Mitigation Fund payment for certain proposed solar projects over 30 acres located in an agricultural district; and

WHEREAS, NYSERDA and AGM have agreed to work with solar project developers to obtain mutually acceptable project modifications to protect agriculture and associated resources from its adverse impacts; and

WHEREAS, NYSERDA's 2020 Request for Proposals (RFP)1 and future RFPs will include language advising all respondents to such RFPs of the new Agriculture Mitigation Fund Payment requirements and will include the information necessary for respondents to calculate any mitigation costs in the preparation of their bids; and

WHEREAS, The agreements will require payment to an Agriculture Mitigation Fund in an amount calculated at commercial operation date (COD), at which time the final actual agricultural conversion of mineral soil groups one through four (MSG 1-4)2 can be accurately calculated, and the final offsetting value of an implemented co-agricultural measures, if any, can be considered; and

WHEREAS, Solar bid facilities in agricultural districts awarded by NYSERDA may be responsible for making an agricultural mitigation payment to a designated fund administered by NYSERDA based on the extent to which the solar project footprint, defined as the facility area, overlaps with land classified as MSG 1-4; and

WHEREAS, NYSERDA has agreed to work with AGM to administer the funds received through mitigation payments; however, the MOU provides no direction or guidance on how these funds should be spent to mitigate the impacts of the proposed solar projects on farmland and in agricultural districts; and

WHEREAS, The Wyoming County Board of Supervisors supports the need for effective agricultural mitigation at the county level to balance the often-competing goals of expanding renewable solar project development capacity and the protection of critically important agriculture and farmlands across New York State; and

FURTHER RESOLVED, That Agriculture Mitigation Fund payments received by NYSERDA and made available to impacted counties shall be used by such county for the purposes of implementing farmland protection plans, measures, and projects consistent with their approved Agriculture and Farmland Protection Plan (AFPB) with a preference for planning, zoning, and farmland protection efforts in the same municipality/area as where such solar projects are being developed; and be it

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

#30

**RESOLUTION IN SUPPORT OF PROPOSED NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
REGULATION ALLOWING COUNTIES TO ANNUALLY OPT-OUT OF
THE END-OF-YEAR, “HOLIDAY HUNT” SLATED TO OCCUR
BETWEEN DECEMBER 26TH AND JANUARY 1ST**

WHEREAS, On September 15, 2021 the New York State Department of Environmental Conservation announced the release of a proposed regulation that, if adopted, would allow counties to opt out of the recently established end-of year deer hunt, slated to occur annually between December 26 and January 01. The ‘holiday hunt’ is an extension of the late bow and muzzleloader deer season in New York’s Southern Zone; and

WHEREAS, The Wyoming County Board of Supervisors passed resolution number 20-405 entitled, *“Opposition to a Proposed Late Deer Season Regulation,”* on October 13, 2020 siting 279 miles of trails maintained throughout Wyoming County by snowmobile clubs that do not open until after the end of big game season; and

WHEREAS, Many small businesses support and depend on the snowmobile trails that pass by their establishments, many of which were abruptly closed due to COVID-19, and are only now starting to get back on their feet. Delaying the economic support that snowmobile activity provides is unacceptable; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors respectfully and strongly urges the New York State Department of Environmental Conservation to adopt the proposed opt out regulation; and be it

FURTHER RESOLVED, That the Clerk to this Board shall forward copies of this resolution to:

- New York State Governor Kathy Hochul
- New York State Department of Environmental Conversation (NYSDEC) Commissioner Basil Seggos
- New York State Senator Patrick Gallivan
- New York State Assemblyman David DiPietro
- New York State Association of Counties
- Inter County Association of Western New York

Carried:

Ayes:

Noes:

Absent:

Abstain:

#31

RESOLUTION NO. 21-434
(October 12, 2021)

By Mr. Klein, Chairman of the Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control

October 12, 2021

FURTHER RESOLVED, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

and be it

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

Regular Session

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: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#33

RESOLUTION NO. 21-436
(October 12, 2021)

By Mr. Klein, Chairman of the Agriculture Committee:

**RESOLUTION IN RECOGNITION OF HANNAH SPICER AND
 RACHAEL PADDOCK FOR REPRESENTING THE WYOMING
 COUNTY SHOOTING SPORTS CLUB AND NEW YORK STATE AT
 THE 4-H NATIONAL CHAMPIONSHIP IN
 GRAND ISLAND, NEBRASKA**

WHEREAS, The 4-H Youth Development Program is an incredible opportunity for youth in Wyoming County to gain invaluable life skills in developing their own projects and participating in club-based activities that help them grow in character, commitment, community services and responsibility. Youth are encouraged to work hard to achieve their highest potential; and

WHEREAS, One of the programs offered is the 4-H Shooting Sports Club which is designed to:

- teach decision making, teamwork, self-discipline, self-confidence, and problem solving;
- promote the highest standards of safety, sportsmanship, and ethical behavior;
- encourage an appreciation and understanding of natural resources;
- develop leadership abilities;
- build character and willingness to assume citizenship responsibility;
- furnish enjoyable, positive relationships with peers and adult instructors;
- strengthen families through participation in lifelong recreational activities; and
- build awareness of related career opportunities; and

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WHEREAS, Rachael Paddock and Hannah Spicer have been members of 4-H and participated in the Shooting Sports Club since they were six and eight years old respectively. They have competed throughout New York, Pennsylvania and Ohio and both previously recognized as “4-H’er of the Year”; and

WHEREAS, This year, they represented the Wyoming County Shooting Sports Club and New York State at the 4-H National Championship in Grand Island, Nebraska. Thirty-two states sent competitors to this national championship where Hannah placed 6th in the 3-position air rifle and Rachael placed 1st. In the standing match, Hannah earned 15th and Rachael 10th; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors would like to congratulate both of these young ladies on their accomplishments and thank them for representing Wyoming County so well!

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

Certificate of Recognition ~

- *4-H National Championship Attendees Hannah Spicer and Rachael Paddock*

Supervisor Klein, T/Castile presented Rachael Paddock, who was in attendance, her certificate of recognition.

Chairwoman Ryan, T/Warsaw thanked these young women for representing Wyoming County so well!

Public Hearing ~

- For the consideration of ***Adopting a Specific Short Environmental Assessment Form (EAF)*** related to the Agricultural District Program
 - ***Public Comment***

Close the Public Hearing ~

- *Motion to close the Public Hearing was made by Supervisor Klein, T/Castile. Seconded by Supervisor King, T/Pike. All Aye. Carried.*

#34

**RESOLUTION NO. 21-437
 (October 12, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

SPECIFIC SHORT ENVIRONMENTAL ASSESSMENT FORM (EAF)

Regular Session

RELATED TO THE AGRICULTURAL DISTRICT REVIEW PROGRAM ADOPTED

WHEREAS, The State Environmental Quality Review Act (“SEQRA”) and its corresponding regulations (6 NYCRR Parts 617 and 618) define those situations in which particular state and local actors must conduct an environmental review as part of their decision-making process; and

WHEREAS, In relation to agricultural districts certified pursuant to Article 25-AA of the Agriculture & Markets Law (“AML”), SEQRA applies to the adoption, modification, continuation, consolidation and termination of agricultural districts; and

WHEREAS, If an agricultural district is modified, consolidated or terminated upon its review, the modification, consolidation or termination would be deemed an Unlisted Action under SEQRA, requiring the completion of a short Environmental Assessment Form (EAF) to determine environmental significance; and

WHEREAS, The attached short EAF form is being adopted for use in review of actions designated as an “Unlisted Action” pursuant to the State Environmental Quality Review Act (SEQRA), and which involve the modification of an existing Agricultural District; and

WHEREAS, The Wyoming County Board of Supervisors provided notice and a public hearing was held on the 12th day of October 2021 for opportunity to hear all interested parties and to receive comments to consider the adoption of a specific short Environmental Assessment Form (EAF) related to the Agricultural District Program; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby adopts the attached short Environmental Assessment Form (EAF) for use in review of actions designated as an “Unlisted Action” pursuant to the State Environmental Quality Review Act (SEQRA), and which involve the modification of an existing Agricultural District as described in Article 25-AA of the Agriculture and Markets Law (AML) pursuant to Environmental Conservation Law Article 8, and Part 617.14(a) of Title 6 of (NYCRR), which states, in relevant part, a requirement that “all agencies to adopt and publish, after public hearing, any additional procedures that may be necessary for them to implement SEQR”.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

October 12, 2021

**STATE ENVIRONMENTAL QUALITY REVIEW
SHORT ENVIRONMENTAL ASSESSMENT FORM
FOR AGRICULTURAL DISTRICTS**

UNLISTED ACTIONS ONLY

Please indicate lead agency status by checking the appropriate box below:

☐ The proposed action is within the scope of a cooperative agreement between the undersigned County Legislative Body ("CLB") and the Department of Agriculture and Markets ("Department"), the only other agency required to undertake an action in this case. Therefore, the undersigned CLB will serve as lead agency for the proposed action to ensure compliance with the requirements of the State Environmental Quality Review Act, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

☐ The proposed action is not within the scope of a cooperative agreement between an applicable CLB and the Department. The agency that will serve as Lead Agency is the undersigned CLB, and is undertaking a coordinated review of the proposed action with the Department pursuant to 6 NYCRR §617.6(b)(3).

Part 1 – Project and Sponsor Information

1. The proposed action is located in the County of _____ and the Town(s) of _____.

2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the CLB of _____ County.

3. The name, address, and e-mail address for the Clerk of the above named CLB is:

_____.

4. Does the proposed action only involve the modification, consolidation or termination of a county-adopted, State-certified agricultural district by the CLB pursuant to Agriculture and Markets Law (AML) §§303-a, 303-b or 303-c? ☐ Yes ☐ No

If Yes, attach a narrative description (including a location map) of the intent of the proposed action and the environmental resources that may be affected in the County. If No, this form should not be used to evaluate the potential environmental impacts of the proposed action.

5. Is this an action proposed to modify an existing agricultural district? ☐ Yes ☐ No

If Yes, total number of acres comprising the agricultural district as it exists prior to modification: _____ acres.

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

6. If this proposed action involves a modification, will such modification result in a change in the size of the agricultural district? ☐ Yes ☐ No
- If yes, how many acres are involved in the change? _____ acres
 - Does this represent ☐ an increase or ☐ a decrease?

7. Check all present land uses that occur on, adjoining, and near the proposed action?

☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other

If Other, please describe: _____

8. Information on Coastal Resources. Is the action located within, or have a significant effect on:

- A Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☐ No
- A Coastal Erosion Hazard Area? ☐ Yes ☐ No
- A community with an approved Local Waterfront Revitalization Program? ☐ Yes ☐ No

If Yes, please identify the affected community or communities: _____

9. Information on Local Agricultural and Farmland Protection Plans

- Is the action compatible with the County's Agricultural & Farmland Protection Plan? ☐ Yes ☐ No

If Yes, date of Plan approval: _____

If Yes, please cite the applicable language: _____

10. Comments from Municipalities within the County

- Did the CLB receive any comments from municipalities about the addition or removal of land from the agricultural district? ☐ Yes ☐ No

If Yes, please briefly summarize the comments: _____

11. Attach any additional information as may be needed to clarify the proposed action.

I AFFIRM AND CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE
 BEST OF MY KNOWLEDGE

Name of Person

Authorized to Sign: _____ **Date:** _____

Signature: _____ **Title:** _____

October 12, 2021

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

Part 2: Impact Assessment

Part 2 is to be completed by the County Legislative Body (“CLB”) as Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted to the CLB for the proposed modification, consolidation or termination of a county-adopted, State-certified agricultural district or otherwise available to the reviewer.

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification, consolidation or termination of an agricultural district(s). The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management actions that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

	None to small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and fail to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form
New York State Department of Agriculture and Markets

Part 3: Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur," or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from Responsible Officer)

October 12, 2021

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #35 through #37. Hearing no objection, resolution titles only were read.

#35

RESOLUTION NO. 21-438
(October 12, 2021)

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION URGING THE STATE OF NEW YORK AND FEDERAL
GOVERNMENT TO EXPAND TRUE BROADBAND COVERAGE TO
ALL NEW YORKERS**

WHEREAS, Former Governor Andrew Cuomo, in his 2021 State of the State address, stated that more than 98 percent of New York's residences and businesses have access to one or more high-speed wired and/or wireless broadband services; and

WHEREAS, In reality, based on data gathered directly from schools, municipalities, and other organization, there are large gaps in broadband service across rural and upstate New York; and

WHEREAS, Maps developed by the Federal Communications Commission (FCC) misrepresent the accessibility of broadband service and these inaccurate maps are often referenced by agencies and grantees; and

WHEREAS, Even in areas where broadband is purported to be available, the level of service is not sufficient to constitute true broadband access; and

WHEREAS, The prices for access to broadband in areas where it might be available is at a price point that continues to make it inaccessible to many New Yorkers; and

WHEREAS, Our residents need access to reliable and affordable broadband service for school, employment, telehealth, retail, and social aspects of life; and

WHEREAS, As we have seen in the face of this pandemic, broadband serves a vital need for breaking down the digital divide that creates groups of haves and have-nots within our state; and

WHEREAS, H.R. 3684, the Infrastructure Investment and Jobs Act, includes \$42.45 billion for broadband expansion, to be allocated to states

throughout the United States; and

WHEREAS, This legislation also mandates that states establish a process for allowing local coordination of funds; and

WHEREAS, The local coordination requirements established under this legislation shall include, at a minimum, an opportunity for political subdivisions to submit plans for consideration by the state and allow political subdivisions to comment on the initial proposal of the state before it is submitted to the federal government; and

WHEREAS, Broadband access provides a critical public infrastructure need for New York residents, towns, municipalities, counties, emergency services, and more; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Congress to pass H.R. 3684 and for President Biden to sign the bipartisan legislation into law; and be it

FURTHER RESOLVED, That the FCC finalizes broadband availability maps to both reflect the true need, and also provide for a rapid vehicle to deploy these funds; and be it

FURTHER RESOLVED, That Governor Kathy Hochul work expeditiously with our federal partners to maximize funds for the State of New York so together, we can expand true broadband access to all areas of New York State; and be it

FURTHER RESOLVED, That Governor Kathy Hochul and our federal and state legislative delegations work to ensure this vital economic development infrastructure need is available to all New Yorkers to prevent the further isolation those in need; and be it

FURTHER RESOLVED, The state of New York must reduce the cost of fiber rights-of-way and infrastructure upgrades for providers working to expand broadband in communities across the state; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to President Joseph R. Biden, Jr., Governor Kathy Hochul, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

#36

RESOLUTION NO. 21-439
(October 12, 2021)

By Mr. Leuer, Chairman of the Planning Committee:

**SUPPORT FOR THE NEW YORK STATE LEGISLATURE TO ESTABLISH
AN EXTENDED PRODUCER RESPONSIBILITY SYSTEM FOR
PACKAGING AND PRINTED PAPER**

WHEREAS, Packaging and printed paper, which includes plastic, steel, aluminum, and glass containers, boxboard, cardboard and cartons, and newsprint and magazines, constitutes approximately 40 percent of the materials by weight managed by municipalities and solid waste authorities in New York State; and

WHEREAS, Local municipal governments in New York State are required to fund the management of discarded consumer packaging and printed paper and to take responsibility for achieving waste diversion goals, which is an unfunded mandate; and

WHEREAS, International and domestic market shifts have resulted in significantly increased costs for local governments and taxpayers in New York State to manage consumer packaging and printed paper waste; and

WHEREAS, Such costs to municipalities and recycling system ratepayers in 2021 are estimated at over \$80 million statewide; and

WHEREAS, State and local governments have no input into the design or marketing of packaging and printed paper materials and do not have the resources to adequately address the rising volume or increasing complexity of discarded packaging and printed paper materials; and

WHEREAS, Some packaging now includes combinations of materials that make recycling impractical; and

WHEREAS, Costs paid by citizens and local governments to manage packaging and printed paper are, in effect, subsidies to producers that enable and encourage producers to design packaging and printed paper materials without regard to end-of-life management; and

WHEREAS, Producers have little incentive to design packaging or printed paper to minimize waste, reduce toxicity, or maximize recyclability, creating a supply chain disconnect with environmentally sound, end-of-life management of these consumer materials; and

WHEREAS, Extended Producer Responsibility ("EPR") is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products and packaging so those who produce these materials help bear the costs of recycling; and

WHEREAS, EPR programs for packaging and printed paper have existed for up to 30 years in all EU member states, across Canada, and other parts of the world, achieving recycling rates for packaging and printed papers upwards of 80 percent; and

WHEREAS, New York State Senator Todd Kaminsky and Assemblyman Steven Englebright have proposed legislation (S.1185-C/A.5801) that will establish an EPR system for consumer packaging and printed paper, which would require producers to pay for recycling the packaging and printed paper they introduce into the marketplace; and

WHEREAS, S.1185-C (Kaminsky)/A.5801 (Englebright) would incentivize producers to:

- Reduce packaging waste;
- Make it easier to recycle the material they generate; and
- Invest in modernizing local recycling infrastructure across New York State; and
- Financially support ongoing public education to help residents recycle properly and minimize contamination in the recycling stream; and

WHEREAS, EPR can work in tandem with and supplement New York State's Returnable Container Act; and

WHEREAS, When producers are responsible for ensuring their materials are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design for reduction, recyclability, and reduced toxicity; and

WHEREAS, EPR is a form of industry-led recycling that creates jobs and economic development in direct proportion to the amount of material recycled, encourages infrastructure investment, and reduces government costs; and

WHEREAS, Businesses that provide take-back opportunities for their customers or participate in EPR programs can gain a distinct advantage in the marketplace, create customer loyalty, and enhance the image of their brand; and

WHEREAS, Notwithstanding mention of "printed paper" in this resolution, the Wyoming County Board of Supervisors supports the fact that Section 27- 30 330i(d)(ii) of Senate Bill 1185(C), the latest version of the bill, specifies that "periodicals, magazines, newspapers or literary, text, and reference bound books" are not included in the legislation; and

WHEREAS, The business community should be heard on objections and concerns to ensure job creation and retention are not jeopardized in the State of New York; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges Governor Kathy Hochul and the New York State Legislature to enact an EPR program for packaging and paper products; and

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#37

RESOLUTION NO. 21-440
(October 12, 2021)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION IN SUPPORT OF THE INCLUSION OF WASTE-TO-ENERGY IN THE FEDERAL PRODUCTION TAX CREDIT, CLEAN ENERGY STANDARD AND CLIMATE PROGRAMS

WHEREAS, Local governments have invested billions of dollars in waste-to-energy (WTE) as an environmentally conscientious alternative to landfilling; and

WHEREAS, There are 76 WTE facilities in the United States, processing nearly 94,000 tons of municipal solid waste per day; and

WHEREAS, These facilities produce enough energy from waste to power 2.3 million homes and recover more than 700,000 tons of metals annually; and

WHEREAS, These facilities accomplish this while reducing the volume of waste landfilled by up to 70-90 percent, preserving valuable land and eliminating the environmental and traffic impacts associated with the long-distance transportation of waste; and

WHEREAS, WTE also has significant greenhouse gas reduction benefits, as WTE facilities avoid one ton of CO₂ equivalent emissions for every ton of waste processed by avoiding landfill methane generation and recycling recovered metals, among other offsets; and

WHEREAS, WTE is recognized by both the U.S. Environmental Protection Agency (EPA) and the European Union (E.U.) as superior to landfilling for managing post-recycled municipal solid waste, and WTE's use should be encouraged, not discouraged; and

WHEREAS, With a population comparable to the U.S., the E.U. has 410 WTE plants compared to only 76 in the U.S.; and

WHEREAS, There are more than 300 WTE facilities operating in China, and the capacity grew at more than 26 percent annually between 2014 and 2018; and

WHEREAS, Following the EPA's solid waste management hierarchy and investing local taxpayer dollars in infrastructure that allows us to sustainably manage solid waste locally by using every tool to avoid landfilling is the most responsible option and the best for the environment; and

WHEREAS, Favorable treatment of WTE in federal legislation has the potential to provide an additional revenue stream through the sale of green attributes that will lower the cost of solid waste management services provided by local governments that have invested in WTE; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the inclusion of WTE in the Production Tax Credit, the Clean Energy Standard, federal and state climate programs, and other related policies without any unnecessary restrictions or hurdles; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

There was a motion by Mr. Brick, T/Perry, to combine resolutions #38 through #47. Hearing no objection, resolution titles only were read.

#38

RESOLUTION NO. 21-441
(October 12, 2021)

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

**RESOLUTION URGING THE ENACTMENT OF AN INCREASE IN
 THE STATUTORY CHIPS BIDDING THRESHOLD**

WHEREAS, Under current law, funds allocated for the Consolidated Local Street and Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and workforces or by competitively-bid contracts;
 9 and

WHEREAS, When the estimate for the contract work exceeds \$350,000 the work must be competitively bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

WHEREAS, Raising the competitive bidding threshold for highway projects is necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; and

WHEREAS, The Governor is expected to include an increase in the current cost threshold from \$350,000 to \$750,000 over which local highway and bridge construction work under the CHIPS program must be competitively bid in the Governor's 2022-2023 Executive Budget to be released in January; and

WHEREAS, The Governor justifies the need for the increase in the minimum competitive bid threshold to mitigate the inflationary impacts on materials, labor, equipment and other construction related costs and maintains that enactment of this increase is necessary to allow more flexibility for municipalities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the adoption of budget language that increases the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform

in-house projects that cost less than \$750,000 to allow more opportunities for county governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:

102 (Sheldon)

155 Total

#39

**RESOLUTION NO. 21-442
(October 12, 2021)**

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

**RESOLUTION URGING LEGISLATIVE SUPPORT TO INCREASE
FUNDING FOR NEW YORK AIRPORTS**

WHEREAS, On May 20, 2021, former Governor Andrew Cuomo announced that \$250 million will be available to transform and modernize airports in Upstate New York and foster regional economic development; and

WHEREAS, This initiative includes \$230 million through a new Upstate Airport Economic Development and Revitalization Competition for projects that promote and accelerate improvements at upstate commercial passenger service airports, and another \$20 million to be allocated through the Aviation Capital Grant Program to support safety, infrastructure, and economic development projects at smaller airports; and

WHEREAS, This funding represents an addition to the \$12.5 million that was previously allocated through the Aviation Capital Grant Program in this year's Executive Budget, and also is \$130 million more for the Upstate Airport Economic Development and Revitalization Competition that was funded at \$100 million in this year's state budget; and

WHEREAS, The new initiative and enhanced funding builds on the success of the Governor's upstate airport revitalization competition first announced in 2016, and compliments the ongoing transformation of LaGuardia and John F. Kennedy airports into world class travel hubs; and

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WHEREAS, As the additional \$150 million total for these aviation capital programs is to be included in the Governor's proposed 2022-2023 Executive Budget to be released in January 2022, this appropriation will need the approval of the Legislature in order to be adopted as part of the final state budget by April 1 of 2022; and

WHEREAS, Airports are the front doors of our state driving business and attracting tourists from all around the world and rebuilding and modernizing New York airports with these critical investments will allow for the continued transformation of our airports into 21st century facilities, fueling economic growth for decades to come; and

WHEREAS, Previous Upstate Airport Competition award recipients were Plattsburgh International Airport (2018), Ithaca Tompkins International Airport (2019), Syracuse Hancock International Airport (2018), Greater Rochester International Airport (2018), Elmira-Corning Regional Airport (2018), and Albany International Airport (2020); and

WHEREAS, Twenty-four airports are eligible under the project solicitation that was released in May, with project applications due September 15, 2021; and

WHEREAS, The additional \$20 million will be allocated for a future solicitation to the Aviation Capital Grant Program, which supports projects at many airports across the State that have significant general aviation operations; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the inclusion of the appropriations announced by former Governor Andrew Cuomo to the 2022-2023 Executive Budget and that they be adopted in their entirety in the final budget; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#40

RESOLUTION NO. 21-443
(October 12, 2021)

Regular Session

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

**RESOLUTION COMMENDING THE GOVERNOR AND STATE
LEGISLATORS ON ENACTING RECORD INCREASES FOR LOCAL
HIGHWAY, BRIDGE AND CULVERT PROGRAMS AND URGING A
SUSTAINED COMMITMENT TO ASSIST COUNTIES IN
MAINTAINING THEIR LOCAL INFRASTRUCTURE**

WHEREAS, The Governor and State Legislators are to be commended for adopting as part of the 2021-22 State Budget a record \$1 billion investment in local road and bridge programs that will improve safety for millions of motorists and create tens of thousands of jobs at a critical time to promote economic recovery; and

WHEREAS, This new State Transportation Plan provides unprecedented support for local governments to maintain and improve roads and bridges with the Consolidated Local Streets and Highway Improvement Program (CHIPS) funded at \$535 million, an increase of \$100 million, that provides state reimbursement to localities for the costs of highway, bridge and culvert work as well as for pedestrian walkways, bicycle lanes, and other complete streets enhancements; and

WHEREAS, BRIDGE-NY, A critical local program initiated by the Governor that provides enhanced assistance for local governments to rehabilitate and replace bridges and culverts, is funded at \$200 million (up to \$50 million of which shall be made available for culvert projects) to be awarded during the State Fiscal Years 2020-21 and 2021-22; and

WHEREAS, Under PAVE-NY, \$150 million is allocated to all municipalities throughout the state this year, a \$50 million boost, which will go toward improving the conditions, functionality and safety of local roadways, creating jobs and contributing to economic development in our communities through projects like roadway resurfacing, widening and realignment, construction of turning lanes at intersections, and new drainage for flood mitigation; and

WHEREAS, The legislatively-sponsored Extreme Winter Recovery Program was increased from its previous funding level of \$65 million to this year's level of \$100 million, allowing for additional construction, reconstruction or improvement of local highways, bridges, highway-railroad crossings, and/or other local facilities many of which are damaged or otherwise impacted by the severe Northeastern winter weather and, more frequent significant flooding events; and

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WHEREAS, Locally owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and this level of funding is expected to have a positive impact on the condition and resiliency of our transportation systems; and

WHEREAS, This vast system of local roads, bridges and culverts is in need of a sustained high level of funding in the future to continue to reverse the deterioration of our aged and ailing transportation infrastructure and build up its resistance to natural disasters due to climate change; and

WHEREAS, The overwhelming needs of the local systems will result in many county highway and public works crews utilizing essentially all of this available funding during the current construction season despite the above normal amount of rain, supply chain disruptions and lingering COVID-19 restrictions that create obstacles and setbacks to timely project rollouts. Most of the remaining funding, if any, from this year's appropriations is expected to be programmed and committed for the immediate start of projects next season; and

WHEREAS, A safe and efficient transportation infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors commends the Governor and the New York State Legislature for their budget actions to enhance state investments in local roads, bridges and culverts and urges that they continue to work in partnership with local governments to continue to match these necessary and proper levels of funding to New York's counties to give them the ability to properly maintain their infrastructure now and well into the future; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#41

**RESOLUTION NO. 21-444
 (October 12, 2021)**

Regular Session

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

RESOLUTION IN SUPPORT OF CREATING A NATIONAL INFRASTRUCTURE BANK

WHEREAS, The American Society of Civil Engineers' (ASCE) 2021 Report Card for America's Infrastructure gave the United States a cumulative grade of C- regarding the current state of its infrastructure. At least \$6 trillion is required to restore the nation's infrastructure to a state of good repair, and some estimates run as high as \$10 trillion. At least \$2.5 trillion currently is not funded, and the remainder is inadequately funded. In addition, countless new projects including but not limited to clean energy, electric vehicle charging, energy efficiency retrofitting, flood control and stormwater management, storm resiliency, sewers, broadband expansion, and high-speed rail remain unfunded; and

WHEREAS, The ASCE reports that in New York State alone, 424 dams are considered to present high-hazard potential. 7,292 miles of highway and 1,702 bridges are in poor condition, with 9.9 percent of all bridges in the State deemed structurally deficient. To repair, replace, and update the State's wastewater infrastructure would cost \$36.2 billion over 20 years, and modernization to ensure safe drinking water would cost an estimated \$22.8 billion. The State's schools have an estimated capital expenditure gap of \$2.91 billion; and

WHEREAS, 11 percent of trains and other transit vehicles in New York State are past their useful life. 1.7 million renters pay more than 30 percent of their income in rent due to shortages in affordable housing units; and

WHEREAS, Broadband access is still woefully deficient in New York State. Lack of physical access to broadband is a problem endemic in rural counties throughout the State, impeding economic development and quality of life. According to an analysis of the 2018 Census data by Future Ready Schools, 38 percent of all New York State households earning \$25,000 or less have no high-speed home internet connection; 20 percent of households in the New York City metropolitan area, serving 750,000 students, lack high-speed internet. According to the National Digital Inclusion Alliance, 32 percent of households in Syracuse, 20 percent in Rochester, and 19 percent in Buffalo had no broadband connection of any type. According to the United States Census, that figure was 25 percent in Utica; and

WHEREAS, H.R.3339, The National Infrastructure Bank Act, would create a new National Infrastructure Bank (NIB). This bank's lending power would be set at \$5 trillion. It would be authorized to invest in infrastructure projects only. It would require no new federal spending and no new taxes, being

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capitalized by repurposing existing Treasury debt, as was done previously in United States history; and

WHEREAS, The NIB will help finance the infrastructure needs of New York State and cover all projects not included in the federal budget, such as passenger and high-speed rail. The NIB is mandated to build infrastructure and create jobs in all communities, urban and rural, and to reduce poverty. It would be authorized to fund repairs to bridges, roads, tunnels, schools, drinking water systems, and wastewater treatment systems; construction of affordable housing units; installation of broadband in deprived communities; and new projects such as clean energy, stormwater management, and flood control. It will provide jobs for New Yorkers who became unemployed during the Covid pandemic; and

WHEREAS, The NIB is modeled on previous banks that helped build much of our infrastructure under Presidents George Washington (as designed by Treasury Secretary Alexander Hamilton), James Madison, Abraham Lincoln, and Franklin D. Roosevelt. The last such bank, President Roosevelt's Reconstruction Finance Corporation, helped bring us out of the Great Depression and win World War II; and,

WHEREAS, The NIB will create 25 million new jobs, pay Davis-Bacon wages, and enforce Buy American provisions. Disadvantaged, minority, and women-owned business enterprises will receive significant opportunities. According to experts, based on experience with prior such banks, the NIB will grow the economy by 5 percent annually; and,

WHEREAS, 21 state legislatures have filed or passed resolutions of support for the NIB. City and county legislative bodies in New York State that have introduced or passed resolutions include the Peekskill Common Council, Westchester County Board of Legislators, and the New York City Council. Other county-level endorsements include the Allegheny County Council (PA), Mercer County Board of Chosen Freeholders (NJ), Northampton County Council (PA), Rio Arriba County Board of Commissioners (NM), Alachua County Board of County Commissioners (FL), Lucas County Board of County Commissioners (OH), Dodge County Board of Supervisors (WI), North Central Florida Regional Planning Council (includes 12 counties), and the Toledo Metropolitan Area Council of Governments (OH). Trade union support of the NIB includes the Westchester-Putnam Counties AFL-CIO Central Labor Body (NY), the Hudson Valley Bulding and Construction Trades Council (NY), and the International Union of Elevator Constructors Local One (NY-NJ). Other organizations endorsing the NIB include the National Association of Counties, National Association of Minority Contractors, National Latino Farmers and Ranchers Trade Association, American Sustainable Business Council, National

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the United States Congress to pass and the President of the United States to sign into law H.R. 3339, and thereby create a National Infrastructure Bank; and

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#42

RESOLUTION NO. 21- 445
(October 12, 2021)

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

RESOLUTION URGING ENACTMENT OF LEGISLATION TO ASSURE EFFECTIVE CONTROL OF WILDLIFE POPULATIONS FOR AIRPORTS

WHEREAS, Legislation has been introduced S.4244 (Skoufis)/A.1731 (Lupardo) in both houses of the State Legislature to authorize the Department of Environmental Conservation (DEC) to issue enhanced special airport air strike hazard permits to federal or state government employees and other professionals responsible for wildlife management at an airport; and

WHEREAS, This legislation seeks to improve the control of wildlife populations in areas surrounding airports to assure the safety of pilots, passengers, flight crews and communities; and

WHEREAS, Some previously permitted wildlife management methods are now being restricted with the potential for negative impacts on the safety of airport operations, making it more difficult for airports to effectively keep the runways and facilities clear of deer and other wildlife and safe for aircraft operators and passengers; and

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WHEREAS, The bill authorizes the DEC, after reviewing an airport's wildlife management plan, and upon a finding that wildlife has become a nuisance, destructive to public or private property or a threat to public health or welfare, to issue an enhanced special airport air strike hazard permit to those qualified to conduct such wildlife management activities for an airport; and

WHEREAS, Wildlife populations can pose a threat to aviation operations in and around airports and in some instances have caused significant damage to aircraft and lengthy flight delays; and

WHEREAS, According to FAA data, more than 1,000 deer have been hit by airplanes across the country in the past two decades; and

WHEREAS, Despite efforts by airports to employ the best humane practices to keep wildlife populations at bay by building fences, walls, stormwater management designs, and using pulsating lights; deer, birds, coyotes, fox and other wildlife still make their way onto runways, tarmacs and into flight paths; and

WHEREAS, As recently as January of last year (2020), a damaging deer strike occurred at Francis S. Gabreski Airport, Westhampton, Long Island. A Cessna Citation X business jet collided with one of three deer on the runway during its landing roll causing significant damage to its landing gear door and thankfully no injuries to passengers and crew; and

WHEREAS, According to DEC, numerous constraining laws originally established to increase public safety associated with general firearms use and hunting practices by the public, prevent the authorization of deer-removal techniques that can be very safe and effective under controlled circumstance, and by hindering the removal of deer that are creating public safety hazards in developed areas and at airports, the laws actually increase risk to the public; and

WHEREAS, DEC, in its final management plan for white-tailed deer in New York State 2021-2030, is urging changes to laws to allow authorized persons to use certain methods and techniques to remove deer and other hazardous wildlife from these properties; and

WHEREAS, DEC argues in the management plan that statutes should be modified to give the agency the flexibility to issue permits that allow qualified professionals, under controlled circumstances to use techniques that would greatly increase the efficiency and even the safety of wildlife management programs; and

WHEREAS, The above referenced legislation seeks to implement these proposed changes and make it clear that certain effective wildlife management techniques remain available for airports by permit in a strictly controlled manner; and

WHEREAS, That wildlife-aircraft collisions cause millions of dollars in aircraft damage, major delays at airports, and injuries to pilots and passengers, thus controlling wildlife populations around airports is critical to ensuring the safety of travelers, aircraft crews and surrounding communities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges enactment of legislation 5.4244 (Skoufis)/A.1731 (Lupardo) to reinstate the authorization and use of certain successful wildlife management techniques in a strictly controlled manner by government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control wildlife populations at airports and surrounding areas; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#43

RESOLUTION NO. 21-446
(October 12, 2021)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
(SUPPLEMENTAL NO. 4) WITH LABELLA ASSOCIATES ON
BEHALF OF COUNTY HIGHWAY

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Labella Associates***, 300 State Street, Suite 201, Rochester, NY 14614 on behalf of County Highway. Said contract is *Supplemental No. 4* for construction, C/I and C/S additional costs for BE#06 Schoellkopf Road Bridge Rehabilitation, Town of Bennington, BIN 3319610/Town of Pike, BIN 3371680; PIN 4WY0.03 in an amount not to

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exceed one hundred thousand dollars (\$100,000.00); effective January 1, 2021 through completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

#44

RESOLUTION NO. 21-447
(October 12, 2021)

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

RESOLUTION NUMBER 21-313 AMENDED

WHEREAS, Resolution Number 21-313 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**”, passed by the Board of Supervisors on July 13, 2021 and provides, in part, for the following contract: *Seal-A-Deal*, 5957 Bauer Road, Warsaw, NY 14569 for sealing and striping of lots at the Wyoming County Department of Social Services in an amount not to exceed thirteen thousand dollars (\$13,000.00); effective June 18, 2021 through completion of project.

Now therefore,

BE IT RESOLVED, That *Resolution Number 21-313* be hereby amended to change the contract language from “lots at the Wyoming County Department of Social Services” to *sealing and striping of various County parking lots*.

All else remains the same.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

#45

RESOLUTION NO. 21-448
(October 12, 2021)

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

Regular Session

RESOLUTION NUMBER 21-389 AMENDED

WHEREAS, Resolution Number 21-389 entitled, “CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FEEDWATER TREATMENT SYSTEMS, INC. ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)”, passed by the Board of Supervisors on September 21, 2021 to provide cooling tower and boiler loop maintenance in an amount not to exceed twelve thousand five hundred (\$12,500.00); effective October 1, 2021 through December 31, 2022; now therefore,

BE IT RESOLVED, That ***Resolution Number 21-389*** be hereby amended to correct the contract term from October 1, 2021 through December 31, 2022 to ***October 1, 2021 through September 30, 2022.***

All else remains the same.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#46

RESOLUTION NO. 21-449
(October 12, 2021)

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

**WYOMING COUNTY JAIL MAKE UP AIR UNIT REPLACEMENT
CAPITAL IMPROVEMENT PROJECT ESTABLISHED,
APPROPRIATING FUNDS THEREFORE AND AUTHORIZING THE
CHAIRMAN TO SIGN VARIOUS CONTRACTS ON BEHALF OF
BUILDINGS AND GROUNDS (CO. BLDGS.)**

WHEREAS, The Wyoming County Board of Supervisors' Public Works Committee, Finance Committee and this Board of Supervisors, in consultation with the Buildings and Grounds Department, through discussion during these committee meetings has identified the need to replace the Make Up Air Unit at the Wyoming County Jail; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the aforementioned committees, hereby establishes the ***Wyoming County Jail Make Up Air Unit Replacement Capital Improvement Project*** in an amount not to exceed one hundred forty-two thousand dollars (\$142,000.00); and be it

October 12, 2021

FURTHER RESOLVED, That funds are hereby appropriated as follows:

Buildings and Grounds/ CIP			
To: 121620.521007 Jail CIP w/12162005.440890R Federal Aid Other Reason: To appropriate funds to CIP for the Wyoming County Jail Makeup Air Unit Replacement Capital Improvement Project.	\$142,000.00	\$142,000.00	
Buildings and Grounds/CIP Total			\$142,000.00

And be it

FURTHER RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign various contracts on behalf of Buildings and Grounds (Co. Bldgs.) as follows:

- **Campus Construction**, 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 for construction management and project oversight for the makeup unit replacement project at the Wyoming County Jail in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective October 2, 2021 through completion of project.
- **Kideney Architects, P.C.** 143 Genesee Street, Buffalo, NY 14203 for engineering and design services of the makeup air unit replacement project at the Wyoming County Jail in an amount not to exceed thirty-two thousand one hundred dollars (\$32,100.00); effective October 2, 2021 through completion of project

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1444 **Noes:** **Absent:** 53 (Covington) **Abstain:**
102 (Sheldon)
155 Total

#47

**RESOLUTION NO. 21-450
(October 12, 2021)**

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

**WYOMING COUNTY REPLACEMENT GENERATORS CAPITAL
IMPROVEMENT PROJECT ESTABLISHED, APPROPRIATING
FUNDS THEREFORE AND AUTHORIZING THE CHAIRMAN TO**

**SIGN A CONTRACT WITH CAMPUS CONSTRUCTION
MANAGEMENT ON BEHALF OF BUILDINGS AND GROUNDS
(CO. BLDGS.)**

WHEREAS, The Wyoming County Board of Supervisors' Public Works Committee, Finance Committee and this Board of Supervisors, in consultation with the Buildings and Grounds Department, through discussion during these committee meetings has identified the need to replace various County generators; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the aforementioned committees, hereby establishes the *Wyoming County Replacement Generators Capital Improvement Project* in an amount not to exceed one million two hundred seventy-two thousand dollars (\$1,272,000.00); and be it

FURTHER RESOLVED, That funds are hereby appropriated as follows:

Buildings and Grounds/CIP			
To: 121620.520401 Misc. Equipment w/12162005.440890R Federal Aid Other Reason: To appropriate funds to CIP for the Wyoming County Replacement Generators Capital Improvement Project.	\$1,272,000.00	\$1,272,000.00	
Buildings and Grounds/CIP Total			\$1,272,000.00

And be it

FURTHER RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Campus Construction Management*, 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for the generator replacement project at various County buildings in an amount not to exceed fifty thousand dollars (\$50,000.00); effective October 2, 2021 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #48 through #61. Hearing no objection, resolution titles only were read.

#48

October 12, 2021

**RESOLUTION NO. 21-451
(October 12, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF
SHERIFF'S DEPARTMENT**

WHEREAS, This grant is now for a period of five (5) years; effective April 1, 2019 through March 31, 2024 with variable funding amounts available year by year; and

WHEREAS, Said contract is with the *State of New York Unified Court System*, 8th Judicial District, 92 Franklin Street, 3rd Floor, Buffalo, NY 14202 on behalf of the Sheriff's Department to provide court security for County, Family and Supreme Courts; and

WHEREAS, The first year funding amount was in a minimum amount of three hundred ninety-two thousand nine hundred eighty-eight dollars (\$392,988.00) for the FIRST PERIOD and authorized by *Resolution Number 19-420*; effective April 1, 2019 through March 31, 2020; and

WHEREAS, The second year funding amount was in a minimum amount of three hundred seventy-three thousand dollars (\$373,000.00) for the SECOND PERIOD and authorized by *Resolution Number 20-429*; effective April 1, 2020 through March 31, 2021; now therefore

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the *State of New York Unified Court System* in a minimum amount of four hundred five thousand two hundred five dollars (\$405,205.00) for the THIRD PERIOD; effective April 1, 2021 through March 31, 2022.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

#49

**RESOLUTION NO. 21-452
(October 12, 2021)**

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

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SAIA COMMUNICATIONS ON BEHALF OF 9-1-1**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Saia Communications*, 100 Stradtman Street, Buffalo, NY 14206 on behalf of 9-1-1. Said contract to repair damage from a lightning strike to the transmission line and connectors at the Wethersfield tower in an amount not to exceed six thousand six hundred ninety-four dollars and twenty-nine cents (\$6,694.29); effective October 15, 2021 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#50

**RESOLUTION NO. 21-453
(October 12, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION
OF CRIMINAL JUSTICE SERVICES ON BEHALF OF 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 application and acceptance award with the *New York State Division of Criminal Justice Services*, 80 South Swan Street, Albany, NY 12210 on behalf of the Public Defender's Office. Said grant funding is for the Indigent Parolee Program in a minimum amount of one hundred eighty-six thousand dollars (\$186,000.00); effective April 1, 2020 through March 31, 2021. (*GMS Project ID# LG21-1008-D00, Contract #C103734*)

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#51

October 12, 2021

RESOLUTION NUMBER 19-073 AMENDED

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

BE IT RESOLVED, That *Resolution 19-073* be hereby amended to extend the effective date through ***December 31, 2022*** in a minimum amount of ***fifty-one thousand sixty dollars (\$51,060.00)***. All else remains the same.

#52

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the **2022 Stop DWI Plan** with the **New York State Governors Traffic Safety**

Regular Session

Committee, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County's STOP DWI Program. The 2022 STOP DWI Plan Agreement is for continued work addressing the problem of impaired driving in a minimum amount of one hundred sixty thousand dollars (\$160,000.00); effective January 1, 2022 through December 31, 2022.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#53

RESOLUTION NO. 21-456
(October 12, 2021)

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

**WYOMING COUNTY COMPREHENSIVE EMERGENCY
 MANAGEMENT PLAN ADOPTED**

WHEREAS, There always exists the threat of man-made or natural disasters; and

WHEREAS, New York State Executive Law, Article 2-B, authorizes local governments to prepare a disaster preparedness plan; and

WHEREAS, The Wyoming County Office of Emergency Services has been designated the responsibility to coordinate emergency and disaster response; and

WHEREAS, The Office of Emergency Services has coordinated the preparation of a Comprehensive Emergency Management Plan, with appropriate annexes as required by New York State Department of Homeland Security and Emergency Services (NYSDHSES); and

WHEREAS, The Wyoming County Public Safety Committee recommends the adoption of this Plan; now, therefore, be it **RESOLVED**, that this Wyoming County Board of Supervisors:

1. Adopt the Wyoming County Comprehensive Emergency Management Plan as the plan under which Wyoming County will operate in the event of any disaster; of which supersedes any previous editions;
2. Adopt the National Incident Management System, as directed in Homeland Security Directive (HSPD) -5, issued February 28, 2003, by

October 12, 2021

- the President of the United States, throughout the county to prevent, protect against, mitigate, response to, and recover from incidents;
3. Adopt Section 18, Defense and indemnification of officers and employees of public entities, of the Consolidated Laws of the State of New York;
 4. Apply the Incident Command System as the standard approach to on-scene command, control, and coordination of incidents, effective immediately, now therefore

BE IT RESOLVED, That the Wyoming County Comprehensive Emergency Management Plan offered to this Board of Supervisors is hereby approved as presented and annexed hereto; and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to the Wyoming County Office of Emergency Services.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

#54

RESOLUTION NO. 21-457
(October 12, 2021)

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

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

WHEREAS, At the April 29, 2021 Public Safety Committee Meeting, approval was given authorizing the Chairman to sign a grant application with the *New York State Division of Homeland Security and Emergency Services* for funding to effectively build and sustain critical capabilities in a minimum amount of fifty-nine thousand seven hundred fifty dollars (\$59,750.00); now therefore

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a grant acceptance award with the *New York State Division of Homeland Security and Emergency Services*, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said

grant funding is for effectively building and sustaining critical capabilities in a minimum amount of fifty-nine thousand seven hundred fifty dollars (\$59,750.00) with the allocation of fourteen thousand nine hundred thirty-eight dollars (\$14,938.00) for the Sheriff's Department and forty-four thousand eight hundred twelve dollars (\$44,812.00) for Emergency Services; effective October 1, 2021 through September 30, 2024.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#55

RESOLUTION NO. 21-458
(October 12, 2021)

By Mrs. May, 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 JOE BASIL CHEVROLET, INC. ON
 BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to accept the following New York State Office of General Services Vehicle Marketplace bid and sign the following contract on behalf of Emergency Services:

- ***Joe Basil Chevrolet, Inc.*** 5111 Transit Road, Depew, NY 14043
 - Mini-bid No. 8004 for one (1) 2022 Chevrolet Tahoe SSV 4x4 Response Vehicle in an amount not to exceed forty thousand one hundred sixty-six dollars and sixty-eight cents (\$40,166.68); effective September 27, 2021 through delivery of vehicle.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#56

RESOLUTION NO. 21-459
(October 12, 2021)

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

RESOLUTION IMPLORING THE STATE OF NEW YORK TO AMEND

October 12, 2021

THE BAIL AND DISCOVERY REFORM LAWS

WHEREAS, The New York State Association of Counties recognizes the need for statewide bail and discovery reform; and

WHEREAS, Protecting the people from harm by enforcing the rule of law is the foundational role of government; and

WHEREAS, New York State has seen a disturbing rise in violent crime in the past several years and more so in the wake of the passage of bail reform; and

WHEREAS, County governments are vested by the State of New York with the responsibility to protect the most vulnerable among us, including the socioeconomically disadvantaged, the disabled, the elderly, and children; and

WHEREAS, No group is more vulnerable than the victims of crime, and a just society demands that crime victims be recognized as key participants within the criminal justice system and be treated with dignity, fairness, and respect; and

WHEREAS, In the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, Under bail reform, beginning January 1, 2020, judges have more limited discretion to set bail for many specific enumerated crimes, which means those suspected of committing these crimes can no longer be held in jail after their arrest, regardless of the strength of the case against these defendants, or the length of the potential sentence faced by these defendants, or the extent of the harm allegedly caused by these defendants, and instead these defendants are released back into the general public; and

WHEREAS, New York State is unique among the 50 states in not allowing judges to consider a defendant's threat to public safety when making a bail or remand determination; and

WHEREAS, Even in cases where bail may be set, language contained in the Criminal Procedure Law compels magistrates to compel the defendant's return to court using the "least restrictive means" at his or her disposal; and

WHEREAS, The discovery mandates imposed by the State of New York require law enforcement and District Attorneys, beginning January 1,

2020, to turn over voluminous trial-related materials to defense attorneys within 15 days, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants; and

WHEREAS, The office of New York State's chief law enforcement officer, Attorney General Letitia James, testified at a state legislative hearing on October 28, 2019, that there will be implementation difficulties because prosecutors across the state presently lack the resources required to fully comply with discovery mandates; and

WHEREAS, The Attorney General's office further testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and, therefore, consequently needs an additional \$10 million in state funding; and

WHEREAS, The issues mentioned heretofore will undeniably impact past, present and future victims of crime in a negative manner, and, in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors encourages the Governor and State Legislature to amend the existing bail and discovery reform laws; and be it

FURTHER RESOLVED, The following improvements to these laws be implemented as soon as possible:

- Allow judges to consider a defendant's potential threat to public safety, and not simply his or her likelihood of returning to court, when making a bail or remand determination for an eligible crime;
- Eliminate the language in the criminal procedure law that requires judges to employ the "least restrictive" means of ensuring that a defendant who is bail eligible returns to court; and
- Allow judges to automatically remand a defendant for any crime involving the illegal possession or use of a firearm; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

October 12, 2021

RESOLUTION NO. 21-460
(October 12, 2021)

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

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO
INCREASE AND FULLY FUND COUNTY LAW 18B ASSIGNED
COUNSEL STATUTORY PAY LEVELS**

WHEREAS, The United States Constitution established, and the Supreme Court decision *Gideon v. Wainwright* clarified, that credible counsel must be provided for all those accused of a crime, regardless of their ability to pay; and

WHEREAS, New York State took legislative action to establish a criminal indigent defense legal system that passed the responsibility of providing these criminal defense services, and many of the costs associated with it, to counties and local property taxpayers; and

WHEREAS, In 2007, the New York State Civil Liberties Union sued the State of New York in *Hurrell-Harring v. State of New York*, which showed indigent criminal defense services were underfunded by the State and failed to meet constitutionally required standards; and

WHEREAS, Prior to *Hurrell-Harring*, the 57 New York counties spent \$164 million annually on public defense while the state provided the 57 counties with only \$39 million in indigent defense support; and

WHEREAS, The New York State Legislature recognized that the State needed to provide more funding and in 2017 passed historic legislation increasing state funding by upwards of \$250 million per year to directly improve indigent defense services; and

WHEREAS, While counties are still funding the same amount, the State's 2017 legislative influx of funding has made New York State a leader in indigent defense services; and

WHEREAS, Due to different county demographics and needs, counties have flexibility in how to provide criminal defense by using a combination of public defenders, conflict defense offices, and privately contracted attorneys known as 18B counsel (named after the applicable section of County Law); and

WHEREAS, All counties rely on the services of 18B attorneys to perform these services to both handle the overflow of work as well as handling conflicts that come into the public defender's office; and

WHEREAS, Unfortunately, while the 2017 State legislation that helped vastly improve the indigent defense system, one area that was not addressed was the pay rate of 18B attorneys; and

WHEREAS, Article 18B establishes compensation paid to attorneys for assigned counsel work at \$60/hour for misdemeanor matters and \$75/hour for felony defense; and

WHEREAS, These rates have remained unchanged since 2004 and in that same time period the United States has experienced wage growth of 58 percent for highly skilled labor; and

WHEREAS, Counties across the state have had difficulty in recent years attracting and retaining quality 18B attorneys and the stagnant pay has been identified as a major contributing factor; and

WHEREAS, Without properly funding 18B attorneys, the work by the State to improve indigent defense services could be in jeopardy of regressing; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors call on the State to increase the 18B attorney hourly rate and to include an annual adjustment; and be it

FURTHER RESOLVED, The State needs to fully fund this increase in keeping with the logical reasoning of the Hurrell-Harring case as well as building on the State legislature's historic 2017 legislation; and

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#58

RESOLUTION NO. 21-461
(October 12, 2021)

October 12, 2021

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

**CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE
COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES THAT
ARE SET AND CONTROLLED BY THE STATE**

WHEREAS, On December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

WHEREAS, On April 1, 2016 the State Legislature approved the Commission's recommendation and placed Supreme Court Judges' salaries at \$193,000 in 2016 and approximately \$207,000 in 2018 and placed County Court Judges at 95 percent of a Supreme Court Justice's salary; and

WHEREAS, With Cost-of-Living Adjustment increases in 2019 New York Supreme Court Judge's salaries were set at \$210,900; and

WHEREAS, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (D.A.) salaries, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

WHEREAS, Historically when the state increased State Judge salaries in the 1980s and 1990s, the State fully funded all D.A. salary increases imposed on the counties, recognizing without this funding the increase would be an unfunded mandate; and

WHEREAS, The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase; and

WHEREAS, The State Legislature has stated they understand the importance of not shifting more state generated costs to the local tax base, mindful of the impact locally with the state-imposed property tax cap; and

WHEREAS, The State Legislature has recognized lowering property taxes is the main priority to ensure a healthy Upstate New York economy; and

WHEREAS, For smaller counties, the D.A. salary increase can represent nearly one third of their total allowable property tax growth for all government operations; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to fully fund this mandated salary increase as part of the 2022-23 state budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#59

RESOLUTION NO. 21-462
(October 12, 2021)

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

**RESOLUTION IMPLORING THE STATE OF NEW YORK TO ENACT
 PUBLIC SAFETY RELATED CIVIL SERVICE REFORM**

WHEREAS, It has been the experience of public safety administrators that the hiring and retention of qualified police, correction officers, and other public safety professionals has been hampered in recent years by a confluence of social and economic factors; and

WHEREAS, Such hiring and retention difficulties are only compounded by current civil service laws and regulations which prevent the efficient and timely recruitment and promotion of law enforcement and public safety personnel; and

WHEREAS, It is the shared goal of all public safety administrators to increase diversity in their workforces as a means of strengthening relations with the communities that their agencies serve; and

WHEREAS, It is the State's clear goal, as expressed through Executive Order 203 and the 2021 Professional Policing Act, to enhance the diversity, professionalism and accountability of police agencies through local police reform initiatives predicated on the hiring of the best police and correction officer candidates; now therefore,

October 12, 2021

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

#60

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

WHEREAS, Qualified immunity does not shield police officers or any other public servant from illegal conduct; and

WHEREAS, Qualified immunity not only protects police officers from liability for unknowingly violating constitutional rights, it protects all government actors from liability, thereby allowing them to function in uncertain situations where immediate action is needed for the public good; and

WHEREAS, Qualified immunity is a necessary limiting principle that filters out frivolous or spurious cases from the judicial process and in-so-doing, protects local governments and their taxpayers from negative financial implications; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors opposes any legislative or regulatory attempt to circumvent the federal qualified immunity doctrine by creating private right of action under New York State law for deprivation of constitutional or civil rights, for which qualified immunity or commonly understood legal underpinnings are not a defense; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#61

RESOLUTION NO. 21-464
(October 12, 2021)

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

**RESOLUTION URGING THE AMENDMENT TO NEW YORK STATE
 INSURANCE LAW IN RELATION TO PAYMENTS TO PRE-
 HOSPITAL EMERGENCY MEDICAL SERVICES PROVIDERS**

WHEREAS, The constant and quick availability of ambulance response is something that all of our citizens have grown accustomed to and it is essential to the survivability of all New Yorkers- when there is a medical crisis; and

WHEREAS, Fair and direct reimbursement for those services is paramount to the financial stability and continued availability of ambulances to respond. Current law permits insurance companies to pay for ambulance service charges direct to the patient until and unless the ambulance company becomes a preferred provider of that specific insurance company. It is not practical to

October 12, 2021

WHEREAS, All types of EMS providers routinely are not paid by the patient for ambulance services even though the patient receives payment from the insurance company. Especially as the financial crisis we are currently facing deepens, more and more patients are pocketing these funds; and

WHEREAS, Additionally, the insurance company is not obligated to advise the ambulance company that they in fact have paid the ambulance transport bill direct to the patient. This disconnect of information leads to confusion and furthers the lack of proper payment issue; and

WHEREAS, In New York State, ambulance companies are mandated responders. As such, most ambulance providers have no knowledge of the patient's ability to pay or if or by whom they are insured by when a medical emergency or accidental event occurs. Ambulance service is one of the few medical services where payment is not expected at the time of service; and

WHEREAS, Legislation is needed that will assure that responding ambulance service will receive direct payment for all ambulance service transports upon submission of an invoice to the insurance company without the need for the responding ambulance company to be a preferred provider; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors is in full support of amending the Insurance Law, in relation to payments to pre-hospital emergency medical services providers, and urges Senator Breslin to re-introduce Senate Bill 3556 at the start of the 2021-2022 legislative session; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors requests that Assemblyman DiPietro introduce companion legislation in full support of this bill; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senators Neal Breslin and Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #62 through #75. Hearing no objection, resolution titles only were read.

#62

**RESOLUTION NO. 21-465
(October 12, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR 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 Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **DCCS Consulting, LLC**, 205 Hackney Circle, Wilmington DE 19803 for a financial advisory support assessment to provide a lookback on financial trends and identify root cause issues driving recent financial results in an amount not to exceed ninety-six thousand dollars (\$96,000.00) per year; effective October 1, 2021 through September 30, 2022.
- **University at Buffalo Surgeons, Inc.**, 100 High Street, Buffalo, NY 14203 for a professional services agreement to provide general surgery services and gastrointestinal surgery services in an amount not to exceed four hundred nine thousand seven hundred fifty-four dollars (\$409,754.00) per year; effective October 1, 2021 through September 30, 2024.
- **Staff Health**, 11175 Cicero Drive, #100, Alpharetta, GA 30022 for an agreement to provide agency staffing during critical shortage in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00) per year; effective September 7, 2021 through September 6, 2023.
- **Radiometer America, Inc.**, 250 South Kraemer Boulevard, Brea, CA 92821 for a lease agreement to replace the existing blood gas equipment in an amount not to exceed twenty-one thousand seven hundred ninety-three dollars (\$21,793.00) per year; effective October 1, 2021 through October 31, 2026.

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- **Evident/CPSI**, PO Box 850309, Mobile, AL 36685-0309 for a general support agreement to provide hospital electronic health record, CPSI/Evident/Thrive in an amount not to exceed one hundred sixty-five thousand dollars (\$165,000.00) per year; effective June 1, 2021 through May 31, 2022.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#63

RESOLUTION NO. 21-466
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 20-466 AMENDED

WHEREAS, Resolution Number 20-466 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**”, passed by this Board of Supervisors on November 10, 2020 and provides in part for the following contract:

- **Hudson Headwaters**, 340B, 333 Glen Street, 7th Floor, Glens Falls, NY 12801 for a 340B Management Services Agreement to provide technical and administrative support for Section 340B program in an amount not to exceed three hundred forty thousand dollars (\$340,000.00); effective November 1, 2020 through October 31, 2021.

Now therefore,

BE IT RESOLVED, That *Resolution Number 20-466* be hereby amended to *extend the term through October 31, 2022 in an amount not to exceed three hundred forty thousand dollars (\$340,000.00) per term.*

All else remains the same.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#64

RESOLUTION NO. 21-467
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR AUTHORIZED TO SIGN AN
EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE "P" WITH
KARI BEARDSLEY, WHNP 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 Hospital Administrator of the hospital, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign an Employment Agreement – Salary Schedule “P” with ***Kari Beardsley, WHNP***, 4196 Route 98, North Java, NY 14113 on behalf of the Wyoming County Community Health System. Said contract to provide a Women’s Health Nurse Practitioner in an amount not to exceed one hundred thousand dollars (\$100,000.00); effective October 25, 2021.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

#65

RESOLUTION NO. 21-468
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

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

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

Salary Schedule “P”:

Wyoming County Community Health System

October 12, 2021

- Create one (1) position of **Women's Health Nurse Practitioner** (1.00 FTE) (position code TBD) under OB CLINIC and set the salary at \$100,000.00 per year; position available date is September 26, 2021.

Salary Schedule “C”:

Wyoming County Community Health System

- Create one (1) position of **Director of Maternity and Women's Health** (1.00 FTE) (position code TBD) under OBSTETRICS, salary to be determined; position available date is October 3, 2021.
- Set the salary for **Clinic Office Manager** (position code 02.206.525) under CLINIC ADMINISTRATION at \$74,000.00 per year; effective September 26, 2021.

Salary Schedule “X”:

Wyoming County Community Health System

- Set the hourly rate for **Medical Office Assistant** (position code 12.184.480) under WYOMING COUNTY FAMILY MEDICINE – ARCADE at \$16.00 per hour; effective September 19, 2021.
- Set the hourly rate for **Registered Practical Nurse** (position code 03.883.209) under WYOMING COUNTY FAMILY MEDICINE – ARCADE at \$25.00 per hour; effective September 19, 2021 and move under WYOMING COUNTY FAMILY MEDICINE - PERRY.
- Create one (1) position of **Medical Office Assistant (Clinics)** 1.00 FTE (position code TBD) under NEUROLOGY CLINIC and set the range at \$13.33 - \$17.50 per hour; position available date is October 3, 2021.
- Abolish one (1) position of **Registered Practical Nurse** (1.00 FTE) (position code 03.882.209) under WYOMING COUNTY FAMILY MEDICINE – ARCADE; effective October 2, 2021.
- Create one (1) position of **Licensed Practical Nurse** (1.00 FTE) (position code TBD) under WYOMING COUNTY FAMILY MEDICINE – ARCADE and set the hourly rate at \$20.34 per hour; position available date is September 16, 2021.

Salary Schedule “S”:

Public Defender

- Remove the title **Staff Social Worker, PT** (0.71 FTE) (position code 008.594); effective October 4, 2021.
- Remove the title **Data Management Account Clerk** (1.00 FTE) (position code 009.595); effective October 13, 2021.

Highway Department

- Set the salary of **Deputy Co. Highway Supt.** (position code 005.503) at \$65,000.00 per year; effective September 20, 2021.
- Increase salary for **Construction Project Coordinator** (Per Diem)

Regular Session

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

WHEREAS, Resolution Number 21-296 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY SNOWMOBILE FEDERATION ON BEHALF OF THE BOARD OF SUPERVISORS**” passed by this Board of Supervisors on June 8, 2021 and provides for the 2020/2021 New York State Grant-in-Aid Program funding in an amount not to exceed one hundred forty-two thousand seven hundred sixteen dollars (\$142,716.00); effective April 1, 2020 through March 31, 2021; now therefore

BE IT RESOLVED, That *Resolution Number 21-296* be hereby amended to increase the 2020/2021 allocation by *three thousand one hundred eighty dollars* (\$3,180.00) for a new total amount not to exceed *one hundred forty-five thousand eight hundred ninety-six dollars (\$145,896.00)*. All else remains the same.

Carried: XXX **Ayes:** 1444 **Noes:** **Absent:** 53 (Covington) **Abstain:**
102 (Sheldon)
155 Total

#67

**RESOLUTION NO. 21-470
(October 12, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:

Highway

- Two (2) positions of ***Sign Maintenance Worker*** (1.00 FTE) on CSEA schedule B, Job Grade 9, at an hourly rate of \$19.04 – \$21.03; position available date is October 13, 2021.

County Health Department

- One (1) position of ***Fellowship Coordinator*** (1.00 FTE) and place on Salary Schedule G under NYS Public Health Corps Fellowship Program through Health Research, Inc./NYS DOH (as approved by

Res. #21-XXX, effective October 12, 2021) at an annual salary of \$60,000.00; position available date is October 13, 2021.

- Benefit package consistent with current CSEA Bargaining Agreement.

Social Services

- One (1) position of ***Social Services Program Specialist Trainee*** (1.00 FTE) on CSEA Schedule A, Job Grade 8 at \$18.75/hr. - \$21.69/hr.; position available date is November 3, 2021.
 - Promoted to Social Services Program Specialist (position code 143.359) (Grade 10) after twelve (12) months of satisfactory performance during the training period.
 - Funded by current Social Services Program Specialist.
- One (1) position of ***Social Services Program Specialist Trainee*** (1.00 FTE) on CSEA Schedule A, Job Grade 8 at \$18.75/hr. - \$21.69/hr.; position available date is October 6, 2021.
 - Promoted to a Social Services Program Specialist (position code 119.359) (Grade 10) after twelve (12) months of satisfactory performance during the training period.
 - Funded by current Social Services Program Specialist.

ABOLISHED:

Highway

- Two (2) positions of **Motor Equipment Operator** (Seasonal) (position codes 090.163 and 092.163); effective October 12, 2021.
- One (1) position of **Sign Maintenance Supervisor** (position Code 009.500); effective October 12, 2021.

REINSTATED:

Office for the Aging

- One (1) position of ***Meal Site Manager, PT*** (position code 010.151) on Salary Schedule F and set the salary at \$12.50 per hour in accordance with Res. No. 21-089 to remain competitive with New York State minimum wage indefinitely; position available date is October 15, 2021.
 - This position was made vacant June 1, 2020 due to COVID-19 lay off.

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

**RESOLUTION NO. 21-471
(October 12, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR TO COMPLETE
AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID
ASSISTANCE PERCENTAGE RECONCILIATIONS THAT ARE
YEARS OVERDUE AND IMMEDIATELY RELEASE THE FEDERAL
FUNDS OWED TO COUNTIES AND NEW YORK CITY**

WHEREAS, The funding to support the Medicaid program is provided by a combination of federal, state and local resources; and

WHEREAS, The state requires the counties and New York City to contribute \$7.6 billion annually to pay for the federal and state defined and controlled program; and

WHEREAS, The locally required share of Medicaid funding paid in New York is the highest of any state in the country; and

WHEREAS, This large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, Under the Affordable Care Act (ACA), the federal government provided an enhanced Medicaid matching share (eFMAP), which has saved New York state billions of dollars; and

WHEREAS, The state is required under federal law to share these savings with counties and New York City based on the proportionate share localities pay of the nonfederal match; and

WHEREAS, The state has utilized a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue; and

WHEREAS, The balance of savings owed to counties is required to be reconciled annually to ensure the withheld savings are transferred to county budgets and local taxpayers, as well as meeting the intent of federal law; and

WHEREAS, The last completed reconciliation and transfer of federal savings owed to counties was for state fiscal year 2015-16; and

WHEREAS, DOH has been providing detailed responses to county FOIL inquiries and initial responses indicate, if current trends continue, that well over \$1 billion in federal funding is owed to counties and New York City for SFY's 2017, 2018, 2019 and 2020; and

WHEREAS, In the years leading up to the last completed ACA eFMAP reconciliation, counties were provided an estimate of their coming year Medicaid costs by September, in time to incorporate the savings in their budgets, which ceased when regular reconciliations ended; now therefore

FURTHER RESOLVED, The state should also renew its practice of providing timely notice to counties of coming year Medicaid costs so they can appropriately budget those savings for local taxpayers and to preserve highly desired local quality of life services provided in our communities; and be it

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

October 12, 2021

RESOLUTION NO. 21-472
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND LEGISLATURE
TO END THE DIVERSION OF COUNTY SALES TAX TO PAY FOR
THE STATE AIM PROGRAM AND BEGIN WORK TO REFORM THE
AIM PROGRAM WHILE RESTORING STATE FUNDING
RESPONSIBILITY**

WHEREAS, Three years ago the State shifted \$59 million annually of the cost of the State AIM program to counties, implemented through a state diversion of county sales tax; and

WHEREAS, The local sales tax has become the number one source of revenue for an increasing number of counties; and

WHEREAS, The local sales tax is the primary revenue source available to counties and other local governments to help offset property tax increases and to lower property taxes in many instances; and

WHEREAS, State elected leaders have made controlling and lowering property taxes a key priority in efforts to reduce the tax burden for homeowners and small businesses, and to lower New York's ranking as one of the highest property tax burden states in the nation; and

WHEREAS, The diversion of local revenues for state purposes ultimately results in higher property taxes, further damaging New York's economic competitiveness and weakening homeowners' and small business' balance sheets; and

WHEREAS, Both chambers of the legislature proposed ending the diversion of county sales tax to pay for the State's AIM program in their respective budget bills; and

WHEREAS, The legislature also passed a bill this session (A.6601-A/S.5418-C) that calls for the formation of a task force to examine the AIM program and make recommendations for reforms and improvements including a review of financing; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to end the practice of diverting local sales taxes to pay for the State designed and controlled AIM program; and be it

FURTHER RESOLVED, Counties urge the Governor to sign the AIM reform task force bill so appropriate reviews and recommendations can be considered; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#70

RESOLUTION NO. 21-473
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE STATE TO EQUITABLY
 DISTRIBUTE GAMING REVENUE TO ALL NEW YORK COUNTIES
 AND TO MAKE WHOLE COUNTIES IMPACTED BY THE STATE'S
 GAMING REVENUE CUTS**

WHEREAS, The enacted 2022 State Budget changed the statewide gaming industry by legalizing mobile sports gaming; and 2) reducing the percentage of gaming revenue collected from casinos to the State thereby reducing the amount on an annual basis distributed to local governments; and

WHEREAS, These proposed changes directly impact the current local government revenue sharing system; and

WHEREAS, In addition to these new State created changes, the State and Seneca Nation compact settlements are still stalled, heavily impacting local governments that depend on this revenue that is generated from gaming in Western New York, while revenue generated from Saint Regis Mohawk Tribe gaming in Northern New York has not been distributed to counties since the last quarter of 2019; and

October 12, 2021

WHEREAS, The State's gaming revenue sharing system brings hundreds of millions of dollars to local governments and has become crucial support of funding needed to operate local government services; and

WHEREAS, Any disruption to this sharing system directly impacts a local government's ability to provide these crucial services; and

WHEREAS, The mobile sports gaming system did not allow for a revenue sharing system with local governments or for gaming system government partners such as OTB and racetracks, yet this system has the potential to pull gaming from more traditional forms that do share revenue with counties; and

WHEREAS, The 2022 State Budget lowered the tax levels paid by commercial casinos in order to help their business viability in the market; and

WHEREAS, This lowering of State tax percent may be of benefit to the casinos and therefore good for their long-term health, which is good for both these businesses and the communities by which they reside; and

WHEREAS, However, because local governments are dependent on the State tax rate for shared gaming revenue, any decrease made by the State in their \$212 billion overall budget cannot coincide with a loss to such local government; and

WHEREAS, Any annual local government decrease caused by State changes to the gaming taxing rate must be met by the State to support local government services; and

WHEREAS, The Wyoming County Board of Supervisors thanks and supports the State for adding \$7 million to local governments in recognition of this fact and to offset the change in the 2022 State Budget; and

WHEREAS, New York State has not been receptive to the resolution of these upstate county needs by easing the financial burden created by the State's failure to resolve the issue; and

WHEREAS, However, this \$7 million was one-time funding, while the tax cut is permanent; and

WHEREAS, A new governor, Governor Hochul with a fresh perspective which is informed with a deep understanding of upstate issues offers an opportunity to move the issue to completion; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to make a permanent annual appropriation to offset any local funding decrease that results from the State's private casino tax reduction; and be it

FURTHER RESOLVED, Mobile sports betting should also allow for system operation and revenue sharing that meets local needs, including the creation and retention of local jobs and shared revenue with local governments in order to meet the increased government service needs that comes with such proposals; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#71

RESOLUTION NO. 21-474
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION URGING GOVERNOR HOCHUL AND THE STATE
 LEGISLATURE TO AMEND STATE INSURANCE LAW TO FOSTER
 SHARED MUNICIPAL HEALTH INSURANCE CONSORTIUMS**

WHEREAS, Health insurance costs continue to be among the fastest growing costs for local governments across the state; and

WHEREAS, To address this challenge, counties and local governments would like the ability to create municipal health insurance consortiums to jointly self-fund their health plans at a significantly lower cost for taxpayers; and

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

WHEREAS, The Governor and State Leaders have strongly encouraged local governments to pool resources, share services and consolidate operations to improve efficiency and reduce costs to taxpayers, particularly with

October 12, 2021

the State's extended County Wide Shared Services Initiative, designed to incentivize counties and local governments to share services to reduce costs for local taxpayers; and

WHEREAS, Whenever two or more local governments want to join forces to provide employee health insurance, Article 47 of the Insurance Law is triggered; and

WHEREAS, Article 47 allows for the creation of municipal healthcare consortia, but its onerous regulations have enabled very few municipal healthcare consortia to form since 1991; and

WHEREAS, Many counties are self-funded, experience rated, and self-insured and are in an ideal position to take the lead on developing new Article 47 consortia; and

WHEREAS, Counties have asked for several years that the state review its current legal and regulatory requirements that allow counties to more easily establish shared health insurance risk pools to lower costs for local governments; and

WHEREAS, Former Governor Cuomo asked the State Department of Taxation and Finance to provide guidance for municipalities that want to create an Article 47 health insurance consortium, but that guidance did not reduce the onerous requirements of the law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby urge Governor Kathy Hochul and the State Legislature to amend State Insurance Law to make it easier to form municipal health insurance consortia by allowing these consortia to start with fewer than the required 2,000 employees with health insurance policy contracts, reduce the amount of IBNR reserves to more accurately reflect actuarial analysis of projected reserves needed, and allow other public entities to join a consortium as long as they have a connection to a taxing jurisdiction; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is asking that the cost of creating these consortia be eligible for a share of the \$225 million in state matching funds from the county-wide shared services funding to help offset initial investment requirements; and be it

FURTHER RESOLVED, Barring these reforms, counties seek legislation that would allow local governments within their borders to join the county's self-insured, self-funded, and experience rated health programs; and be it

#72

By Mr. Kehl, Chairman of the Finance Committee:

WHEREAS, On October 15, 1993 the St. Regis Mohawk Tribe and the State of New York signed a compact paving the way for casino gaming; the Akwesasne Mohawk Casino opened on April 12, 1999; and

WHEREAS, Under agreement and codification in New York law the St. Regis Mohawk Tribe pays 25 percent of all gaming revenue to the State of New York in return for, in part, exclusivity regional gaming rights; and

WHEREAS, Under the agreement, the State of New York shares with local governments, including seven counties and numerous towns, in Northern New York, a portion of revenue they receive from the St. Regis Mohawk Tribe; and

WHEREAS, The counties and local governments rely on that revenue to maintain infrastructure and provide public safety for all residents as well as provide services needed to help support this growing gaming industry; and

WHEREAS, In March 2020, the State of New York, under a State of Emergency, closed many businesses, especially ones where crowds gathered, including casinos, causing the Akwesasne Mohawk Casino from making any revenue at this time; and

WHEREAS, In August 2020, casinos including the Akwesasne Mohawk Casino were allowed and did reopen with a limited capacity and began making revenue once again that is to be shared with the State and local governments; and

October 12, 2021

WHEREAS, To date, there have been no payments by the State to the 7 Northern Region Counties since the last quarter of 2019; and

WHEREAS, This revenue loss amounts to millions of dollars in lost revenue annually to the 7 Northern Region Counties; and

WHEREAS, This funding is needed by the counties to fix roads, support social services, and provide for public health and safety; and

WHEREAS, The St. Regis Mohawk Tribe and the counties of New York have a long history of productive partnerships and respect; and

WHEREAS, New York State has not been receptive to the resolution of these upstate county needs by easing the financial burden created by the State's failure to resolve the issue; and

WHEREAS, The State of New York has created a system by which vital local services are dependent on continued revenue being received and distributed to local governments through casino gaming, yet the State has not made a contingency plan and/or ignored the needs of local governments when this revenue is lowered or even not received; and

WHEREAS, A new governor, Governor Hochul, with a fresh perspective which is informed with a deep understanding of upstate issues offers an opportunity to move the issue to completion; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to immediately make municipalities whole for the funding being withheld by the State by either lack of collection from the St. Regis Mohawk Tribe or collected and not passed on in a timely manner; and be it

FURTHER RESOLVED, In the alternative if the State is unwilling to make the local governments whole, and if the St. Regis Mohawk Tribe desires to assist local governments directly, the State will not see this as a violation, nor will this act be subject to the terms of the St. Regis Mohawk Tribe and New York State Compact; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:

102 (Sheldon)
155 Total

#73

RESOLUTION NO. 21-476
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION URGING CONGRESS TO REPEAL OR MODIFY THE
FEDERAL CAP ON THE DEDUCTIBILITY OF STATE AND LOCAL
TAXES**

WHEREAS, In 2017, Congress enacted comprehensive federal tax reforms that capped the deductibility of state and local taxes (SALT) at \$10,000, among other items; and

WHEREAS, Capping SALT deductibility impacted New York taxpayers (especially homeowners) much more than taxpayers in other states because of our higher home prices and tax rates; and

WHEREAS, Many in Congress targeted New York and other similarly situated states as being unfairly subsidized by taxpayers in other states because of the full deductibility of SALT; and

WHEREAS, This viewpoint failed to recognize that New York State has been a consistent "donor" state to the federal government because of our long history of being home to many high wealth individuals and higher than average income earners; and

WHEREAS, This results in New York contributing tens of billions of dollars more each year to the federal government than we receive back in payments or grants and this has been occurring for decades; and

WHEREAS, The consistent "donor" status is the result of a plethora of federal funding formulas where income is often used as a basis for distributing those dollars; and

WHEREAS, Since the state receives fewer federal grants and payments than other states from income-based federal formulas, New York must raise more local taxes to fulfill federal mandates and regulations for K-12 education, health and social services, environmental and labor protections, as well as provide local quality of life services including fire and police protection, higher education, and emergency preparedness and response, among others; and

October 12, 2021

WHEREAS, The deductibility of SALT was one of six original federal tax deductions established when the federal income tax was created in 1913; and

WHEREAS, The SALT deduction was implemented to prevent double taxation and to encourage states and local government to invest in their communities, infrastructure and people — often because the federal government recognized they could not make these investments; and

WHEREAS, The House of Representatives recently passed the "Restoring Tax Fairness for State and Localities Act" which will raise the cap on the deductibility of SALT from \$10,000 to \$20,000 for one year and then suspend the cap for the following two (2) years; and

WHEREAS, Enactment of this legislation, or similar legislation, can correct the inequities created by the SALT deductibility cap; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the state congressional delegation and the entire Congress to support these changes; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
 155 Total

#74

RESOLUTION NO. 21-477
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO
 IMMEDIATELY MAKE ALL MUNICIPALITIES WHOLE THAT HAVE
 BEEN IMPACTED BY THE STATE AND SENECA NATION DISPUTE**

WHEREAS, In 2002, the State of New York and the Seneca Nation entered into a compact with a provision that gaming revenue would be shared with the State in return for certain gaming exclusivity rights in Western New York; and

WHEREAS, The State of New York shares with local governments, including 16 counties in Western New York, a portion of revenue they receive from the Seneca Nation; and

WHEREAS, The counties rely on that revenue to maintain infrastructure and provide public safety for all residents as well as provide services needed to help support this growing gaming industry; and

WHEREAS, In 2017, a dispute between the Seneca Nation and the State arose over the language within the compact, leading the Nation to stop revenue sharing payments to the State; and

WHEREAS, It is now four years later, and no significant progress has been made in the State's negotiation efforts to resolve this matter nor has the needed revenue been allocated to the local governments in this time period; and

WHEREAS, Under New York Law, this revenue is first sent to the State of New York, after which the State sends a portion to local governments to support local service costs; and

WHEREAS, This revenue loss amounts to approximately \$50 million annually to the 16 counties in Western New York; and

WHEREAS, To date, this equates to over \$250 million in county funding that is needed to fix roads, support social services, and provide for public health and safety; and

WHEREAS, Municipalities have suffered significant losses, both financial and personal; and

WHEREAS, New York State has not been receptive to the resolution of these upstate county needs by easing the financial burden created by the State's failure to resolve the issue; and

WHEREAS, The Seneca Nation and the counties of New York have a long history of productive partnerships and respect, and the Nation leaders have expressed in the past they would be open to direct fiscal support to local governments; and

WHEREAS, A new governor, Governor Hochul with a fresh perspective which is informed with a deep understanding of upstate issues offers an opportunity to move the issue to completion; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to immediately make municipalities whole for past and current losses caused by the State's dispute with the Seneca Nation of Indians in order to avoid further catastrophic harm to public safety and county services; and be it

FURTHER RESOLVED, In the alternative if the State is unwilling to make the local governments whole, and the Seneca Nation desires to assist local governments directly, the State will not see this as a violation, nor will this act be subject to the terms, of the Seneca Nation and New York State Compact; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:

102 (Sheldon)

155 Total

#75

**RESOLUTION NO. 21-478
(October 12, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR, STATE
LEGISLATURE AND COMPTROLLER TO SUPPORT REFORMS OF
CONTINGENCY AND TAX STABILIZATION RESERVE FUNDS TO
PROVIDE MORE FLEXIBILITY IN THE FUND'S USE, AND TO
UPDATE WITHDRAWAL PROVISIONS TO CONFORM WITH THE
STATE'S TWO PERCENT PROPERTY TAX CAP**

WHEREAS, Local government officials have had a long and productive history working with state elected leaders in regard to establishing appropriate and fiscally prudent local fiscal reserves; and

WHEREAS, These reserve funds provide important continuity of mandatory and local quality of life services during emergencies; and

WHEREAS, The reserve funds also provide local taxpayers with a level of comfort that sharp property tax increases can be avoided and stabilized with the prudent use of these reserve funds; and

WHEREAS, General Municipal Law Section 6-e allows counties to establish a "Contingency and Tax Stabilization Reserve Fund", to finance unanticipated revenue losses or expenditures, under strict conditions and limitations, and to prevent property tax levy increases of more than 2.5 percent; and

WHEREAS, Counties believe that more flexibility is warranted in the use of this reserve fund, because the provisions of the Contingency and Tax Stabilization Reserve Fund have not been updated recently to accommodate changing conditions and circumstances on the ground in most counties, whether it is a change in state or federal statutory requirements, the greater frequency of natural disasters caused by changes in the climate, or increasing threat of future public health emergencies; and

WHEREAS, Due to the 2.5 percent threshold in the current wording of Section 6-e, a county's use of this reserve fund to lessen a tax increase would force the county to waive the tax cap and risk the loss of state aid in certain programs, thereby potentially worsening a financial situation the fund was designed to help mitigate; and

WHEREAS, GML Section 6-e's subsection 4.b.2 and 4.c.2 require a county to spend down all other eligible funds before utilizing the Contingency and Tax Stabilization Reserve Fund, thereby depleting fund balance and accounts set up for other priority purposes; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor, state legislature and the State Comptroller to update statutory provisions related to local Contingency and Tax Stabilization Reserve Funds; and be it

FURTHER RESOLVED, The threshold for expending funds out of the Contingency and Tax Stabilization Reserve Fund to prevent a property tax increase above 2.5 percent over the prior year should be reduced to two percent, or the inflation factor for the taxable year in question, to conform with the State's two percent property tax cap; and be it

FURTHER RESOLVED, That the limitations of GML Section 6-e's subsection 4.b.2 and 4.c.2 be removed, and if funds are withdrawn from the Contingency and Tax Stabilization Reserve Fund in response to a public health emergency or natural disaster to secure public health and safety, it should be made acceptable to replace the withdrawn funds with subsequent state or federal emergency response funds upon receipt to ensure adequate funds remain in place for future emergencies; and be it

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

Carried: XXX Ayes: 1444 Noes: Absent: 53 (Covington) Abstain:
102 (Sheldon)
155 Total

Public Hearing ~

- For the consideration of ***Providing Salaries for Certain County Officers for the Year 2022***
 - ***Public Comment***

Supervisor Brick, T/Perry stated that all the increases were vetted through the Compensation Committee, deemed appropriate and feels they should be given.

Close the Public Hearing ~

- *Motion to close the Public Hearing was made by Supervisor Grant, T/Bennington. Seconded by Supervisor May, T/Orangeville. All Aye. Carried.*

Local Law
#76

RESOLUTION NO. 21-479
(October 12, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

LOCAL LAW NO. 3 (INTRODUCTORY B, YEAR 2021) ~ YEAR 2021,
***“A Local Law Providing Salaries for Certain County Officers for the year 2022”* ADOPTED**

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 21st day of September 2021, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2021, entitled, ***“A Local Law Providing Salaries for Certain County Officers for the year 2022”***; and

WHEREAS, In accordance with the provisions of Resolution Number 21-404 there was a public hearing held by this Board of Supervisors on this 12th day of October, 2021, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

LOCAL LAW NO. 3 ~ YEAR 2021
“A Local Law Providing Salaries for Certain County Officers for the year 2022”

Section 1. Effective as hereafter provided, the annual salary for the ***Commissioner of Social Services*** shall be increased by ***\$3,975.00*** for a new annual salary of ***\$76,115.00***.

Section 2. Effective as hereafter provided, the annual salary for the ***County Treasurer*** shall be increased by ***\$5,769.00*** for a new annual salary of ***\$80,000.00***.

Section 3. All salaries set forth in Section 1 above shall be effective as of ***January 01, 2022***.

Section 4. This Local Law shall take effect forty-five (45) days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 5. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York
September 21, 2021 (Introduced)
October 12, 2021 (Adopted)
Cheryl J. Ketchum, ^{CMC}
Clerk to the Board

Carried: XXX **Ayes:** 1023 **Noes:** 172 (Arcade) **Absent:** 53 (Covington) **Abstain:** 48 (Pike)
 51 (Eagle) 102 (Sheldon)
 93 (Gainesville) 155 Total
 19 (Genesee Falls)
 38 (Wethersfield)
 373 Total

There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, adjourned the meeting at 3:25 PM with a rap on his desk.

October 12, 2021

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

**SPECIAL SESSION
(October 28, 2021)**

**Thursday
2:30 PM**

A special session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except Supervisor Grant, T/Bennington, Supervisor Klein, T/Castile, Supervisor Roche, T/Eagle, Supervisor Roberts, T/Genesee Falls, Supervisor Brunner, T/Java, Supervisor Leuer, T/Middlebury and Supervisor Jacoby, T/Wethersfield. Also present was County Clerk Pierce and Clerk to the Board of Supervisors, Cheryl Ketchum. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link:
<http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

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

Open Public Hearing ~

- ***“Local Law No. 2, Year 2021 (Introductory C, Year 2021) 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”***

- ***Public Comment***

County Clerk Pierce commented that it has been a long process this year. Last year the ¼% equated to about \$280K last year. Thankful that this was able to get done as it would have really complicated the process in her office.

Supervisor Becker, T/Sheldon mentioned that is was expected with the change in leadership in Albany.

Close the Public Hearing ~

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

October 28, 2021

Chairwoman Ryan, T/Warsaw thanked Senator Gallivan and his staff for their assistance in getting the required legislation signed by the Governor.

#1

**RESOLUTION NO. 21-480
(October 28, 2021)**

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

**LOCAL LAW NO. 2 (INTRODUCTORY C, YEAR 2021) ~ YEAR 2021,
“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 12th day of October 2021, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2021, 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 Number 21-410 there was a public hearing held by this Board of Supervisors on this 28th day of October, 2021, 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 hereinabove set forth; now therefore

BE IT ENACTED, That Local Law 2, Year 2021, County of Wyoming, New York, as presented to this Board on the 12th day of October 2021, is hereby adopted, in its original form, as follows:

LOCAL LAW NO. 2 ~ YEAR 2021

***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:**

Special Session

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 2021 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, 2021 through November 30, 2024, 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

October 28, 2021

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, 2021 through November 30, 2024.

DATED at Warsaw, New York
 October 12, 2021 (Introduced)
 October 28, 2021 (Adopted)
 Cheryl J. Ketchum, ^{CMC}
 Clerk to the Board of Supervisors

Carried: XXX Ayes: 1078 Noes: Absent: 140 (Bennington) Abstain:
 123 (Castile)
 51 (Eagle)
 19 (Genesee Falls)
 88 (Java)
 62 (Middlebury)
38 (Wethersfield)
 521 Total

There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, adjourned the meeting at 2:39 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

October 28, 2021

REGULAR SESSION
(November 9, 2021)

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 Leuer, T/Middlebury who participated via zoom. Also present were County Attorney Jim Wujcik, Budget Officer Cook, Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link:
<http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

At 2:33 PM Chairwoman Ryan, T/Warsaw, called the meeting to order.

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

Sergeant James McLaughlin

Sergeant McLaughlin was born in Buffalo in 1959 and grew up in Eden, New York graduating from Eden High School in 1978. He joined the Air Force in January of 1979 as an Airframe Repair Specialist where he completed basic training at Lackland Air Force Base outside San Antonio. His technical training to become an Airframe Repair Specialist (a skill that has also served him well in the civilian world) was at Chanute Air Force Base in Illinois.

Sergeant McLaughlin initially was assigned to Pope Air Force Base in North Carolina, which is alongside the Army installation Fort Bragg. However, Sergeant McLaughlin never did go there... Due to a training buddy of his who was from the Pope area, and shared the same MOS and rank, Sergeant McLaughlin was able to switch duty assignments. With each Airman desiring to be close to home, his command team approved the switch and he was assigned to Griffiss Air Force Base in Rome, New York. Sergeant McLaughlin enjoyed his time there and was able to come home to see family and friends. Griffiss was closed in September of 1995 and was the site of the Woodstock '99

Festival. The base is now the home to a business park and Air Force Research Laboratory.

Sergeant McLaughlin received an honorable discharge in 1983 after four years of service. For his valor and service to his country, Sergeant McLaughlin was awarded the:

- Navy Commendation Medal
- Air Force Training Ribbon
- Air Force Longevity Service Ribbon
- Air Force Good Conduct Medal

Upon discharge, Sergeant McLaughlin took on a job doing sheet metal work, which included some fabricating. He then did a short stint as a bookkeeper for a local nursing home while attending Damen College for accounting, but decided to go back into what he knew best, the metal working world.

Sergeant McLaughlin currently lives in Attica where he proudly owns his own business, Creative Memories, doing etchings on glass, stone and granite. With his business, Sergeant McLaughlin has found ways to give back. At the Warsaw Village Park, he donated the monument that has the names of all Warsaw Veterans who fought in The Great War, World War II, Korea and Vietnam. He also designed and donated his time and materials to the etchings at the Koi Pond that opened during COVID. He looks forward to the official grand opening of this beautiful site. This is not all that causes Sergeant McLaughlin to stand out among the fine citizens of Wyoming County. He has been the Commander of Warsaw's American Legion Post, Walter Klein Post #532 for these past three years and an active member for seven.

In 1996, Sergeant McLaughlin married his wife Christine and has three children, Rob, Jim Jr. and a daughter named Carrie. He is the proud grandfather of four; Zack, Robbie, Abbey and Jordan. Aside from the American Legion, his other hobbies include camping and hunting, both bow and shotgun. Sergeant McLaughlin is a proud veteran and truly an asset to Wyoming County.

The pledge was said by all.

Supervisor Kehl, T/Attica, joined Mr. Black at the podium with Chairwoman Ryan for the presentation of the customary certificate of appreciation.

Chairwoman Ryan, T/Warsaw offered Mr. McLaughlin an opportunity to address the board.

Mr. McLaughlin thanked the board for this honor today and said it was appreciated. He also said he loves his country and loves this area that he calls

Communications ~

- *October 20, 2021 correspondence from Senator Gallivan acknowledging receipt of various NYSAC resolutions passed last month.*

#1

**RESOLUTION NO. 21-481
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2021 accounts as follows:

Information Technology			
From: 011680.510001 Salaries S/D/I To: 011680.540017 Intra-net Connections Reason: To cover utility bills overages through the end of 2021.	\$17,250.00	\$17,250.00	
From: 011680.510001 Salaries S/D/I To: 011680.540016 Internet Services Reason: To cover utility bills overages through the end of 2021.	\$500.00	\$500.00	
Information Technology Total			\$17,750.00
Board of Supervisors			
From: 011010.510601 Unused Benefit Time 011010.589002 Health Reim. Acct – EE To: 011010.541202 Printing Reason: To cover purchase of 50 county flags and printing of 2020 Journals of Proceeding.	\$1,384.33 1,182.67	\$2,567.00	
Board of Supervisors Total			\$2,567.00
Weights & Measures			
From: 016610.541414 Misc. Repairs To: 016610.510601 Unused Benefit 016610.510401 Longevity Reason: To cover unanticipated unused benefit time and longevity overage. Due to COVID staff was unable to utilize benefit time.	\$400.00	\$360.00 40.00	
Weights & Measures Total			\$400.00
Highway			
From: 045110.541901 Stone-Shoulders 045110.541902 Stockpile 045110.541904 Bituminous Products 045110.541905 Bridge Materials 045110.541920 Box Culverts To: 045112.524112 Road Infrastr. CHIPS	\$ 28,848.91 1,088.00 2,810,434.74 23,745.41 25,633.94	\$2,889,751.00	

Regular Session

Reason: To comply with CHIPS program guidelines; capital expenditures are to be classified in the Uniform Accounting System in account 5112.			
From: 04511009.435010 Consolidate Hwy Aid To: 04511203.435010 Consolidate Hwy Aid Reason: To comply with CHIPS program guidelines; capital expenditures are to be classified in the Uniform Accounting System in account 5112.	\$2,889,751.00	\$2,889,751.00	
Highway Total			\$5,779,502.00

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

RESOLUTION NO. 21-482
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2021 accounts as follows:

Information Technology			
To: 121680.540301 Capital Project – Prof. Svc. w/12168006.440890R ARPA Reason: Projected amount needed to finish off the ACS to Munis transition.	\$218,000.00	\$218,000.00	
Information Technology Total			\$218,000.00
Treasurer			
To: 011325.510601 Unused Benefit Time w/ <i>any funds available</i> Reason: To pay unbudgeted benefit time for termed Principal Acct Clerk position.	\$3,328.62	\$3,328.62	
To: 016420.540907 Bed Tax Allowance @ 95% w/01100001.411130 Occupancy Tax Reason: Under-budgeted bed tax allowance @95% payable to Tourism.	\$57,000.00	\$57,000.00	
Treasurer Total			\$60,328.62
County Clerk			
To: 011410.540917 Financial Software system w/01141001.412890 ¼% Mortgage Tax-Local Reason: Appropriate to pay for unbudgeted County Clerk Land Records Software system increase for March 2021 – Dec 2021.	\$3,300.00	\$3,300.00	
County Clerk Total			\$3,300.00
Jail			
To: 013150.541711 Inmate Medical w/01315001.422640 Prisoner Charges	\$75,000.00	\$75,000.00	

November 9, 2021

Reason: Revenue funds to cover inmate medical.			
Jail Total			\$75,000.00
Veterans Services			
To: 016510.510601 Unused Benefit Time <i>w/any funds available</i>	\$7,640.73	\$7,640.73	
Reason: To pay unbudgeted benefit time for prior Director of Veterans Services.			
Veterans Services Total			\$7,640.73
Mental Health			
To: 014325.542445 Supported Housing (MH) w/01432500.434900 Mental Health	\$2,000.00	\$2,000.00	
Reason: State aid adjustment.			
To: 014325.542441 Misc. MH Programs w/01432500.434900 Mental Health	\$2,045.00	\$2,045.00	
Reason: State aid adjustment.			
Mental Health Total			\$4,045.00
Public Health			
To: 014010.540704 Lab Fees – Basic 014010.540705 Lab Fees – Optional w/01401000.416010 Public Health Fees	\$12,000.00 5,000.00	\$17,000.00	
Reason: To cover the estimated remaining expense for Lab Fees associated with water samples. There are additional revenues from the COVID vaccination Admin Fee revenue.			
Public Health Total			\$17,000.00
Buildings & Grounds (Co. Bldgs.)			
To: 011620.540803 Building Supplies w/01162002.426500 Sale of Scrap & Materials	\$441.00	\$441.00	
Reason: To add to building supplies to cover expenses.			
To: 011620.540806 Cleaning Supplies Purchased w/01162002.426650 Sale of Equipment	\$1,377.00	\$1,377.00	
Reason: To cover cost of additional supplies.			
To: 011620.540802 Contracted Building Repair w/01162002.426800 Insurance Recovery	\$3,463.43	\$3,463.43	
Reason: To cover labor and material for gutter replacement in secured lot from incident.			
Buildings & Grounds (Co. Bldgs.)			\$5,281.43
9-1-1			
To: 123020.520002 IT/Communications w/12302004.440890R Federal Aid Recovery	\$450,685.75	\$450,685.75	
Reason: Appropriate funds thru ARPA funds for phone upgrades.			
9-1-1 Total			\$450,685.75
Emergency Services			
To: 013640.510302 O/T w/01364000.412890 Other Dept. Income	\$3,000.00	\$3,000.00	
Reason: To appropriate 2021 Overtime Funds for COVID Response staffing. MOU with Wyoming County Health Department. Fully reimbursed through the ELC COVID-19 grant.			
Emergency Services Total			\$3,000.00

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

Regular Session

Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$9,823,419.63** for the month of October **2021**. No further action is required.

#3

RESOLUTION NO. 21-483
(November 9, 2021)

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

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

BE IT RESOLVED, That the Chairman of this Board and Director of Human Resource, with the approval of the County Attorney and County Labor Attorney, are hereby authorized and directed to sign the following Memorandums of Understanding by and between the Civil Service Employee's Association Local 1000, AFSCME, AFL-CIO and the County of Wyoming, the same being annexed hereto.

- ***Wyoming County Community Health System:***
 - Clinical Informatics Department Shift Hours
- ***Wyoming County Local 9250-01 Supervisory Unit:***
 - Critical Staffing in Skilled Nursing Facility (October 2021)
- ***Wyoming County Local 861-9250:***
 - Critical Staffing in Hospital Food Service (October 2021)
 - Critical Staffing in Hospital Housekeeping Department (October 2021)

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

November 9, 2021

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE
COUNTY OF WYOMING
AND THE
CIVIL SERVICE EMPLOYEES ASSOCIATION
LOCAL 1000, AFSCME, AFL-CIO**

**Wyoming County Community Health System
Clinical Informatics Department
Shift Hours**

WHEREAS, The Wyoming County Community Health System (WCCHS) Clinical Informatics Department is seeking to improved departmental efficiency, and

WHEREAS, Clinical Informatics Assistants Justin Lewandowski and Heather Treadwell both Bargaining Unit employees in this department have agreed to a trial shift hours change, and

NOW, THEREFORE, The parties agree to establish a trial work week schedule for these above listed employees for a period not to exceed six (6) months from the date of signing of this memorandum.

This trial work week will consist of three (3) 10.0 hour work shifts and one (1) nine (9) hour work shift pursuant to and in accordance with the provisions of the Memorandum of Understanding titled "Extended & Non-Traditional Shifts" dated 03/19/2019, in the Clinical Informatics Department specifically limited to the employees named in this memorandum as follows:

"Ten (10) Hour Shifts:

Employees will work three (3) nine and one-half (9 1/2) hours shifts and be scheduled for ten (10) hours per day inclusive of a one-half (1/2) hour unpaid meal period and one (1) day scheduled and working a nine hour day with no paid meal or thirty-seven and one-half (37 1/2) hours per week for a full time employee. Employees working ten (10) hour shifts will not be eligible to receive overtime pay in accordance with the provisions of Article 11.6 (b) of the Collective Bargaining Agreement until having worked forty (40) or more hours in a work week. All paid time excluding sick, vacation and paid meal time shall be counted in the computation of this overtime."

The number of these non-traditional shifts, starting times, and effective days to be offered to employees in this department during this trial period will be at the sole discretion of Management. Assignment to any non-traditional work shifts during this trial period will be on a voluntary basis.

The parties agree that these above named employees in the clinical informatics assistant classification working pursuant to the terms of this memorandum shall not be entitled to receive

shift differentials payment as defined in Article 10.3 of the Collective Bargaining Agreement during the life of this memorandum.

This Memorandum shall remain effective for a period not to exceed six (6) months from the date of signing and can only be extended by written mutual agreement signed by both parties.

This agreement may suspended or concluded by either party for any reason at any time with seven (7) calendar days written notice to the other party.

Any decision of Management to terminate this trial work schedule consistent with the terms of this memorandum shall to be subject to the provisions of the Grievance and Arbitration provisions of the Collective Bargaining Agreement

FOR CSEA:

Celeste Bzduch

Date: _____

Lynn Miller

Date: 11/24/21

FOR THE COUNTY:

Rebecca J. Ryan, Chairman
Board of Supervisors

Date: 10-20-21

November 9, 2021

MEMORANDUM OF UNDERSTANDING
Between the
COUNTY OF WYOMING
And the
CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO
WYOMING COUNTY LOCAL 9250-01
SUPERVISORY UNIT

Critical Staffing in Skilled Nursing Facility
October 2021

WHEREAS, there is critical staffing shortfall within the Skilled Nursing Facility (SNF) of qualified Certified Nursing Assistants (CNA's), Licensed Practical Nurses (LPN's) and Registered Nurses (RN's) and other supporting staff due to COVID-19 related issues and shortages in the local labor market, and

WHEREAS, Wyoming County and CSEA Supervisory Unit have reached this agreement to ensure the safety, well-being and high quality of care to all patients in the Skilled Nursing Facility,

THEREFORE, the parties agree to the following terms and modifications of the provisions of the Collective Bargaining Agreement with the Supervisory Unit and any prior Memorandums of Understanding between the parties in accordance with the provisions herein;

Any COVID -19 vaccinated Supervisory Bargaining Unit employee in any classification may apply to work additional shifts beyond their respective normal work schedule within the Nursing Facility to perform tasks consistent with their respective scope of their license and skill as determined by Management. The employee will receive extra shift incentives for each scheduled consecutive four (4) hours worked from the period beginning on or about the date of signing of this Memorandum of Agreement and shall continue until ended or modified by written notice of either party to the other with 48 hours written notice. The Management of the Skilled Nursing Facility will make the sole determination as to the work these employees are qualified to perform and will be assigned.

Any Supervisory Bargaining Unit member who work additional shifts beyond their respective normal work schedule within the Nursing Facility will receive the current \$150.00 additional incentive for each four (4) hours worked beyond their regular schedule as is the current practice, and an additional payment for scheduled consecutive four (4) hours shifts worked.

Employees covered under the provisions of this Memorandum of Understanding will be limited to a maximum of twelve (12) hours per week of these additional incentive shifts and will only be paid for shifts that are scheduled in addition to the employee's regularly scheduled shifts.

These incentive shifts will be offered on a first-come first-served basis to Supervisory bargaining unit employees and will be created after the regular schedule has been completed. If in the event an employee commits to working an additional shift through the signs up procedure and fails to work the committed shift for whatever reason, this employee will be responsible for finding someone to work the

shift. If he/she DOES find someone to cover the shift, there is NO occurrence on the attendance record. If she/he DOES NOT find someone to cover the shift, then the attendance policy will apply.

This Memorandum of Understanding shall not create a precedent or waiver for any other matter and can only be modified or extended by written mutual agreement.

Unless modified by written mutual agreement this Memorandum of Understanding shall remain in effect, however, either party to this agreement shall have the right to exit from this agreement for any reason with 24 hour prior written notice to the other party and return to the prior practice.



For the CSEA
Supervisory Unit



For Wyoming County

Date 10/20/21

MEMORANDUM OF UNDERSTANDING
Between the
COUNTY OF WYOMING
And the
CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO
WYOMING COUNTY LOCAL 861-9250

Critical Staffing in Hospital Food Service
October 2021

WHEREAS, there is critical staffing shortfall within the Wyoming County Community Health System (WCCHS) of Cooks and Food Service Helpers due to shortages in the labor market caused by the COVID 19 pandemic,

WHEREAS, Wyoming County and CSEA have reached this agreement to ensure the safety, well-being and high quality of care to all patients in the Health System ,

THEREFORE, the parties agree to the following terms and modifications of the provisions of the Collective Bargaining Agreement and prior Memorandums of Understanding between the parties in accordance with the provisions herein;

1. Any Full or Part Time Cook or Food Service Helper who are current employees of Wyoming County Community Health System who work additional shifts beyond their respective normal work schedule within the Hospital will receive extra shift incentives for each scheduled consecutive four (4) hours worked from the period beginning with the signing of this memorandum and shall continue until modified by mutual written agreement between the parties.

Qualifying employees shall be paid as follows:

- Seventy dollars (\$70.00) for four (4) hours per pay period
- One hundred and forty dollars (\$140.00) for eight (8) hours per pay period
- Two hundred and ten dollars (\$210.00) for twelve (12) hours per pay period.

2. Employees will be limited to a maximum of twelve (12) hours per week of these additional incentive shifts and will only be paid for shifts that are scheduled in addition to the employee's regularly scheduled shifts.

3. These incentive shifts will be offered on a first-come first-served basis to bargaining unit employees and will be created after the regular schedule has been completed. If in the event an employee commits to working an additional shift through the signs up procedure and fails to work the committed shift for whatever reason, this employee will be responsible for finding someone to work the shift. If he/she DOES find someone to cover the shift, there is NO occurrence on the attendance record. If she/he does not find someone to cover the shift, then the attendance policy will apply.

4. This Memorandum of Understanding shall not create a precedent or waiver for any other matter and can only be modified or extended by written mutual agreement.

5. Either party to this agreement shall have the right to exit from this agreement for any reason with 24 hour prior written notice to the other party.

6. Upon expiration the parties agree that the incentive paid to employees work additional shifts shall return to the provisions of the Collective Bargaining Agreement.



For the CSEA



For Wyoming County

Date 10/24/21

November 9, 2021

MEMORANDUM OF UNDERSTANDING
Between the
COUNTY OF WYOMING
And the
CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFL-CIO
WYOMING COUNTY LOCAL 861-9250

Critical Staffing in Hospital Housekeeping Department
October 2021

WHEREAS, there is critical staffing shortfall within the Wyoming County Community Health System (WCCHS) within the Housekeeping Department due to shortages in the labor market caused by the COVID 19 pandemic,

WHEREAS, Wyoming County and CSEA have reached this agreement to ensure the safety, well-being and high quality of care to all patients in the Health System ,

THEREFORE, the parties agree to the following terms and modifications of the provisions of the Collective Bargaining Agreement and prior Memorandums of Understanding between the parties in accordance with the provisions herein;

1. Any Full or Part time current employees of Wyoming County Community Health System working in the Housekeeping Department who work additional shifts beyond their respective normal work schedule within the Hospital will receive extra shift incentives for each scheduled consecutive four (4) hours worked from the period beginning with the signing of this memorandum and shall continue until modified by mutual written agreement between the parties.

Qualifying employees shall be paid as follows:

- Seventy dollars (\$70.00) for four (4) hours per pay period
- One hundred and forty dollars (\$140.00) for eight (8) hours per pay period
- Two hundred and ten dollars (\$210.00) for twelve (12) hours per pay period.

2. Employees will be limited to a maximum of twelve (12) hours per week of these additional incentive shifts and will only be paid for shifts that are scheduled in addition to the employee's regularly scheduled shifts.

3. These incentive shifts will be offered on a first-come first-served basis to bargaining unit employees and will be created after the regular schedule has been completed. If in the event an employee commits to working an additional shift through the signs up procedure and fails to work the committed shift for whatever reason, this employee will be responsible for finding someone to work the shift. If he/she DOES find someone to cover the shift, there is NO occurrence on the attendance record. If she/he does not find someone to cover the shift, then the attendance policy will apply.

4. This Memorandum of Understanding shall not create a precedent or waiver for any other matter and can only be modified or extended by written mutual agreement.

5. Either party to this agreement shall have the right to exit from this agreement for any reason with 24 hour prior written notice to the other party.

6. Upon expiration the parties agree that the incentive paid to employees work additional shifts shall return to the provisions of the Collective Bargaining Agreement.


For the CSEA


For Wyoming County

Date 10/29/21

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #9. Hearing no objection, resolution titles only were read.

Ms. Grant also requested that Clerk Ketchum read resolution #4 in its entirety which she did.

#4

RESOLUTION NO. 21-484
(November 9, 2021)

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

**SUPPORTING OPERATION GREEN LIGHT FOR ACTIVE MILITARY
SERVICE MEMBERS IN TRANSITION TO CIVILIAN LIFE AND
PROCLAIMING WYOMING COUNTY A “GREEN LIGHT FOR
MILITARY SERVICE COUNTY”**

WHEREAS, The residents of Wyoming County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, The contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, The County of Wyoming seeks to honor these individuals who have paid the high price of freedom by placing themselves in harm's way for the good of all; and

WHEREAS, New York States veteran population has decreased by 44% over the last 20 years; and

November 9, 2021

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, civil service; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, An estimated 20% increase of service members will transition to civilian life in the near future and studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active military service members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, The Wyoming County Board of Supervisors appreciates the sacrifices our United State Military personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaims Wyoming County a **GREEN LIGHT FOR MILITARY SERVICE COUNTY** and the Board of Supervisors declares from October through Veterans Day, November 11th 2021 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from active service; and be it

FURTHER RESOLVED, That in observance of Operation Green Light, the Wyoming County Board of Supervisors encourages its citizens in patriotic tradition to recognize the importance of honoring the immeasurable sacrifices of our veterans by displaying a green light in a window of their place of business or residence.

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

#5

**RESOLUTION NO. 21-485
(November 9, 2021)**

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

FAMILY CAREGIVERS MONTH PROCLAIMED

Regular Session

WHEREAS, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who are chronically ill, elderly, or disabled. Caregivers reflect family and community life at its best. They are among our County's most important natural resources; and

WHEREAS, The need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

WHEREAS, Family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, civic and business organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, does hereby proclaim **November 2021** as **FAMILY CAREGIVERS MONTH** in Wyoming County

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

#6

RESOLUTION NO. 21-486
(November 9, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JAMES
MCGUINNESS AND ASSOCIATES, INC. ON BEHALF OF THE
YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **James McGuinness and Associates, Inc.**, 1482 Erie Boulevard, Schenectady, NY 14305 on behalf of the Youth Bureau. Said contract to provide technical support for preschool

November 9, 2021

software in an amount not to exceed nine thousand five hundred four dollars (\$9,504.00) per year plus one hundred twenty-five dollars (\$125.00) per hour; effective January 1, 2022 through December 31, 2023.

Contingent upon the availability of funds.

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

#7

**RESOLUTION NO. 21-487
(November 9, 2021)**

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

NATIONAL ADOPTION AWARENESS MONTH PROCLAIMED

WHEREAS, November 2021 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 20, 2021 help to raise public awareness of the fact that there are children available who are waiting for caring families; and

WHEREAS, There are currently 3 children freed for adoption and approximately 18 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 2021 is hereby proclaimed **NATIONAL ADOPTION AWARENESS MONTH** in Wyoming County; and be it

FURTHER RESOLVED, That it is the desire of the Wyoming County Board of Supervisors and the Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

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

#8

RESOLUTION NO. 21-488
(November 9, 2021)

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

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

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

- ***Independent Living of the Genesee Region***, 3810 Main Street, Buffalo, NY 14214 for further rapid rehousing services during COVID-19 pandemic in an amount not to exceed seventy-five thousand dollars (\$75,000.00); effective March 7, 2021 through September 30, 2022.
- ***Children Awaiting Parents, Inc., d/b/a Donald J Corbett Adoption***, 274 North Goodman Street, Suite D103, Rochester, NY 14607 for adoption transition services for children in the care and custody of Social Services in an amount not to exceed thirty-six thousand dollars (\$36,000.00) effective October 5, 2021 through October 5, 2022.

Contingent upon the availability of funds.

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

#9

RESOLUTION NO. 21-489
(November 9, 2021)

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

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

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and

November 9, 2021

directed to sign various welfare management system contracts on behalf of the Department of Social Services as follows:

- ***Child and Family Services***, 3901 Genesee Street, Suite 300, Cheektowaga, NY 14225 for residential foster care services for Wyoming County children/youth in an amount not to exceed one hundred four thousand five hundred dollars (\$104,500.00); effective September 20, 2021 through June 30, 2022.
- ***Home Care & Hospice***, 1225 West State Street, Olean, NY 14706 for personal care services for Medicaid eligible clients of Wyoming County in a variable amount depending upon services provided; effective January 1, 2022 through December 31, 2022.
- ***Sara's "Lil" Bears Daycare***, 1652 Dillon Road, Wyoming, NY 14591 for subsidized childcare services in a variable amount depending upon services provided; effective September 15, 2021 through December 31, 2021.

Contingent upon the availability of funds.

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

Supervisor Grant, T/Bennington was invited to the podium to present the Family Caregivers and National Adoption proclamations. She requested Office for the Aging Deputy Director Phillips and Director of Children and Family Services, A. Milillo to join her. She also requested Supervisor Becker, T/Sheldon join her as well.

Supervisor Grant, T/Bennington read the Family Caregivers proclamation and presented it to Director Phillips. Director Phillips thanked the board for their support of the Wyoming County Office for the Aging and the caregivers we serve.

Supervisor Becker, T/Sheldon was asked to read the National Adoption proclamation.

On behalf of the staff at DSS, Hillside Children's Center and our foster parents, Director Milillo thanked the County for helping kids find a forever home.

#10

**RESOLUTION NO. 21-490
(November 9, 2021)**

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

Regular Session

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

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with ***Freed Maxick***, 424 Main Street, Suite 800, Buffalo, NY 14202 on behalf of the County Health Department. Said contract is for the preparation of the 2020/2021 Diagnostic and Treatment Center (AHCF) Medicaid Cost Reports in an amount not to exceed five thousand eight hundred fifty dollars (\$5,850.00) per year plus direct expenses; effective November 9, 2021 through completion and upload of the cost reports. Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-491
(November 9, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

**RESOLUTION IN OPPOSITION TO NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION HOLIDAY
HUNT REGULATION AND URGE THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO
REVERSE THE RECENTLY APPROVED HOLIDAY HUNT
REGULATION IN ITS ENTIRETY**

WHEREAS, On September 15, 2021 the New York State Department of Environmental Conservation announced the release of a proposed regulation that, if adopted, would allow counties to opt out of the recently established end-of year deer hunt, slated to occur annually between December 26 and January 01. The ‘holiday hunt’ is an extension of the late bow and muzzleloader deer season in New York’s Southern Zone; and

WHEREAS, The Wyoming County Board of Supervisors passed resolution number 20-405 entitled, ***“Opposition to a Proposed Late Deer Season Regulation,”*** on October 13, 2020 siting 279 miles of trails maintained throughout Wyoming County by snowmobile clubs that do not open until after the end of big game season; and

WHEREAS, Many small businesses support and depend on the

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snowmobile trails that pass by their establishments, many of which were abruptly closed due to COVID-19, and are only now starting to get back on their feet. Delaying the economic support that snowmobile activity provides is unacceptable; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly opposes the recently established end-of-year deer hunt slated to occur annually between December 26th and January 1st; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls for the New York State Department of Environmental Conservation to reverse this recently approved holiday hunt regulation in its entirety; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Kathy Hochul, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, New York State Department of Environmental Conservation (NYSDEC) Commissioner Basil Seggos, the New York State Association of Counties, Inter County Association of Western New York and all others deemed necessary and proper.

Presentation ~

- *Supervisor May, T/Orangeville presented a \$10,000.00 check from the Town of Orangeville that was received from the wind project in the town to Cornell Cooperative Extension Executive Director Griffith. The funds will be used for various projects at Camp Wyomoco. Mary Kehl from Invenergy was also present and shared a few words.*

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #12 through #14. Hearing no objection, resolution titles only were read.

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

**RESOLUTION NO. 21-492
(November 9, 2021)**

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 appointed/
reappointed to the Wyoming County Planning Board for a three (3) year term;

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effective January 1, 2022 to December 31, 2024:

TOWN	REPRESENTATIVE	ADDRESS
Town of Castile	Eric Parker	3751 Middle Reservation Rd, Perry, NY 14530
Town of Eagle	Roger Weiss	3917 Route 39, Bliss, NY 14024
Town of Gainesville	Jerome Marley	5717 Hardy Rd, Gainesville, NY 14066
Town of Java	Rebecca Johnson	656 Minkel Rd, Strykersville, NY 14145
Town of Orangeville	Thomas Suto	2932 Royce Rd, Varysburg, NY 14167
Town of Arcade	Vacant	

BE IT RESOLVED, That the following member is appointed/
reappointed to the Wyoming County Planning Board for a one (1) year term;
effective January 1, 2022 to December 31, 2022:

<u>Alternate Member #1</u>	Terry Page	6655 Soper Rd, Perry, NY 14530
<u>Alternate Member #2</u>	Vacant	Vacated by Gerald Pfeifer on 12/31/19

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

RESOLUTION NO. 21-493
(November 9, 2021)

By Mr. Leuer, Chairman of the Planning Committee:

**2022 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 **2022 Matching Funds Program** for tourist
promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of
Supervisors hereby reaffirms the designation that the Wyoming County
November 9, 2021

Chamber of Commerce is the *official tourist promotion agency* for the County of Wyoming for 2021 through 2025 and, as that agency, to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

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

**RESOLUTION NO. 21-494
(November 9, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

SMALL BUSINESS SATURDAY PROCLAIMED

WHEREAS, Small business is the backbone of the economy and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of Americans; and

WHEREAS, Our small business owners work long hours, juggle family and career responsibilities and serve as community volunteers, are central to our country's prosperity and to the vibrancy of our community. These diverse entrepreneurs are vital to our national economy, accounting for 99% of all registered businesses in the U.S., creating over 60% of new jobs, and represent 70% of the private workforce; and

WHEREAS, Through the opportunities offered by the men and women who own and operate thousands of diverse businesses including family farms, women-owned, and veteran owned small businesses 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 27, 2021, a day to celebrate and support small businesses that create jobs, boost the economy, and strengthen neighborhoods around the country to encourage shopping locally; and

WHEREAS, The Wyoming County Board of Supervisors wishes to recognize small businesses for the critical role they play in keeping our local 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 27th, 2021 is hereby designated as **SMALL BUSINESS SATURDAY** in Wyoming County in conjunction with the Wyoming County Chamber of Commerce and Tourism

office and communities across Wyoming County, the State of New York, and the United States who have declared this as an important day in celebration and recognition of small business.

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

Chairwoman Ryan, T/Warsaw invited Supervisor Davis, T/Covington to the podium to read the Small Business proclamation. The proclamation will be provided to the Chamber of Commerce.

There was a motion by Mr. Brick, T/Perry, to combine resolutions #15 through #17. Hearing no objection, resolution titles only were read.

#15

**RESOLUTION NO. 21-495
(November 9, 2021)**

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

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE
FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT SUPPLEMENT #5 AND
APPROPRIATING FUNDS THEREFORE**

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

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

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

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

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

November 9, 2021

FURTHER RESOLVED, That the sum of **\$3,214,788.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; 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: 1511 Noes: Absent: Abstain: 88 (Java) #16

**RESOLUTION NO. 21-496
(November 9, 2021)**

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

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

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney is hereby authorized and directed to award bids and sign various contracts on behalf of Buildings and Grounds (Co. Bldgs.) as follows:

- **Warren's Commercial Cleaning, Inc.**, 454 North Main Street, Warsaw, NY 14569 for cleaning services as outlined in the bid form at various county buildings in an amount not to exceed ninety-five thousand one hundred eleven dollars (\$95,111.00); effective January 1, 2022 through December 31, 2022.

BUILDING	General Cleaning	Windows	VCT Wax	AMOUNT
Board of Elections			\$300	\$300.00
Office for the Aging			\$300	\$300.00
Dept. of Social Services	\$45,180.00	\$840.00	\$564.00	\$46,584.00
Public Safety			\$1,000.00	\$1,000.00
Government Center			\$300.00	\$300.00
Agriculture & Business Center			\$1,200.00	\$1,200.00
Highway Admin Office	\$11,295.00	\$490.00	\$400.00	\$12,185.00
Health Department	\$32,002.00	\$560.00	\$680.00	\$33,242.00
TOTAL				\$95,111.00

- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569 for cleaning services as outlined in bid form at various county buildings in an amount not to exceed one hundred three thousand ninety-three dollars (\$103,093.00); effective January 1, 2022 through December 31, 2022 as follows:

BUILDING	General Cleaning	Windows	VCT Wax	AMOUNT
Office for the Aging	\$9,180.00			\$9,180.00
Public Defender	\$6,300.00	\$175.00		\$6,475.00
Wyo. Co. Courthouse	\$35,940.00		\$250.00	\$36,190.00
Agriculture & Business Center		\$2,000.00	\$45,000.00	\$47,000.00
District Attorney	\$4,248.00			\$4,248.00
TOTAL				\$103,093.00

- **NOMAD Enterprises, Inc.**, 7963 Old State Road, Pavilion, NY 14525 for mowing services as outlined in bid form at various county properties in an amount not to exceed thirteen thousand four hundred dollars (\$13,400.00) with call in not to exceed one thousand dollars (\$1,000.00) for a total amount of fourteen thousand four hundred dollars (\$14,400.00) per year for a total contract amount not to exceed forty-three thousand two hundred dollars (\$43,200.00); effective January 1, 2022 through December 31, 2024.

BUILDING	ONE YEAR	THREE YEARS	CALL IN FEE
Dept. of Social Services	\$2,072.50	\$6,217.50	\$200.00
Health Department	\$1,892.50	\$5,677.50	\$65.00
Record Retention Center	\$992.50	\$2,977.50	\$65.00
Animal Shelter	\$1,542.50	\$4,627.50	\$65.00

Fire Training Center	\$1,942.50	\$5,827.50	\$170.00
Radio Tower at FTC	\$1,022.50	\$3,067.50	\$50.00
Pioneer Cabin	\$2,392.50	\$7,177.50	\$200.00
Wyo. Co. Cemetery	\$1,542.50	\$4,627.50	\$150.00
Call In Maximum	\$1,000.00	\$3,000.00	
TOTAL	\$14,400.00	\$43,200.00	

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: Abstain: 88 (Java)
#17

RESOLUTION NO. 21-497
(November 9, 2021)

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

MEMBER APPOINTED/REAPPOINTED TO THE TRAFFIC SAFETY BOARD

BE IT RESOLVED, That the following member is hereby appointed/reappointed to the Traffic Safety Board for a three (3) year term; effective November 9, 2021 through November 8, 2024:

- **Christopher F. Brunner (T/Java)**, 1772 Welch Road, North Java, NY 14113

Carried: XXX Ayes: 1511 Noes: Absent: Abstain: 88 (Java)

There was a motion by Mrs. May, T/Orangeville, to withdraw resolution #22 and combine resolutions #18 through #21. Hearing no objection, resolution titles only were read.

#18

RESOLUTION NO. 21-498
(November 9, 2021)

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

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

WHEREAS, During the May 27, 2021 Public Safety Committee

Regular Session

Meeting, approval was granted for the submission of this grant application; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant acceptance award with the *United States Department of Justice*, 810 Seventh Street, Washington, DC 20531 on behalf Sheriff's Department. Said grant funds to supply bulletproof replacement vests that are over five (5) years old and the purchase of vests for new employees to be reimbursed fifty percent (50%) of the cost in an amount not to exceed eight thousand dollars (\$8,000.00); effective August 1, 2021 through July 31, 2023.

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

**RESOLUTION NO. 21-499
(November 9, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF 9-1-1**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign various contracts on behalf of 9-1-1 as follows:

- ***Aluma Tower Company***, 1639 Old Dixie Highway, Vero Beach, FL 32960 for the purchase of a Cargo Trailer Tower in an amount not to exceed one hundred ten thousand three hundred thirty-four dollars and eighty-three cents (\$110,344.83); effective October 24, 2021 through completion and delivery of the trailer.
- ***Frontier Communications***, 1225 Jefferson Road, Rochester, NY 14623 to upgrade the 911 phone communication system and a five (5) year service agreement in an amount not to exceed four hundred fifty thousand six hundred eighty-five dollars and seventy-five cents (\$450,685.75); effective October 25, 2021 through five (5) years from completion of the upgrade.

Contingent upon the availability of funds.

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

November 9, 2021

RESOLUTION NO. 21-500
(November 9, 2021)

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH SAIA COMMUNICATIONS ON BEHALF OF 9-1-1**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney is hereby authorized and directed to award bid and sign a contract with *Saia Communications*, 100 Stadtman Street, Buffalo, NY 14206 on behalf of 9-1-1. Said contract is for the construction of three (3) new public safety towers to include but not limited to Civil (site) work, shelters, gensets, electric services and uninterrupted power supplies in the towns of Castile, Middlebury and Wethersfield in an amount not to exceed one million eight hundred thirty thousand seven hundred twelve dollars and fifty cents (\$1,830,712.50); effective October 25, 2021 through completion of project.

Contingent upon the availability of funds.

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

RESOLUTION NO. 21-501
(November 9, 2021)

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

RESOLUTION NUMBER 21-457 AMENDED

WHEREAS, Resolution Number 21-547 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**” passed by this Board of Supervisors on October 12, 2021 and provides funding to effectively build and sustain critical capabilities in a minimum amount of fifty-nine thousand seven hundred fifty dollars (\$59,750.00) with the allocation of fourteen thousand nine hundred thirty-eight dollars (\$14,938.00) for the Sheriff’s Department and forty-four thousand eight hundred twelve dollars (\$44,812.00) for Emergency Services; effective October 1, 2021 through September 30, 2024.; now therefore

BE IT RESOLVED, That *Resolution Number 21-457* be hereby amended to correct the effective dates from October 1, 2021 through September 30, 2024 to *September 1, 2021 through August 31, 2024*.

All else remains the same.

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

RESOLUTION NO. 21-XXX
(November 9, 2021)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF
INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC
DEFENDER’S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign a grant application and acceptance award with the *New York State Office of Indigent Legal Services*, 80 South Swan Street, 11th Floor, Albany, NY 12210 on behalf of the Public Defender’s Office. Said grant funds are for Year 3 of the Hurrell-Harring contract in the minimum amount of three hundred eighty-nine thousand one hundred twenty-one dollars (\$389,121.00); effective April 1, 2020 through March 31, 2021. (*Contract CSTWIDEHH52*)

Carried: Ayes: Noes: Absent: Abstain:

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #23 through #41. Hearing no objection, resolution titles only were read.

#23

RESOLUTION NO. 21-502
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
MERCURY NETWORKS ON BEHALF OF INFORMATION
TECHNOLOGY**

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

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General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Mercury Networks**, 182 Hillrise Drive, Penfield, NY 14526 on behalf of Information Technology. Said contract is for the purchase of switches for the virtual environment of the County in an amount not to exceed eighteen thousand seven hundred seventy-seven dollars and sixty-nine cents (\$18,777.69); effective November 2, 2021 through delivery of purchase. (NYS PM20830)

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-503
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 19-561 AMENDED

WHEREAS, Resolution Number 19-561 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH TYLER TECHNOLOGIES, INC. ON BEHALF OF INFORMATION TECHNOLOGY**” passed by this Board of Supervisors on December 10, 2019 and provides for Munis ERP SaaS financial software in an amount not to exceed one million four hundred thousand dollars (\$1,400,000.00); effective December 10, 2019 through December 31, 2026; now therefore

BE IT RESOLVED, That *Resolution Number 19-561* be hereby amended to include additional hours needed for capital assets, payroll and human resources implementation services in an amount not to exceed forty-one thousand two hundred dollars (\$41,200.00).

All else remains the same.

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

**RESOLUTION NO. 21-504
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

2022 WORKERS’ COMPENSATION COSTS APPROVED

Regular Session

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 2022 budget of \$2,566,366 are as follows:

TOWNS

Arcade	32,469
Attica	32,581
Bennington	42,570
Castile	31,937
Covington	24,013
Eagle	31,190
Gainesville	33,566
Genesee Falls	20,862
Java	30,171
Middlebury	32,682
Orangeville	25,254
Perry	30,886
Pike	29,054
Sheldon	43,140
Warsaw	40,558
Wethersfield	30,895
Total	511,828

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:

VILLAGES

Arcade	94,328
Attica	66,706
Castile	10,015
Gainesville	37
Perry	82,617
Silver Springs	8,692
Warsaw	103,586
Wyoming	6,222

COUNTY

County Government	297,947
County Highway Department	161,398
Wyoming Co. Community Hospital	694,622
Wyoming Co. Volunteer Fire Depts.	315,814
Total	1,469,781

SCHOOL DISTRICTS

Attica Central School	111,054
Perry Central School <i>tail claims prior 1/1/2017</i>	15,508
Pioneer Central School <i>tail claims prior 1/1/2016</i>	36,413
Warsaw Central School <i>tail claims prior 7/1/2003</i>	7,614
Wyoming Central School	22,450
Total	193,039

OUTSIDE AGENCIES

Community Action	14,898
Soil & Water Conservation	4,617
Total	19,515

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

RESOLUTION NO. 21-505
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN
2022 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 **2022** as follows:

Univera Medicare PPO High Option

- Single - \$482.39

Univera Medicare PPO Low Option

- Single \$437.43

Excellus Medicare PPO

- Single \$482.39

MVP Medicare USA Care PPO Buy-Up Option

- Single \$386.11

MVP Medicare USA Care PPO Standard Option

- Single \$330.15

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

**RESOLUTION NO. 21-506
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

2021 TOWN BALANCES APPROVED

BE IT RESOLVED, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted; and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2022 Tax Rolls of the respective towns:

TOWN	TOTALS
Arcade	\$0
Attica	\$3,593.53
Bennington	\$219.69

November 9, 2021

Castile	\$617.14
Covington	\$0
Eagle	\$0
Gainesville	\$0
Genesee Falls	\$552.83
Java	\$191.79
Middlebury	\$0
Orangeville	\$0
Perry	\$3,272.26
Pike	\$0
Sheldon	\$58.02
Warsaw	\$64.94
Wethersfield	\$0
TOTAL	\$8,570.20

Dated: November 2, 2021

Cheryl D. Mayer
Wyoming County Treasurer

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

RESOLUTION NO. 21-507
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

PROPERTY AUCTION SALES APPROVED

WHEREAS, The County has obtained the right, pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law, to direct the assignee of the County of Wyoming to prepare, execute and cause to be recorded a deed conveying the following parcels, and

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

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

Regular Session

TAX MAP	BUYER/ADDRESS	TOTAL SALE	LOCATION
183.14-2-14	William Larimer Jr. 25½ Liberty Street, Arcade, NY	\$20,000.00	31 Grove St., Arcade
6.14-1-18	Justine Warren 103 Ross Street, Batavia, NY	\$15,000.00	23 Market St., Attica
6.14-3-43	Bruce Walton 3846 Dry Bridge Road, Alexander, NY	\$10,000.00	37 Exchange St., Attica
19.-1-40	Upstate Auto Properties 36 Main Street, Attica, NY	\$90,000.00	663 Creek Rd., Attica
32.-2-17.12	Amanda Brown 3189 Sonricker Road, Attica, NY	\$7,250.00	Sonricker Rd., Attica
3.-1-17	Leslie Huber 1700 Hoover Road, Attica, NY	\$5,250.00	O'Connor Rd., Bennington
5.-2-27.2	Jeffrey Ezzo 1978 Church Road, Darien Center, NY	\$26,000.00	348 Geise Rd., Bennington
135.19-3-4	David McClurg 3836 Rout 20A, Perry, NY	\$27,000.00	84 N. Main St., Castile
100.10-3-31	Jaycob Bernard 3243 Beardsley Road, Perry, NY	\$18,250.00	25 Washington Blvd., Perry
100.10-3-30.1	Marshall Kelly 774 McGrath Road, Attica, NY	\$56,000.00	Washington Blvd., Perry
111.20-3-52	Daniel Bunch 4294 Bug Road, Warsaw, NY	\$5,250.00	Spring Brook Rd., Castile
38.-1-15	Howard Bogle Jr. 7745 Route 39, Perry, NY	\$13,000.00	1170 Route 246, Covington
165.-1-37.3	Edward Strusa 3106 Cooley Road, Bliss, NY	\$16,000.00	Cooley Rd., Eagle
166.1-1-11.1	Helaman Heinrich 3474 Bartz Road, Strykersville	\$15,500.00	6642 Railroad Ave., Eagle
110.1-1-18	Duane Wright 470 Windy Hill Road, New Bloomfield, PA	\$40,000.00	4104 Dutton Rd., Gainesville
114.-1-46	Carolyn Wrazen PO Box 17, Strykersville, NY	\$528,429.00	359 Holland Rd., Java
140.8-4-37.1	John Palesh III 288 Newfield Street, Buffalo, NY	\$47,000.00	88 Midland Dr., Java
49.-1-60.2	Aaron Mucher 7960 Lewiston Road, Batavia, NY	\$40,500.00	1693 Dillon Rd., Middlebury
82.-1-27	Esther Akins 3064 Syler Road, Varysburg, NY	\$3,200.00	Syler Rd., Orangeville
82.-1-32	Benjamin Cramer 3408 Route 98, Varysburg, NY	\$5,500.00	Syler Rd., Orangeville
82.-1-66	Johnathan Royce 3196 Syler Road, Varysburg, NY	\$6,000.00	Syler Rd. W., Orangeville
100.8-3-25	Timothy McCutcheon 3876 Route 98, North Java, NY	\$12,000.00	88 Borden Ave., Perry
100.8-4-38	Jaycob Bernard 3243 Beardsley Road, Perry, NY	\$7,500.00	28-30 Park Ave., Perry

100.11-2-62	<i>Diana Rios Miranda</i> 314 Keanian Street, Kailua, HI	\$2,200.00	24 St. Helena St., Perry
100.12-1-12	<i>Michael Duchnick</i> 80 Main Street, Apt 6, Mt. Morris, NY	\$37,250.00	11 Callahan St., Perry
158.-1-26.1	<i>Shane Scott</i> 6327 Lamont Road, Castile, NY	\$10,500.00	5683 Route 39, Pike
81.-1-25	<i>Roger Hotchkiss</i> 3634 Route 19S, Warsaw, NY	\$35,500.00	Route 98, Sheldon
73.10-1-12	<i>Tristen Lawton</i> 87 Dolbeer Street, Perry, NY	\$11,000.00	269 Wyoming St., Warsaw

Now therefore,

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before December 10, 2021.

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

RESOLUTION NO. 21-508
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**WYOMING COUNTY REAL PROPERTY TAX SERVICES FEE
SCHEDULE APPROVED**

BE IT RESOLVED, That the Wyoming County Real Property Tax Services Fee Schedule is hereby approved and annexed hereto.

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

Wyoming County Real Property
143 N Main St, Warsaw, NY 14569
(585)786-8828

FEE SCHEDULE

	FEE (Public)		FEE (Govt)	
Map Information				
Tax Map Printing :	Grayscale	Color	Grayscale	Color
8.5 X 11	1.00	2.00	Free	2.00
11 X 17	2.00	5.00	Free	5.00
30 X 42	6.00	10.00	Free	10.00
30 X 42 with aerial photography	10.00	15.00	Free	15.00
Custom Map:	Grayscale	Color	Grayscale	Color
Digital	20.00	20.00	Free	Free
8.5 x 11	21.00	22.00	1.00	2.00
11 X 17	22.00	25.00	2.00	5.00
30 X 42	26.00	30.00	6.00	10.00
RPS Information				
Assessment Rolls & Tax Rolls:	.03/pcl \$20 min plus .25 page (print)		Twn/Vlg/Sch - Free Other Govt - .01/pcl	
Cross Reference	.02/pcl \$15 min plus .25 page (print)		Twn/Vlg/Sch - Free Other Govt - .01/pcl	
Custom Report	.05/pcl \$20 min plus .25 page (print)		Twn/Vlg/Sch - Free Other Govt - .02/pcl	
Labels	.50 per page (1 page min)		.25 per page (1 page min)	
Tax Information				
Tax Extract	\$1000/all (annually) \$600/taxing period			
Digital Tax Maps (GIS)	See Price Schedule			
ImageMate Subscription	Monthly: \$30/subscriber Yearly: \$300/subscriber (\$50/yr per additional at same site)			
Tax Administration				
Tax Bills (includes tax extract & pdfs of bills)				
Schools & Villages	\$1.10/pcl			
Towns	\$.35/pcl			
RPS file only	\$.50/pcl			

November 9, 2021

RESOLUTION NO. 21-509
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR 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 Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- ***DCCS Consulting, LLC***, 205 Hackney Circle, Wilmington, DE 19803 to recruit a qualified candidate for the position of interim chief financial officer in an amount not to exceed one hundred fifty thousand dollars (\$150,000.00) including reimbursable expenses (travel, lodging, etc.); effective October 18, 2021 through April 18, 2022.
- ***NCB Medical Coding Specialists, Inc.***, 8975 Main Street, Clarence, NY 14031 to assist in outpatient coding and to perform all inpatient coding in an amount not to exceed two hundred twenty thousand dollars (\$220,000.00) per year; effective January 1, 2022 through December 31, 2022.
- ***Nephrology Associates of Western New York, LLP***, 1306 Sweet Home Road, Amherst, NY 14228 to provide call coverage and ensure adequate coverage for emergency nephrology cases for the hospital's emergency care unit, inpatient floors, dialysis unit, and clinic in an amount not to exceed one thousand dollars (\$1,000.00) per day; effective November 1, 2021 through October 31, 2024.
- ***Home Care Therapies, LLC d/b/a Horizon Healthcare Staffing***, 20 Jerusalem Avenue, 3rd Floor, Hicksville, NY 11801 for a staffing agreement for RNs, LPNs, Aides, Therapists and Supervisors in an

amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective November 1, 2021 through October 31, 2024.

- ***Tempositions Health Care, Inc.***, 622 Third Avenue, 39th Floor, New York, NY 10017 to provide staffing services in an amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective November 1, 2021 through October 31, 2024.
- ***PBS Medcode Corp***, 275 Northpointe Parkway, Suite 50, Amherst, NY 14228 for outpatient clinics in an amount not to exceed forth thousand dollars (\$40,000.00) per year; effective November 1, 2021 through May 31, 2023.
- ***Prolink Healthcare, LLC***, 4600 Montgomery Road, Suite 300, Cincinnati, OH 45212 to provide staffing services in an amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective November 1, 2021 through October 31, 2024.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-510
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR AUTHORIZED TO SIGN AN
EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH
KELLY SHEA, NP 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 Hospital Administrator of the hospital, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign an Employment Agreement – Salary Schedule “P” with ***Kelly Shea, NP***, 7 Kent Drive, Orchard Park, NY 14127 on behalf of the Wyoming County Community Health System. Said contract to provide a Women’s Health Nurse Practitioner position in an amount not to exceed one hundred thousand dollars (\$100,000.00);

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effective December 1, 2021.

Contingent upon the availability of funds.

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

RESOLUTION NO. 21-511
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 19-082 AMENDED

WHEREAS, Resolution Number 19-082 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, 2019 and provides, in part, for the following contract:

- ***M*Modal***, 5000 Meridian Parkway, Suite 200, Franklin, TN 37067 for transcription services for medical records and radiology in an amount not to exceed one hundred seventy thousand dollars (\$170,000.00) per year; effective February 1, 2019 through February 1, 2021.

Now therefore

BE IT RESOLVED, That ***Resolution Number 19-082*** be hereby amended as follows:

- Change the name of the contracting party from M*MODAL to ***Aquity Solutions, LLC***.
- Extend the term of the agreement from February 1, 2019 through February 1, 2021 to ***February 1, 2021 through January 31, 2022***.

All else remains the same.

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

RESOLUTION NO. 21-512
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

SALARY SCHEDULES “P”, “C”, “X”, “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 “P”:

Wyoming County Community Health System

- Create one (1) position of ***Women's Health Nurse Practitioner*** (1.00 FTE) (position code TBD) under OB CLINIC and set the salary at \$100,000.00 per year; position available date is December 1, 2021.
- Abolish one (1) position of ***Certified Nurse Midwife, FT*** (position code 17.108.519) under OB CLINIC; effective October 31, 2021.

Salary Schedule “C”:

Wyoming County Community Health System

- Set the salary for the position of ***Laboratory Services Director*** (position code 01.171.562 under LABORATORY at \$102,000.00 per year; effective October 4, 2021.

Salary Schedule “X”:

Wyoming County Community Health System

- Set the hourly rate for the position of ***Medical Office Assistant*** (position code 12.182.480) under WYOMING COUNTY FAMILY MEDICINE – ARCADE at \$15.00 per hour; effective October 24, 2021.
- Set the hourly rate for the position of ***Medical Office Assistant*** (position code 12.216.480) under WYOMING COUNTY FAMILY MEDICINE – ATTICA at \$17.50 per hour; effective October 24, 2021.
- Abolish one (1) position of ***Medical Office Assistant (Clinics)*** (1.00 FTE) (position code 12.905.480) under NEUROLOGY CLINIC; effective October 3, 2021.

Salary Schedule “G”:

Public Defender

- Increase stipends plus corresponding fringes as provided through Hurrell-Harring Grant, Contract No. CSTWIDEHH52 (Year 3) for the following positions:
 - ***Assistant Public Defender (1st)*** (position code 004.503) to \$8,000.00

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- ***Assistant Public Defender (2nd)*** (position code 001.503) to \$8,000.00
- ***Assistant Public Defender (3rd)*** (position code 002.503) to \$15,000.00
- ***Secretary I*** (position code 006.350) to \$6,000.00
 - Said amounts to be paid biweekly and retroactive from April 1, 2020 through March 31, 2023
- Set end date of March 31, 2023 for stipend plus corresponding fringe as provided through Hurrell-Harring Grant, Contract No. CSTWIDEHH52 (Year 3) for the following position:
 - ***Assistant Public Defender (6th)***
- Set stipends plus corresponding fringes as provided through Hurrell-Harring Grant, Contract No. CSTWIDEHH52 (Year 3) for the following positions:
 - ***Public Defender*** (position code 003.503)
 - \$3,000.00
 - ***Assistant Public Defender (4th)*** (position code 007.503)
 - \$8,000.00
 - ***Secretary to the Public Defender*** (position code 005.503)
 - \$6,000.00
 - ***Data Management/Account Clerk*** (position code 009.595)
 - \$3,000.00
 - ❖ Said amounts to be paid biweekly and retroactive from April 1, 2020 through March 31, 2023
- Set stipend plus corresponding fringes as provided through Upstate Quality Improvement and Caseload Reduction Grant, Contract No. C3RD656 for the following position:
 - ***Assistant Public Defender (4th)*** (position code 007.503)
 - \$24,000.00
 - ❖ Previously paid to ***Assistant Public Defender (7th)*** position
 - ❖ Said amount to be paid biweekly effective November 13, 2021 through June 30, 2023

Salary Schedule “S”:

District Attorney

- Set the salary of the ***Assistant District Attorney (3rd)*** (position code 031.503) at \$80,000.00 per year; effective October 12, 2021.

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

#34

RESOLUTION NO. 21-513
(November 9, 2021)

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, 2021 through December 31, 2021.

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

RESOLUTION NO. 21-514
(November 9, 2021)

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 1, 2021 through September 30, 2021 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 **\$339,188.03** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$39,435.59	\$8,049.28	\$31,386.31
Attica	\$45,918.31	\$8,649.42	\$37,268.89
Bennington	\$33,199.30		\$33,199.30
Castile	\$24,987.91	\$1,442.37	\$22,276.91
Perry Village		\$1,268.63	
Covington	\$5,350.76		\$5,350.76
Eagle	\$10,233.20		\$10,233.20
Gainesville	\$14,872.42	\$475.90	\$12,794.03
Silver Springs Village		\$1,602.49	
Genesee Falls	\$2,963.70		\$2,963.70
Java	\$22,608.78		\$22,608.78
Middlebury	\$16,197.45	\$1,407.60	\$14,789.85
Orangeville	\$9,939.91		\$9,939.91
Perry	\$24,485.21	\$4,976.88	\$19,508.33
Pike	\$3,485.65		\$3,485.65
Sheldon	\$38,275.06		\$38,275.06
Warsaw	\$43,544.08	\$12,559.70	\$30,984.38
Wethersfield	\$3,690.70		\$3,690.70
Total:		\$40,432.27	\$298,755.76
Grand Totals:		\$339,188.03	

Let This Be Your Warrant for Such Payment: **\$339,188.03, IN WITNESS WHEREOF**, I have hereunto set my hand and seal of the Board of Supervisors this 9th day of November 2021.

**s/Cheryl J. Ketchum,
Clerk to the Board**

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

**RESOLUTION NO. 21-515
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**WYOMING COUNTY PURCHASING POLICY AMENDMENTS
ADOPTED**

BE IT RESOLVED, That this Board of Supervisors does hereby approve and adopt the amendments to 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:

Regular Session



PURCHASING POLICY

Adopted XX/XX/20XX

November 9, 2021

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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
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.

November 9, 2021

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. Business Participation in Procurement and Contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the County will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development’s Section 3 Businesses Registry. The County’s established purchase/ contracting thresholds will apply. The County will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

Minority- and Women-Owned Business Enterprise (M/WBE) Business Participation in Procurement and Contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the County will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The County’s established

purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The County will keep documentation of M/WBE solicitation in its records and any responses thereto. The County will not be responsible for commitments made circumventing these policies.

(As suggested by H. Sicherman / The Harrison Studio 10/12/21 via R. Marschilok e-mail)

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.

November 9, 2021

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.

**RESOLUTION NO. 21-516
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

2022 EQUALIZATION TABLE PRESENTED AND TABLED

BE IT RESOLVED, That the 2022 Equalization Table is hereby presented; and be it

FURTHER RESOLVED, That its adoption be tabled for at least one (1) day.

2022 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
100.00%	ARCADE	298,264,654	298,264,654	0.109811721	298,259,804
100.00%	ATTICA	224,145,089	224,145,089	0.082523214	224,133,189
35.50%	BENNINGTON	118,528,038	333,881,797	0.122924840	118,513,009
93.00%	CASTILE	294,962,525	317,164,005	0.116769871	294,936,475
95.00%	COVINGTON	85,952,178	90,475,977	0.033310426	85,951,678
100.00%	EAGLE	78,059,673	78,059,673	0.028739131	78,059,373
100.00%	GAINESVILLE	118,912,558	118,912,558	0.043779886	118,912,558
100.00%	GENESEE FALLS	32,936,316	32,936,316	0.012126122	32,934,516
100.00%	JAVA	160,805,519	160,805,519	0.059203565	160,804,019
100.00%	MIDDLEBURY	117,948,483	117,948,483	0.043424944	117,941,083
96.00%	ORANGEVILLE	108,473,876	112,993,621	0.041600719	108,473,876
100.00%	PERRY	232,766,461	232,766,461	0.085697334	232,748,761
100.00%	PIKE	60,477,447	60,477,447	0.022265905	60,477,447
100.00%	SHELDON	177,782,237	177,782,237	0.065453862	177,777,237
85.00%	WARSAW	249,403,673	293,416,086	0.108026630	249,402,173
95.00%	WETHERSFIELD	62,810,163	66,115,961	0.024341830	62,803,863
	TOTALS	2,422,228,890	2,716,145,884	1.000000000	2,422,129,061

FINANCE COMMITTEE

Bryan Kehl	Ellen Grant
Daniel Leuer	James Brick
Stanley Klein	Sandy King
Jerry Davis	Susan May
Angela Brunner	

26-Oct-21

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

**RESOLUTION NO. 21-517
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

Regular Session

**DATE OF PUBLIC HEARING FOR THE CONSIDERATION OF THE
2022 TENTATIVE COUNTY BUDGET SET**

BE IT RESOLVED, That a Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 2022 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 North Main Street, in the Village of Warsaw, NY 14569, on ***Tuesday, November 30, 2021 at 11:30 AM*** and that copies of that tentative County Budget will be available at the Public Hearing and ***after 4:00 P.M. on November 12, 2021***, in accordance with Section 354(2) of the County Law of this State, at the Office of the Clerk of the Board of Supervisors; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and be it

FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 10:00 A.M. on November 29, 2021.

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

**RESOLUTION NO. 21-518
(November 9, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

2022 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 2022 as indicated in the amount of ***\$2,732,732.67 (two million seven hundred thirty-two thousand seven hundred thirty-two dollars and sixty-seven cents)*** as indicated on the January Town and County tax bill and any other outstanding fees for services rendered:

Carried : XX X Ayes : 159 9 Noes : Absent: Abs tain :

Municipality	Recycle	Unit	Cost per Unit	Total
Bennington	Seasonal Garbage	37	\$ 131.75	\$ 4,874.75
	Year-Round Garbage	1,368	\$ 263.49	\$ 360,454.32
Castile	Seasonal Garbage	214	\$ 131.75	\$ 28,194.50
	Year-Round Garbage	1,229	\$ 263.49	\$ 323,829.21
Covington	Seasonal Garbage	0	\$ 131.75	\$ -
	Year-Round Garbage	437	\$ 263.49	\$ 115,145.13
Gainesville	Seasonal Garbage	18	\$ 131.75	\$ 2,371.50
	Year-Round Garbage	803	\$ 263.49	\$ 211,582.47
Genesee Falls	Seasonal Garbage	11	\$ 131.75	\$ 1,449.25
	Year-Round Garbage	188	\$ 263.49	\$ 49,536.12
Middlebury	Seasonal Garbage	8	\$ 131.75	\$ 1,054.00
	Year-Round Garbage	598	\$ 263.49	\$ 157,567.02
Orangeville	Seasonal Garbage	39	\$ 131.75	\$ 5,138.25
	Year-Round Garbage	490	\$ 263.49	\$ 129,110.10
Perry	Seasonal Garbage	7	\$ 131.75	\$ 922.25
	Year-Round Garbage	1,823	\$ 263.49	\$ 480,342.27
Pike	Seasonal Garbage	22	\$ 131.75	\$ 2,898.50
	Year-Round Garbage	411	\$ 263.49	\$ 108,294.39
Sheldon	Seasonal Garbage	11	\$ 131.75	\$ 1,449.25
	Year-Round Garbage	900	\$ 263.49	\$ 237,141.00
Warsaw	Seasonal Garbage	10	\$ 131.75	\$ 1,317.50
	Year-Round Garbage	1,813	\$ 263.49	\$ 477,707.37
Wethersfield	Seasonal Garbage	55	\$ 131.75	\$ 7,246.25
	Year-Round Garbage	323	\$ 263.49	\$ 85,107.27
	Town Subsidy			\$ (60,000.00)

\$ 2,732,732.67 levy to the towns

#40

RESOLUTION NO. 21-519
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

JANIS COOK REAPPOINTED COUNTY AUDITOR

BE IT RESOLVED, That *Janis Cook*, 3459 Truesdell Road, Warsaw, NY 14569 is hereby reappointed County Auditor for a one (1) year term; effective January 1, 2022 through December 31, 2022.

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

#41

RESOLUTION NO. 21-520
(November 9, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

ABOLISHED:***Public Defender***

- Abolish one (1) position of ***Assistant Public Defender 7th*** (PT) (position code 013.503) on Salary Schedule G; effective November 3, 2021.

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

Chairwoman Ryan, T/Warsaw asked if there was any objection to the presentation of unanimous consent resolution #42. Hearing no objection, the resolution title only was read.

***Unanimous Consent
#42***

**RESOLUTION NO. 21-521
(November 9, 2021)**

By Mrs. Ryan, Chairman of the Committee of the Whole:

**RESOLUTION APPOINTING THE COUNTY HIGHWAY
SUPERINTENDENT AS THE DESIGNATING PROJECT MANAGER
AND RESPONSIBLE LOCAL OFFICIAL IN CONNECTION WITH THE
SCHOELLKOPF ROAD OVER CAYUGA CREEK BRIDGE
REPLACEMENT**

WHEREAS, Resolution No. 18-554 authorized the County Highway Superintendent to purchase materials and award a bid following NYSDOT recommendations for work associated with the SCHOELLKOPF ROAD OVER CAYUGA CREEK BRIDGE REPLACEMENT (PIN 4WY003; TIP #B20-02-WY2) project; and

WHEREAS, NYSDOT has identified the need to also designate a Project Manager for this project and County Highway Superintendent, Devin Blue, has agreed to act as the designated responsible local official; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby appoint County Highway Superintendent, Devin Blue, as the Responsible Local Official, with authority to perform designated function(s) on the NYSDOT EBO website, as it pertains to the SCHOELLKOPF ROAD OVER CAYUGA CREEK BRIDGE REPLACEMENT (PIN 4WY003; TIP #B20-02-WY2) project, and any other Federal-Aid project that should occur in the future, that requires EBO responsibilities; and be it

FURTHER RESOLVED, That County Highway Superintendent Blue

November 9, 2021

is empowered to designate any and all administrators to assist in the performance of those functions required within EBO; and be it

FURTHER RESOLVED, That the Chairwoman of the Board is authorized and directed to sign and file any documents that may be necessary to comply with this authorization; and be it

FURTHER RESOLVED, This Resolution shall take effect immediately.

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

Chairwoman Ryan, T/Warsaw asked if there was any objection to the presentation of unanimous consent resolution #43. Hearing no objection, the resolution title only was read.

*Unanimous Consent
#43*

**RESOLUTION NO. 21-522
(November 9, 2021)**

By Mrs. Ryan, Chairman of the Committee of the Whole:

RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES

WHEREAS, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2021-2022 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 relevied 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 relevied against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

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

Chairwoman Ryan, T/Warsaw announced it was Supervisor Berwanger's

birthday today. The County Attorney led the group in singing happy birthday!

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

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, ^{CMC}

Clerk to the Board

November 9, 2021

SPECIAL BUDGET SESSION
(November 30, 2021)
Tuesday
11:30 AM

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. Members of the public were invited to observe the meeting via BOS YouTube Channel through the following link: <http://www.wyomingco.net/149/Board-of-Supervisors>.

At 11:32 AM Chairwoman Ryan, T/Warsaw, called the meeting to order.

All members of the Board of Supervisors were present and participated in person except Supervisors Roberts, T/Genesee Falls; Leuer, T/Middlebury; May, T/Orangeville and King, T/Pike, all of whom were present via Zoom conference call. Supervisor Klein, T/Castile was absent. Also present were Clerk to the Board of Supervisors, Cheryl Ketchum and Budget Officer, Janis Cook.

Pledge of Allegiance ~

- *Veteran Services Director, Anthony Salino led the pledge of allegiance, which was said by all.*

Open Public Hearing ~

- *Review of Wyoming County Tentative Budget for the Year 2022*
- *Budget Message*
 - *by Budget Officer J. Cook*

Wyoming County, NY 2022 Budget



Presented by:
Janis Cook – Budget Officer
November 30th, 2021

2022 Budget Message

As the County moves through 2021, and is preparing a budget for 2022, the pandemic and its impact remains at the forefront. Where and how resources can be maximized to ensure the County is prepared and able to address future needs, continued education and support to our community continues to be the main objective. This budget was constructed focusing on these goals while still providing the services our residents require and deserve.

State
Mandates

Tax Cap

Sales Tax

**KEY
POINTS**

ARPA
Funding

Wyoming County New York



overview
report
explanation
Summary
synopsis
brief
outcome
recap
Information
outline

↑	3.95%	Proposed Budget	\$162,755,188
↑	1.05%	Proposed Tax Levy	\$24,721,914
↑	7.82%	Taxable Valuation	\$2,422,129,061
↓	6.32%	Proposed Tax Rate • @ 100% assessment	\$9.09 per thousand

Property Tax Levy and Rate

Property Tax Levy

2021	2022	CHANGE	% CHANGE
\$24,464,345	\$24,721,914	+ \$257,569	+ 1.05 %

Taxable Valuation

2021	2022	CHANGE	% CHANGE
\$2,246,441,666	\$2,422,129,061	+ \$175,687,395	+ 7.82 %

Full Valuation

2021	2022	CHANGE	% CHANGE
\$2,519,843,388	\$2,716,145,884	+ \$196,302,496	+ 7.79 %

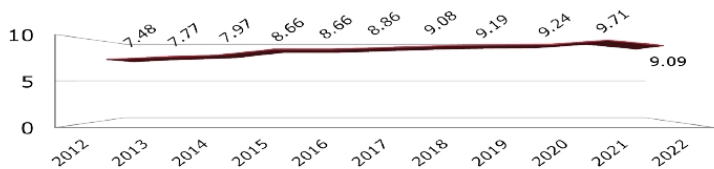
Property Tax Rate

(100% Equalization)

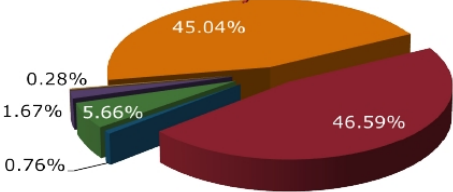
2021	2022	CHANGE	% CHANGE
\$9.71	\$9.09	- \$.61	- 6.32 %

Property Tax Rate History

Per thousand @ 100% Assessment

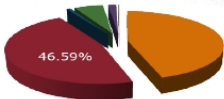


Expenditure Breakdown By Fund



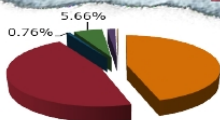
General Fund	\$ 73,303,657	45.04%
Hospital Fund	\$ 75,829,169	46.59%
Machinery Fund	\$ 1,236,834	0.76%
Highway Fund	\$ 9,218,596	5.66%
Workers Compensation Fund	\$ 2,716,932	1.67%
Building Equipment Capital Reserve	\$ 450,000	0.28%
Total Budgeted Expenditures		\$ 162,755,188
		100%

Hospital Fund Budget



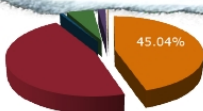
		Adopted 2021	Tentative 2022	Change Amount Inc / (Decrease)
Total Revenues		\$ 69,982,814	\$ 75,829,169	\$ 5,846,355
1	Personal Svc	\$ 28,362,235	\$ 31,643,088	\$ 3,280,853
2	Capital	\$ 1,500,000	\$ 1,500,000	\$ -
4	Contractual	\$ 24,671,283	\$ 26,934,896	\$ 2,263,613
6	Principal Pmt	\$ 668,760	\$ 996,672	\$ 327,912
7	Interest Pmt	\$ 245,702	\$ 348,889	\$ 103,187
8	Fringe	\$ 14,534,834	\$ 14,405,624	\$ (129,210)
9	Transfers	\$ -	\$ -	\$ -
Total Expenditures		\$ 69,982,814	\$ 75,829,169	\$ 5,846,355
Fund Balance		\$ -	\$ -	\$ -
Levy		\$ -	\$ -	\$ -

Highway & Machinery Budget



		Adopted 2021	Tentative 2022	Change Amount Inc / (Decrease)
Total Revenues		\$ 11,334,886	\$ 9,818,996	\$ (1,515,890)
1	Personal Svc	\$ 1,526,710	\$ 1,491,126	\$ (35,584)
2	Capital	\$ 204,700	\$ 125,700	\$ (79,000)
4	Contractual	\$ 9,380,819	\$ 7,850,562	\$ (1,530,257)
6	Principal Pmt	\$ 150,000	\$ 150,000	\$ -
7	Interest Pmt	\$ 7,200	\$ 2,450	\$ (4,750)
8	Fringe	\$ 925,867	\$ 835,592	\$ (90,275)
9	Transfers	\$ -	\$ -	\$ -
Total Expenditures		\$ 12,195,296	\$ 10,455,430	\$ (1,739,866)
Fund Balance		\$ (860,410)	\$ (636,434)	\$ 223,976
Levy		\$ -	\$ -	\$ -

General Fund Budget



		Adopted 2021	Tentative 2022	Change Amount Inc / (Decrease)
Total Revenues		\$ 44,516,297	\$ 47,031,743	\$ 2,515,446
1	Personal Svc	\$ 17,429,072	\$ 18,210,214	\$ 781,142
2	Capital	\$ 627,185	\$ 912,207	\$ 285,022
4	Contractual	\$ 31,224,541	\$ 33,330,694	\$ 2,106,153
6	Principal Pmt	\$ 2,047,626	\$ 2,092,225	\$ 44,599
7	Interest Pmt	\$ 648,034	\$ 560,683	\$ (87,351)
8	Fringe	\$ 9,921,552	\$ 9,943,998	\$ 22,446
9	Transfers	\$ 8,986,633	\$ 8,253,636	\$ (732,997)
	Highway	\$ 5,313,556	\$ 4,683,941	\$ (629,615)
	Machinery	\$ -	\$ -	\$ -
	Hospital	\$ 3,090,856	\$ 3,087,575	\$ (3,281)
	CJP	\$ 550,000	\$ 450,000	\$ (100,000)
	Workers Comp	\$ 32,221	\$ 32,120	\$ (101)
Total Expenditures		\$ 70,884,642	\$ 73,303,657	\$ 2,419,015
Levy Prior to FB		\$ 26,368,345	\$ 26,271,914	\$ (96,431)
Fund Balance		\$ (1,904,000)	\$ (1,550,000)	\$ 354,000
Levy		\$ 24,464,345	\$ 24,721,914	\$ 257,569



2022 General Fund

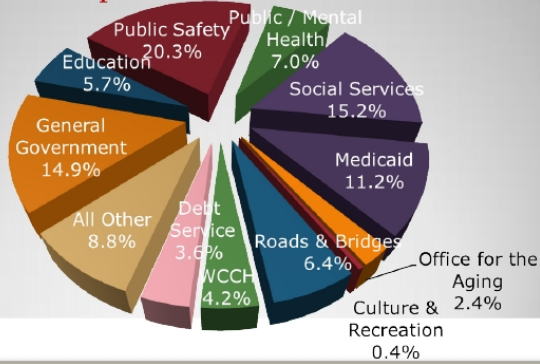
Budget Breakdown

General Fund

Expenditure Detail

GENERAL FUND	EXPENDITURE	%
Public Safety	\$ 14,846,607	20.25%
Social Services	\$ 11,149,428	15.21%
General Government	\$ 10,890,415	14.86%
Medicaid	\$ 8,177,396	11.16%
All Other	\$ 6,450,647	8.80%
Public / Mental Health	\$ 5,110,168	6.97%
County Roads & Bridges	\$ 4,683,941	6.39%
Education	\$ 4,212,599	5.75%
Wyo. Co. Comm. Hospital	\$ 3,087,575	4.21%
Debt Service	\$ 2,652,908	3.62%
Office for the Aging	\$ 1,735,931	2.37%
Culture & Recreation	\$ 306,042	0.42%
Total Budgeted Expenditures	\$ 73,303,657	100.00%

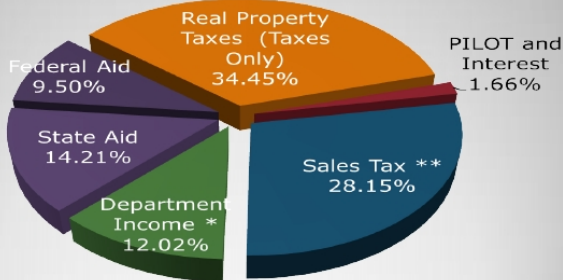
General Fund Expenditure Breakdown



General Fund Revenue Detail

GENERAL FUND	REVENUE	%
Real Property Taxes (Taxes Only)	\$ 24,721,914	34.45%
PILOT and Interest	\$ 1,191,675	1.66%
Sales Tax (Including Interest /911 surcharge /hotel /motel tax /auto use tax)	\$ 20,199,309	28.15%
Department Income (Fees/Local Rev/Permits/Fines/Donations/Sale of Property & Interfund Revenue)	\$ 8,627,903	12.02%
State Aid	\$ 10,198,499	14.21%
Federal Aid	\$ 6,814,357	9.50%
Total General Fund Revenue	\$ 71,753,657	100.00%
Fund Balance	\$ 1,550,000	
Total to Cover 2022 Expenditures	\$ 73,303,657	

General Fund Revenue Breakdown



* Fees/Local Rev/Permits/Fines/Donations/Sale of Property & Interfund Revenue

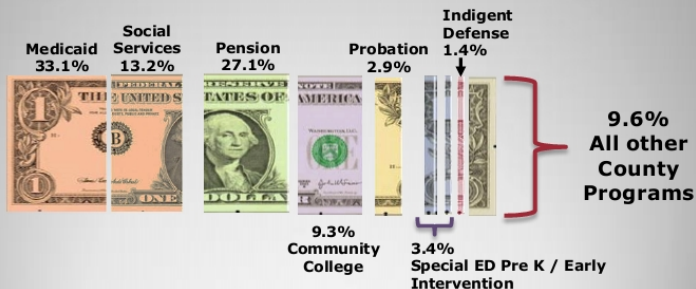
** Including Interest /911surcharge /hotel /motel tax /auto use tax

SUMMARY OF 2022 BUDGET BY FUNCTION

FUNCTION	APPROPRIATIONS	STATE & FEDERAL AID	REVENUES	TAX LEVY / SURPLUS
General Governmental Support	\$ -	\$ -	\$ 20,480,984	\$ (20,480,984)
Legislative	\$ 751,114	\$ -	\$ 5,043	\$ 746,071
Judicial	\$ 2,440,134	\$ 1,028,429	\$ 148,900	\$ 1,262,805
Finance	\$ 1,450,637	\$ -	\$ 864,474	\$ 586,163
Staff	\$ 5,085,957	\$ 145,178	\$ 2,093,433	\$ 2,847,346
Special Items	\$ 1,162,573	\$ -	\$ 6,973	\$ 1,155,600
Education	\$ 4,212,599	\$ 1,220,000	\$ -	\$ 2,992,599
Public Safety	\$ 14,846,607	\$ 1,318,075	\$ 1,617,053	\$ 11,911,479
Health	\$ 6,110,168	\$ 4,852,419	\$ 394,303	\$ 863,446
Social Services (Less Medicaid)	\$ 11,149,428	\$ 7,140,830	\$ 746,600	\$ 3,261,998
Social Services (Medicaid / MMIS)	\$ 8,177,396	\$ -	\$ -	\$ 8,177,396
Economic Development	\$ 706,919	\$ -	\$ 190,700	\$ 516,219
Other	\$ 223,740	\$ 13,136	\$ 12,000	\$ 198,604
Economic Assistance (OFA)	\$ 1,735,931	\$ 958,186	\$ 239,438	\$ 538,307
Recreation	\$ 167,514	\$ 61,333	\$ -	\$ 106,181
Culture	\$ 146,042	\$ -	\$ 4,500	\$ 141,542
Adult Recreation	\$ 160,000	\$ 160,000	\$ -	\$ -
General Environment	\$ 3,288,868	\$ 75,000	\$ 3,102,406	\$ 111,462
Natural Resources	\$ 576,486	\$ -	\$ 8,500	\$ 567,986
Employee Benefits	\$ 5,000	\$ -	\$ 5,000	\$ -
Debt Service	\$ 2,652,908	\$ 40,270	\$ 98,580	\$ 2,514,058
Interfund Transfers	\$ 8,253,636	\$ -	\$ -	\$ 8,253,636
Highway Funds	\$ 9,218,536	\$ 3,978,305	\$ 4,740,291	\$ 500,000
Machinery Fund	\$ 1,236,834	\$ -	\$ 1,100,400	\$ 136,434
Hospital Funds	\$ 75,829,169	\$ 480,446	\$ 75,348,723	\$ -
Compensation	\$ 2,716,932	\$ -	\$ 2,716,932	\$ -
Job Training Funds	\$ -	\$ -	\$ -	\$ -
Capital	\$ 450,000	\$ -	\$ 450,000	\$ -
TOTALS:	\$ 162,755,188	\$ 21,471,607	\$ 114,375,233	\$ 26,908,348
Less Surplus:				
General Fund				\$ 1,550,000
Machinery Fund				\$ 136,434
County Road Fund				\$ 500,000
Compensation				\$ -
Capital				\$ -
Subtotal Surplus Applied				\$ 2,186,434
TAX LEVY:				\$ 24,721,914

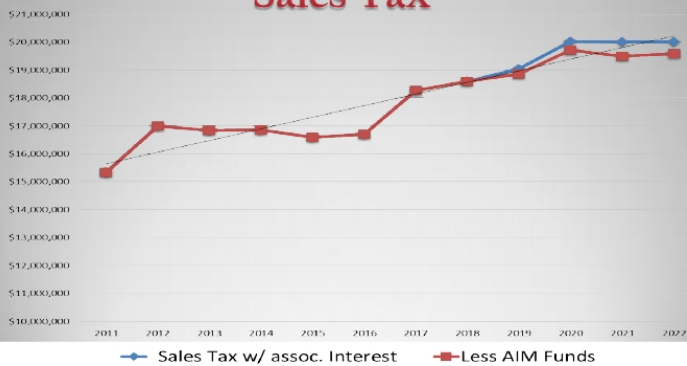
KEY POINTS

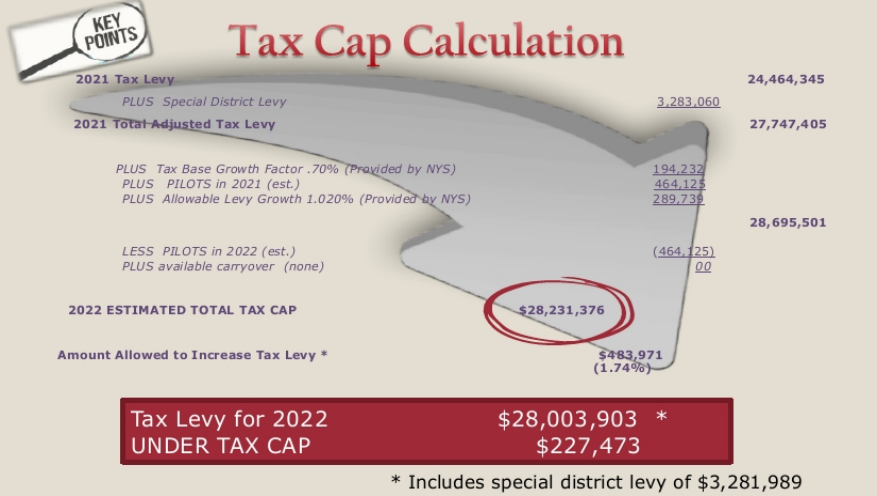
State Mandates




KEY POINTS

Sales Tax







Tax Cap vs Property Tax

General County Levy	Adopted 2021	Tentative 2022	2022 Inc / (Dec)	2022 Percentage Inc / -Dec
Revenue	129,345,697	135,846,840	6,501,143	5.03%
Expenses	156,574,452	162,755,188	6,180,736	3.95%
Reserve to offset	2,764,410	2,186,434	-577,976	-20.91%
Allow For Uncollectable Taxes	0	0	0	
Total General County Levy	24,464,345	24,721,914	257,569	1.05%
Special District Levy				
Town Balances	3,007	8,570	5,563	185.01%
Board of Elections	28,234	28,858	624	2.21%
Recycling	2,665,714	2,732,733	67,018	2.51%
Worker's Comp	586,105	511,828	-74,277	-12.67%
Total Levy All Districts	27,747,405	28,003,903	256,498	0.92%
NYS Tax Levy Limitation	26,062,837	28,231,376	483,971	1.74%
Over / (Under) Allowable Cap	1,684,568	-227,473		

KEY POINTS

American Rescue Plan Act (ARPA Funding)

What?

\$65.1B in direct flexible Federal Aid to every county in America.

How?

These direct funds were allocated to counties based on the county share of the US population.

When?

May use funds to cover eligible costs that your organization incurred during the period that begins on March 3, 2021 and ends December 31, 2024. Costs prior to March 3, 2021 are not eligible.

Wyoming County was allocated \$7.79M

Source: US Department of Treasury Compliance and Reporting Guidance June 24, 2021 Version 1.1

KEY POINTS

American Rescue Plan Act (ARPA Funding)

Spending Guide

Public Health/ Negative Economic Impacts

- To provide assistance to households; rent, mortgage or utility assistance.

Premium Pay

- Provide premium pay retrospectively for work performed at any time since the start of the COVID 19 public health emergency.

Revenue Loss

- Gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue.

Investments in Water, Sewer, and Broadband

- Use funds to cover costs incurred for eligible projects planned or started prior to March 3, 2021.

KEY
POINTS

The Plan

ARPA FUNDING

Positive impact on the levy

- ★ Budgeted Capital Improvement Projects: Including generator replacements, roofing projects, fire burn tower repair, 911 phone system replacement and several smaller updates to building entrances improving safety and handicap accessibility.
- ★ Budgeted Capital Equipment Investments: Updates to the information technology infrastructure, replacement vehicles and replacement electronic voting machines.

KEY
POINTS

The Plan

ARPA FUNDING

Boosting the economy

- ★ Local Business and Tourism support; providing funding for Micro-Loan program through the Wyoming County Business Center, Fresh Air Adventures tourism campaign promoting the area and support towards the Silver Lake Dredging project through the Wyoming County Water Resource Agency.

Mandate Relief from Albany

NYS Governor

Hon. Kathleen Hochul

Executive Chambers

State Capitol Building

Albany, NY 12224

(518) 474-8390

CONTACTS

➤ **NYS Senator**

(59th District)

Hon. Patrick M. Gallivan

Legislative Office Building, Room 512
Albany, NY 12247
(518) 455-3471

2721 Transit Road, Suite 116
Elma, NY 14059
(716) 656-8544

143 North Main St., Room 103
Warsaw, NY 14569
(585) 786-5048

➤ **NYS Assemblyman**

(147th District)

Hon. David DiPietro

543 Legislative Office Building
Albany, NY 12248
(518) 455-5314

411 Main St.
E. Aurora, NY 14052
(716) 655-0951

Public Comment ~

No formal requests to be heard were submitted.

Close Public Hearing ~

Motion to close the Public Hearing was made by Supervisor Davis, T/Covington. Seconded by Supervisor Grant, T/Bennington. Carried.

#1

RESOLUTION NO. 21-523

November 9, 2021

(November 30, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

TENTATIVE 2022 BUDGET FOR WYOMING COUNTY ADOPTED

BE IT RESOLVED, That the tentative budget for the year 2022, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2022, which requires the raising by tax levy in the amount of *twenty-four million seven hundred twenty-one thousand nine hundred fourteen dollars (\$24,721,914.00)*; and be it

FURTHER RESOLVED, That the said sum of *twenty-four million seven hundred twenty-one thousand nine hundred fourteen dollars (\$24,721,914.00)*; 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

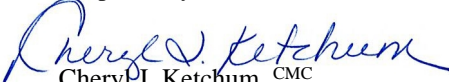
FURTHER RESOLVED, That the several amounts specified in such budget in the column entitled "ADOPTED", and the totals for the several objects set forth below, be appropriated for such objects; effective January 1, 2022.

Carried: XXX Ayes: 1457 Noes: Absent: 123 (Castile) Abstain:
19

(Genesee Falls)

There being no further business to come before this Board, Supervisor Berwanger, T/Arcade adjourned the meeting at 11:59 AM with a rap on his desk.

Respectfully submitted,


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

**REGULAR SESSION
(December 14, 2021)**

**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 Leuer, T/Middlebury who participated via zoom. Also present were County Attorney Jim Wujcik, Budget Officer Cook, Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez. The board meeting was open to the public and participants were asked to continue to practice safe social distancing requirements. Members of the public were also able to observe the meeting via BOS YouTube Channel through the following link:
<http://www.wyomingco.net/149/Board-of-Supervisors>.

Call to Order ~

At 2:36 PM Chairwoman Ryan, T/Warsaw, called the meeting to order.

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

Sergeant Russell Klein

Sgt. Klein was born in Silver Springs and grew up on his parents' farm. While attending Perry High School he joined the Marine Reserves and left for Camp Lejeune shortly after graduating where he completed boot camp before being trained in his M.O.S. of 0311, infantryman.

Locally, there are two Marine Reserve Centers, one in Rochester and the other on Porter Avenue in the City of Buffalo, right along Lake Erie. SGT. Klein was assigned to the unit in Buffalo, more specifically India Company, 3rd Battalion, 25th Marines, 4th Division. Sgt. Klein's unit was formed in 1943 and sent to the Pacific Theater where they participated in four large battles, including the Battle of Iwo Jima where their commander earned the Medal of Honor. They were deactivated upon the conclusion of the war and that remained true until 1962. They have been an active unit ever since.

While a member of this unit, Sgt. Klein and his brothers were called to active duty for a term of twelve months for the purpose of deploying to Iraq in support of Operation Iraqi Freedom in 2005. They were assigned to Al Anbar province,

December 14, 2021

which is where the Department of Defense primarily deployed Marines during the war. This was the infamous area known as the Sunni Triangle that included Ramadi and Fallujah.

Sgt. Klein made it through and upon his deactivation and subsequent return to Western New York was honorably discharged shortly thereafter in 2006. For his valor and service to his country, Sgt. Klein was awarded the:

- Sea Service Deployment Ribbon
- Selected Marine Corps Reserve Medal
- Global War on Terrorism Expeditionary Medal
- Operation Iraqi Freedom Global War on Terrorism Service Medal
- Armed Forces Reserve Medal with “M” Device
- Rifle Expert Badge
- Good Conduct Medal
- National Defense Medal
- Iraq Campaign Medal
- Combat Action Ribbon
- Naval Unit Citation

As a civilian, Mr. Klein studied at SUNY Morrisville where he attained an Associate’s Degree in Agricultural Technology before moving on to Cornell University where he earned a Bachelor’s Degree in Animal Science.

Mr. Klein is a 4th generation farmer on his family’s farm, Silver Meadows Farm, overlooking Silver Lake. His great grandfather and grandfather began the farm in 1953, and it sits on about 600 acres where they produce milk, wheat, oats and maple syrup as well as growing the feed for their cows.

Mr. Klein was married earlier this year to his wife, Jackie, and has a daughter, Tess. Mr. Klein enjoys hobbies such as skiing, vacationing in the warmth of the South, being outdoors and golfing. He currently is a part of the Wyoming County Farm Bureau and just recently concluded six years on the board of the Western New York Crop Association.

The pledge was said by all.

Supervisor Klein, T/Castile, joined Sgt. Klein, his son, at the podium with Chairwoman Ryan for the presentation of the customary certificate of appreciation.

Chairwoman Ryan, T/Warsaw offered Sgt. Klein an opportunity to address the board.

Mr. Klein thanked the board for this recognition and told a funny story from his time in Iraq.

Opening Prayer ~

- *Rev. Mack Bixby*

Communications ~

- *None*

#1

RESOLUTION NO. 21-524 (December 14, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2021 accounts as follows:

Board of Elections			
From: 011450.542482 Cybersecurity To: 011450.520002 IT/Communication Reason: Transfer funds to purchase equipment.	\$52,174.28	\$52,174.28	
Board of Elections Total			\$52,174.28
Health Department (Family Planning)			
From: 014035.510001 Salaries Fixed SDI To: 014035.540301 Prof Svc Contracts Reason: To cover staffing MOU with WCCHS.	\$1,000.00	\$1,000.00	
Health Department (Family Planning) Total			\$1,000.00
County Coroners			
From: 011185.540401 Training/Conf. 011185.540406 Employee Mileage To: 011185.581001 Retirement Reason: To cover 2021 retirement overage.	\$200.00 162.52	\$362.52	
County Coroners Total			\$362.52

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#2

RESOLUTION NO. 21-525 (December 14, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

December 14, 2021

FUNDS APPROPRIATED TO VARIOUS 2021 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2021 accounts as follows:

Real Property Tax Services			
To: 011355.541801 Misc. Asses/Chg Owed Other Govt <i>w/any funds available</i> Reason: To pay 2021 RPS licensing fees	\$13,900.00	\$13,900.00	
Real Property Tax Services Total			\$13,900.00
County Historian			
To: 017510.541010 Supplies w/01751004.427050 Gifts & donations Reason: To appropriate funds donated for office use to be used for archival supplies.	\$134.25	\$134.25	
County Historian Total			\$134.25
County Attorney (Assigned Counsel)			
To: 011421.542494 HH Grant Expenses w/01142102.430250 Hurrell Harring Grant Reason: Appropriate money to cover investigative and transcription services.	\$220.00	\$220.00	
County Attorney (Assigned Counsel) Total			\$220.00
Buildings & Grounds			
To: 011620.540803 Building Supplies w/01162002.426650 Sale of Equipment Reason: Additional funds from sale of equipment, will cover additional supply expenses in budget including hot water tank not budgeted for.	\$797.79	\$797.79	
Buildings and Grounds Total			\$797.79

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

Ms. Brunner, T/Java, Chairman of the Audit Committee, presented the approved payment of bills totaling **\$11,300,826.04** for the month of **November 2021**. No further action is required.

There was a motion by Mrs. King, T/Pike, to combine resolutions #3 through #5. Supervisor Davis, T/Covington requested that resolution #5 be voted on separately. Hearing no objection, resolution titles only were read.

#3

RESOLUTION NO. 21-526 (December 14, 2021)

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

2022 ELECTION EXPENSES APPORTIONED

Regular Session

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 2022 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships within Wyoming County as follows:

Town	No. Enrolled Voters	Amount of Levy	1.091122202
Arcade	2,874	3,136.00	3,136.00
Attica	2,638	2,878.00	2,878.00
Bennington	2,491	2,718.00	2,718.00
Castile	1,977	2,157.00	2,157.00
Covington	802	875.00	875.00
Eagle	817	891.00	891.00
Gainesville	1,474	1,608.00	1,608.00
Genesee Falls	303	331.00	331.00
Java	1,525	1,664.00	1,664.00
Middlebury	1,006	1,098.00	1,098.00
Orangeville	941	1,027.00	1,027.00
Perry	2,939	3,207.00	3,207.00
Pike	692	755.00	755.00
Sheldon	1,792	1,955.00	1,955.00
Warsaw	3,608	3,937.00	3,937.00
Wethersfield	569	621.00	621.00
Total	26,448	\$ 28,858.00	28,858.00

Very truly yours,
Board of Elections

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

#4

**RESOLUTION NO. 21-527
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
MARK H. DADD LAW OFFICE, PLLC ON BEHALF OF THE
COUNTY ATTORNEY**

December 14, 2021

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Mark H. Dadd Law Office, PLLC**, 166 Main Street, Attica, NY 14011 on behalf of the County Attorney. Said contract to provide legal services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

After resolution titles were read, Supervisor Davis, T/Covington requested that resolution #5 be voted on separately.

Board Clerk Ketchum called the roll for resolution #3 and #4.

Before the roll was called, Supervisor Davis, T/Covington stated that he would be voting no on this resolution due to procedural issues. He empathically stated that his “no” vote was not a reflection on Dadd and Nelson, County Attorney Wujcik or Attorney Wilkinson. He said there is at least one other attorney’s office in Wyoming County that would have liked to be considered for this position. Just as was done for selecting an insurance agency for the County this year, he would have liked to see an RFP done for these services prior to selecting an attorney.

Supervisor May, T/Orangeville agreed.

#5

**RESOLUTION NO. 21-528
(December 14, 2021)**

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

**JENNIFER M. WILKINSON, ESQ. APPOINTED COUNTY
ATTORNEY**

BE IT RESOLVED, That **Jennifer M. Wilkinson**, 11 Exchange Street, Attica NY 14011 be hereby appointed County Attorney for the County of Wyoming for a term of two (2) years; effective January 1, 2022 through December 31, 2023.

Chairwoman Ryan, T/Warsaw congratulated Attorney Wilkinson on her appointed and asked that she attend the organization meeting in January to be

Carried: XXX **Ayes:** 1450 **Noes:** 53 (Covington) Absent: Abstain:
58 (Orangeville)
38 (Wethersfield)
149 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 through #17. Hearing no objection, resolution titles only were read.

#6

RESOLUTION NO. 21-529
(December 14, 2021)

By Ms. Grant, Chairman of the Human Services 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:

AGENCY REPS

Three (3) year term effective January 1, 2022 through December 31, 2024

- **Joe McTernan** (Wyoming County Community Health System), 400 North Main Street, Warsaw, NY 14569
- **Kelly Dryja** (Mental Health), 460 North Main Street, Warsaw, NY 14569

TOWN REPS

Three (3) year term effective January 1, 2022 through December 31, 2024

- **Bonnie Stockholm** (T/Attica), 57 Sokol Dr., Apt. 10, Attica, NY 14011
- **Linda Little** (T/Castile), P.O. Box 134, Castile, NY 14427
- **Judy Goff** (T/Pike), PO Box 12, Pike, NY 14130
- **Linda McGuire** (T/Warsaw), 4841 State Route 20A, Warsaw, NY 14569
- **Robert Johannes** (T/Wethersfield), 4205 Shaw Road, Gainesville, NY 14066

Unexpired vacant, three (3) year term effective through December 31, 2023

- **Sandy Pirdy** (T/Arcade), 237 Main Street, Arcade, NY 14009
(replacing M. Pirdy)

December 14, 2021

COMMUNITY REPS***Three (3) year term effective January 1, 2022 through December 31, 2024***

- ***Donna Morgan***, 1098 Wyoming Road, Wyoming, NY 14591

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****#7****RESOLUTION NO. 21-530****(December 14, 2021)**

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

**CHAIRMAN/DIRECTOR OF AGING AND YOUTH AUTHORIZED TO
SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR
THE AGING FOR THE YEAR 2022**

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 2022. All contract services are variable and based upon need in amounts not to exceed 2022 budget; effective January 1, 2022 through December 31, 2022 unless otherwise noted as follows:

- ***Warsaw Pennysaver***, 72 North Main Street, Warsaw, NY 14569 for advertising programs and services to caregivers in Wyoming County.
- ***The Cloisters***, 171 North Maple Street, Warsaw, NY 14569 for respite services to caregivers in Wyoming County.
- ***Aurora Adult Day Services, d/b/a Aurora Adult Day Care***, 101 King Street, Suite B, East Aurora, NY 14052 for respite services to caregivers in Wyoming County.
- ***Lord of Life***, 1025 Borden Road, Depew, NY 14043 for respite services to caregivers in Wyoming County.
- ***Community Care of WNY***, 1225 West State Street, Olean, NY 14760 for in-home services to residents 60+ in Wyoming County.
- ***Center for Elder Law and Justice***, 438 Main Street, Suite 1200, Buffalo, NY 14202-3208 for legal services to residents 60+ in Wyoming County in an amount not to exceed twelve thousand dollars (\$12,000.00); effective January 1, 2022 through December 31, 2025.

- ***Pine Lounge***, 164 Clinton Street, Cowlesville, NY 14027 for restaurant dining to residents 60+ in Wyoming County; effective January 1, 2022 through December 31, 2025.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-531
(December 14, 2021)**

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

RESOLUTION NUMBER 18-321 AMENDED

WHEREAS, Resolution Number 18-321 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH INDEPENDENT LIVING OF THE GENESEE REGION ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on August 14, 2018 and provides for consumer directed in-home care services for the Alzheimer’s Disease Caregiver Support Initiative (ADCSI) grant in an amount not to exceed 2018-2020 budget; effective August 1, 2018 through December 31, 2020; and

WHEREAS, Resolution Number 18-321 was previously amended by this Board of Supervisors on December 8, 2020 by ***Resolution Number 20-497*** to extend the term of the contract through ***December 31, 2021***; now therefore

BE IT RESOLVED, That ***Resolution Number 18-321*** as previously amended by ***Resolution Number 20-497*** be hereby further amended to extend the term of the contract through ***December 31, 2022***.

All else remains the same.

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

**RESOLUTION NO. 21-532
(December 14, 2021)**

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

RESOLUTION NUMBER 18-046 AMENDED

December 14, 2021

WHEREAS, Resolution Number 18-046 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH RESPONSE 4 HELP ON BEHALF OF THE OFFICE FOR THE AGING**,” passed by this Board of Supervisors on February 13, 2018 to provide Personal Emergency Response System (PERS) services on an “as needed” basis; effective February 1, 2018 through December 31, 2020; now therefore

BE IT RESOLVED, That *Resolution Number 18-046* be hereby amended to change the name to *Self Direct, Inc. d/b/a/ Response 4 Help* and extend the term of the contract through *December 31, 2021*; and be it

FURTHER RESOLVED, That *Resolution Number 18-046* as previously amended by *Resolution Number 20-498* be hereby further amended to extend the term of the contract through *December 31, 2022*.

All else remains the same.

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

**RESOLUTION NO. 21-533
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
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 and the Director of the Office for the Aging, with the approval of the County Attorney are hereby authorized and directed to sign a grant application and 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 funding for outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low income subsidy program in a minimum amount of sixteen thousand two hundred ninety-two dollars \$16,292.00; effective September 01, 2021 through March 31, 2022.

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

RESOLUTION NO. 21-534

Regular Session

(December 14, 2021)

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

RESOLUTION NUMBER 21-218 AMENDED

WHEREAS, Resolution Number 21-218 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE YOUTH BUREAU**,” passed by this Board of Supervisors on May 11, 2021 and provides, in part, for the following contract:

PRESCHOOL RELATED SERVICES & PRESCHOOL SPECIAL EDUCATION SERVICES:

- *Kidstart*, 18 Main Street, Mt. Morris, NY 14510

Now therefore,

BE IT RESOLVED, That *Resolution Number 21-218* be hereby amended to reflect a name change from Kidstart to *Genesee-Livingston-Orleans-Wyoming Counties Chapter NYSARC Inc. (d/b/a ARC GLOW)*

All else remains the same.

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

**RESOLUTION NO. 21-535
(December 14, 2021)**

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

RESOLUTION NUMBER 20-286 AMENDED

WHEREAS, Resolution Number 20-286 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE COMMUNITY FOUNDATION FOR GREATER BUFFALO ON BEHALF OF THE YOUTH BUREAU**,” passed by this Board of Supervisors on July 14, 2020 and provides funding for a Youth Leaders of Wyoming County event in a minimum amount of one thousand two hundred seventy-five dollars (\$1,275.00); effective July 1, 2020 through June 30, 2021; now therefore

BE IT RESOLVED, That *Resolution Number 20-286* be hereby amended to extend the term of the contract through *December 31, 2022*.

December 14, 2021

All else remains the same.

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

**RESOLUTION NO. 21-536
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CORVUS
BUS ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Corvus Bus*, 2429 Route 16, Olean, NY 14760 on behalf of the Youth Bureau. Said contract to provide transportation services for early intervention and preschoolers in Wyoming County in a variable amount not to exceed 2022 budget; effective December 1, 2021 through June 30, 2024.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-537
(December 14, 2021)**

By Ms. Grant, Chairman of the Human Services 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 MEMBER

Three (3) year term effective January 1, 2021 through December 31, 2023

- ***Staci Casseri (Five Star Bank), 3721 Krotz Road, Warsaw, NY 14569***

Three (3) year term effective January 1, 2022 through December 31, 2024

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

AGENCY MEMBERS

Two (2) year term effective January 1, 2021 through December 31, 2022

- **Melanie Rhodes (R-AHEC)**, 20 Duncan Street, PO Box 152, Warsaw, NY 14569
- **Matt Hilton (YMCA)**, 15 Linwood Avenue, Warsaw, NY 14569

Two (2) year term effective January 1, 2022 through December 31, 2023

- **Karen Feustal (Mental Health)** 460 North Main Street, Warsaw, NY 14569 (*replacing E. Pataye*)
- **Samantha Willard (Probation)** 143 North Main Street, Warsaw, NY 14569
- **Pete Hoffmeister (Warsaw Police Dept.)**, 15 South Main Street, Warsaw, NY 14569

YOUTH MEMBERS

One (1) year term effective January 1, 2022 through December 31, 2022

- **Megan Fialkowski**, 4165 route 98 North Java, NY 14113
- **Peyton Hudson**, 35 Buckland Ave Perry, NY 14530

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

RESOLUTION NO. 21-538 (December 14, 2021)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BONNIE SYMES ON BEHALF OF THE YOUTH BUREAU

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Bonnie Symes**, 5740 Vermont Hill Road, South Wales, NY 14139 on behalf of the Youth Bureau. Said contract to provide pre-school related services in a variable amount not to exceed 2022 budget; effective December 1, 2021 through June 30, 2024.

Contingent upon the availability of funds.

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

December 14, 2021

**RESOLUTION NO. 21-539
(December 14, 2021)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD
WITH THE NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES, DIVISION OF YOUTH DEVELOPMENT AND
PARTNERSHIPS FOR SUCCESS 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 sign a grant application and acceptance award with the *New York State Office of Children and Family Services, Division of Youth Development and Partnerships for Success*, 52 Washington Street, Rensselaer, NY 12144 on behalf of the Department of Social Services. Said grant funding to provide services to Wyoming County's sexually exploited children through the Safe Harbor New York grant program in a minimum amount of forty-three thousand three hundred fifty dollars (\$43,350.00); effective January 1, 2021 through December 31, 2022.

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

**RESOLUTION NO. 21-540
(December 14, 2021)**

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

MEMBERS REAPPOINTED TO THE 2-1-1 ADVISORY BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the 2-1-1 Advisory Board for a one (1) year term; effective January 1, 2022 through December 31, 2022 as follows:

- **Laura Paolucci** (County Health Department), 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550
- **Kimberley Barber** (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw, NY 14569
- **Rosemary Shader**, (Wyoming County Community Action), 6470 Route 20A, Suite 1, Perry, NY 14530

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #18 through #30. Hearing no objection, resolution titles only were read.

#18

RESOLUTION NO. 21-541

(December 14, 2021)

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

MEMBERS APPOINTED/REAPPOINTED TO THE MENTAL HEALTH COMMUNITY SERVICES BOARD

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

COMMUNITY SERVICES BOARD

Community at Large Member

Four (4) year term effective January 1, 2022 through December 31, 2025

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

Agency Representative

Four (4) year term effective January 1, 2022 through December 31, 2025

- **Kim Barber** (Department of Social Services), 466 North Main Street, Warsaw NY 14569

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

#19

RESOLUTION NO. 21-542

(December 14, 2021)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LIVING OPPORTUNITIES OF DEPAUL ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Living Opportunities of DePaul*, 2475 George Urban Boulevard, Suite 201, Depew NY 14043 on behalf of Mental Health. Said contract is for residential programs in an amount not to

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exceed three hundred forty-two thousand one hundred ninety dollars (\$342,190.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-543
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
PEERS TOGETHER OF WYOMING COUNTY ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Peers Together of Wyoming County*, 27 West Buffalo Street, Warsaw, NY 14569 on behalf of Mental Health. Said contract is for Wyoming County peer operated programs in an amount not to exceed three hundred four thousand eight hundred eighty-one dollars (\$304,881.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-544
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
HILLSIDE CHILDREN'S CENTER ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Hillside Children's Center*, 1183 Monroe Avenue, Rochester, NY 14620-1699 on behalf of Mental Health. Said contract is for various children's mental health programs in an

amount not to exceed one hundred twenty-nine thousand nine hundred seventy-five dollars (\$129,975.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-545
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
COORDINATED CARE SERVICES, INC. (CCSI) ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Coordinated Care Services, Inc. (CCSI)*, 1099 Jay Street, Building J, Rochester, NY 14611 on behalf of Mental Health. Said contract is for the staffing of various behavioral health programs in an amount not to exceed three hundred eighty-seven thousand three hundred three dollars (\$387,303.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-546
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ARC
GLOW ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *ARC GLOW*, 18 Main Street, Mount Morris, NY 14510 on behalf of Mental Health. Said contract is

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for assisted competitive employment services for Wyoming County individuals with mental illness in an amount not to exceed fifty-six thousand three hundred forty-nine dollars (\$56,349.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-547
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SUBURBAN ADULT SERVICES, INC. ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Suburban Adult Services, Inc.*, 960 West Maple Court, Elma, NY 14059 on behalf of Mental Health. Said contract for pre-vocational employment services for the developmentally disabled population in the southwestern portion of Wyoming County in an amount not to exceed forty thousand eight hundred twelve dollars (\$40,812.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-548
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SPECTRUM HUMAN SERVICES, INC. ON BEHALF OF
MENTAL HEALTH**

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

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is hereby authorized and directed to sign a contract with ***Spectrum Human Services, Inc.***, 227 Thorn Avenue, Orchard Park, NY 14127 on behalf of Mental Health. Said contract is for mental health and substance use treatment services for Wyoming County residents in an amount not to exceed five hundred fifty-nine thousand five hundred seventy-three dollars (\$559,573.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-549
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WCJW ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **WCJW**, 3258 Merchant Road, Warsaw, NY 14569 on behalf of Mental Health for the following services:

- On-air PSA's for Partners for Prevention in an amount not to exceed seven thousand one hundred thirty-five thousand dollars and ninety-eight cents (\$7,135.98); effective January 1, 2022 through December 31, 2022 for the following individual plans:
 - NASCAR
 - \$1,990.98; effective February 7, 2022 through October 29, 2022
 - High School Football
 - \$558.00; effective September 3, 2022 through October 15, 2022
 - High School Basketball
 - \$987.00; effective January 1, 2022 through February 27, 2022
 - General Advertising
 - \$3,600.00; effective February 10, 2022 through December 23, 2022

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- On-air PSA's for the Wyoming County Mental Health Department in an amount not to exceed nine hundred dollars (\$900.00); effective January 1, 2022 through December 31, 2022

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-550
(December 14, 2021)**

By Mr. Davis, 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, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Warsaw Property Management, LLC***, 2071 Crittenden Road, Alden, NY 14004 on behalf of Mental Health. Said contract is the lease agreement for the Mental Health Department and Partners for Prevention in an amount not to exceed one hundred forty-five thousand one hundred two dollars and thirty-one cents (\$145,102.31); effective January 1, 2022 through December 31, 2026.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-551
(December 14, 2021)**

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

**GREGORY J. COLLINS, DO, MPH REAPPOINTED MEDICAL
DIRECTOR, PT**

BE IT RESOLVED, That ***Gregory J. Collins, DO, MPH***, 4820 Darby Road, Avon, NY 14414 be hereby reappointed as Medical Director, PT for a one (1) year term; effective January 1, 2022 through December 31, 2022.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: 345
#29

**RESOLUTION NO. 21-552
(December 14, 2021)**

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

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

BE IT RESOLVED, *Salman N. Abbasey, MD*, c/o Wyoming County Community Health System, 400 North Main Street, Warsaw, NY 14569 be hereby reappointed for a six (6) year term as a Physician Member on the Board of Health; effective January 1, 2022 through December 31, 2027.

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

**RESOLUTION NO. 21-553
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
INTUITIVE BOOKKEEPING ON BEHALF OF PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Intuitive Bookkeeping*, 13170 Centerline Road, South Wales, NY 14139 on behalf of Public Health. Said contract to provide training and education in an amount not to exceed ten thousand dollars (\$10,000.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-554
(December 14, 2021)**

By Mr. Klein, Chairman of the Agriculture Committee:

December 14, 2021

**ALAN FAGAN REAPPOINTED TO THE SENECA TRAIL RESOURCE
CONSERVATION AND DEVELOPMENT COUNCIL**

BE IT RESOLVED, That *Alan Fagan*, Wyoming County Soil and Water, 36 Center Street, Suite D, Warsaw, NY 14569 be hereby reappointed to the *Seneca Trail Resource Conservation and Development Council* as a Member at Large for a three (3) year term; effective January 1, 2022 through December 31, 2024.

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

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #32 and #33. Hearing no objection, resolution titles only were read.

#32

**RESOLUTION NO. 21-555
(December 14, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

**ROBERT GADD APPOINTED TO THE WYOMING COUNTY
PLANNING BOARD**

BE IT RESOLVED, That *Robert Gadd* (T/Bennington), 1339 Clinton Street, Attica, NY 14011 is hereby appointed as a Voting Member to the Wyoming County Planning Board for a three (3) year term; effective January 1, 2022 through December 31, 2024.

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

#33

**RESOLUTION NO. 21-556
(December 14, 2021)**

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION NUMBER 21-311 AMENDED

WHEREAS, Resolution Number 21-240 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH QUADIENT LEASING USA ON BEHALF OF PLANNING AND DEVELOPMENT**”, passed by the Board of Supervisors on July 13, 2021 and provides for a Neo-Post IX-5AF postage machine located in the Ag and Business Center in an amount not to

exceed one hundred sixty-five dollars and forty-one cents (\$165.41) per month for a term of sixty-three (63) months for total amount not to exceed ten thousand four hundred twenty dollars and eighty-three cents (\$10,420.83); effective upon the date of delivery; now therefore

BE IT RESOLVED, That **Resolution Number 21-311** be hereby amended as follows:

- Authorize Chairman to sign a contract, pursuant to General Municipal Law §104(b), for a Product Lease Agreement with **Quadient Leasing, USA**, POB 123682, Dallas, TX 75312 for a Neo-Post IX-5FA postage machine located in the Ag and Business Center in an amount not to exceed \$165.41 per month and a Service Agreement for a standard care service plan with **Lineage**, 385 N. French Rd., Amherst, NY 14228 in an amount not to exceed \$57.00 per month, both for a term of 63 months; effective upon delivery.
- Correct the department name from Planning & Development to **Agriculture and Business Center**.

All else remains the same.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #34 through #37. Hearing no objection, resolution titles only were read.

#34

**RESOLUTION NO. 21-557
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EASTMAN TREE SERVICE ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **Eastman Tree Service**, 3203 Smallwood Road, Warsaw, NY 14569 on behalf of County Highway. Said contract to provide tree removal in an amount not to exceed one hundred forty-two dollars and fifty cents (\$142.50) per hour with a total contract amount not to exceed sixteen thousand dollars (\$16,000.00); effective January 1, 2022 through December 31, 2022.

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Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-558
(December 14, 2021)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH MJ
MECHANICAL SERVICES, INC. ON BEHALF OF WYOMING
COUNTY BUILDINGS AND GROUNDS (CO. BLDGS.)**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***MJ Mechanical Services, Inc.***, 4550 Genesee St, Geneseo, NY 14454, for HVAC service repairs on an as needed basis at various County buildings in an amount not to exceed six thousand five hundred dollars (\$6,500.00); effective February 1, 2021 through December 31, 2021.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-559
(December 14, 2021)**

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

RESOLUTION NUMBER 21-274 AMENDED

WHEREAS, Resolution Number 21-274 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH KEY POWER SYSTEMS, INC. ON BEHALF OF THE BUILDINGS AND GROUNDS (CO. BLDGS.)**” passed by this Board of Supervisors on June 8, 2021 and provides for preventative maintenance and repairs on emergency generators at various County locations in an amount not to exceed ten thousand five hundred ten dollars (\$10,510.00); effective June 1, 2021 through May 31, 2022; now therefore,

BE IT RESOLVED, That ***Resolution Number 21-274*** be hereby amended to increase the contract amount from ten thousand five hundred ten dollars (\$10,510.00) to an amount not to exceed ***fifteen thousand five hundred dollars (\$15,500.00)***.

All else remains the same.

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

**RESOLUTION NO. 21-560
(December 14, 2021)**

By Mr. Brick, 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 ***three (3) year term; effective November 14, 2021 through November 13, 2024:***

- ***Harry Pankow*** (T/Castile), 5878 Glen Iris Road, Castile, NY 14427
- ***Marc Roche*** (T/Eagle), P. O. Box 234, Bliss, NY 14024
- ***Robert Patterson*** (T/Gainesville) 5006 Shearing Road, Gainesville, NY 14066 (*replacing D. Hare*)
- ***James Kemp*** (T/Genesee Falls), 6025 Denton Corner Road, Castile, NY 14427

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

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #38 through #43. Hearing no objection, resolution titles only were read.

#38

**RESOLUTION NO. 21-561
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EM SYSTEMS, INC. ON BEHALF OF THE SHERIFF'S DEPARTMENT**

December 14, 2021

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***EM Systems, Inc.***, 4043 Maple Road, Suite 211, Amherst, NY 14226 on behalf of the Sheriff's Department. Said contract to provide support and maintenance for the LEMS Records Management System in an amount not to exceed sixteen thousand dollars (\$16,000.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-562
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION
OF HOMELAND SECURITY AND EMERGENCY SERVICES ON
BEHALF OF 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 Division of Homeland Security and Emergency Services***, 1220 Washington Avenue, State Office Campus Building 7A, Suite 710, Albany, NY 12242 on behalf of the Sheriff's Department. Grant funds will be used for a program to enhance cooperation and coordination between law enforcement agencies along the border of Canada in the minimum amount of sixty-three thousand dollars (\$63,000.00); effective September 1, 2021 through August 24, 2024.

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

**RESOLUTION NO. 21-563
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BLACK
CREEK INTEGRATED SYSTEM CORP ON BEHALF OF THE
COUNTY JAIL**

Regular Session

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***Black Creek Integrated System Corp.***, P.O. Box 101747, Irondale, AL 35210 on behalf of the County Jail. Said contract to provide maintenance services for the Jail management software in an amount not to exceed twenty thousand nine hundred twenty-seven dollars (\$20,927.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-564
(December 14, 2021)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EM
SYSTEMS, INC. ON BEHALF OF 9-1-1**

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §103 and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***EM Systems, Inc.***, 4043 Maple Road, Suite 211, Amherst, NY 14226 on behalf of 9-1-1. Said contract to provide support and maintenance for the CAD, AVL and Mobile Data System in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-565
(December 14, 2021)**

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

RESOLUTION NUMBER 19-307 AMENDED

December 14, 2021

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

WHEREAS, That Resolution Number 19-307 was previously amended by this Board of Supervisors on September 10, 2019 by **Resolution Number 19-381** to correct the contracting party’s name to **UBMD Emergency Medicine – University Emergency Medical Services, Inc. (UEMS)**; and

WHEREAS, That Resolution Number 19-307 as previously amended by Resolution Number 19-381 was further amended by this Board of Supervisors on December 8, 2020 by **Resolution Number 20-532** to extend the contract term through **December 31, 2021**; now therefore,

BE IT RESOLVED, That **Resolution Number 19-307** as previously amended by **Resolution Number 19-381** and **Resolution Number 20-532** be hereby further amended to extend the contract term through **December 31, 2022**.

All else remains the same.

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

**RESOLUTION NO. 21-566
(December 14, 2021)**

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

NORMAN EFFMAN REAPPOINTED PUBLIC DEFENDER

BE IT RESOLVED, That **Norman Effman**, 18 Linwood Avenue, Warsaw, NY 14569 be hereby reappointed Public Defender for the County of Wyoming for a term of two (2) years; effective January 1, 2022 through December 31, 2023.

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

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #44 through #68. Hearing no objection, resolution titles only were read.

#44

RESOLUTION NO. 21-567
(December 14, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

LIFT THE 2022 EQUALIZATION TABLE AND ADOPT

BE IT RESOLVED, That the 2022 Equalization Table, which was tabled on November 9, 2021, be lifted from the table; and be it

FURTHER RESOLVED, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2022 is hereby adopted as presented

2022 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
100.00%	ARCADE	298,264,654	298,264,654	0.109811721	298,259,804
100.00%	ATTICA	224,145,089	224,145,089	0.082523214	224,133,189
35.50%	BENNINGTON	118,528,038	333,881,797	0.122924840	118,513,009
93.00%	CASTILE	294,962,525	317,164,005	0.116769871	294,936,475
95.00%	COVINGTON	85,952,178	90,475,977	0.033310426	85,951,678
100.00%	EAGLE	78,059,673	78,059,673	0.028739131	78,059,373
100.00%	GAINESVILLE	118,912,558	118,912,558	0.043779886	118,912,558
100.00%	GENESEE FALLS	32,936,316	32,936,316	0.012126122	32,934,516
100.00%	JAVA	160,805,519	160,805,519	0.059203565	160,804,019
100.00%	MIDDLEBURY	117,948,483	117,948,483	0.043424944	117,941,083
96.00%	ORANGEVILLE	108,473,876	112,993,621	0.041600719	108,473,876
100.00%	PERRY	232,766,461	232,766,461	0.085697334	232,748,761
100.00%	PIKE	60,477,447	60,477,447	0.022265905	60,477,447
100.00%	SHELDON	177,782,237	177,782,237	0.065453862	177,777,237
85.00%	WARSAW	249,403,673	293,416,086	0.108026630	249,402,173
95.00%	WETHERSFIELD	62,810,163	66,115,961	0.024341830	62,803,863
	TOTALS	2,422,228,890	2,716,145,884	1.000000000	2,422,129,061

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#45

RESOLUTION NO. 21-568
(December 14, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AVENU
 INSIGHTS AND ANALYTICS, LLC (ACS) ON BEHALF OF THE
 COUNTY CLERK'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board and the Director of Information Technology, with the approval of the County Attorney are hereby authorized and directed to sign a contract, pursuant to General Municipal Law
 December 14, 2021

§104(b), with *Avenu Insights and Analytics, LLC (ACS)*, 5860 Trinity Parkway, Suite 120, Centreville, VA 20120 for the County Clerk's Record Management System, effective January 1, 2022 through June 30, 2024, not to exceed thirty-one thousand two hundred dollars (\$31,200.00). Digital processing services not to exceed budgeted amounts as outlined in Schedule A.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-569
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-386 AMENDED

WHEREAS, Resolution Number 15-386 entitled, “**CHAIRMAN, COUNTY TREASURER AND DIRECTOR OF INFORMATION TECHNOLOGY AUTHORIZED TO SIGN A CONTRACT WITH ACS, A XEROX COMPANY, ON BEHALF OF ALL WYOMING COUNTY DEPARTMENTS**”, passed by this Board of Supervisors on October 13, 2015 and provides for an APPLICATION HOSTING and TECHNOLOGY SUPPORT SERVICES contract with ACS, a Xerox Company, for all Wyoming County Departments effective January 1, 2016 through December 31, 2020; and

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

- Amend the contracting party from ACS, a XEROX Company to ***Conduent Government Systems, LLC, 12410 Milestone Center Drive, Germantown MD 20874***
- Add ***Microfilm Storage Services*** to the Application Hosting and Technology Support Services contract for the Wyoming County Clerk's Office in an amount not to exceed ***one thousand four hundred dollars (\$1,400.00)*** per year; effective November 7, 2017 through December 31, 2020.

And,

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 was further amended by **Resolution Number 18-385** by this Board of Supervisors on September 11, 2018 to remove the ***NY Property Tax Collection System Services*** from the Application Hosting and

Technology Support Services contract for the Wyoming County Treasurer's Office; effective January 1, 2019; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276 and Resolution Number 18-385 was further amended by this Board of Supervisor on February 12, 2019 by ***Resolution Number 19-091*** to change the contracting party name for the ***APPLICATION HOSTING*** and ***TECHNOLOGY SUPPORT SERVICES*** contract from Conduent Government Systems to ***Avenue Insights and Analytics, LLC***, 5860 Trinity Parkway, Suite 120, Centerville VA as this business has been sold; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091 was further amended by this Board of Supervisors on October 13, 2020 by ***Resolution Number 20-425*** to include the ***addition of conversion services system in an amount not to exceed forty thousand dollars (\$40,000.00) and extend the term of the APPLICATION HOSTING contract through December 31, 2021***; now therefore,

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091 and Resolution Number 20-425 was further amended by this Board of Supervisors on November 10, 2020 by ***Resolution Number 20-478*** to extend the ***TECHNOLOGY SUPPORT SERVICES*** contract to extend the contract term ***through March 31, 2021 in an amount not to exceed forty-eight thousand dollars (\$48,000.00)***; and

WHEREAS, That Resolution Number 15-386 as previously amended by Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425 and Resolution Number 20-478 was further amended by this Board of Supervisors on March 9, 2021 by ***Resolution Number 21-125*** to ***extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars (\$48,000.00); effective April 1, 2021 through June 30, 2021***; and

WHEREAS, That ***Resolution Number 15-386*** as previously amended by ***Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478*** and ***Resolution Number 21-125*** be hereby amended to ***extend the contract term for conversion services and contract extension of various systems in an amount not to exceed forty-eight thousand dollars (\$48,000.00); effective July 1, 2021 through September 30, 2021; now therefore***

BE IT RESOLVED, That ***Resolution Number 15-386*** as previously

December 14, 2021

356

amended by *Resolution Number 18-276, Resolution Number 18-385, Resolution Number 19-091, Resolution Number 20-425, Resolution Number 20-478, Resolution Number 21-125 and Resolution Number 21-330* be hereby amended to *extend the contract term for conversion services and contract extension of various systems in an amount not to exceed ninety-six thousand dollars (\$96,000.00); effective October 1, 2021 through March 31, 2022.*

All else remains the same.

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

**RESOLUTION NO. 21-570
(December 14, 2021)**

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, pursuant to General Municipal Law §104(b), with *Fiscal Advisors*, 120 Walton Street, Suite 600 Syracuse NY 13002 for financial advisory services in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2022 through December 31, 2022.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 21-571
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

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

Regular Session

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:

135.19-4-8	<i>Bradley Bliss</i> , 5714 Glen Iris Road, Castile, NY 14427 has offered \$30,500 for property located at 75 North Main Street, Town of Castile
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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 December 30, 2021.

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

**RESOLUTION NO. 21-572
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**CAPITAL OR "FIXED" ASSET AND SURPLUS PROPERTY
GUIDELINES ADOPTED**

BE IT RESOLVED, That the Wyoming County Capital or "Fixed" Asset and Surplus Property Guidelines offered to this Board of Supervisors is hereby adopted and annexed hereto; effective December 14, 2021.

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

December 14, 2021

WYOMING COUNTY
POLICY AND PROCEDURE

EFFECTIVE DATE: December 14, 2021	REVIEWED BY: Board of Supervisors' Finance Committee and the County Attorney	SOURCES:
County Capital or "Fixed" Asset and Surplus Property Guidelines	PREPARED BY: Cheryl Mayer, County Treasurer	SUPERSEDES:
CHIEF EXECUTIVE OFFICER'S SIGNATURE: <i>Rebecca J. Ryan</i>		REFERENCES: Approved by the Board of Supervisors on December 14, 2021; Res. #21-XXX

**POLICY: CAPITAL OR "FIXED" ASSET AND SURPLUS PROPERTY
GUIDELINES**

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CAPITAL ASSETS

The purpose of the capital asset management system is to establish proper procedures for documenting and monitoring the movement of capital assets to maintain accurate reporting of asset values as required by New York State and Federal reporting requirements for grant administration, accounting audit standards required by OMB Circular A-133, GASB 34, 2CFR200 and internal controls including but not limited to the following:

- Maintain a physical inventory of assets;
- Fix accountability;
- Establish replacement costs;
- Determine adequate insurance coverage; and
- Prepare a capital budget

The County Treasurer's Office is designated to inventory, dispose of and/or transfer supplies, materials, and equipment. Each department head as the department property custodian has the ultimate responsibility to conduct and maintain the individual inventory pertaining to each respective department. It is also the responsibility of the department head to evaluate on a continuing basis the suitability and need for materials, supplies and equipment. If such should become obsolete by reason of age, wear or technical obsolescence or should become surplus for the operation of the department, the department head shall notify their Home Committee, in writing, of such obsolete or surplus items and provide any ID tag number(s) (asset numbers) applicable. The requesting department shall be responsible for the notifying its HOME COMMITTEE recommending the disposition of the item.

It will be the responsibility of the individual department designee to work with the Treasurer's Office to verify capital asset acquisition records are processed through Munis at the time purchase. Invoices submitted for payment through Workflow meeting the capitalization threshold established by this documents for purchases in a .2 budget line will be automatically flagged as Capital Assets.

A Capitalized Asset recorded on the County's Financial Statements would reflect purchases benefiting two or more fiscal years with an initial cost outlay of greater than \$5,000 for Machinery and Equipment, \$20,000 aggregate per building annually for acquired or repaired improvement and \$50,000 for Infrastructure.

The cost of a capital asset should include all expenses of transporting and installing the asset to the proper location and placing it in the condition necessary for its intended service.

In practice, County Departments will need to capitalize:

- **Assets acquired through the operating budget that exceed the established capitalization thresholds as noted above.**
- **Work reported in any capital projects funds 12 and 17.** Projects will be reported and begin depreciation when they are completed (or individual assets are placed in service). Unfinished projects are maintain as Construction in Process, but are not depreciated because the asset hasn't been placed in service yet. Capital Projects of this scale will require BOS acknowledgment of completion before they are recorded as complete.
- **Donated capital assets** The donation of infrastructure such as, roads and sewer and water lines that are constructed by developers and donated to a municipality will be recorded as a Gift or Donation.

The manual entry of assets into Munis will be necessary for assets that are to be recorded for tracking purposes regardless of their value or source of budgeted funds listed by not limited to those listed below:

- Gifts of items with a value over \$5,000 will be recorded for informational purposes at present value at the time of the gift. They will not be depreciated as they are fully expensed at the time of purchase.
- Fines and Forfeiture assets obtained through legal seizure and retained for use by a County Department will be recorded at present value at the time of the seizure.
- Grant assets purchased with grant funding that is under the capitalization threshold, but that are required to be tracked to comply with the terms of the grant award. Departments are responsible for maintaining grant records in their office in collaboration with the Department of Reimbursement and Budgets that monitors these grants.
- Firearms will be recorded for purposes of security and internal controls

An annual physical on site inventory should be performed by individual departments to verify asset listings on file with the Treasurer's Office is accurate and current.

Capital assets are defined as that property Wyoming County retains more or less permanently, imply tangible bodily substance, have initial useful lives that extend beyond a single reporting period and used in the normal course of operations to produce and distribute goods and services to the citizens of Wyoming County.

Wyoming County records and reports capital assets at historical costs as of the date acquired or constructed. If historical cost information is not available, assets are recorded at estimated historical cost by calculating current replacement costs and deflating the cost using the appropriated price-level index. The cost of a capital asset should include all expenses of transporting the asset to the proper location and placing it in the condition necessary for its intended service. Only items (grouped, in the case of office or conference room furniture) costing five thousand dollars or more will be inventoried

for depreciation. All items having value outside of Capital Asset requirements should be managed within each department by labeling necessary items “PROPERTY OF WYOMING COUNTY”.

An identification tag is to be attached to capital assets to provide positive identification of the asset. Tagging provides a quick and accurate method of identifying assets and allows for ease in taking/verifying the annual physical inventory. While asset terminology may differ, a tag number provides a common ground of communication. In many instances, a serial number and/or cabinets, etc. do not have such numbers.

Information Technology equipment should also include a TICS ID number supplied by the IT Departments and assigned by them at the time of their approval of your purchase. All technology equipment purchased must be vetted by the IT Department to assure appropriate equipment and compatibility with current systems and networks. IT equipment includes but is not limited to desk PCs, laptops, printers, scanners, printers, copiers, digital cameras, security systems, software located on the network or web-based and communications equipment that interfaces with county equipment.

The ID tags should state, “PROPERTY OF WYOMING COUNTY” and contain asset numbers as identified by the Capital Asset software. Current asset reports listed by department are available from the Treasurers’ Office.

Capitalization thresholds

The County Treasurer in collaboration with our external auditors have established the following minimum capitalization thresholds for capitalizing capital assets to be used in financial reporting and the County-wide financial statements:

Land and improvements	\$25,000
Buildings and improvements	\$50,000
Machinery/equipment/vehicles	\$5,000
Infrastructure	\$150,000*

**In accordance with GASB Statement 34, the County records, at a minimum, “major” infrastructure asset as defined in Statement 34. Other infrastructure assets may be capitalized as deemed appropriate. The County does not use the “modified approach” to record infrastructure.*

Detailed records shall be maintained for all capital assets above the established thresholds.

Other assets

Detailed records should be maintained at the department level for all items below the capitalization thresholds that should be safeguarded from loss. These items should be part of the annual review of physical inventory. Items purchased utilizing .4 contractually budgeted funds may include firearms and computer equipment that fall below the established thresholds and any other assets specified by grant requirements. These assets may be included in the asset module for record keeping purposes as appropriate

Depreciation and useful life

The County Treasurer will record an estimated useful life to all capital assets for the purposes of recording depreciation utilizing the NYS OGS schedule to establish lives for most assets. Asset lives will be adjusted as necessary depending on the present condition and use of the asset and based on how long the asset is expected to meet current service demands. Adjustments should be properly documented. Depreciation is recorded based on the straight line method using actual month convention and depreciated down to the assets salvage value or as determined by the County's Independent Auditors.

ASSET RECORD INFORMATION

Department Name

Name of home department budget center

Property ID#

An ID # is sequential within the department, if you do not keep a log of the assets numbers utilized in your department, please contact the Treasurer's Office and the next number available will be provided.

Item Description

Brand names, colors size or any other identifying features of an asset that may be recorded

Class

- 10 LAND
- 20 BUILDING
- 30 IMPROVEMENTS
- 40 MACHINERY AND EQUIPMENT
- 50 CONSTRUCTION IN PROGRESS
- 70 INFRASTRUCTURE
- 80 VEHICLES

Class Code (SUB-CLASS)

- BRI BRIDGES
- BLD BUILDINGS
- TWR COMMUNICATIONS TOWERS
- COM COMMUNICATION EQUIPMENT
- IT INFORMATION TECHNOLOGY
- CIP CONSTRUCTION IN PROGRESS
- FUR FURNITURE
- HWY HIGHWAY HEAVY EQUIPMENT
- KTC KITCHEN EQUIPMENT
- LND LAND
- LAW LAW ENFORCEMENT EQUIP
- MCH BUILDING IMPROVEMENTS/REPAIRS
- EQP MISCELLANEOUS EQUIPMENT
- RDS ROADS
- VEH CARS AND ROAD VEHICLES
- WPN WEAPONS

Item Type

FA	CAPITAL ASSETS
IS	INFRASTRUCTURE
LAND	LAND - NON-CAPITALIZED
NCAP	NON-CAPITALIZED
OT	OTHER ITEMS
RN	LEASED/RENTED

Department #

Budget Center home department (xx.xx.XXXX)

Serial or VIN Number

Manufacture’s identification number recorded directly on the item. If ID numbers are listed only on the packing list or invoice, they should be recorded with a sticker on the item if you are including it in the FA information acquisition form.

Manufacturer/Make

Brand label of the asset, not necessarily the vendor where it was purchased.

Model

A model is a part number or manufacturer’s name for asset. Slang or generic descriptions should be listed in the item description area.

Model Year

A model year for acquisitions refers to the manufacture date not the date of acquisition.

Location

Physical location of an asset should be included if the asset will be permanently attached

Condition (Capital Asset Financial Life Cycle)

This information, once entered will remain on the asset for the life of the acquisition. Any changes made will only be recorded for transfers or disposals.

1	NEW (< ONE YEAR OLD)
2	GOOD CONDITION
3	FAIR CONDITION
4	POOR/WORN CONDITION
5	OBSOLETE/WORTHLESS
6	MIXED CONDITION
7	USED
8	UNDEVELOPED LAND
9	DEVELOPED

Owning Fund

0001	GENERAL FUND
0003	MACHINERY

0004	COUNTY ROAD.
0005	COMP INSURANCE

Acquisition Type

CONS	CONSTRUCTED
EDOM	EMINENT DOMAIN
FORC	FORECLOSURE
GIFT	GIFT
INST	INSTALLMENT PURCHASE
LEAS	LEASED
LPUR	LEASE-PURCHASE
OTHR	OTHER
PURC	PURCHASE
TAXF	TAX FORFEITURE
TRAD	TRADE
UNKN	UNKNOWN

Acquisition Date

The acquisition date should be the final date of completion when all expenses have been recorded. In the case of an asset that may include multiple invoices for expenses of installation or shipping the date should be when the asset acquisition project is COMPLETE.

Source of Funds (Finance Source)

This is critical to record funding revenue streams that may be used for financial reporting or grant administration. An expense may be covered by a budgeted line item that is not "CURRENT", but revenue that is from state, federal or other grant sources. If your grant or financial reporting requires tracking funding sources for capital assets, please contact the Treasurer's Office to arrange for a specific element to use for your requirements.

C-01	CURRENT REVENUE
J-07	FINES & FORFEITURES
T-08	SALE OR TRADE
M-09	MISC. LOCAL SOURCES
S-11	STATE AID
F-12	FEDERAL AID
B-20	DEBT PROCEEDS, BONDS
G-40	GIFTS

Quantity

The quantity should list the amount of units recorded as a capital asset. The total cost, as defined above would record the gross total for the asset. An example of multiple quantities could be a recorded asset that is valued at \$10,000, but the asset is comprised of 10 units each valued at \$1,000 that are interdependent. In this case the quantity would be 10 and the Total Cost would be \$10,000.

Vendor Number

The vendor number is assigned by the Treasurer's Office in the County's financial system.

Vendor Name

The Vendor Name would be where the final purchase is completed and to whom the payment is submitted.

Purchase Order Number

The purchase order number recorded on a capital asset acquisition form should be the PRIMARY purchase order that completed the purchase. There may be purchase orders to other vendors for installation or shipping, but the single purchase order entry on the asset system should list the largest Primary vendor.

Purchase Order Date

The purchase order date that encumbered the funds for acquisition of a capital asset should be the PRIMARY purchase order date that completed the purchase.

Invoice Number

The Invoice Number provided by the vendor billing the County should be listed on the acquisition form. In the case of multiple invoices, the largest dollar amount assumed to be the Primary invoice should be listed.

Invoice Date

The Invoice Date recorded by the vendor billing the County should be listed on the acquisition form. In the case of multiple invoices, the largest dollar amount assumed to be the Primary invoice should be listed. If purchases are made utilizing grant funding or claimable expense for reimbursement, departments must verify that invoices are submitted and recorded during the eligible funding period.

Fund of Purchase

0001	GENERAL FUND
0003	MACHINERY
0004	COUNTY ROAD.
0005	COMP INSURANCE

CAPITAL ASSET PROPERTY TRANSFER AND DISPOSITION PROCEDURES*

Purpose:

The purpose of the Wyoming County Surplus Property Guidelines is to manage the County-wide re-circulation of assets centrally to ensure appropriate internal controls and if sold, secure the maximum amount for the sale of surplus property. It is the responsibility of the department having ownership and/or custody, to follow prescribed Wyoming County policies and guidelines in working with Purchasing, County Treasurer's Office and Board of Supervisors Administration, for the Disposition of County surplus property. The program strives to foster an operating philosophy of *Reduce, Reuse and Recycle*, creating significant value through cost avoidance by reducing overall expenditures for new assets.

To facilitate this process, the Clerk of the Board will forward lists of available Department surplus items following applicable Committee meetings. In order to encourage as the first option for disposition, internal re-circulation of surplus property within and among the various County departments, items will be available *only* for internal transfer among County departments for a

period of one week (7 days). After the one week period has lapsed, items will be available for sale outside the County to municipalities or not for profits. The selling price should be set as close as possible to fair market value.

Departments having ownership and/or custody of property deemed surplus will work with Treasurer's Office personnel to assure that with any transfer or disposition of asset records are updated, a fair transaction price is established for any item(s) sold and equipment purchased with government or external funds are not sold or transferred without the proper authorization.

All funds collected from the sale of surplus assets or scrap must be sent directly to the Wyoming County Treasurer, 143 N Main Street, Suite 210, Warsaw, NY 14569 to be deposited.

Surplus sales from federal grants which are still active, should be deposited and recorded as grant funds. Proceeds deposited from sale of surplus property will not be transferred to the owning department as revenue until after a Capital Asset Disposition form is processed through Committee and received by the Treasurer's Office. Revenues will be realized in the year that the sale occurred.

Policies and procedures pertaining to disposition of surplus property apply to all County departments. Unauthorized removal, disposal, or misappropriation of County or government owned, loaned or donated property regardless of value constitutes a serious breach of County policy. County Policy requires screening of potential shared use equipment prior to the purchase of new equipment. **All technology equipment must be reviewed by Computer Services/IT prior to purchase or disposal** to ensure security and maximized value are obtained. Technology equipment includes but is not limited to computers, facsimiles, copiers, scanner and telephones.

Procedure:

Priority

- **Transfer between department**
- **Sell to municipal entity**
- **Sell at public auction**
- **Sell for scrap**
- **Dispose of in garbage appropriately**

1. Department wishing to declare a capitalized Capital Asset recorded by the auditors with a value of over \$5,000 as surplus can do so by submitting a Capital Asset Disposal Form with their monthly committee agenda for approval. This form can be accessed by way of the Public Directory.
2. Departments wishing to transfer/remove an item purchased with .2 funds recorded for tracking purposes below the capitalization threshold of \$5,000 (or NCA) should notify the Clerk of the Board of surplus property information so that lists may be distributed throughout County departments. (residual old .2 assets prior to 2018-NCAP)
3. In an effort to encourage internal re-circulation of surplus property within the County, for the first 7 days after the initial assigned listing date, surplus items will be available **only** for internal transfer via written request among County departments. After the initial one week internal transfer period has lapsed, items will be available for sale outside the County, to Towns, Villages, and Schools, Fire Departments or other not-for-profit.

4. The established selling price should be set as close as possible to fair market value.
5. All funds collected from the sale of surplus assets must be deposited to a County account recorded in a departmental account. Surplus sales from federal grants which are still active should be deposited to the active grant account as required by grant contract.
6. Any external sales must be conducted by competitive bidding or designated auctioneer. A standard auctioneer approved by the Board of Supervisors will assure comprehensive records of disposals and revenues. Scheduled auctions within the County via website and onsite inspection will maximize County auction revenues and reduce transport cost of surplus equipment to outlying auction locations.
7. Internal transfers of property, regardless of whether the item has been recorded in Committee minutes or not, must be attached to a completed Property Disposition Form and forwarded to the Treasurer's Office.
8. After an item has been transferred or sold, the department originally listing the item should contact the Treasurer's Office to request that the item has been disposed of appropriately. Disposals via sale or trade can only be completed when the disposition listing auction or trade-in value are submitted on disposal form.
9. After a listing period of 30 days, items should be removed from the Capital Asset List. Listing Departments are free to request an item be re-listed for an additional listing period. The initial 7 day internal transfer requirement will not apply for items that are being re-listed.
10. When an item is not sold within the initial 30-day period, the department may dispose of it by donation, materials recycling or waste disposal, following the County's disposal methods for that type of item. Any data storage media in the item must be reviewed by the IT Department to verify it is overwritten or destroyed.

*Approved as guideline in Committee of the Whole 1/13/2012

Disposition

Departments must notify their Home Committee of the ID tag number, brief description and proposed disposition of the asset prior to completing a disposal for FA items of a value over \$5,000. The department must fill out the disposition form and submit it to the Home Committee for approval; the Clerk of the Board will then forward the disposition form once approved to the Treasurer's Office for disposal. Items previously identified as NCAP or valued at under \$4,999 should be listed for information to the Home Committee and disposed of as appropriate.

All County departments are charged with the responsibility of assuring that all transfers, sales and disposals are in accordance terms listed above. Disposal forms utilize the same definitions for completing forms that are list above in the acquisitions form.

Private use, purchase and/or sales of obsolete, surplus, or salvage materials and equipment to employees or affiliates of COUNTY are strictly prohibited.

Capital equipment disposed of will be removed from the capital asset accounting system once forms are received by the County Treasurer's Office. All COUNTY tags and markings must be removed from the material prior to disposal.

Definition Of Types Of Disposals:

SOLD	Auction or Sealed Bid
JUNK	Junk
OTHR	Other

TRAD	Traded In
TRAN	Transferred

CAPITAL ASSET DISPOSAL FORM FOR COMMITTEE

Department Name	
Property ID #	
Item Description	
Original Cost	
Serial or VIN Number	
Manufacturer/Make	
Model	
Model Year	

Date of Disposal	
Disposal Type *	
Reason for Disposal *	

Disposed To	
Traded For	
Amount of Proceeds	

Remarks:

Please add sales information.

Customer purchasing, sales receipt and copy of check if available.

Completed by: _____

Date: _____

**RESOLUTION NO. 21-573
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

CANCELLATION OF VOID TAXES

WHEREAS, Pursuant to the Real Property Tax Law §558 (1), the County of Wyoming may direct the cancellation of certain unpaid taxes where it is determined that the lien of such tax cannot be enforced, and,

WHEREAS, such a 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 hereby directs the cancellation of any and all such unpaid taxes 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, if applicable, to the appropriate taxing authorities, to the extent to which each has been benefited thereby:

AUTHORITY: RPTL §558(1) Cancellation of Void Tax

Parcel:	TOWN OF ARCADE
Tax Map No.:	183.9-1-33
Assessed To:	Michael Tingue, 11644 Worden Road, Delevan, NY 14042

Parcel:	TOWN OF ARCADE
Tax Map No.:	183.9-1-32.2
Assessed To:	Emkay Trading Corp, PO Box 504, Elmsford, NY 10523-0504

Parcel:	TOWN OF ARCADE
Tax Map No.:	183.9-1-32.1
Assessed To:	Cadare, Inc., PO Box 504, Elmsford, NY 10523-0504

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

#51

**RESOLUTION NO. 21-574
(December 14, 2021)**

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, 2022.

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

**RESOLUTION NO. 21-575
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**REAL PROPERTY TAX SERVICES DIRECTOR AUTHORIZED TO
APPROVE CORRECTION OF ERRORS**

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL §§550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §554 (9)) during the year 2022; 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 2022.

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

December 14, 2021

**RESOLUTION NO. 21-576
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**JANIS COOK REAPPOINTED WYOMING COUNTY
BUDGET OFFICER**

BE IT RESOLVED, That *Janis Cook*, 3459 Truesdell Road, Warsaw NY 14569 be hereby reappointed as Wyoming County Budget Officer for a two (2) year term; effective January 1, 2022 through December 31, 2023.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #54

**RESOLUTION NO. 21-577
(December 14, 2021)**

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, 2022; 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	\$ 75,827.00	\$ 269,231.39	\$ 345,058.39
ATTICA	\$ -	\$ 275,585.00	\$ 275,585.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ -	\$ 331,661.00	\$ 331,661.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 2,172.00	\$ 234,676.00	\$ 236,848.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 4,250.00	\$ 300,747.00	\$ 304,997.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 23,622.23	\$ 265,750.08	\$ 289,372.31
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 11,344.00	\$ 322,097.00	\$ 333,441.00
WETHERSFIELD	\$ -	\$ -	\$ -
TOTALS:	\$ 117,215.23	\$ 1,999,747.47	\$ 2,116,962.70

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		\$ 93,000.00		*** \$ 157,900.00		\$ 250,900.00
ATTICA		\$ 77,000.00				\$ 77,000.00
BENNINGTON	V \$ 11,075.00	B \$ 102,000.00 C \$ 82,815.00 HC \$ 32,260.56	\$ 984.00	* \$ 48,900.00	* \$ -	\$ 278,034.56
CASTILE		\$ 94,500.00	\$ 7,350.00	* \$ 42,000.00 ** \$ 224,706.00	* \$ -	\$ 368,556.00
COVINGTON		PA \$ 91,343.00 WY \$ 13,302.00 PE \$ 6,300.00		* \$ 350.00 * \$ 21,000.00		\$ 132,295.00
EAGLE	\$ 176,621.00		\$ 6,000.00	* \$ 6,900.00	* \$ - *** \$ -	\$ 189,521.00
GAINESVILLE		G \$ 85,000.00 SS \$ 20,555.00 C \$ 2,293.00				\$ 107,848.00
GENESEE FALLS		\$ 33,400.00	\$ 9,000.00			\$ 42,400.00
JAVA	NJ \$ 38,959.00	NJ \$ - S \$ 72,111.00	NJ \$ 1,500.00 JC \$ 200.00	* \$ 11,062.50	* \$ -	\$ 123,832.50
MIDDLEBURY		F1 \$ 83,555.00 F2 \$ 15,504.00				\$ 99,059.00
ORANGEVILLE	V \$ 66,619.19	O \$ 18,710.00	L3 \$ 700.00	* \$ 2,749.50	* \$ -	\$ 88,778.69
PERRY	F3 \$ 3,610.59	F4 \$ 66,000.00	PC \$ 1,500.00	* \$ 15,580.00 ** \$ 24,336.68	* \$ -	\$ 111,027.27
PIKE	F1 \$ 45,400.00		L1 \$ 6,700.00 S1 \$ 3,000.00		* \$ -	\$ 55,100.00
SHELDON	V \$ 35,981.80 NJ \$ 13,804.86	ST \$ 37,550.00 NJ \$ - SH \$ 124,500.43 HC \$ 33,478.94	L1 \$ 3,200.00 L2 \$ 1,825.00 L3 \$ 400.00 L9 \$ 1,000.00	* \$ 66,675.37	* \$ - *** \$ -	\$ 318,416.40
WARSAW		\$ 64,558.00		* \$ - ** \$ 59,269.00	* \$ - ** \$ - *** \$ -	\$ 123,827.00
WETHERSFIELD		G \$ 45,000.00 NJ \$ 22,041.00 B \$ 28,000.00				\$ 95,041.00
TOTALS:	\$ 392,071.44	\$ 1,344,776.93	\$ 43,359.00	\$ 681,429.05	\$ -	\$ 2,461,636.42
			* = WATER	** = SEWER	*** = RECYCLING	

December 14, 2021

374
and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$ 125,463.00	\$ 287,307.00	\$ 412,770.00
ATTICA	\$ 225,333.00	\$ 269,840.00	\$ 495,173.00
BENNINGTON	\$ 267,442.00	\$ 850,625.00	\$ 1,118,067.00
CASTILE	\$ 218,652.00	\$ 329,102.00	\$ 547,754.00
COVINGTON	\$ 223,177.00	\$ 364,770.00	\$ 587,947.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 186,546.00	\$ 304,294.00	\$ 490,840.00
GENESEE FALLS	\$ 166,824.00	\$ 263,689.00	\$ 430,513.00
JAVA	\$ 138,647.00	\$ 537,173.00	\$ 675,820.00
MIDDLEBURY	\$ 98,176.00	\$ 366,457.00	\$ 464,633.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 280,327.54	\$ 303,688.17	\$ 584,015.71
PIKE	\$ 180,738.00	\$ 373,208.00	\$ 553,946.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 418,802.00	\$ 371,123.00	\$ 789,925.00
WETHERSFIELD	\$ 39,020.00	\$ 56,400.00	\$ 95,420.00
TOTALS:	\$ 2,569,147.54	\$ 4,677,676.17	\$ 7,246,823.71

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

**RESOLUTION NO. 21-578
(December 14, 2021)**

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, 2021 through September 30, 2021 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

Regular Session

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling forty-one thousand five hundred fifty dollars and eighteen cents (\$41,550.18) to the sixteen (16) towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$4,830.82
Attica	\$5,624.95
Bennington	\$4,066.88
Castile	\$3,060.99
Covington	\$655.45
Eagle	\$1,253.56
Gainesville	\$1,821.86
Genesee Falls	\$363.05
Java	\$2,769.54
Middlebury	\$1,984.17
Orangeville	\$1,217.62
Perry	\$2,999.41
Pike	\$426.99
Sheldon	\$4,688.65
Warsaw	\$5,334.11
Wethersfield	\$452.13
Grand Totals:	\$41,550.18

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

**RESOLUTION NO. 21-579
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

PERSONAL CELL PHONE ALLOWANCE POLICY/FORM ADOPTED

BE IT RESOLVED, That this Board of Supervisors hereby approves and adopts the attached Personal Cell Phone Allowance Policy/Form; effective January 1, 2022.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
December 14, 2021

Personal Cellular No.: ____-____-____

AGREEMENT

Personal Cellular Phone Allowance Request

☐ New ☐ Renewal

THIS AGREEMENT, made on the ____ day of _____, 20____ between the County of Wyoming, a Municipal Corporation of the State of New York, having its office in Warsaw, New York, acting through its duly constituted Wyoming County Board of Supervisors located at 143 North Main Street, Warsaw, NY 14569 (*hereinafter County*) and _____ (Employee Name) _____ (Department) _____, New York _____ (Address) _____ (Town) _____ (Zip) (*hereinafter Employee*).

WITNESSETH:

The *County* does hereby grant an allowance to *Employee* for the use of a personal cellular phone, in conjunction with *Employee's* county employment in accordance with the terms and conditions set forth below:

DEFINITIONS

1. **Agreement** shall mean this Personal Cellular Phone Allowance Request form.
2. **County** shall mean the County of Wyoming.
3. **Employee** shall mean the individual personally identified above entering into the agreement with the County.

This **Agreement** shall take effect _____, 20____ and shall remain in effect through December 31, 20____, or upon the termination of the *Employee's* employment with the *County*, whichever occurs first.

The *County* agrees to pay twenty dollars (\$20.00) per month to the *Employee* upon submission of this Agreement by the *Employee's* Department Head and approval by the Chairman of the Board of Supervisors ("allowance"). Payable in two monthly installments of \$10 each for the first two pay periods in the month. The Personal Cellular Phone Allowance is subject to all payroll taxes.

The *Employee agrees* to purchase cellular phone service and equipment and assume responsibility for vendor terms and conditions. The *Employee* is responsible for plan choices, calling areas, service features, termination clauses, and all charges associated with the cellular service and device. The *Employee* must maintain a cellular phone number on an active service contract for the duration of the allowance in order to remain entitled to the allowance. In the event the *Employee* fails to maintain cellular service and device, this contract shall terminate, coincidentally with the end of service or device.

Upon separation from employment, the employee shall receive a prorated portion of the allowance in his/her final pay check.

This **Agreement** must be submitted to the Board of Supervisors by January 30 of the current calendar year in order for the *Employee* to be eligible to receive said allowance for the current calendar year.

If at any point the *Employee* is no longer authorized to receive this allowance, it is the responsibility of the Department Head to notify the Board of Supervisors to discontinue the allowance. Any *Employee*, on approved documented leave of absence from *County* employment for more than thirty (30) days, is ineligible for this allowance until said *Employee* returns to work as verified, in writing, to the Board of Supervisors by the *Employee's* Department Head.

Regular Session

It is understood that the **Employee** agrees to indemnify and hold harmless the **County** from any liability or damage the **County** may suffer resulting from claims, demands or judgments, which may arise as a result of the **Employee's** use of his/her personal cellular phone or calling plan.

This **Agreement** shall only be modified by the **County**. Any such modification or amendment shall be in writing, executed by the County, attached to and becomes part of this **Agreement**. This **Agreement** may not be assigned, transferred or in any way disposed of by the **Employee** without the prior written approval of the **County**. This **Agreement** may be terminated by either party with thirty (30) days written notice.

IN WITNESS WHEREOF, this **Agreement** has been duly executed and signed by the authorized officers of the respective parties.

_____ (Employee)	_____ (Date)	_____ (County Attorney Approval as to Form)	_____ (Date)
_____ (Department Head Approval)	_____ (Date)	_____ (Chairman, Wyoming County Board of Supervisors)	_____ (Date)

*Department Head: Print and sign one original for each employee seeking the allowance. Forward to BOS for processing.
A fully executed original will be returned to Department and is required before submitting a payroll allowance request.*

#57

RESOLUTION NO. 21-580 (December 14, 2021)

By Mr. Kehl, Chairman of the Finance Committee:

SPECIAL MEETING SET FOR CONSIDERATION OF A RESOLUTION OF THE BOARD OF SUPERVISORS FOR THE RELEVY OF WATER, SEWER AND RECYCLE FEES PURSUANT TO CONSUMER PROTECTIONS APPLICABLE TO MUNICIPAL WATER PROVIDERS FOR THE PURPOSE OF THE ANNUAL BUDGET OF TOWNS IN WYOMING COUNTY

BE IT RESOLVED, That a Special Meeting of the Wyoming County Board of Supervisors will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 North Main Street, in the Village of Warsaw, NY 14569, on **Friday, December 17, 2021 at 11:30 AM** for consideration of a resolution of the Board of Supervisors to relevy water, sewer and recycle fees pursuant to consumer protections applicable to municipal water providers that became effective July 28, 2021; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said special meeting in the official newspapers published in the County of Wyoming.

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

#58

December 14, 2021

**RESOLUTION NO. 21-581
(December 14, 2021)**

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; now therefore

BE IT RESOLVED, That the *Annual Organizational Meeting* of the Wyoming County Board of Supervisors will be set for *Monday, January 3, 2022, 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; and be it

FURTHER RESOLVED, That in accordance with Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, members of the public can also observe the meeting via Board of Supervisors YouTube Channel through the following link: <http://www.wyomingco.net/149/Board-of-Supervisors>

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #59

**RESOLUTION NO. 21-582
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

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

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

REPUBLICAN DESIGNATION TO PUBLISH

We, the undersigned Republican members of the Board of Supervisors of the

Regular Session

County of Wyoming, State of New York, do hereby designate as follows for the year 2022:

DESIGNATION	PUBLICATION	VILLAGE OF
Election Notice	Daily News	Batavia, New York
Sheriff Proclamation	Daily News	Batavia, New York
Local laws, notices and other matters required by matters required by law to be published and for which NO OTHER specific designation has been made	Daily News	Batavia, New York
Official Canvass	Country Courier	Warsaw, New York
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Country Courier	Warsaw, New York

Signed this 14th day of December 2021:

s/ A.D. Berwanger
s/ Bryan Kehl
s/ Ellen Grant
s/ Stanley Klein
s/ Jerry Davis
s/ Luanne Roberts
s/ Ron Jacoby

s/ Daniel Leuer
s/ Susan May
s/ James Brick
s/ Sandra King
s/ Brian Becker
s/ Rebecca Ryan

DEMOCRATIC DESIGNATION TO PUBLISH

We, the undersigned Democratic members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2022:

DESIGNATION	PUBLICATION	VILLAGE OF
Election Notice	Perry Herald	Perry, New York
Sheriff Proclamation	Perry Herald	Perry, New York
Local laws, notices and other matters required by matters required by law to be published and for which NO OTHER specific designation has	Perry Herald	Perry, New York

December 14, 2021

been made		
Official Canvass	Arcade Herald	Arcade, New York
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Arcade Herald	Arcade, New York

Signed this 14th day of December 2021:

s/ Michael Roche

s/ David Granger

s/ Angela Brunner

#60

**RESOLUTION NO. 21-583
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

THREE (3) COPIES OF ANNUAL REPORTS REQUESTED

BE IT RESOLVED, That the Public Officials of this County present at least three (3) hard copies, in writing, and one (1) electronic copy of their annual report to the Clerk of this Board not later than March 31, 2022, said annual reports to contain a financial summary of the department; and be it

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

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#61

**RESOLUTION NO. 21-584
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

SALARY SCHEDULES “P”, “C”, “X”, “F” 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 “P”:

Wyoming County Community Health System

- Create one (1) position of ***Nurse Practitioner*** (1.00 FTE) (position code TBD) under WYOMING COUNTY FAMILY MEDICINE – ATTICA and set the salary at \$114,000.00 per year; position available date 01/01/2022.
- Create a stipend for ***Mid-Level Provider*** (0.6 FTE) (position code 17.110.443) under PEDIATRIC CLINIC and set the salary at \$520.00 per day when services are provided beyond existing contract requirement of 24 hours per week, not to exceed \$20,000.00 per year; effective 12/01/2021.

Salary Schedule “C”:

Wyoming County Community Health System

- Amend ***Behavioral Health Care Manager*** position (position code #02.135.633) under MENTAL HEALTH UNIT from 1.00 FTE to 0.60 FTE and set the salary at \$36,000.00 per year; effective 01/01/2022.
- Create one (1) position of ***Administrative Secretary*** (Per Diem) (position code #TBD) under MEDICAL DIRECTOR and set the rate at \$25.00 per hour; position available date 12/12/2021.
- Create one (1) position of ***Administrative Coordinator*** (1.00 FTE) (position code #TBD) under MEDICAL DIRECTOR and set the rate at \$25.00 per hour; position available date 11/28/2021.

Salary Schedule “X”:

Wyoming County Community Health System

- Create one (1) position of ***Registered Practical Nurse (Clinics)*** (1.00 FTE) (position code #TBD) under WYOMING COUNTY INTERNAL MEDICINE and set the rate at \$25.00 per hour; position available date 10/31/2021.

Salary Schedule “F”:

Office for the Aging

- Set the hourly wage to \$13.20 per hour in accordance with Resolution #21-089 passed by this Board on February 9, 2021 to remain competitive with NYS minimum wage indefinitely, for the following positions; effective December 31, 2021:
 - ***Meal Site Manager, PT*** (position code 009.151)
 - ***Meal Site Manager, PT*** (position code 010.151)
 - ***Meal Site Manager (Per Diem)*** (position code 287.151)
 - ***Meal Site Manager (Per Diem)*** (position code 288.151)

Salary Schedule “S”:***Sheriff (Jail Kitchen)***

- Set the hourly wage to \$13.20 per hour in accordance with Resolutions Number 20-385 passed by this Board on September 8, 2020 and Resolution Number 20-431 passed by this Board on October 13, 2020 to remain competitive with NYS minimum wage indefinitely, for the following positions; effective December 31, 2021:
 - ***Meal Deliverer, PT***
Position Codes – 079.598; 080.598; 081.598; 082.598; 083.598; 084.598; 085.598; 086.598; 087.598; 088.598; 093.598; 094.598; 096.598; 097.598; 098.598; 089.598; 090.598; 091.598; 092.598
 - ***Meal Deliverer (Per Diem)***
Position Codes – 089.598; 090.598; 091.598; 092.598

Health Department

- Set salary for the position of ***Fiscal Administrator*** (position code #089.405) at \$50,000.00 annually, with eligibility for an additional \$2,000.00 upon permanent appointment and meeting pre-established goals; effective December 12, 2021.

Treasurer

- To set the hourly wage of the ***Fiscal Administrator*** (position code #024.405) to the negotiated \$22.99 per hour (Annual Salary equivalent of \$42,003/annually); effective November 01, 2021. Non-exempt from the Fair Labor Standards Act.

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

- Provide the ***Director of Community Services*** with a one-time compensation in the amount of \$2,360.00 for services provided in covering the Assistant Director of Adult Services position while it was vacant during the timeframe of September 13, 2021 through December 31, 2021.
 - Payable with the last payroll in December 2021 from the State Aid that was withheld from the CCSI contract as the position was unfilled for the last quarter of 2021.

Carried: XXX**Ayes: 1599****Noes:****Absent:****Abstain:****#62**

**RESOLUTION NO. 21-585
(December 14, 2021)**

Regular Session

By Mr. Kehl, Chairman of the Finance Committee:

HOSPITAL ADMINISTRATOR 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 Hospital Administrator, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- ***Lyon Global, LLC***, 21 Goodway Drive, Rochester, NY 14623 to include full website redesign, hosting, social media management, four filmed ads per year and paid targeted e-advertising; effective January 1, 2022 through December 31, 2024 as follows:
 - Year 1 - \$79,750.00 (includes cost for build out)
 - Year 2 - \$49,750.00
 - Year 3 - \$49,750.00
- ***Aya Healthcare, Inc.***, 5930 Cornerstone Court West, Suite 300, San Diego, CA 92121 to provide agency staffing for acute and long-term care in an amount not to exceed two hundred thousand dollars (\$200,000.00) per year; effective November 8, 2021 through October 31, 2023.
- ***Getinge USA Sales, LLC***, 1 Geoffrey Way, Wayne, NJ 07470 on sterilizers and washer; effective November 1, 2021 through October 31, 2024 as follows:
 - Year 1 - \$22,307.00
 - Year 2 - \$22,974.00
 - Year 3 - \$23,661.00
- ***Press Ganey Associates, Inc.***, 1173 Ignition Drive, South Bend, IN 46601 for required patient satisfaction surveys, quality performance measurements and employee survey; effective November 1, 2021 through October 31, 2024 as follows:
 - Year 1 - \$70,542.27
 - Year 2 - \$55,534.78
 - Year 3 - \$55,583.31

December 14, 2021

- ***Novus Anesthesia Partners, LLC***, 3510 Firestone Boulevard, Pensacola, FL 32503 to provide certain professional medical services to hospital patients on an exclusive basis in an amount not to exceed one million two hundred seventy-one thousand seven hundred fifty-one dollars (\$1,271,751.00) per year, effective January 1, 2022 through December 31, 2024.
- ***Magavern Magavern Grimm, LLP*** (Thomas J. Lang, Associate), 1100 Rand Building, 14 Lafayette Square, Buffalo, NY 14203 related to advice and representation in connection with litigation and collection matters involving long term care Medicaid applications/proceedings, guardianship proceedings, difficult discharges and similar matters in an amount not to exceed seventy-five thousand dollars (\$75,000.00) per year; effective July 1, 2021 through June 30, 2023.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #63

**RESOLUTION NO. 21-586
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 19-353 AMENDED

WHEREAS, Resolution Number 19-353 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF UNDERSTANDING WITH WYOMING COUNTY EMERGENCY SERVICES ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on August 13, 2019 and provides for a Memorandum of Understanding with ***Wyoming County Emergency Services***, 151 North Main Street, Warsaw, NY 14569 on behalf of the Wyoming County Community Health System. Said contract to support the pre-hospital care medical director services to Wyoming County Emergency Services in an amount not to exceed ten thousand eight hundred dollars (\$10,800.00); effective August 1, 2019 through December 31, 2020; and

WHEREAS, That Resolution 19-353 was previously amended by ***Resolution Number 21-250*** by this Board of Supervisors on May 11, 2021 to extend the term of the contract ***through December 31, 2021***; now therefore,

BE IT RESOLVED, That ***Resolution 19-353*** as previously amended by ***Resolution Number 21-250*** be hereby further amended to extend the term of the contract ***through December 31, 2022***.

All else remains the same.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
#64

**RESOLUTION NO. 21-587
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-319
PERTAINING TO ST. LAWRENCE RADIOLOGY ASSOCIATES, PC
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:

- *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.

And,

WHEREAS, That *Resolution Number 16-319* was previously amended by this Board of Supervisors on October 13, 2020 by *Resolution Number 20-422* to extend the term of the agreement from December 31, 2020 through *December 31, 2021*; now therefore,

BE IT RESOLVED, That *Resolution Number 16-319* as previously amended by *Resolution Number 20-422* be hereby further amended to extend the term of the agreement from December 31, 2021 through *December 31, 2022*.

All else remains the same.

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

December 14, 2021

**RESOLUTION NO. 21-588
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**HOSPITAL ADMINISTRATOR AUTHORIZED TO SIGN AN
EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH
LISA KEMP, NP 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 Hospital Administrator of the hospital, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign an Employment Agreement – Salary Schedule “P” with *Lisa Kemp, NP*, 1712 Alleghany Road, Attica, NY 14011 on behalf of the Wyoming County Community Health System. Said contract to provide a Women’s Health Nurse Practitioner services in an amount not to exceed two hundred fourteen thousand dollars (\$114,000.00); effective January 1, 2022.

Contingent upon the availability of funds.

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

#66

**RESOLUTION NO. 21-589
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

RESOLUTION NUMBER 20-467 AMENDED

WHEREAS, Resolution Number 20-467 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT ~ SALARY SCHEDULE “P” WITH MARGARET WRIGHT ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on November 10, 2020 to provide physician assistant services at the Hospital Pediatric Clinic in an amount not to exceed seventy thousand five hundred ninety dollars (\$70,590.00); effective October 15,

Regular Session

2020; now therefore .

BE IT RESOLVED, That *Resolution 20-467* be hereby amended to reflect additional contract language that if services are provided beyond 24-hours per week, the employee shall receive *an additional five hundred and twenty dollar (\$520.00) per day stipend, not to exceed twenty thousand dollars (\$20,000.00) per year.*

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #67

**RESOLUTION NO. 21-590
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

**LARRY ROGERS REAPPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That *Larry Rogers*, 14 East Koy Road, Pike, NY 14130 be hereby reappointed as a *Member* of the *Wyoming County Community Hospital Board of Managers* for a term of five (5) years; effective January 1, 2022 through December 31, 2026.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #68

**RESOLUTION NO. 21-591
(December 14, 2021)**

By Mr. Kehl, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED:

Health Department

- Create three (3) positions of *COVID Response Specialists (per diem)* and place on Salary Schedule “G” at an hourly rate of

December 14, 2021

\$29.50.

- Position #1 available date is November 13, 2021.
- Positions #2 and #3 available date is December 15, 2021.
- No benefits except those required by law.
- Salary and fringe expense fully funded by the HRI Contract #6444-01 COVID-19 Enhanced Detection and Response grant, approved by BOS Resolutions 20-355 and 21-380. To assist with COVID response (testing, vaccination, case investigation, contact tracing).
 - Emergency Fill executed for one (1) position by HR and Chairwoman Ryan effective 11/13/2021.

MODIFIED:

Health Department

- Revise the ***Water Resource Specialist (Temp.)*** (position code #148.335) at \$19,000.00 per year on Salary Schedule S to ***Water Resource Specialist (Per Diem)*** (position code #148.335) and set the hourly wage at \$40.00 with no other benefits except those required by law, not to exceed amount budgeted.
 - This position was scheduled to sunset on 12/31/21.

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

Chairwoman Ryan, T/Warsaw extended her gratitude to Supervisor Klein, T/Castile and Supervisor Brunner, T/Java for their service as Chairman of the Agriculture Committee and Chairman of the Audit Committee respectively and thanked them for the contribution to the County as board members and for serving their constituents so well.

Chairwoman Ryan then acknowledged County Attorney Wujcik and presented his with a Certificate of Appreciation for his 10 years of service to the County. She said he was our loss and Genesee County's gain...

Supervisor Brick, T/Perry asked if the special board meeting on December 17th could be attended via zoom, which was confirmed.

There being no further business to come before this Board, Senior Supervisor Berwanger, T/Arcade, 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

**SPECIAL SESSION
(December 17, 2021)
Tuesday
11:30 AM**

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. Members of the public were invited to observe the meeting via BOS YouTube Channel through the following link: <http://www.wyomingco.net/149/Board-of-Supervisors>.

At 11:32 AM Chairwoman Ryan, T/Warsaw, called the meeting to order.

All members of the Board of Supervisors were present except Supervisors Leuer, T/Middlebury, King, T/Pike; Becker, T/Sheldon and Jacoby, T/Wethersfield. The following Supervisors were present via Zoom conference call - Supervisors Grant, T/Bennington, Roche, T/Eagle; Roberts, T/Genesee Falls; Brunner, T/Java and May, T/Orangeville. Also present were Clerk to the Board of Supervisors, Cheryl Ketchum and Real Property Tax Services Director, S. Lippincott. County Attorney "Elect" J. Wilkinson participated via Zoom conference call.

Pledge of Allegiance ~

- *The pledge of allegiance, which was said by all.*

#1

**RESOLUTION NO. 21-592
(December 17, 2021)**

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, 2022; now therefore

BE IT RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective recycling, sewer and water districts in the following towns, as listed

December 17, 2021

390
below, the following respective budgets:

NAME OF TOWN	RELEVIED WATER (RL 002)	RELEVIE D SEWER (RL 003)	RELEVIE D RECYCLE FEE	TOTAL
CASTILE	\$3,082.56			\$3,082.56
JAVA	\$1,819.66			\$1,819.66
ORANGEVILLE	\$194.66			\$194.66
SHELDON	\$902.18			\$902.18
WARSAW	\$291.53	\$166.23		\$457.76
SUB TOTALS:	\$6,290.59	\$166.23	\$0.00	\$6,456.82
GRAND TOTAL:				\$6,456.82

Due to technical difficulties, the votes of Supervisors Grant, Granger and Roberts were not able to be heard.

Carried: XXX **Ayes:** 1139 **Noes:** **Absent:** 140 (Bennington) **Abstain:**
51 (Eagle)
19 (Genesee Falls)
62 (Middlebury)
48 (Pike)
102 (Sheldon)
38 (Wethersfield)
460 Total

There being no further business to come before this Board, Supervisor Berwanger, T/Arcade adjourned the meeting at 11:42 AM with a rap on his desk.

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

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