

PROCEEDINGS
OF THE
BOARD OF
SUPERVISORS

WYOMING COUNTY
NEW YORK

2013

A. Douglas Berwanger, Chairman

Cheryl Ketchum, Clerk
Brenda Ferrell, Deputy 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 2013.

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

s/ Cheryl J. Ketchum
Clerk, Board of Supervisors



Wyoming County Board of Supervisors

Left to right, front row: John Knab (T/Sheldon), Thomas Dixon, (T/Gainesville), Ellen Grant (T/Bennington), Brenda Ferrell (Deputy Board Clerk), Rebecca Ryan (T/Warsaw)

Second row: James Fleischman (T/Java), James Wujcik (County Attorney) Doug Patti (T/Attica, Vice Chairman of the Board), Jean Totsline (T/Genesee Falls), Joseph Kushner (T/Eagle), Cheryl Ketchum (Board Clerk)

Third row: Larry Rogers (T/Pike), John Copeland (T/Wethersfield), Daniel Leuer (T/Middlebury), James Brick (T/Perry), Janis Cook (Budget & Reimbursement Officer)

Fourth row: Jerry Davis (T/Covington), Gerald Stout (T/Orangeville), Stephen Tarbell (T/Castile), A. Douglas Berwanger (T/Arcade, Chairman of the Board)

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2013 Supervisors for Wyoming County

<u>TOWN</u>	<u>SUPERVISOR</u>	<u>PHONE</u>
Arcade	A. DOUGLAS BERWANGER 6608 E. Arcade Road, Arcade, NY 14009	492-3798 492-4685 Ofc.
Attica	DOUGLAS PATTI 333 E. Main Street, Attica, NY 14011	591-2934
Bennington	ELLEN GRANT 134 Clinton Street, Alden, NY 14004	937-9913 591-2157 Ofc.
Castile	STEPHEN TARBELL 3795 Club Rd., PO Box 215, Silver Lake, NY 14549	356-2517
Covington	JERRY DAVIS 7414 Court Rd., PO Box 445, Pavilion, NY 14525	584-3162
Eagle	JOSEPH KUSHNER 3468 E. Main St., Bliss NY 14024	322-7730
Gainesville	TOM DIXON PO Box 185, Silver Springs, NY 14550	493-2238
Genesee Falls	JEAN TOTSLINE 6940 River Rd., Portageville, NY 14536	468-2748
Java	JAMES FLEISCHMAN 5824 Java Lake Rd., Arcade, NY 14009	492-4560
Middlebury	DANIEL LEUER 712 Transit Rd., Wyoming, NY 14039	495-6804
Orangeville	GERALD STOUT 2838 Orangeville Ctr. Rd., Warsaw, NY 14569	786-0467 786-2883 Ofc.
Perry	JAMES BRICK 7618 Route 20A, Perry, NY 14530	237-2472 237-2241 Ofc.
Pike	LARRY ROGERS PO Box 82, Pike, NY 14130-0082	493-5737 493-5140 Ofc.
Sheldon	JOHN KNAB 2246 Thomas Road, Varysburg, NY 14167	535-7252 535-7644 Ofc.
Warsaw	REBECCA RYAN 172 W. Buffalo St., Warsaw, NY 14569	786-2523 786-2800 Ofc.
Wethersfield	JOHN COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

Wyoming County Board of Supervisors

2013 Standing Committees

***Effective January 01, 2013**

FINANCE COMMITTEE

Kushner, Ryan, Patti, Davis, Totsline, Fleischman, Brick, Rogers, Knab

AGRICULTURE COMMITTEE

Brick, Rogers, Grant, Tarbell, Dixon, Stout, Knab, Copeland

AUDIT COMMITTEE

Knab, Davis, Tarbell, Kushner, Dixon, Fleischman, Leuer, Stout

HUMAN RESOURCE COMMITTEE

Davis, Copeland, Patti, Grant, Kushner, Totsline, Fleischman, Leuer, Stout

HUMAN SERVICES COMMITTEE

Totsline, Ryan, Kushner, Dixon, Fleischman, Leuer, Stout, Knab

PLANNING COMMITTEE

Fleischman, Davis, Patti, Grant, Tarbell, Leuer, Stout, Brick, Rogers, Ryan, Copeland

GREEN ENERGY COMMITTEE

Copeland, Knab, Grant, Tarbell, Stout, Brick

PUBLIC HEALTH COMMITTEE

Ryan, Totsline, Patti, Tarbell, Davis, Kushner, Dixon, Leuer, Rogers

PUBLIC SAFETY COMMITTEE

Rogers, Copeland, Patti, Tarbell, Davis, Fleischman, Brick, Ryan

PUBLIC WORKS COMMITTEE

Patti, Grant, Kushner, Dixon, Totsline, Leuer, Brick, Knab

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

Officers for Wyoming County ~ 2013

US Congressman, 26 th District	Chris Collins	Williamsville
NYS Senator, 59 th District	Patrick Gallivan	Warsaw
NYS Assemblyman, 147 th District	David DiPietro	East Aurora
Republican Comm. Chairman	Gordon Brown	Warsaw
Democratic Comm. Chairman	Harold Bush	Gainesville
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Vice Chair	Douglas Patti	Attica
Board of Supervisors, Clerk	Cheryl Ketchum	Eagle
Animal Control Officer	Justa D. Goodell	Castile
Board of Elections Commissioners	James Schlick	Bennington
	Anna Mae Balmas	Castile
Budget Officer/Reimbursements	Janis Cook	Warsaw
Civil Service Administrator	Denise Morley	Geneseo
Civil Service Commission	Tim Moran	Attica
	Sandra Domnissey	Warsaw
	Tom Dutton	Eagle
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	William Stranahan	Attica
	Neil Williams	Arcade
	Renee Hill	Attica
County Attorney	James Wujcik	Attica
County Clerk	Rhonda Pierce	Wethersfield
County Judge	Mark H. Dadd	Attica
County Judge	Michael F. Griffith	Warsaw
District Attorney	Donald G. O'Geen	Warsaw
Election Commissioners	James Schlick, (R)	Bennington
	Anna Mae Balmas, (D)	Castile

Fire & Building Code Officer	Donald Roberts	Pike
Fire & Emergency Mgmt. Dir.	Anthony Santoro	Attica
Health Dept. Commissioner	Gregory Collins, DO, MPH	Avon
Highway Superintendent	Todd Gadd	Cowlesville
Historian	Doris A. Bannister	Middlebury
Hospital Administrator	Donald T. Eichenauer	Rush
Information Technology Dir.	Todd E. MacConnell	Warsaw
Mental Health Director	Elizabeth Hodgson (through 9/2013)	
Office for the Aging Director	Nancy Balbick (effective 09/2013)	
Planning & Development. Dir.	Andrea Aldinger	Attica
Planning Board Chairman	Arthur J. Buckley	Bennington
Probation Director	Dana Grover	Perry
Public Defender	Joan Kibler	Varysburg
Real Property Tax Serv. Director	Norman P. Effman	Warsaw
	Richard L. Dean, Jr. CCD	Castile
		(through 08/15/13)
	James Kirsch	Sheldon
		(effective 08/16/13)
Records Retention, Director	Gail Royce	Warsaw
Sheriff	Farris Heimann	Attica
		(through 07/31/13)
Social Services Commissioner	Greg Rudolph	Attica
		(effective 08/01/13)
Traffic Safety Secretary	David Rumsey	Stafford
Treasurer	Joseph Heller, Jr.	Attica
Veterans' Services Director	Cheryl Mayer	Pike
Weights & Measures Director	Gary Cousins	Warsaw
Worker's Comp./Health Ins. Adm.	James Marley	Gainesville
Youth Bureau Director	Dixie Perkins	Warsaw
	Andrea Aldinger	Attica

**ANNUAL ORGANIZATIONAL MEETING
(JANUARY 02, 2013)
TUESDAY
2:00 PM**

The annual organizational meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chambers in the Wyoming County Government Center, 143 North Main Street, Warsaw, NY with all members present. Also present were Asst. County Attorney, Jim Wujcik; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

Clerk Ketchum called the meeting to order at 2:03 pm and introduced Wyoming County Veteran, Mr. William A. Ellis to lead in the Pledge of Allegiance to the Flag:

William A. Ellis

Mr. Ellis's service to his country comes while serving during the Vietnam War. Mr. Ellis enlisted in the United States Navy on October 28, 1968. He completed his Basic Training at the Great Lakes Naval Station in Michigan and was assigned duties aboard the USS Little Rock. Mr. Ellis worked as a Boatswain Mate on the deck of the USS Little Rock which was part the United Nations Peace Keeping Force and patrolled the waters of the Mediterranean Sea and waters off the coast of Spain and Africa. He returned to the United States and was honorably discharge at the Naval Station in Rhode Island on June 12, 1970 at the rank of Seaman.

For his service to his country, Mr. Ellis was awarded:

The National Defense Service Medal

Following his service to his country, Mr. Ellis returned to this area and went to work at the Oatka Plant in Batavia. He worked as a skilled plant worker for 41 years until his retirement in June of this year. Mr. Ellis serves as Pastor for the Presbyterian Church of Ossian, New York. He enjoys being an artist and working with acrylic paints.

Mr. Ellis has been married to his wife Jane for 40 years and they live in the Village of Wyoming.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Ellis in honor of his service to his country and also in appreciation of his appearance today.

Mr. Ellis thanked the Board of Supervisors and explained the importance of the gesture to lead in the pledge by Veterans.

Clerk Ketchum next called for nominations for the Temporary Chairman. Supervisor Patti, T/Attica nominated Supervisor Rogers, T/Pike. Seconded by Supervisor Dixon, T/Gainesville. As there were no other nominations Supervisor Grant, T/Bennington moved that the nominations be closed, the motion was seconded by Supervisor Davis, T/Covington. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0)**; Supervisor Rogers, T/Pike was declared Temporary Chairman.

Judge Mark Dadd administered the oath of Office to Temporary Chairman of the Board of Supervisors, L. Rogers, T/Pike.

Temporary Chairman Rogers, T/ Pike welcomed everyone to the 2013 Annual Organizational Meeting of the Wyoming County Board of Supervisors. He extended a thank you to the Board for their continued confidence in his ability to conduct the meeting as Temporary Chairman. Temporary Chairman Rogers then called for nominations for Permanent Chairman of the Board. Supervisor Kushner, T/Eagle nominated Supervisor Berwanger, T/Arcade; seconded by Supervisor Stout, T/Orangeville. As there were no further nominations Supervisor Knab, T/Sheldon moved that the nominations be closed, the motion was seconded by Supervisor Copeland, T/Wethersfield. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0); Abstain: (0)**; Temporary Chairman Rogers declared Supervisor Berwanger, T/Arcade as Chairman of the Wyoming County Board of Supervisors for the year 2013.

Judge Mark Dadd administered the oath of Office to Chairman Berwanger.

Before taking his seat, Chairman Berwanger thanked Supervisor Rogers, T/Pike for the excellent job he does as Temporary Chairman and the Board of Supervisors in his reappointment as he begins his 13th year as Chairman. Chairman Berwanger, T/Arcade next nominated Supervisor Patti, T/Attica as the 2013 Vice Chairman of the Wyoming County Board of Supervisors, seconded by Supervisor Brick, T/Perry. As there were no other nominations, Supervisor Tarbell, T/Castile moved that nominations be closed. The motion was seconded by Supervisor Fleischman, T/Java. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0)**; Supervisor Patti, T/Attica was declared Vice-Chairman of the Board for the year 2013.

Judge Mark Dadd administered the oath of Office to Vice Chairman Patti.

Chairman Berwanger called for nominations for Clerk to the Board. Supervisor Totsline, T/Genesee Falls nominated Cheryl J. Ketchum. Seconded by Supervisor Ryan, T/Warsaw. As there were no further nominations, Supervisor Leuer, T/Middlebury moved that nominations be closed. The motion was seconded by Supervisor Fleischman, T/Java. A roll call vote was taken with the following results: **Ayes: (1599); Noes: (0); Absent: (0) Abstain: (0)**. Cheryl Ketchum was declared Clerk to the Board for the year 2013.

Judge Mark Dadd administered the oath of Office to Clerk to the Board of Supervisors, C. Ketchum.

Introduction of Guests:

- County Court Judge Dadd (serving 30 years)
- Sheriff Heimann
- Wyoming Count Clerk, Rhonda Pierce
- County Treasurer, Cheryl Mayer
- Wyoming County District Attorney, Don O'Geen
- New York State Senator Patrick Gallivan (introduced by Chairman Berwanger as a good friend and supporter of Wyoming County)
 - Senator Gallivan discussed the following topics:
 - Board of Supervisors form of Government is best form of Government, closest to the people. Wyoming County model example...
 - 1st official act as Senator was to attend the 2012 Wyoming County Board of Supervisors' Annual Organizational meeting.
 - At the beginning of his first year he vowed to earn the trust of constituency and made a point of meeting with the people of his district.
 - Community ~
 - Began his term by meeting with Town Supervisors, businesses, farms, libraries, fire departments, schools, county contract agencies, etc.
 - Agriculture ~
 - Wyoming County among largest dairy producer in New York State.
 - Wyoming Agriculture Summits held with help of Chairman Berwanger
 - Senator's office produced an agriculture brochure
 - Co-Chaired Regional Agriculture hearing
 - Senate Agriculture Committee Chair P. Ritchie was in attendance. Wyoming County was very well represented.
 - Secured additional funding in state budget for agriculture.
 - Seed money for Wyoming County Ag. Center of

Excellence (\$50K)

- Passage of 1st piece of legislation was big game hunting with rifles in Wyoming County, which is up for renewal this year. Will try to make permanent this year...
- A portion of Route 20A designated as Wyoming County Veterans Memorial Highway
- Grant funding for WCCH secured
- Economic Development in Java, multi-million dollar upgrade in electric.
- Able to provide funding to Wyoming County libraries
- For the first time the legislature was asked to weigh in on the Regional Economic Development Council grant applications and was able to return a large amount of funding to Wyoming County.
- Recognized Janet Miller as a distinguished woman of the year.
- Two on time budgets
- Moving forward
 - Mandate relief
 - Medicaid reform
 - Pension reform
 - Economic Development
 - Continue to work toward the equitable distribution of State aid to school districts.
 - Highway funding
 - Continue to help friends in Castile in the aftermath of a devastating fire.

Chairman Berwanger asked for a moment of silence in memory of Michael Heftka, Executive Director of the Wyoming County Industrial Development Agency who passed away shortly before Christmas and was largely responsible for negotiating the Wind Turbine project PILOT agreements and Ron George, 50 year Highway Superintendent of the Town of Java who passed away yesterday, New Year's day, two individuals who dedicated their heart and soul to Wyoming County.

Chairman Berwanger asked the Clerk and D. Clerk to pass out the Standing Committee assignments for 2013.

Chairmen Berwanger called for a short recess for a brief meeting of the Finance Committee at 2:44 PM.

At 2:49 PM the meeting resumed with the following results:

Organizational Meeting

RESOLUTION NO. 13-001
(January 02, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2012 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2012 accounts as follows:

Youth Bureau			
From: 01.36.2960.4.41501 PS Tuition	\$20,000.00		
To: 01.38.4059.4.41503 EI Tuition		\$20,000.00	
Reason: Transfer funds to help cover remaining EI tuition for 2012. There are 85 more children in 2012 a 67% increase.			
Youth Bureau Total			\$20,000.00

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

#2

RESOLUTION NO. 13-002
(January 02, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

JAMES SCHLICK REAPPOINTED AS ELECTION COMMISSIONER
(R)

BE IT RESOLVED, That *James Schlick*, 1468 Church Road, Darien Center, NY 14040 is hereby reappointed as *Election Commissioner (R)* for a *term of two(2) years*; effective *January 01, 2013 through December 31, 2014*.

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

#3

RESOLUTION NO. 13-003
(January 02, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

GREGORY J. COLLINS, DO, MPH REAPPOINTED MEDICAL
DIRECTOR, PT

January 02, 2013

BE IT RESOLVED, That Gregory J. Collins, DO, MPH, 4820 Darby Road, Avon, NY 14414 be hereby reappointed as **Medical Director, PT**; effective January 01, 2013 through December 31, 2013.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #4 through #6. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 13-004
(January 02, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE (RICK HENRY, PE) ON BEHALF OF THE WYOMING COUNTY WATER RESOURCE AGENCY

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Lee (Rick Henry, PE), 186 N. Water St., Rochester, NY 14604 on behalf of the Wyoming County Water Resource Agency. Said agreement will provide for New York State Department of State Local Government High Priority Planning Grant Water Agency Implementation deliverables in an amount not to exceed twenty-nine thousand eight hundred thirty-four dollars (\$29,834.00); effective January 01, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

#5

**RESOLUTION NO. 13-005
(January 02, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

WYOMING COUNTY WATER RESOURCE AGENCY CREATED
WHEREAS, Section 251 of the County Law specifically authorizes the creation of a County agency with powers and duties as allowed by Article 5-A of the County Law and as determined and delegated by the County Board of Supervisors; and

Organizational Meeting

WHEREAS, The Wyoming County Board of Supervisors has reviewed the accomplishments and recommendations of several consultants engaged by the County for a feasibility study and implementation of a Countywide Water Resources Agency for Wyoming County and concurs with the recommendations of the creation of a county agency for these purposes; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does, pursuant to Section 251 of the County Law, create the Wyoming County Water Resources Agency with the powers and duties as hereinafter set forth; and be it

FURTHER RESOLVED, That the Wyoming County Water Resources Agency shall consist of up to (9) members, each appointed for terms of three (3) years by the Wyoming County Board of Supervisors with the initial terms of one third of the membership of the Agency for a shorter duration so as to achieve staggered terms. All members of the Agency shall be residents of the County of Wyoming, and no more than three members of the Board of Supervisors may be members of the Agency at any time; and be it

FURTHER RESOLVED, That the Wyoming County Water Resources Agency shall have the following powers and duties; effective January 01, 2013:

1. To assemble data relating to the water resources available to the County, both within and without its boundaries.
2. To assist in the planning and design of coordinated water resource and transmission projects within the county of Wyoming and make recommendations in connection with such projects.
3. To recommend and assist in the development of intermunicipal agreements and grant applications for water supply and transmission pursuant to Article 5-G of the General Municipal Law.
4. To make recommendation to the Wyoming County Board of Supervisors' Planning Committee on contracts for engineering and related technical services within the annual budgetary appropriation provided to the Agency by the County and if requested, to provide said services to municipalities within the County pursuant to contract with said municipalities.
5. To make recommendation to the Wyoming County Board of Supervisors' Planning Committee on contracts for other necessary services to carry out its functions within the annual budgetary appropriation provided to the Agency by the County subject to the provisions of Article 5-A of the General

Municipal Law and the audit requirements of the County Board of Supervisors.

6. To serve as the administrative head or body of any county water district that may hereinafter be created.
7. To coordinate the implementation of any county water resource or transmission project or district with comprehensive planning and land use regulation and consistent with any intermunicipal agreements entered into by other municipalities in Wyoming County pursuant to Article 5-J of the General Municipal Law.
8. To have such other powers and duties as may from time to time be lawfully conferred upon the Agency by the County Board of Supervisors. It is expressively provided, however, that nothing contained herein shall be construed as modifying, transferring or abolishing any power, duty or authority of the County Board of Supervisors, any county department or elected or appointed official; and be it

FURTHER RESOLVED, That the Agency shall prepare an annual report of its activities in the form required by the County Board of Supervisors not later than October 1st of each year.

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

RESOLUTION NO. 13-006
(January 02, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED TO THE WYOMING COUNTY
 COUNTYWIDE WATER RESOURCE AGENCY BOARD OF
 DIRECTORS**

BE IT RESOLVED, That the following members are hereby appointed to the Wyoming County Countywide Water Resources Agency Board of Directors:

One (1) year term effective January 1, 2013 through December 31, 2013

- James Brick (Supervisor T/Perry), 7618 Route 20A, Perry, NY 14530
- James Fleischman (Supervisor T/Java), 5824 Java Lake Road, Arcade, NY 14009
- Cheryl Ketchum (T/Eagle Rep.), 6578 Pearl Street, Bliss, NY 14024

Two (2) year term effective January 1, 2013 through December 31, 2014

- Mark Merrill (Bank of Castile), 2367 State Route 19A, Warsaw, NY 14569
- Sandra King (T/ Pike Rep.), 6470 Route 20A, Suite 4, Perry, NY 14530

Three (3) year term effective January 1, 2013 through December 31, 2015

- Terry Murphy (Administrator/Village of Perry), 46 N. Main Street, Perry, NY 14530
- Gilbert Stearns (Sup. Public Works/Village of Warsaw), 15 S. Main Street, PO Box 49, Warsaw, NY 14569

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #7 through #14. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 13-007
(January 02, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RPTS DIRECTOR AUTHORIZED TO APPROVE CORRECTION OF
ERRORS**

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL 550-559) by authorizing the Director of Real 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 2013; 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 refund, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL 556 (8) (a)) during the year 2013.

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

#8

**RESOLUTION NO. 13-008
(January 02, 2013)**

January 02, 2013

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 12-395 AMENDED

WHEREAS, Resolution Number 12-395 entitled, “**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL BUDGET OF TOWNS OF WYOMING COUNTY**,” passed by this Board of Supervisors on December 11, 2012 and provides for the ability of the Board of Supervisors to levy taxes and assessments required for the purpose of annual budget of Towns of Wyoming County; now therefore

BE IT RESOLVED, That Resolution Number 12-395 be hereby amended to reflect a replacement chart for the assessment and levying 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; All else remains the same.

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEVIED WATER/SEWER & RECYCLE FEE	TOTAL
Arcade		\$75,250.00		*** \$127,000		\$202,250.00
Attica		\$74,000.00				\$74,000.00
Bennington		B \$91,000.00 C \$75,000.00 HC \$28,595.04 V \$8,546.00	\$2,004.00	* \$44,390.00	*\$2,935.98	\$252,471.02
Castile		\$67,300.00	\$5,200.00	** \$218,200.	*\$1,774.13	\$292,474.13
Covington		PA \$73,500.00 WY \$11,750.00 PE \$5,000.00		* \$350.00		\$90,600.00
Eagle		\$170,849.00	\$5,000.00	\$6,850.00	*\$ --	\$182,699.00
Gainesville		G \$42,500.00 SS \$15,150.00 C \$1,400.00				\$59,050.00
Genesee Falls		\$7,100.00	\$8,000.00			\$15,100.00
Java	NJ \$2,893.78	NJ \$30,855.94 S \$62,335.71	NJ \$2,500.00 JC \$300.00	* \$12,891.25	* \$2,908.90	\$114,685.58
Middlebury		F1 \$60,050.00 F2 \$13,100.00				\$73,150.00
Orangeville		V \$47,808.00 O \$15,969.00	L3 \$650.00			\$64,427.00
Perry	F3 \$860.00	F4 \$39,000.00	PC \$1,500.00	* 15,580.00 ** 18,520.00		\$75,460.00
Pike		F1 \$37,800.00	LI \$6,000.00 S1 \$4,000.00		\$1,176.62	\$48,976.62
Sheldon	V \$9,462.00	ST \$34,905.24 NJ \$6,312.00 V \$33,624.00 SH \$102,000.00 HC \$28,595.04	L1 \$3,600.00 L2 \$2,400.00 L3 \$600.00 L9 \$1, 200.00		* \$154.26	\$222,852.54
Warsaw		\$54,264.00		* \$5,209.00 ** \$48,805.00	* \$82.82 * \$98.40	\$108,459.22
Wethersfield		G \$25,894.00 NJ \$16,400.00 B \$13,500.00				\$55,794.00
TOTALS:	\$13,215.78	\$1,369,352.97	\$42,954.00	\$497,795.25	\$9,131.11	\$1,932,449.11

*=Water **= Sewer ***=Recycling
\$9,944,407.66

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

Local Law
#9

RESOLUTION NO. 13-009
(January 02, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

LOCAL LAW NO. 4 (INTRODUCTORY D) - YEAR 2012, "*County of Wyoming, Providing Salaries for Certain County Officers for the year 2013*," ADOPTED as amended

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 11th day of September, 2012, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2012, entitled, "*County of Wyoming, Providing Salaries for Certain County Officers for the year 2013*"; and

WHEREAS, In accordance with the provisions of Resolution No. 12-297, there was a public hearing held by this Board of Supervisors on this 9th day of October, 2012, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 4, Year 2012, County of Wyoming, New York, as presented to this Board on the 9th day of October 2012, is hereby adopted as amended, enacted and passed by this Board in its amended form as follows:

LOCAL LAW NO. 4 - YEAR 2012

County of Wyoming, Providing Salaries for Certain County Officers for the year 2013

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

January 02, 2013

Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$810.00.

Section 2. Effective as hereafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,000.00.

Section 3. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$4,067.00.

Section 4. Effective as hereafter provided, the annual salary of the Director of Fire and Emergency Management shall be increased by \$3,500.00.

Section 5. Effective as hereafter provided, the annual salary of the Director of Real Property Tax Service shall be increased by \$1,000.00.

Section 6. Effective as hereafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,000.00.

Section 7. Effective as hereafter provided, the annual salary of the Director of Veteran's Services shall be increased by \$660.00.

Section 8. All salaries set forth above shall be effective as of January 01, 2013.

Section 9. This Local Law shall take effect 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 10. This Local Law is subject to permissive referendum.

**Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
2/3 Majority
#10**

**RESOLUTION NO. 13-10
(January 02, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RULES OF PROCEDURE ADOPTED

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

Organizational Meeting

Carried: XXX Ayes: 1471 Noes: Absent: Abstain: #11

**RESOLUTION NO. 13-011
(January 02, 2013)**

By Mr. Kushner, 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, NY; Country Courier, Warsaw, NY; The Daily News, Batavia, NY; and The Perry Herald, Perry, NY are hereby designated for the publication of local laws and all other notices and matters required by law to be published, for which no other specific designation has heretofore been made.

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

REPUBLICAN DESIGNATION TO PUBLISH

We, the undersigned Republican members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2013:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election notice	Daily News	Batavia, NY
Sheriff's Proclamation	Daily News	Batavia, NY
Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.	Daily News	Batavia, NY
Official canvass	Country Courier	Warsaw, NY
Constitutional amendments concurrent resolutions (including tax sales and redemptions)	Country Courier	Warsaw, NY and

Signed this fourth day of January 2013:

s/ A.D. Berwanger s/ Jean Totsline
s/ Douglas Patti s/ James Brick
s/ Ellen Grant s/ Larry Rogers
s/ Stephen Tarbell s/ Rebecca Ryan
s/ Jerry Davis s/ John Copeland
s/ Joseph Kushner s/ Dan Leuer
s/ Thomas Dixon

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 2013:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election notices	Perry Herald	Perry, NY
Sheriff's Proclamations	Perry Herald	Perry, NY
Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.	Perry Herald	Perry, NY
Official canvass	Arcade Herald	Arcade, NY
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Arcade Herald	Arcade, NY

#12

RESOLUTION NO. 13-12
(January 02, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

Organizational Meeting

BETH POND REAPPOINTED COUNTY AUDITOR

BE IT RESOLVED, That *Beth Pond*, 6708 Swyers Road, Castile, NY 14427 is hereby reappointed County Auditor; *effective January 01, 2013 through December 31, 2013*.

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

**RESOLUTION NO. 13-13
(January 02, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

3 COPIES OF ANNUAL REPORT REQUESTED

BE IT RESOLVED, That the Public Officials of this County present at least three (3) copies of their annual report, in writing, to the Clerk of this Board not later than March 31, 2013, 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: #14

**RESOLUTION NO. 13-014
(January 02, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE “S” AND “G” AMENDED

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

Salary Schedule “S”:

Human Resource

- Set the salary of the **HUMAN RESOURCE ASSISTANT** and **SECRETARY I** at \$32,000.00/annually; effective January 01, 2013.

Salary Schedule “G”:

January 02, 2013

Public Health

- Place the position of **DIRECTOR OF ENVIRONMENTAL HEALTH** on salary schedule “G” and set its stipend at \$20,000.00/annually; effective January 01, 2013 through December 31, 2013. This stipend is directly tied to the Local Government Efficiency Grant for administrative purposes in the formation of the Wyo. Co. Water Resources Agency in the amount of \$212,000.00 (total project \$235,555.56 ~ County match \$23,555.56). Contingent upon the availability of funds.

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

2013 Chairman’s State of the County Address
January 02, 2013

Fellow Supervisors, Judge Dadd, Judge Griffith, Senator Gallivan, District Attorney O’Geen, Sheriff Heimann, Treasurer Mayer, County Clerk Pierce and all of you who are joining us today for the annual organizational meeting of the Wyoming County Board of Supervisors, welcome!!

Senator Gallivan, thank you for joining us today and sharing your perspective on state government and how its operation affects the residents of Wyoming County.

Last year the state of the county message focused on six (6) issues; the need for mandate relief, the institution of the Tax Cap, the development of the Countywide Water Resource Agency, the Boards’ opposition to the deregulation of the Certificate of Need (CON) for the Certified Home Health Agency (CHHA), the renovations and improvement of operations at the Wyoming County Community Health System and the need to support the #1 industry in Wyoming County, Agriculture!

Here is what has happened in 2012 and where we are headed in 2013 ~

Mandate relief: This year, a cap was approved for Medicaid by the state legislature. However, the savings are minimal by the budget standards by which Wyoming County uses. Meaningful mandate relief has not occurred. Senator Gallivan, I want to take this opportunity to thank you for leading the effort for a complete state takeover of the Medicaid program over a number of years. We all know you traveled across the state soliciting support for your plan. Your idea was unanimously accepted by the New York State Association of Counties (NYSAC) as a way to lift the burden of the most expensive state mandate from the backs of the counties of New York State.

Organizational Meeting

At the 2012 NYSAC Legislative Conference Senator Gallivan was introduced by NYS Senate President, Dean Skelos to an audience of 800 plus County Executives, Managers, Administrators, Board Chairs, Legislative Board members and other elected and appointed County officials, to share his vision for Meaningful Medicaid Mandate Relief and his presentation was enthusiastically received! That was a moment all of us from Wyoming County, who were attending the conference, were very proud of and we want to once again tell you, don't give up!!

Last year the State of New York Instituted a 2% Tax Cap which meant all municipalities and school districts in the state could not raise their present tax levy by more than 2% over the previous year. The only way to override the Cap was by a 60% majority vote of the governing board. In 2012, the Board of Supervisors stayed under the 2% cap and delivered some painful appropriation reductions to meet that Cap.

Here is a list of the reductions:

- The Board of Supervisors suspended the “Better Pavement Program”, which reconstructed 1-2 county roads per year.
- The Local Development Corporation was cut by 50%
- Cornell Cooperative Extension,
- Wyoming County Soil & Water Agency
- Countywide libraries; and
- Wyoming County Tourism

All suffered substantial funding reductions.

In the 2013 budget presentation it was unanimously decided upon to override the Tax Cap. The result is restoration of the Local Development Corporation funding to previous levels and maintaining at 2012 funding for the other agencies, as well. In addition there were no staff reductions in county government. The impact upon the county tax payer is \$20.00 on \$100,000.00 of assessed valuation. At a time when people are asking for lower taxes, how can the Board of Supervisors support an increase? The answer is that every penny plus 17.67% of county property tax levy that is collected in Wyoming County is paid to the State of New York for unfunded mandated programs as follows:

• State Retirement	\$7,308,457	45.84%
• Early Intervention	202,377	1.27
• Preschool Education	1,051,189	6.59
• Medicaid	7,093,303	44.49
• DSS ~ Public Asst./S. Net		
• DSS ~ Youth Detention	2,291,398	14.37
• DSS ~ Child Welfare		

• Probation	455,672	2.86
• Indigent Defense	<u>359,036</u>	<u>2.25</u>
	\$18,761,432	117.67%

And then the secret mandate which is very rarely spoken about, payments to Community Colleges, which in Wyoming County amounts to \$1.7M for tuition for students who are residents of Wyoming County. Fortunately, 2012 was an excellent year for Sales Tax collections which enabled the Board of Supervisors to maintain the 32 County Departments and to provide the services taxpayers expect when they pay their property tax bill. As far as the mandates, I suggest residents call the Governor and let him know of your dissatisfaction of paying property tax for state programs.

One year ago the Board of Supervisors, along with the Administration of the Public Health Department were working desperately to avoid the deregulation of the Certified Home Health Agency (CHHA) by the State of New York, which for many years had served the residents of our county with such wonderful devotion, compassion and professionalism. When the dust settled the deregulation prevailed and the County was forced to sell the Certificate of Need (CON). The decision to sell did not come easy for the Board. However, under the astute direction of Public Health Administrator, Laura Paolucci an acceptable offer was negotiated by the Board and an eventual transfer of the CHHA to the VNA of WNY will take place.

One of the greatest challenges for any county in New York State is health care, whether it is a Skilled Nursing Facility or a County owned Hospital, of which there are only three (3) remaining in New York State. In Wyoming County, the Wyoming County Community Health System is the largest county department employing roughly 550 full and part time employees. I am not going to relive the darkest days of the Health System over the past 2 years, rather, I shall focus on the good things that are occurring! The Board of Managers and Board of Supervisors agreed to a contract with the Bonadio Group who were already working as a financial consultant for the county to provide CEO services. Those services are provided by Mr. Don Eichenauer. Don is working diligently and successfully with the senior management team of the Health System to make the hospital first and foremost a facility where people can expect quality care and quality service along with providing a cost efficient operation. After a decision by the Board of Managers to enter into an affiliation agreement with Strong Memorial Hospital in Rochester, Don has worked with Strong's leadership to fill the needs of our County Health System. The Board feels good things are going to happen!!

Along with the changes in leadership at the health system the major renovation of the Skilled Nursing Facility and hospital is in full swing. Some of

the major renovations include a new addition to the Skilled Nursing Facility and hospital, new roof on the entire building, a new HVAC system, new chiller, new hot water system, upgrading the air handling system, new sprinkler system in the Skilled Nursing facility, ground level handicapped accessible entrance at the front door, renovated 4th floor OB and many other improvements to numerous to mention. How is all of this being paid for? First, as I am repeating part of my message from last year, I feel, it can't be emphasized enough. The Hospital Foundation with the leadership of Board President, Cheryl Miller and Co-Chairs of the Capital One Campaign, Jim Van Arsdale and Russ and Janet Miller along with countless other volunteers raised \$4.5M. This factor, more than any other, has convinced the Board of Supervisors to continue to support and invest in the Wyoming County Community Health System. Second, two Healthcare Efficiency and Affordability Law (HEAL) grants which account for \$8.5M a Wendt Grant which was also secured by the Hospital Foundation to renovate the 4th floor in the amount of \$150,000.00 the balance of the \$30M project has been bonded by the Wyoming County Board of Supervisors. The debt service for this Bond is being covered by the County. This financial commitment by the Board of Supervisors should convince all that the hospital, as one of the largest employers in the county, and the twelve thousand emergency room visits, 186 births, 4,000 surgeries, 25,000 outpatient procedures, and the 133 residents of the skilled nursing facility, is an integral part of the county infrastructure.

Speaking of infrastructure, one year ago Wyoming County was in the process of applying for a second water grant to enhance the idea of a countywide water system. Following the successful realization of grant funding to perform a study of the resources available and the future water needs throughout the county, two consultants retained by Wyoming County, Jeff Smith of Municipal Solutions and Patrick Brennan, former Commissioner of New York State Ag. & Markets and former State Director of USDA Rural Development under the George W. Bush Administration have successfully secured a second grant to create a countywide water agency. At the December Planning Committee meeting of the Board of Supervisors the Water Agency Board was created, and was approved today. Jeff and Pat will be working with the Board along with Steve Perkins, Director of Environmental Health Services, the Wyoming County Public Health Department and Rick Henry, PE of Clark Patterson Lee to move forward with getting the agency up and running while pursuing the next round of grant funding. This Countywide water system is crucial to future economic development opportunities. Not to mention providing good clean water for all residents of the county and upgrading aging water infrastructure and waste water treatment systems. If this sounds like a lot, it is!! All of this will not happen overnight, it is a long tedious process and we have taken the first steps toward that goal and if not now, when?

Connected to water and economic development, of course, is agriculture. Last year in this address I emphasized the fact that Wyoming County farmers are cutting edge! And the County should focus on what we do best and continue to grow and excel, 2012 was no exception. With the arrival of two new yogurt manufacturing plants in Batavia and Governor Cuomo's mandate, to produce enough milk to supply these new facilities, our dairy farms in Western New York and across the state would need to increase production by 15%. This proposal was a topic of discussion in a meeting held by Senator Gallivan here in Warsaw at which a number of Wyoming County Dairy Farmers along with representatives from our County Ag. Agencies and Matt Morgan, Deputy Commissioner of New York State Ag. & Markets talked about the pros and cons of this type of expansion. Farmers were somewhat reluctant to dive into a 15% expansion based on the most recent past 1 ½ years of near record low farm gate milk prices. However, all could see the benefit of the 2 plants located so close to the farms. This is just one example of how important agriculture is in the local economy. As this growth of agriculture continued to be discussed at other venues, Bill Maddison, retired Executive Director of Cornell Cooperative Extension of Wyoming County resurrected an idea he had brought forth several years ago, an Agriculture Center of Excellence. The idea is to incorporate in one (1) location all of the Ag. Agencies, kind of a one stop shopping opportunity accessing Cornell Cooperative Extension, Wyoming County Soil & Water, Farm Service Agency, and Quality Milk. Members of the Board of Supervisors additionally suggested relocating the County Economic Development Agencies and combining them in the same location as the Ag. Agencies. Those would include Planning, Wyoming County Business Center (LDC), Industrial Development Agency, Wyoming County Business Education Council, and Wyoming County Chamber of Commerce and Tourism. It was also decided that possibly Wyoming County Fire and Building Code Enforcement would be located along with the newly formed Countywide Water Resource Agency. One (1) problem! What building in Warsaw could accommodate all of these agencies and cover the space and parking requirements along with the infrastructure needed to satisfy all of operating needs? Enter Jim Rutowski, owner of Sinclair Pharmacy here in Warsaw and local developer. Jim offered a plan to renovate the former knitting mill on Center Street which was then owned by Zeches Furniture and Appliance and used as a warehouse. His plan is in the design phase as we speak, Bill Maddison has accepted the responsibility of coordinating all of the moving parts and there are many and many loose ends to tie up. But Bill's experience as the Dean of the Equine program at Morrisville College and as Executive Director of Cornell Cooperative Extension of Wyoming County make him the ideal person to coordinate this massive undertaking. In the end all of the agencies will be located under one roof with efficiencies achieved through shared operations, expenses and conveniences for our farmers and businessmen, along with a state of the art location to offer all of the various educational programs and technology that are available through

Cooperative Extension's distance learning partnerships with Cornell University, Alfred State College and Genesee Community College.

The Board of Supervisors is committed to the several initiatives that I have spoken about. I am grateful for their trust in me to serve as their Chairman for 2013. And I thank you for your support, working with a Board who has one common goal, "to best serve the residents of Wyoming County," and not political partisanship is what makes our County unique. I am proud to live here, I am proud to serve our residents and I am proud to serve as a member of the Wyoming County Board of Supervisors. Together we have accomplished a lot but there is much more to be done, and we can get there. 2013 will be an exciting and progressive year. A year which will be a continuation of the projects and programs which the Board, through the direction of Wyoming County residents, have provided and will move forward with.

In closing we look to our State and Federal representatives to be fair in their decisions. County Government bears the responsibility of delivering the programs which are meant to grow and assist our Towns, Villages, Counties, State and Nation. We want to be part of the solution, not part of the problem.

Happy New Year to all of you, thank you and God bless Wyoming County!

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:15 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION**(January 14, 2013)****Tuesday****2:00 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik; Budget Officer, J. Cook; Deputy Clerk to the Board of Supervisors, Brenda Ferrell and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:50 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Lawrence M. Appleby

Mr. Appleby's service to his country comes while serving during the Korean War. Mr. Appleby was teaching High School History in Stanford, New York when he answered the call to serve his country. He enlisted in the United States Army on June 17, 1953 and then completed 16 weeks of Infantry Training at Ft. Dix, New Jersey. Mr. Appleby was then assigned to the 7445th HQ & HQ Detachment in the Panama Canal Zone. While there, he worked at the T.I. & E. Center with the "Troop Information and Education Department, taught USOFI courses, and administered exams for the same.

Mr. Appleby returned to the United States in 1955 and was Honorably discharged at Ft. Dix, New Jersey at the rank of Corporal.

For his service to his country, Mr. Appleby was awarded:

The Good Conduct Medal

Following his service to his country, Mr. Appleby returned to his teaching position in Stanford, New York. In 1957, he transferred to Warsaw Central and continued teaching High School History. In 1970, he started teaching High School English and continued until his retirement in 1993.

Mr. Appleby has also been very active in his community. He is a member of the Walter Klein Post 532 of the American Legion in Warsaw, a member of the Trinity Episcopal Church of Warsaw, the Warsaw Garden Club, and member of the Free & Accepted Masons.

Mr. Appleby also works as a volunteer at Warsaw Central School and Wyoming County Community Hospital.

Mr. Appleby lives in the Village of Warsaw.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation and an opportunity to address the Board.

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

Communications

- ***None***

#1

RESOLUTION NO. 13-15
(January 14, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2012 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2012 accounts as follows:

Highway			
To: 03.54.5130.4.40503 Gas	\$20,000.0		
03.54.5130.4.40504 Diesel	0		
w/03.08.5130.2650 Sale of Scrap	<u>10,000.00</u>	\$9,000.00	
03.08.5130.2665 Sale of Equipment		7,000.00	
03.10.5130.2801 Interfund Rev-Rentals		14,000.00	
Reason: To cover expenses in gas and diesel for the end of the year.			
Highway Total			\$30,000.00
Buildings and Grounds (CIP)			
To: 01.34.1621.1.10202 Temporary Salary	\$15,000.0		
01.34.1621.8.83001 FICA	0		
01.34.1621.8.85001 Medicare-FICA	930.00		
w/01.03.1621.1289 Other income	<u>218.00</u>	\$16,148.00	
Reason: To appropriate funds to cover temporary employment costs related to Capital Projects.			
Buildings and Grounds (CIP) Total			\$16,148.00
Carried: XXX	Ayes: 1599	Noes:	Absent:
			Abstain:
			#2

RESOLUTION NO. 13-16
(January 14, 2013)

January 14, 2013

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Buildings and Grounds (CIP)			
To:	01.34.1621.1.10202 Temporary Salary 01.34.1621.8.81001 Retirement 01.34.1621.8.83001 FICA 01.34.1621.8.85001 Medicare-FICA W/01.03.1621.1289 Other income	\$118,600. 00 17,790.00 7,354.00 <u>1,720.00</u>	
Reason:	To appropriate funds to cover temporary employment costs related to Capital Projects for year 2013.		\$145,464.00 0
Buildings and Grounds (CIP) Total			\$145,464.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$1,859,720.87** for the month of **December 2012**.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #3 through #4. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 13-17 (January 14, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EDUCATIONAL RESOURCE ASSOCIATES ON BEHALF OF HUMAN RESOURCES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Educational Resource Associates, 216 E. Main Street Batavia, NY 14020 on behalf of Human Resources. Said contract is for the Employee Assistance program in an amount not to exceed eleven thousand nine hundred eighty-six dollars (\$11,986.00) annually; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

Regular Session

RESOLUTION NO. 13-18
(January 14, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

COUNTY CLERK ANNUAL MORTGAGE TAX RETENTION FEE

WHEREAS, Section 262 of the New York State Tax Law provides that the recording office of the County Clerk shall be entitled to recover necessary expenses for the purpose of the collection of mortgage taxes; and

WHEREAS, The County Clerk wishes to receive an annual expense of one hundred fifty-seven thousand one hundred ninety-five dollars (\$157,195.00) and;

WHEREAS, The State Tax Commission has adopted a resolution stating, that if the allowance of a recording officer for expenses is certified by the County Board of Supervisors as a reasonable allowance, an allowance can be made; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby request the State Tax Commission allow the Wyoming County Clerk the sum of one hundred fifty-seven thousand one hundred ninety-five dollars (\$157,195.00) annually, April 2013 through March 2014, for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #5 through #7. A voice vote was taken and all voted aye.

#5

RESOLUTION NO. 13-19
(January 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DOYLE MEDICAL MONITORING ON BEHALF OF WYOMING COUNTY OFFICE FOR THE AGING

January 14, 2013

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a for contract with Doyle Medical Monitoring, 792 Calkins Road, Rochester, NY 14623 on behalf of Wyoming County Office for the Aging. Said contract is for Personal Emergency Response Services (PERS) services to seniors 60+ in Wyoming County in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-20
(January 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance with the New York State Office For the Aging, 2 Empire State Plaza, Albany, NY 12223-1251 on behalf of Wyoming County Office for the Aging. Said grant is for funding the NY Connects: Choices for Long Term Care Program Year 6, in a minimum amount of forty-three thousand two hundred eighty-nine dollars (\$43,289.00); effective October 1, 2012 through September 30, 2013.

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

RESOLUTION NO. 13-21
(January 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SHAWNA CASE ON BEHALF OF THE WYOMING COUNTY
YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Shawna Case, 8427 Heim Drive, Springville, NY 14141 on behalf of the Wyoming County Youth Bureau. Said contract is for Early Intervention Services in an amount not to exceed 2013-2015 budget - variable depending on number of services performed; effective January 1, 2013 through June 30, 2015. Contingent upon the availability of funds.

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

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #10. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 13-22
(January 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

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

BE IT RESOLVED, That the Chairman and/or Commissioner of Health are hereby authorized to sign a grant application and acceptance award with New York State Department of Health, Bureau of Maternal and Child Health, ESP Corning Tower, Albany, NY on behalf of the County Health Department. Said grant is for funding of the Family Planning Program by the Wyoming County Health Department, in a minimum amount of one hundred sixty-six thousand eighty-three dollars (\$166,083.00); effective January 1, 2013 through December 31, 2013.

(Yr.2 of a 5 yr. grant)

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

#9

**RESOLUTION NO. 13-23
(January 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

January 14, 2013

**CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE
HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY
FOR THE YEAR 2013**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign the following Contracts and Agreements for the year 2013 on behalf of the Health Department and the Certified Home Health Agency. All amounts reflect amounts not to exceed:

**** all contracts and agreements will be equal to or less
than the maximum amount indicated****

Clearpath Diagnostics	Per Price List
Clinical Laboratory testing services (MWHS)	TBD based on usage
January 1 – December 31, 2013	Not to exceed amount budgeted
Quest Diagnostics	Per Price List
Clinical Laboratory testing services (MWSH & CSP)	TBD based on usage
January 1 – December 31, 2013	Not to exceed amount budgeted
Benchmark Analytics, Inc.	Per Price List
Environmental laboratory (water testing services)	TBD based on usage
January 1 – December 31, 2013	Not to exceed amount budgeted
Monroe County Department of Health	\$36,442 / year (base expense)
Medical Examiner Services	plus specialty case charges
January 1, 2013 – December 31, 2013	
Susan Schell, RD	\$45.00/hr
PH & Registered Dietician Services (CHHA & Public Health)	\$45.00/visit CHHA
January 1 – December 31, 2013	TBD based on usage
	Not to exceed amount budgeted
Scott Treutlein, MD	\$ 6,000 / year
Medical Director Services MWHS	
January 1, 2013 – December 31, 2013	
Wyoming Properties, LLC	\$500 / month
Building Use Agreement WIC	
January 1, 2013 – December 31, 2013	
Buffalo Hospital Supply	Per Price List
	Regular Session

Medical Supplies CHHA January 1, 2013 – December 31, 2013	TBD based on usage Not to exceed amount budgeted
Community Care of WNY dba Homecare & Hospice Home Health Aide Services January 1, 2012 – December 31, 2013	\$ 28.00 one hour visit \$23.00 /hr (> 1 hour visit) TBD based on usage Not to exceed amount budgeted
Denise Goodberlet MWHS Mid-Level Practitioner Services January 1 – December 31, 2013	\$45.00 / hr. TBD based on usage Not to exceed amount budgeted
Step-by-Step Physical Therapy Physical Therapy Services January 1 – December 31, 2013	\$75.00 / visit TBD based on usage Not to exceed amount budgeted
Lisa Halstead Occupational Therapy Services (CHHA) January 1, 2013 – December 31, 2013	\$72.50 / visit TBD based on usage Not to exceed amount budgeted

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

**RESOLUTION NO. 13-24
(January 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

CONSOLIDATION OF VITAL STATISTIC REPORTING DISTRICTS

WHEREAS, The Registrar of Vital Statistics of the Town of Attica, District 6051 and the Attica Correctional Facility, Vital Statistics Reporting District, 6091 have entered into an agreement to consolidate the Attica Correctional Facility Primary Registration District with the Town of Attica Primary Registration District for vital statistics into one primary registration district of the Town of Attica; and

WHEREAS, In accordance with Section 4120.2(a) of the Public Health Law such action is subject to the approval of the Wyoming County Board of Supervisors; and

WHEREAS, Based upon approval by the Wyoming County Board of Supervisors, the New York State Commissioner of Health may issue an order combining the two districts; now therefore

BE IT RESOLVED, That upon the request of the Town of Attica Primary Registration District, 6051 and the Attica Correctional Facility Primary Registration District, 6091, the Wyoming County Board of Supervisors does hereby approve the consolidation and combination of the Attica Correctional Facility Primary Registration District and the Town of Attica Primary Registration District into one Town of Attica Primary Registration District, 6051; and be it

FURTHER RESOLVED, That the Clerk of the Wyoming County Board of Supervisors be hereby directed to send a certified copy of this resolution to the New York State Commissioner of Health, the Clerk of the Town of Attica, the Supervisor of the Town of Attica, the Attica Correctional Facility Vital Statistics Registration District Registrar, the County Attorney and the Wyoming County Public Health Director.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #11 and #12. A voice vote was taken and all voted aye.

#11

**RESOLUTION NO. 13-25
(January 14, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

BIGGEST LOSER DAY IN WYOMING COUNTY PROCLAIMED

WHEREAS, Beaver Hollow Conference Center has thrived for decades as the leading corporate retreat and conference center in the Northeast. In late, 2009, Beaver Hollow, like many hospitality businesses, faced the challenge of growing its business in a declining economy. It was at that point that a business assessment to determine strengths and opportunities for expansion was conducted; and

WHEREAS, Beaver Hollow offers a unique, breathtaking environment, that many corporations and executives find very appealing and while other corporations were tightening their purse strings on off-site meetings, the very same businesses, however, out of necessity, were beginning to pay closer attention to corporate and employee wellness. The obesity rate in the

United States is staggering, with insurance costs and employee sick days continually on the rise at alarming rates annually; and

WHEREAS, In 2010 Beaver Hollow Conference Center developed a plan to test a fitness camp program at its facility. The test camp was marketed to corporations and individuals to help improve the corporate culture and employee wellness. It ran for 6 weeks in the spring of 2011 with all 6 weeks sold out and requests pouring in to expand the program; and

WHEREAS, After numerous letters and correspondence to the executives at NBC and those associated with the television show, "The Biggest Loser," a site visit was arranged by Fitness Ridge Worldwide, the company holding the branding rights to the Biggest Loser Resorts. The beauty of Java Center and the expansive private surroundings of Beaver Hollow helped close the deal on what soon became the first and only East Coast location for the Biggest Loser Resorts; and

WHEREAS, The Biggest Loser Resort Niagara opened in May 2012 with a brand new state-of-the art fitness facility, gyms and a gorgeous new Independent Health Aquatic Center, which opened in November 2012, making it a true year round facility; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim, **Friday, January 25, 2013** as:

THE BIGGEST LOSER DAY IN WYOMING COUNTY

And wishes every success to The Biggest Loser Resort Niagara, Beaver Hollow Conference Center, Snyder Corporation and the entire Snyder Family for providing Wyoming County with another very impressive crown jewel!! We thank you for representing our county so well!!!

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

RESOLUTION NO. 13-26 (January 14, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

CHRISTINE LULY APPOINTED TO THE GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That Christine Luly, District Office Manager,

January 14, 2013

NYS Adult Career and Continuing Education Services – Vocational Rehabilitation (ACCES – VR), 508 Main Street, Buffalo, NY 14202 be hereby appointed to the GLOW Workforce Investment Board as an at Large Member for an Indefinite term effective January 14, 2013, (*Replacing Bob Haladay as the Vocational Rehabilitation Representative*).

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

After the roll call vote was taken Chairman Berwanger invited Supervisor Fleischman, T/Java to make an official presentation of the Biggest Loser Day proclamation. Supervisor Fleischman explained that a member of the Snyder family was not present for today's presentation, however, there would be an official presentation by the Board of Supervisors to the Snyder Family on Biggest Loser Day at the Beaver Hollow Resort in Java Center...

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #13 through #15. A voice vote was taken and all voted aye.

#13

**RESOLUTION NO. 13-27
(January 14, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION CALLING ON THE NEW YORK STATE SENATE AND NEW YORK STATE ASSEMBLY TO STRENGTHEN LAWS PROTECTING CHILDREN FROM CHILD PREDATORS

WHEREAS, The Wyoming County Board of Supervisors believes that the safety of its children are one of its utmost responsibilities to the community; and

WHEREAS, The Wyoming County Board of Supervisors desires New York State to strengthen its laws to protect children from sexual predators and pedophiles; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the New York State Senate, Assembly and Governor to strengthen its laws to protect children from predators and pedophiles; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the New York State Senate, Assembly and Governor to

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broaden the child safety zones to a minimum of 1,500 feet and make it applicable to all sex offenders after their terms of parole, post release supervision or probation have expired for level 2 and level 3 offenders; and be it

FURTHER RESOLVED, That the County of Wyoming forward copies of this resolution to Governor Andrew M. Cuomo, Senate Vice President Pro Tempore George D. Maziarz, Senator Patrick Gallivan, Senate Temporary President Dean G. Skelos, Senate Deputy Majority Leader Thomas W. Libous, Senate Minority Leader John L. Sampson, Assemblyman David DiPietro, Assemblywoman Jane Corwin, Assemblyman Sean Ryan, Assemblyman Stephen Hawley, and all others deemed necessary and proper; and be it

FURTHER RESOLVED, That the County of Wyoming forward copies of this resolution to the New York State Association of Counties and the Inter-County Association of Western New York for their support of this resolution.

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

**RESOLUTION NO. 13-28
(January 14, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN/DIRECTOR OF FIRE AND EMERGENCY
MANAGEMENT AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE OFFICE OF EMERGENCY
MANAGEMENT (NYSOEM) ON BEHALF OF WYOMING COUNTY
EMERGENCY MANAGEMENT**

BE IT RESOLVED, That the Chairman of this Board and the Director of Fire and Emergency Services with the approval of the County Attorney are hereby authorized and directed to sign a grant acceptance award with the New York State Office of Emergency Management (NYSOEM), 1220 Washington Ave., Bldg. 22, Suite 101, Albany, NY 12226-2251 [Pre-Disaster Mitigation Competitive (PDMC) grant] on behalf of Wyoming County Emergency Services. Said grant will provide funding to update the Wyoming County Multi-Jurisdictional All-Hazard Mitigation Plan in a minimum amount of thirty-nine thousand five hundred dollars (\$39,500.00); (grant will be \$29,625.00 with 25% in-kind \$9,875.00); effective September 4, 2012 through September 3, 2014.

January 14, 2013

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

**RESOLUTION NO. 13-29
(January 14, 2013)**

By Mr. Rogers, Chairman of 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 WYOMING
COUNTY PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, 4 Tower Place, 8th Floor, Albany, NY 12203 on behalf of Wyoming County Probation. Said grant is for funding the Ignition Interlock Device Monitoring program in an amount not to exceed eight thousand five hundred ninety-six dollars (\$8,596.00) at \$110.21 per case ordered to have Ignition Interlock Device installed, regardless of whether the device is installed; effective October 1, 2012 through September 30, 2013.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #16 through #19, with the exception of resolution #17. Resolution #17 is to be withdrawn. A voice vote was taken and all voted aye.

#16

**RESOLUTION NO. 13-30
(January 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Ferguson Electric Service Co., Inc, 521 Ellicott St., Buffalo, NY 14203 on behalf of Buildings and Grounds (County Buildings). Said contract is

for electrical preventative maintenance services at the Courthouse Campus in an amount not to exceed eleven thousand nine hundred eighty-two dollars (\$11,982.00); effective January 15, 2013 through January 14, 2016.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-
(January 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
FOR THE REPLACEMENT OF ALLEN STREET BRIDGE ON BEHALF
OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, Superintendent of County Highways and project Engineer is hereby authorized and directed to award a bid to _____ (Address) for the replacement of Allen Street Bridge over Oatka Creek, Town of Warsaw; BIN 3320300; PIN 4755.01 in an amount not to exceed the lowest responsible bidder; effective through project completion.

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

**RESOLUTION NO. 13-31
(January 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of County Highway:

- **Bergmann Associates**, 40 LaRiviere Drive, Suite 150, Buffalo, NY 14202, Supplemental Agreement for additional construction inspection services relating to the replacement of the Dutch Hollow Road Bridge, Town of

Sheldon; BIN 3320170; PIN 4755.00 in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective through project completion.

- **Lu Engineers**, 175 Sully's Trail, Suite 202, Pittsford, NY 14534, Supplemental Agreement for additional construction inspection services relating to the replacement of the West Street Bridge, Town of Arcade; BIN 3319440; PIN 4754.06 in an amount not to exceed fifty-six thousand dollars (\$56,000.00); effective through project completion.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-32
(January 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**FIRE TRAINING CENTER STORAGE BARN
CAPITAL IMPROVEMENT PROJECT COMPLETE**

BE IT RESOLVED, That the Wyoming County Board of Supervisors recognizes and accepts that the Fire Training Center Storage Barn project has been completed, has paid all vendors and suppliers in full for their final invoice payments.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #20 through #22. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 13-33
(January 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VOLUNTARY DENTAL
INSURANCE POLICY WITH UNIVERA HEALTHCARE ON BEHALF
OF THE COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an

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agreement for Voluntary Dental Insurance with Univera Healthcare, 205 Park Club Lane, Buffalo, NY 14221; effective March 1, 2013 to February 28, 2014 (monthly rates):

Dental Select/High Option: ***Dental Select/Low Option:***

- Single: \$33.68 Single: \$21.82
- Employee/Spouse \$60.88 Employee/Spouse \$42.28
- Employee/Child(ren) \$69.94 Employee/Child(ren) \$49.86
- Family \$96.60 Family \$70.40

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-34
(January 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WYOMING COUNTY MEDICAL P.C. ON BEHALF OF WYOMING
COUNTY COMMUNITY HOSPITAL**

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign a 90-day contract extension with Wyoming County Medical P.C., 61 Laurel Lane, Williamsville, NY 14221 on behalf of Wyoming County Community Hospital. Said contract to provide emergency medical services to the Wyoming County Community Health System Emergency Department in an amount not to exceed three hundred sixty-three thousand seven hundred thirty-eight dollars (\$363,738.00); effective through March 31, 2013.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-35

January 14, 2013

(January 14, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created in the following Wyoming County Departments:

Coroner

- Four (4) positions of **Coroner** to be placed on salary schedule "I" at a rate of \$75.00/case plus mileage reimbursement with only those benefits mandated by law; effective December 22, 2012.

Emergency Services

- Three (3) positions of **Deputy Fire Coordinator** to be placed on salary schedule "S" with an annual stipend of \$750.00 plus mileage reimbursement with only those benefits mandated by law; effective December 22, 2012.

Information Technology

- One (1) position of Network Administrator, full time (1.00 FTE) to be placed on Salary Schedule "S" at an annual salary of \$45,000.00; effective January 14, 2013.

Sheriff's Office

- One (1) position of Dispatcher, FT (1.00 FTE) on Wyoming County Sheriff's Employees Association grade 2 (\$15.61 - \$21.10); effective January 14, 2013.

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

After the roll call vote was taken on the above resolutions Chairman Berwanger shared a letter from Susan Reding, Arcade Librarian, dated December 17, 2012. Ms. Reding, in a previous letter to Director of Fire and Emergency Services, A. Santoro she was critical of the Board of Supervisors in their support of Wyoming County Community Hospital. It read as follows:

Dear Chairman Berwanger:

Thank you for your letter of December 12, 2012. I appreciate the fact that these are very difficult times we live in. I also appreciate the board's passion regarding WCCH.

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Mr. Eichenauer's letter regarding the statistics about the hospital was very informative and appreciated. Once the facts are made available it makes understanding the situation so much easier.

I would like to clear up on misunderstanding. The letter I wrote to Mr. Santoro was as a private citizen and taxpayer.

I apologize for upsetting everyone. In the past as a renter I did not pay as much attention to where property taxes were used, although I knew that part of my rent went to the landlord's property tax bill. As a new home owner I now see the tax bill. It is frightening that there never seems to be enough money to go around.

After what happened in Connecticut last week I must admit that what I was feeling when I wrote that letter seems very small indeed when one looks at the big picture. I hope you will accept my apology and know that I know understand the need and importance of WCCH.

Sincerely,
Susan Reding
Homeowner & Taxpayer

There being no further business to come before this Board, Senior Supervisor Totsline, T/Genesee Falls, adjourned the meeting at 3:12 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

**REGULAR SESSION
(February 12, 2013)
Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik; Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board Brenda Ferrell.

At 2:27 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Larry W. Rogers

Mr. Roger's service to his country comes while serving during the Vietnam War. Mr. Rogers was attending the University of Georgia and majoring in Agriculture Education when he answered the call to his country and enlisted in the United States Naval Reserves in October of 1966. He completed his Basic Training at the Great Lakes Naval Station in Illinois. Mr. Rogers then completed his Advanced Training at the Quartermaster Supply Academy at the Naval Reserve Station in Athens, Georgia and also continued his education at the University of Georgia, completing his BA in 1967. In 1967, Mr. Rogers was assigned duties at the Naval Reserve Station at Hornell, New York. He was then activated and assigned to the USS Parle, and worked in Quartermaster as well as being a "Helmsman". The USS Parle patrolled the eastern shores of the Atlantic as security measures, protecting our coast. Mr. Rogers was then assigned similar duties aboard the USS Tills out of Portland, Maine, worked as Quartermaster and "Helmsman" while the ship patrolled the coastal waters of the Northern Atlantic. In 1968 was re-assigned back to the Naval Reserve Center in Hornell, New York. Mr. Rogers applied for a job as 4H Agent at the Cornell Cooperative Extension of Wyoming County in Warsaw and was accepted in early 1968. In September of 1968, his unit was activated and Mr. Rogers was assigned to the Brooklyn Naval Yard, and worked at the St. Albans Hospital as an Admin Specialist under the Executive Officer. Mr. Rogers was then honorably discharged on December 18, 1968 from St. Albans Hospital on Long Island at the rank of Quartermaster 3rd Class.

For his service to his country, Mr. Rogers was awarded:

The National Defense Service Medal

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Following his service to his country, Mr. Rogers continued his education and obtained his Master's Degree from Colorado State University in Adult Education. He returned to this area and went back to work as a 4H Agent at the Cornell Cooperative Extension. He then became the Agriculture Extension Director and spent a total of 32 years with the Cooperative Extension and retired in 1999. In November of 1999, Mr. Rogers was elected Town Supervisor for the Town of Pike, a position he still holds.

Mr. Rogers has supported his community in others ways as well, serving in both the Pike Fire Department, and a long-time member of Hunt-Stout Post 1670 of the American Legion.

Mr. Rogers has been married to his wife, Wendy, for 15 years and they live in the Town of Pike.

The pledge was said by all.

Chairman Berwanger invited Supervisor Rogers, T/Pike to address the Board. The Supervisor took the opportunity to thank the Board for the privilege of leading in the pledge and said that he comes from a family of military men.

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

COMMUNICATIONS

- ***None***

#1

RESOLUTION NO. 13-36
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2012 ACCOUNTS
BE IT RESOLVED, That funds are hereby transferred to the various 2012 accounts as follows:

Capital Improvement Project			
From:	12.61.1620.2.21021 Fire Training Tower 12.61.1620.2.21023 FTC Storage Facility 12.61.1620.4.40310 Gvt. Center Repairs 12.61.3020.4.40810 E911 Maint. & Repair	\$131,327.19 67,885.35 955.47 32,426.70	
To:	12.61.9950.9.99004 CIP/Interfund Trans.		\$232,594.71
Reason:	To transfer left over project funds to the general CIP fund appropriation to be used on other projects as necessary.		
Capital Improvement Project Total			\$232,594.71

February 12, 2013

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

#2

RESOLUTION NO. 13-37
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Social Services			
From: 01.39.6010.4.40001 Gas	\$1,000.00		
01.39.6010.4.41010 Misc. Ofc. Supplies	1,500.00		
01.39.6010.4.41401 Maint. Agreement	500.00		
01.39.6010.4.41410 Software	250.00		
01.39.6010.4.42217 FS E&T	<u>250.00</u>	\$3,500.00	
To: 01.39.6010.2.20401 – Misc. Equipment			
Reason: Transfer necessary to cover 2013 costs to replace microfiche reader/printer.			
Social Services Total			\$3,500.00
Public Health			
From: 01.38.4035.4.41204 Advertising	\$9,100.00		
To: 01.38.4035.2.20401 Misc Equipment		\$9,100.00	
Reason: For purchase of a Toshiba Copier on NYS Bid to replace an older model (parts not available); purchase in connection with the 2012-13 NYS DOH Title X COLA Award.			
Public Health Total			\$9,100.00
District Attorney			
From: 01.32.1167.8.81001 Retirement	\$353.00		
01.32.1167.8.82002 CSEA Disability	92.34		
01.32.1167.8.86001 Employee Assistance	<u>5.66</u>		
To: 01.32.1167.1.10101 Full Time CSEA		\$391.00	
01.32.1167.4.40402 Conferences		60.00	
Reason: Transfer funds to reflect 2013 VAWA Grant funds.			
District Attorney Total			\$451.00

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

#3

RESOLUTION NO. 13-38
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2012 ACCOUNTS
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BE IT RESOLVED, That funds are hereby appropriated to the various 2012 accounts as follows:

Treasurer			
To: 01.42.6420.4.40901 Bed tax w/01.02.1000.1113 Bed tax room occupancy Reason: 2012 Bed Tax-Tourism expenditure.	\$15,889.97	\$15,889.97	
To: 06.57.6290.4.42449 Wyo. Co. Comm. Action w/ 06.12.6290.4790 JTPA increased by same Reason: To cover expense of pass-through program	\$2,052.51	\$2,052.51	
Treasurer Total			\$17,942.48
Social Services - Medicaid			
To: 01.40.6102.4.42249 MMIS 01.40.6102.4.42250 IGT/DSH Pmt <i>w/any funds available</i> Reason: To cover the cost of the final 2012MMIS payment & the additional funds necessary to cover the local share of the 2011 UPL payment (48.28%).	\$24,983.00 <u>322,337.18</u>	\$347,320.18	
Social Services - Medicaid Total			\$347,320.18
Water Resource Agency			
To: 01.48.8310.4.40301 Professional Svc. w/ 01.11.8310.3089 State Aid <i>w/ any funds available</i> Reason: To appropriate LGE funds w/State Aid	\$8,491.30	7,642.00 \$849.30	
Water Resource Agency Total			\$8,491.30
Sheriff			
To: 01.37.3110.4.42306 Seized Asset w/01.07.3110.2626 Seized Property Reason: needed to cover expenses to the end of the year.	\$1,139.87	\$1,139.87	
Sheriff Total			\$1,139.87

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

Between resolution office numbers #3 and #4 Supervisor Dixon, T/Gainesville entered the meeting. #4

RESOLUTION NO. 13-39
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Treasurer			
To: 01.33.1325.4.42306 Other w/01.11.1325.3089 Other State Grant Reason: Collaborative Tax Collection Study from 2009 residual grant proceeds	\$12,197.27	\$12,197.27	
Treasurer Total			\$12,197.27

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Water Resource Agency			
To: 01.48.8310.1.10001 Salaries S/D/I 01.48.8310.1.10201 Part Time 01.48.8310.2.20401 Misc. Equipment 01.48.8310.2.23001 Motor Vehicle 01.48.8310.4.40301 Professional Svc 01.48.8310.4.40401 Training 01.48.8310.4.40704 Lab 01.48.8310.4.41214 Supplies Purchased 01.48.8310.8.81001 Retirement 01.48.8310.8.83001 FICA 01.48.8310.8.85001 Medicare w/01.11.8310.3089 State Aid <i>w/any funds available</i>	\$20,000.00 \$10,000.00 \$60,962.00 \$20,000.00 \$79,842.70 \$ 5,940.00 \$ 4,500.00 \$19,325.00 \$ 4,200.00 \$ 1,860.00 \$ 435.00		
Reason: To appropriate LGE funds w/State Aid		\$204,358.00 \$22,706.70	
Water Resource Agency Total			\$227,064.70
Veterans Services			
To: 01.43.6510.2.20401 Misc. Office Equip. <i>with any funds available</i>	\$1,765.83		\$1,765.83
Reason: To purchase needed rotary file cabinet.			
Veterans Services Total			\$1,765.83
Mental Health			
To: 01.38.4324.4.41204 Advertising w/01.03.4324.1289 Other Dept. Revenue increased by same	\$243.65		\$243.65
Reason: MHANYS Suicide Prevention Grant roll-over of unspent funds.			
Mental Health Total			\$243.65
District Attorney			
To: 01.32.1167.8.89001 Medical Insurance 01.32.1167.8.81001 Retirement w/01.12.1167.4389 Federal Aid VAWA	\$1,227.00 <u>(316.00)</u>		
Reason: Reduction in revenue from 01.12.1167.4389 in the amount of \$1,543.00 which represents the difference between what we budgeted for and what we actually received.			
District Attorney Total			(\$1,543.00)
Emergency Services			
To: 01.37.3645.2.20401B Misc. Equipment 01.37.3645.4.40016B Internet - Aircards w/01.12.3645.43890B Homeland Security Grant	\$20,653.84 <u>759.30</u>		
Reason: To rollover unspent grant funds for SHSP 2010 budget year.			
Emergency Services Total			\$21,413.14
Probation			
To: 01.37.3140.4.42101 – Law Enf. Supplies <i>w/any funds available</i>	\$695.55		
Reason: Ammo ordered in November 2012 will not be available until June 2013. We have sufficient ammo for April qualifications.			
Probation Total			\$695.55

Carried: XXX

Aves: 1599

Noes:

Absent:

Abstain:

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,283,013.04** for the month of **January 2013**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #5 through #7. A voice vote was taken and all voted aye.

#5

**RESOLUTION NO. 13-40
(February 12, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

**REBECCA RYAN AND JEAN TOTSLINE APPOINTED/REAPPOINTED
TO THE OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 West Buffalo Street, Warsaw, NY is hereby appointed to the Office For the Aging Advisory Council as a Town Representative Member for a term of three (3) years; effective January 01, 2013 through December 31, 2015 (replacing Fran Rudgers); and be it

FURTHER RESOLVED, That Jean Totsline (T/Genesee Falls), 6940 River Road, Portageville, NY 14536 be hereby reappointed to the Office For the Aging Advisory Council as the Supervisor Member for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

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

#6

**RESOLUTION NO. 13-41
(February 12, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

**DAVID RUMSEY AND JAMES FLEISCHMAN REAPPOINTED TO
THE 211 ADVISORY BOARD**

BE IT RESOLVED, That David Rumsey (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw NY 14569 be hereby reappointed to the 211 Advisory Board as a Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013; and be it

FURTHER RESOLVED, That James Fleischman (Board of Supervisors), 5824 Java Lake Road, Arcade, NY 14009 be hereby reappointed to the 211 Advisory Board as a Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

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

#7

**RESOLUTION NO. 13-42
(February 12, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 12-250 AMENDED

WHEREAS, Resolution Number 12-250 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE STATE OF NEW YORK OFFICE OF GENERAL SERVICES ON BEHALF OF THE DIVISION OF VETERANS’ AFFAIRS ON BEHALF OF WYOMING COUNTY VETERAN SERVICES**,” passed by this Board of Supervisors on August 14, 2012 and provides for a grant application and acceptance award with the State of New York Office of General Services on behalf of the Division of Veterans’ Affairs, Mayor Erastus Corning 2nd Tower, The Governor Nelson A. Rockefeller Empire State Plaza, Albany, NY 12242 on behalf of Wyoming County Veteran Services. Said grant is for regular 2012 State Aid funding in a minimum amount of eight thousand six hundred fifty-four dollars (\$8,654.00); effective April 01, 2012 through March 31, 2013 ; now therefore

BE IT RESOLVED, That Resolution Number 12-250 be hereby amended to reflect a revised grant amount of eight thousand five hundred twenty-nine dollars (\$8,529.00), which is a difference of \$125.00 less than anticipated. All else remains the same.

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

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #14. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 13-43
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**REBECCA RYAN AND EDWARD PIECHOCKI
APPOINTED/REAPPOINTED TO THE
WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 West Buffalo St., Warsaw, NY 14569 be hereby appointed to the Wyoming County Board of Health as the Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013; and be it

FURTHER RESOLVED, That Edward Piechocki, RPA-C, Ryan Road, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Board of Health as a Member for a term of six (6) years; effective January 01, 2013 through December 31, 2018.

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

#9

**RESOLUTION NO. 13-44
(February 12, 2013)**

By Mrs. Ryan, Chairman of 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 with the approval of the County Attorney are hereby authorized and directed to sign the following contracts on behalf of the County Health Department:

- **Clark Patterson Lee Associates**, 205 St. Paul Street, Suite 500, Rochester, NY 14604 for professional engineer consultation services according to fee schedule, not to exceed amount budgeted; effective January 1, 2013 through December 31, 2014 (RENEWAL)
- **Visiting Nursing Association of Western New York, Inc.**, 2100 Wehrle Drive, Williamsville, NY 14221
 - Physical Therapy and PTA services according to fee schedule, not to exceed amount budgeted; effective January 1, 2013 through December 31, 2013 (NEW)

- Lease Agreement to provide 1,427 sq. ft. of office space located at 5362 Mungers Mill Road, Silver Springs for the VNA Wyoming County Branch Office Effective February 1, 2013 through December 31, 2017 (NEW & REVENUE)
 - \$13.00/sf/yr for 2/1/13 to 12/31/15 (\$1,545.92/mo)
 - \$14.00/sf/yr for 1/1/16 to 12/31/17 (\$1,664.83/mo)

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#10

RESOLUTION NO. 13-45
(February 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 13-23 AMENDED

WHEREAS, Resolution Number 13-23 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2013**,” passed by this Board of Supervisors on January 14, 2013 and provides for various contracts and agreements for the year 2013 on behalf of the Health Department and the Certified Home Health Agency; now therefore

BE IT RESOLVED, That Resolution Number 13-23 be hereby amended to reflect the actual terms of the expiration date for the \$500.00/month Wyoming Properties, LLC/Building Use Agreement WIC of January 1, 2013 through December 31, 2014; All else remains the same.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#11

RESOLUTION NO. 13-46
(February 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF COMMUNICABLE DISEASE (ZONOSES PROGRAM) ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with New York State Dept. of Health, Bureau of Communicable Disease (Zoonoses Program), ESP Corning Tower, Room 621, Albany, NY 12237 for funding of the County Rabies Program in a minimum amount of eleven thousand two hundred twenty one dollars and ninety-six cents (\$11,221.96) per year; effective April 1, 2012 through March 31, 2017.

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

**RESOLUTION NO. 13-47
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**REBECCA RYAN APPOINTED TO THE MENTAL HEALTH
COMMUNITY SERVICES BOARD AND MENTAL HEALTH
SUBCOMMITTEE**

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 West Buffalo Street, Warsaw NY 14569 be hereby appointed to the Mental Health Community Services Board and Mental Health Subcommittee as the Supervisor Member for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

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

**RESOLUTION NO. 13-48
(February 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

REDUCTION IN MENTAL HEALTH PETTY CASH APPROVED

BE IT RESOLVED, That the Petty Cash fund in the Department of Mental Health is hereby reduced from \$300.00 to \$50.00; effective immediately.

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

February 12, 2013

RESOLUTION NO. 13-49
(February 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
KEEGAN ASSOCIATES ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Keegan Associates, 50 Clinton Avenue, Cortland, NY 13045 on behalf of Mental Health. Said contract is for the development of seven distinct social marketing messages to youth and adults related to preventing underage drinking in an amount not to exceed five thousand eight hundred dollars (\$5,800.00); effective February 01, 2013 through February 28, 2013.

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

**Joint Resolution
#15**

RESOLUTION NO. 13-50
(February 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

Mr. Rogers, Chairman of Public Safety Committee:

**CONTINUITY OF OPERATION/CONTINUITY OF GOVERNMENT
PLAN ADOPTED**

BE IT RESOLVED, That the “*Continuity of Operation/Continuity of Government Plan*” as an Annex to the Wyoming County Comprehensive Emergency Management Plan is hereby adopted and annexed hereto; effective immediately.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #16 through #19. A voice vote was taken and all voted aye.

#16

RESOLUTION NO. 13-51
(February 12, 2013)

Regular Session

By Mr. Brick, Chairman of Agriculture Committee:

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

BE IT RESOLVED, That James Brick (T/Perry), 7618 Route 20A, Perry, NY 14530 be hereby reappointed to the Cornell Cooperative Extension Board of Directors as the Supervisor Member for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

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

**RESOLUTION NO. 13-52
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
REGION 9 – FISH & WILDLIFE MANAGEMENT BOARD**

BE IT RESOLVED, That the following members be hereby appointed/reappointed to the Region 9 - Fish & Wildlife Management Board;

One (1) year term effective January 01, 2013 through December 31, 2013

Supervisor Member

- Jerry Davis (T/Covington) 7414 Court Road, P.O. Box 445, Pavilion, NY 14525

Supervisor Member/Alternate

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

Landowner Rep.

Two (2) year term effective January 1, 2013 through December 31, 2014

- Joseph Meyer, 611 Route 20A, Strykersville, NY 14145 (replacing David Pankow)

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

**RESOLUTION NO. 13-53
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

February 12, 2013

**MEMBERS REAPPOINTED TO THE SENECA TRAIL
RC&D COUNCIL**

BE IT RESOLVED, That the following members be hereby appointed/reappointed to the Seneca Trail RC & D Council;

Supervisor Members

One (1) year term effective January 01, 2013 through December 31, 2013

- E. Joseph Gozelski (T/Castile), 6175 E. Lake Road, P.O. Box 331, Silver Springs, NY 14550

Supervisor Member/Alternate

One (1) year term effective January 01, 2013 through December 31, 2013

- John Copeland (T/Wethersfield) 5888 Sheppard Road, Bliss, NY 14024

Member at Large/Alternate

Three (3) year term effective January 01, 2013 through December 31, 2015

- Gregory McKurth (Wyoming County Soil & Water) 31 Duncan Street Ext., Warsaw, NY 14569

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

**RESOLUTION NO. 13-54
(February 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**JAMES BRICK AND JOHN KNAB REAPPOINTED TO THE
SOIL & WATER CONSERVATION DISTRICT BOARD**

BE IT RESOLVED, That James Brick (T/Perry), 7618 Route 20A, Perry, NY 14530 be hereby reappointed as a Supervisor Member on the Soil & Water Conservation District Board for a term of one (1) year; effective January 01, 2013 through December 31, 2013; and be it

FURTHER RESOLVED, That John Knab (T/Sheldon), 2246 Thomson Road, Varysburg, NY 14167 be hereby reappointed as a Supervisor Member on the Soil & Water Conservation District Board for a term of one (1) year; effective January 01, 2013 through December 31, 2013.

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

Regular Session

CERTIFICATE OF APPRECIATION/National 4-H Dairy Bowl

Nathan Rudgers, T/Attica, *presented by Supervisor Patti, T/Attica*

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #20 through #31. A voice vote was taken and all voted aye.

#20

RESOLUTION NO. 13-55
(February 12, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

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

WHEREAS, The County of Wyoming has appropriated the sum of six thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2013 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

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

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

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

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

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

#21

**RESOLUTION NO. 13-56
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That Bruce Camp, 3837 Fullington Road, Attica, NY 14011 be hereby reappointed to the Wyoming County Industrial Development Agency as a Member for a term of three (3) years; effective February 08, 2013 through February 07, 2016.

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

**RESOLUTION NO. 13-57
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTACT WITH THE
BRENNAN GROUP, LLC (PATRICK BRENNAN) ON BEHALF OF THE
WATER RESOURCE AGENCY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with The Brennan Group, LLC (Patrick Brennan), 7705 Sally Rd., Waterville, NY 13480 on behalf of the County Water Resource Agency. Said contract is for implementation of the recently completed Countywide Water Study, including the creation of the Water Resources Agency (WCWRA), which will administer the development of a county-wide leak detection program and a centralized laboratory, etc. in the amount of \$1,000/mo. not to exceed twelve thousand dollars (\$12,000.00) plus mileage, tolls, and reasonable expenses; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-58
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WILLIAM MADDISON ON BEHALF OF THE AG AND BUSINESS
CENTER OF EXCELLENCE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with William Maddison, 144 Highview Dr., Rochester, NY 14609 on behalf of the Ag. and Business Center for Excellence. Said contract is for the oversight and coordination of the creation of the Wyoming County Ag. and Business Center of Excellence in the amount of \$25.00/hr. not to exceed six thousand dollars (\$6,000.00)/annually plus mileage, tolls, and reasonable expenses; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

#24

**RESOLUTION NO. 13-59
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO THE AGRICULTURAL
AND FARMLAND PROTECTION BOARD**

BE IT RESOLVED, That E. Joseph Gozelski (Representing the Board of Supervisors) 6175 East Lake Road, P. O. Box 331, Silver Springs, NY 14550 be hereby reappointed to the Agricultural and Farmland Protection Board as a Member for a term of one (1) year; effective January 1, 2013, through December 31, 2013.

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

#25

**RESOLUTION NO. 13-60
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**ART BUCKLEY REAPPOINTED TO THE GLOW SOLID WASTE
PLANNING COMMITTEE**

BE IT RESOLVED, That Art Buckley (County Planner) 6470 Route

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20A, Suite 4, Perry, NY 14530 be hereby reappointed to the GLOW Solid Waste Planning Committee as a Planning Department Representative for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

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

**RESOLUTION NO. 13-61
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

MEMBERS REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE MANAGEMENT COMMITTEE

BE IT RESOLVED, That the following members are hereby reappointed to the GLOW Regional Solid Waste Management Committee for a term of one (1) year; effective January 1, 2013 through December 31, 2013:

Planning Department Representative

- Art Buckley (County Planner) 6470 Route 20A, Suite 4, Perry, NY 14530 (reappointment)

Supervisor Member

- Larry Rogers (T/Pike), P.O. Box 82, Pike, NY 14130;
- Stephen Tarbell (T/Castile), 3795 Club Road, PO Box 215, Silver Lake, NY 14549

Alternate:

- Gerald Stout (T/Orangeville), 2838 Orangeville Center Rd., Warsaw, NY 14569

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

**RESOLUTION NO. 13-62
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

MEMBERS REAPPOINTED TO THE GLOW SOLID WASTE ADVISORY COMMITTEE

BE IT RESOLVED, That the following members are hereby

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reappointed to the GLOW Solid Waste Advisory Committee as the Wyoming County Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Planning Department Representative

- Art Buckley (County Planner) 6470 Route 20A, Suite 4, Perry, NY 14530 (reappointment)

Agency Representative

- Joan Petzen (Cornell Cooperative Extension) 401 N. Main Street, Warsaw, NY 14569 (reappointment)

Supervisor Member

- Larry Rogers (T/Pike), 14 East Koy Road, Pike, NY 14130

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

**RESOLUTION NO. 13-63
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**DANIEL LEUER REAPPOINTED TO THE ARTS COUNCIL BOARD
OF DIRECTORS**

BE IT RESOLVED, That Daniel Leuer (T/Middlebury), 712 Transit Road, Wyoming, NY 14591 be hereby appointed to the Arts Council Board of Directors as a Supervisor Member for a term of one (1) year; effective January 1, 2013, through December 31, 2013.

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

**RESOLUTION NO. 13-64
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**DOUGLAS PATTI AND STEPHEN TARBELL REAPPOINTED TO THE
BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Business Education Council for a term of one (1) year; effective January 1, 2013 through December 31, 2013:

Supervisor Member

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- Douglas Patti (T/Attica) 333 E. Main Street, Attica, NY 14011

Supervisor Member/Alternate

- Stephen Tarbell (T/Castile), 3795 Club Road, PO Box 215, Silver Lake, NY 14549

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

#30

**RESOLUTION NO. 13-65
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That the following members are hereby reappointed to the Genesee/Finger Lakes Regional Planning Council for a term of one (1) year; effective January 01, 2013 through December 31, 2013:

Chairman Member

- A. Douglas Berwanger (T/Arcade), 6608 E. Arcade Road, Arcade, NY 14009

Chairman Member/Alternate

- Gerald Stout (T/Orangeville), 2838 Orangeville Center Road, Warsaw, NY 14569

Supervisor Member

- Jerry Davis (T/Covington), 7414 Court Road, P.O. Box 445, Pavilion, NY 14525

Executive Committee

- Jerry Davis (T/Covington), 7414 Court Road, P.O. Box 445, Pavilion, NY 14525

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

#31

**RESOLUTION NO. 13-66
(February 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**KARL DRASGOW APPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD (WIB)**
BE IT RESOLVED, That Karl Drasgow (Drasgow, Inc.) 4150 Poplar

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Tree Road, Gainesville, NY 14066 be hereby appointed to the GLOW Workforce Investment Board (WIB) as a Member (Private Sector Representative) (replacing Stu Hempel); effective February 12, 2013.

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

WYOMING COUNTY CHAMBER OF COMMERCE \$25K SHOP WYOMING & WIN HOLIDAY SWEEPSTAKES DRAWING.

By Wyoming County Chamber of Commerce Exec. Director, L. Lane, K. Ashcraft & Wyoming County Tourism Director, M. Stearns

Winners are:

- 43" TV from Phil's Appliance in Arcade
 - Lindsay Beaumont
- Chair from Family Furniture in Attica
 - Emma Hershberger
- \$100 Wyoming County Gift Card
 - Carol Johnson

Presented by Supervisor J. Fleischman, T/Java

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #32 through #42 with a request to vote on resolution #35 separately. A voice vote was taken and all voted aye.

#32

**RESOLUTION NO. 13-67
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 12-380 AMENDED

WHEREAS, Resolution Number 12-380 entitled, "CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE," passed by this Board of Supervisors on December 11, 2012 and provides for funding of the S.T.O.P. Violence Against Women program in a minimum amount of thirty-five thousand three hundred forty-three dollars (\$35,343.00); effective January 1, 2013 through December 31, 2013; now therefore

BE IT RESOLVED, That Resolution Number 12-380 be hereby amended to reflect the actual award amount of thirty-three thousand eight

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hundred dollars (\$33,800.00) (\$1,543.00 less than applied for). All else remains the same.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#33

RESOLUTION NO. 13-68
(February 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UNITED UNIFORM COMPANY, INC., ON BEHALF OF THE SHERIFF'S OFFICE AND COUNTY JAIL

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with United Uniform Co. Inc., 495 N French Road, Buffalo NY 14228 on behalf of the Sheriff's Office and County Jail. Said contract is for uniforms for Sheriff and Jail personnel in amounts not to exceed bid list pricing; this is the 2nd of 2 contract extensions; effective March 1, 2013 through February 28, 2014.

Contingent upon the availability of funds.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#34

RESOLUTION NO. 13-69
(February 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH THE TOWN OF COVINGTON ON BEHALF OF THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Town of Covington, 7083 Court Road, PO Box 128, Pavilion, NY 14525 on behalf of the Sheriff's Office. Said contract is for additional enforcement of the Vehicle & Traffic Laws for Route 63 in the amount of \$27.84-\$41.895/hr plus fringe and any negotiated salary increases; effective January 1, 2013 through December 31, 2013.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

Regular Session

RESOLUTION NO. 13-70
(February 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
SIMPLEX GRINNELL ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Simplex Grinnell LP, 90 Goodway Drive, Rochester NY 14623 on behalf of the County Jail. Said contract is for fire alarm maintenance in an amount not to exceed six thousand one hundred thirty-five dollars (\$6,135.00); effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

#37

RESOLUTION NO. 13-71
(February 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**FARRIS HEIMANN REAPPOINTED AS
STOP-DWI COORDINATOR, PT**

BE IT RESOLVED, That Farris S. Heimann, 19 Buffalo Street, Attica, NY 14011 be hereby reappointed as the STOP-DWI Coordinator, PT; effective for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

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

#38

RESOLUTION NO. 13-72
(February 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

February 12, 2013

**RESOLUTION OF THE WYOMING COUNTY BOARD OF
SUPERVISORS IN SUPPORT OF SENATE BILL S.95/ASSEMBLY BILL
A.01562 AND SENATE BILL S.99 TO AMEND THE
VEHICLE AND TRAFFIC LAWS**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports the following New York State proposed legislation amending New York State Vehicle and Traffic Laws and encourages the New York State Senate, New York State Assembly and Governor Andrew Cuomo to approve the following bills before them now:

- New York State Senate Bill S.95 and New York State Assembly Bill A.01562 entitled, ***“AN ACT to amend the vehicle and traffic law, in relation to ambulance registration fees,”*** which provides for with respect to the payment of registration fees shall not apply to ambulances used exclusively to carry sick or injured persons ...; and
- New York State Senate Bill S.99 and New York State Assembly Bill (No same as in Assembly) entitled, ***“AN ACT to amend the vehicle and traffic law in relation to exempting authorized emergency vehicles from obedience to traffic laws when involved in an emergency operation .”***

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

**RESOLUTION NO. 13-73
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**LARRY ROGERS REAPPOINTED TO THE
MERCY FLIGHT CITIZENS ADVISORY COMMITTEE**

BE IT RESOLVED, That Larry Rogers (T/Pike), PO Box 82, Pike, NY 14130-0082 be hereby reappointed to the Mercy Flight Citizens Advisory Committee as the Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

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

**RESOLUTION NO. 13-74
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE
AWARDS WITH THE NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICES ON BEHALF OF PROBATION**

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

- **Alternatives to Incarceration Programs**
 - *Community Service*, in a minimum amount of five thousand five hundred thirty-one dollars (\$5,531.00); effective July 1, 2012 through June 30, 2013.
 - *Pre-Trial Release*, in the amount of five thousand five hundred thirty-one dollars (\$5,531.00); effective July 1, 2012 through June 30, 2013.

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

**RESOLUTION NO. 13-75
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 11-60 AMENDED

WHEREAS, Resolution Number 11-60 entitled, “**CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATIONS AND ACCEPTANCE AWARDS WITH NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES ON BEHALF OF PROBATION**,” passed by this Board of Supervisors on February 15, 2011 which provides funding for Probation Eligible Diversion Program in a minimum amount of ten thousand four hundred ninety dollars (\$10,490.00), effective January 01, 2011 through December 31, 2011; Alternative to Incarceration programs, specifically Community Service, Pre-Trial Release and Data Day programs, to be provided in a minimum amount of twenty-one thousand five hundred twenty-six dollars (\$21,526.00) effective January 1, 2011 to December 31, 2011; and

February 12, 2013

WHEREAS, On September 13, 2011 Resolution Number 11-60 was amended by Resolution Number 11-280 to reflect a decrease of eight hundred twenty-six dollars (\$826.00) to the Probation Eligible Diversion Program for a total award in the minimum amount of nine thousand six hundred sixty-four dollars (\$9,664.00) and a reduction in funding of three thousand six hundred eighty-seven dollars (\$3,687.00) to the Alternative to Incarceration Programs for a revised minimum amount of seventeen thousand eight hundred thirty-nine dollars (\$17,839.00); (Community Service \$5,531.00, Pre-Trial Release \$5,531.00 and Defendant Based Data Day program \$6,777.00); all else remains the same; and

WHEREAS, On February 14, 2013 Resolution Number 11-60 as amended by Resolution Number 11-280 was further amended by Resolution Number 12-67 to reflect increases to the following programs:

- Alternatives to Incarceration Programs
 - Community Service ~ from \$5,531.00 + \$2,840.00 to \$8,371.00
 - Pre-Trial Release ~ from \$5,531.00 + \$2,800.00 to \$8,331.00
 - Data Day Programs ~ from \$6,777.00 + \$3,480.00 to \$10,257.00

Effective January 1, 2012 through June 30, 2012. This is an extension of the current contract for 6 months; now therefore

BE IT RESOLVED, That Resolution Number 11-60, as amended by 11-280 and 12-67 be hereby further amended to correct the amount of monies on the Community Service program from \$2,840.00 to \$2,800.00, for the extension period of January 1, 2012 through June 30, 2012. All else remains the same.

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

**RESOLUTION NO. 13-76
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
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 the following agreements with Attica Legal Aid, 18 Linwood Avenue, Warsaw, NY 14569 on behalf of the Public Defender's Office as follows:

- **Indigent Parolee Program** in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 01, 2013 through December 31, 2013.
- **Alternatives to Incarceration Program** in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2013 to December 31, 2013.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-77
(February 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**OPPOSING THE PROCESS OF ENACTMENT AND CERTAIN
PROVISIONS
CONTAINED WITHIN THE NEW YORK SAFE ACT**

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

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

WHEREAS, The lawful ownership of firearms is, and has been, a valued tradition in Wyoming County, and the rights protected by the Second Amendment to the United States Constitution are exercised by many of its residents; and

WHEREAS, The people of Wyoming County derive economic and environmental benefits from all safe forms of recreation involving firearms, including, but not limited to, hunting and target shooting while utilizing all types of firearms available under the Constitution of the United States; and

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

February 12, 2013

States; and

WHEREAS, Members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, The enactment of the NY SAFE Act (Chapter 1 of the Laws of 2013) has engendered significant controversy over both the process by which it was enacted and certain provisions contained within it; and

WHEREAS, It is our understanding that many State Legislators had less than an hour to read the legislation, which contained approximately twenty-five thousand words, before being forced to vote on it; and

WHEREAS, Having reviewed the legislation and time constraints, it is our conclusion that there is no possible way any individual could have read the entire bill and understood its full implications prior to voting on it; and

WHEREAS, Our State Legislators most certainly could not have had the time to request, and receive, the input of their constituents regarding this matter; and

WHEREAS, Seeking, and considering, such public input is a standard to which we hold ourselves in the Wyoming County Legislature; and

WHEREAS, This legislation has 60 sections, of which only three take effect immediately; and

WHEREAS, In our opinion, there was no reason for the Governor to use a message of necessity to bring this bill to vote immediately and bypass the three day maturing process for all legislation; and

WHEREAS, The mishandling of the process in crafting the NY SAFE Act resulted in complex policy changes, many of which have been left to interpretation, and are confusing even to the State Legislators who voted on them, and the law enforcement officials who are required to enforce and explain them; and

WHEREAS, Requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on their permits, which now also must be renewed every 5 years, does not increase the safety of the public and is unnecessarily burdensome to the law abiding residents of New York State; and

WHEREAS, There will be a significant financial impact due to the

approximately 8,500 Wyoming County permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, This legislation prohibits the sale of firearm magazines with a capacity larger than seven rounds; and

WHEREAS, Those firearm magazines with a capacity larger than seven rounds, which are authorized to be retained by existing owners, may only be loaded with seven rounds and eventually must be permanently altered to only accept seven rounds or be disposed of, thus constituting a seizure of legally owned personal property with no provision for compensation; and

WHEREAS, Few or no low capacity (7 rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, Limiting the number of rounds to seven versus ten is arbitrary and capricious, has no correlation to public safety, unfairly burdens law-abiding gun owners, and puts an undue burden on gun manufacturers to retool their manufacturing plants; and

WHEREAS, The only persons who will comply with the new high-capacity magazine ban are law-abiding citizens, leaving the same high-capacity magazines in the hands of those who choose not to obey the law; and

WHEREAS, Requiring documentation of all ammunition sales in New York State, as provided for in this legislation, is a significant unfunded mandate on business; and

WHEREAS, The New York State Combined Ballistic Identification System, which wasted \$44 million in taxpayer money and resulted in zero convictions, illustrates the propensity of government to waste taxpayer resources when legislation is not properly reviewed; and

WHEREAS, Governor Cuomo has proposed spending \$36 million dollars in his 2013-2014 Executive budget for the implementation of the NY SAFE Act at a time when New York State residents are crying out for tax relief; and

WHEREAS, This legislation severely impacts the possession and use of firearms now employed by the residents of Wyoming County for defense of life, liberty, and property; and

WHEREAS, This legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited

to, hunting and target shooting; and

WHEREAS, While there are some areas of the legislation that the Wyoming County Board of Supervisors finds encouraging, such as addressing glaring shortcomings in the mental health system, the strengthening of Kendra's Law and Mark's law, as well as privacy protections for certain pistol permit holders, by-and-large, we find the legislation does little more than negatively impact lawful gun ownership; and

WHEREAS, This legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong, squarely on the backs of law-abiding citizens; and

WHEREAS, This legislation effectively turns countless New York State law-abiding gun owners into criminals; and

WHEREAS, The manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Wyoming County Board of Supervisors; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby oppose, and request the repeal of, any legislation, including the sections within the NY SAFE Act (Chapter 1 of the Laws of 2013), which infringe upon the right of the people to keep and bear arms; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors considers such laws to be an egregious violation of 2nd Amendment Constitutional Rights, onerous, and burdensome to the citizens and the County in their implementation, and beyond lawful legislative authority granted to our State representatives; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors strongly encourages members of the New York State Legislature to hold public hearings to address the issue of gun violence in a way that will produce meaningful results; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors requests the members of the New York State Senate and Assembly who represent all of Wyoming County to reply, in writing, with their views on, and actions taken, in support of, or opposition to, the NY SAFE Act; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Governor Andrew Cuomo, United States Senators Charles Schumer, and Kirsten Gillibrand, Congressman Chris Collins, New York State Senator Patrick Gallivan,

Assembly Speaker Sheldon Silver, New York State Assemblyman David DiPietro, Inter-County Association of Western New York and the New York State Association of Counties.

Carried: XXX Ayes: 1511 Noes: 88 (Java) Absent: Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #43 through #47 with the exception of resolution #45, which is to be withdrawn. A voice vote was taken and all voted aye.

#43

**RESOLUTION NO. 13-78
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 12-286 AMENDED

WHEREAS, Resolution Number 12-286 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS (CO. BUILDINGS)**,” passed by this Board of Supervisors on September 11, 2012 which provides for various contracts on behalf Buildings and Grounds (County Buildings); now therefore

BE IT RESOLVED, That Resolution Number 12-286 be hereby amended to reflect a reduction to the twenty thousand one hundred dollar (\$20,100.00) S & T Pierson, 2276 Silver Lake Road, Perry, NY 14530 contract as of February 01, 2013 as the Health Department will lease 1,427 square feet to the Visiting Nurses Assoc. thereby reducing the cleaning services by two thousand two hundred fifty-six dollars and thirty-nine cents (\$2,256.39) to an amount not to exceed seventeen thousand eight hundred forty-three dollars and sixty-one cents (\$17,843.61). All else remains the same.

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

#44

**RESOLUTION NO. 13-79
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE ON BEHALF OF THE WYOMING COUNTY

**COMMUNITY HOSPITAL RENOVATIONS CAPITAL
IMPROVEMENT PROJECT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Lee, 205 St. Paul Street, Suite 500, Rochester, NY 14604 on behalf of the Wyoming County Community Hospital Renovations Capital Improvement Project. Said contract is for additional Engineering and Architectural Services for the Wyoming County Community Hospital Capital Improvement Project:

- 2012 Redesign Items (already completed)
\$50,000.00
- Gift Shop Design (furniture changes included)
\$10,000.00
- Conceptual Master Planning
\$10,000.00

In an amount not to exceed \$70,000.00

Effective January 15, 2013 through completion of project.

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

#45

**RESOLUTION NO. 13-
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
FOR THE REPLACEMENT OF ALLEN STREET BRIDGE ON BEHALF
OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, Superintendent of County Highways and project Engineer is hereby authorized and directed to award a bid to _____, (Address), for the replacement of Allen Street Bridge over Oatka Creek, Town of Warsaw; BIN 3320300; PIN 4755.01 in an amount not to exceed the lowest responsible bidder; effective through project completion.

Carried: Ayes: Noes: Absent: Abstain:

#46

**RESOLUTION NO. 13-80
(February 12, 2013)**

Regular Session

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 11-93 AMENDED

WHEREAS, Resolution Number 11-93 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH T. Y. LIN INTERNATIONAL ON BEHALF OF COUNTY HIGHWAY**,” passed by this Board of Supervisors on March 08, 2011 which provides for Professional Engineering/Design/Right of Way for the Allen Street Bridge over Oatka Creek, Town of Warsaw. BIN 3320300 in an amount not to exceed one hundred sixty-four thousand dollars (\$164,000.00). Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 11-93 be hereby amended to authorize the Chairman to sign a change order with T.Y. Lin International, 250 East Avenue, Rochester, NY 14604 for the replacement of the Allen Street Bridge over Oatka Creek, Town of Warsaw; BIN 3320300; PIN 4755.01 for additional design in the amount of twenty-five thousand dollars (\$25,000.00) for a total contract amount not to exceed one hundred eighty-nine thousand dollars (\$189,000.00). All else remains the same.

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

#47

**RESOLUTION NO. 13-81
(February 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 13-31 AMENDED

WHEREAS, Resolution Number 13-31 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF COUNTY HIGHWAY**,” passed by this Board of Supervisors on January 14, 2013 and provides various contracts on behalf of County Highway; now therefore

BE IT RESOLVED, That Resolution Number 13-31 be hereby amended to authorize the Chairman to sign a supplemental agreement with Lu Engineers, 175 Sully’s Trail, Suite 202, Pittsford, NY 14534 for additional inspection services relating to the replacement of the West Street Bridge, Town of Arcade; BIN 3319440; PIN 4754.06 in an amount not to exceed sixty-four thousand dollars (\$64,000.00); effective through project completion. All else remains the same.

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Carried: XXX **Ayes: 1599** **Noes:** **Absent:** **Abstain:**
Non-Consent
#48

RESOLUTION NO. 13-82
(February 12, 2013)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN PURCHASE CONTRACT
RE: RIGHT OF WAY FOR HRRR – INTERSECTION
IMPROVEMENTS

WHEREAS, That the real property purchase contracts in the Town of Middlebury needed for the intersection improvements at the intersection of Dale and West Middlebury Roads, Town of Middlebury, as described on maps on file in the Office of the Wyoming County Superintendent of Highways is hereby ratified and accepted; and be

BE IT RESOLVED, That the chairman of this Board of Supervisors, with the approval of the County Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to sign purchase contracts regarding the aforementioned acquisition of lands and land improvement projects; and be it

FURTHER RESOLVED, That the County of Wyoming Superintendent of Highways and the Wyoming County Treasurer are hereby authorized to make payment for said conveyance upon advice from the County Attorney has acquired titles to the same as follows:

Property Owner Tax Map No. Surveyor Map, Parcel No. & Footage

Young Holmes, Inc. 9.00-1-45 4802 W. Middlebury Rd. Dale, NY 14039	Map #1, Map #2,	Parcel #1 PE 375sf Parcel #2 PE 314sf Parcel #3 TE 470sf Parcel #4 TE 962sf
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	Fee	\$23,500.00
	Land Improvements	\$ 0.00
In an amount not to exceed		\$23,500.00

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #49 through #69. A voice vote was taken and all voted aye.

#49

RESOLUTION NO. 13-83
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATIONS APPROVED

BE IT RESOLVED, That the following positions are hereby created in the following Wyoming County Departments:

County Clerk

- One (1) position of **Index Clerk, Per Diem (Temporary)** at a rate of \$14.67 hr. with only those benefits mandated by law beginning February 11, 2013 through August 10, 2013.

Buildings & Grounds (CIP)

- One (1) position of **Laborer (Temp.)** at a rate of \$12.00/hr. with only those benefits mandated by law beginning July 9, 2012 through July 8, 2013 (01/08/13 would have been 6 mos.).

Jail

- One (1) position of **Correction Officer Sergeant (Temporary)**, full time to cover the leave of absence of an employee. To be placed on the Sheriff's employee association agreement grade 6 (\$21.91 – \$22.60).

Budget Office

- One (1) position of **Finance Clerk I**, FT to be placed on Schedule S with an annual salary of \$33,500.00; effective February 12, 2013.

County Attorney

- Create one (1) position of **Secretary I**, FT on Schedule S (\$27,459 annually plus benefits) effective February 12, 2013. Abolish one (1) position of Secretary II (position code 013.366) on Schedule S (\$27,459).

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

RESOLUTION NO. 13-84
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE "C" AMENDED

February 12, 2013

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" annexed hereto shall be substituted for the existing Schedule "C." Commencing January 01, 2013, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the appropriate committee.

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

2013 WYOMING COUNTY COMMUNITY HEALTH SYSTEM

SALARY PLAN SCHEDULE "C"

REVISED 01-01-2013

Current Titles 2013	Resolution #	Salary
ADMINISTRATION		
ADMINISTRATIVE ASSISTANT		\$39,520
EMERGENCY ROOM		
DIRECTOR OF WPHS AND EMERGENCY ROOM		\$65,520
FISCAL SERVICES		
ASSISTANT DIRECTOR OF FINANCE		\$60,147
HOSPITAL FINANCE DIRECTOR		\$101,000
DIRECTOR OF REIMBURSEMENT, BUDGET & FIN ANAL		\$90,000
INFECTION CONTROL		
DIRECTOR OF NURSE EDUCATION & INFECTION CONT		\$66,343
INFORMATION SYSTEMS		
DIRECTOR OF HEALTHCARE INFORMATION SYSTEMS		\$68,500
HEALTHCARE INFORMATION SYSTEMS SPECIALIST		\$74,776
MEDICAL STAFF		
MID LEVEL PROVIDER		\$75.00/HR.
MEDICAL DIRECTOR		
ADMINISTRATIVE SECRETARY		\$34,432
MEDICAL SURGICAL UNIT/3RD FLOOR		
NURSING UNIT MANAGER		\$66,679
MENTAL HEALTH UNIT		
DIRECTOR OF BEHAVIORAL HEALTH SERVICES		\$71,795
NURSING FACILITY ADMINISTRATION		
ADMINISTRATIVE SECRETARY		\$36,953

ASSISTANT DIRECTOR OF NURSING		\$65,000
NURSING FACILITY ADMINISTRATOR		\$96,425
ASSISTANT ADMINISTRATOR/DIRECTOR OF NURSING		\$75,000
NURSING ADMINISTRATION		
DIRECTOR OF NURSING/ACUTE		\$75,755
NURSING INFOMATICS COORDINATOR		\$64,480
ADMINISTRATIVE SECRETARY		\$30,160
OPERATING ROOM		
DIRECTOR OF SURGICAL SERVICES		\$67,009
PLANT MAINTENANCE		
MAINTENANCE SUPERVISOR		\$55,000
RADIOLOGY		
DIRECTOR OF OUTPATIENT SERVICES		\$67,392
REGULATORY AFFAIRS		
DIRECTOR OF REGULATORY AFFAIRS		\$77,772
QUALITY ASSURANCE SPECIALIST		\$68,328
WORKPLACE HEALTH SERVICES		
MID LEVEL PROVIDER		\$83,200

#51

RESOLUTION NO. 13-85
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 JTP RISK CONSULTING, LLC ON BEHALF OF THE
 WYOMING COUNTY INSURANCE 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 contract with JTP Risk Consulting, LLC, 6701 Manlius Center Rd., Suite 111-299, East Syracuse, NY 13057 on behalf of the County Insurance Office. Said contract will provide for the creation of a Request for Proposal (RFP) for a Third Party Administrator for the Wyoming County Workers Compensation Pool at a rate of \$150 per hour professional time and \$100 per hour travel time; effective December 01, 2012.

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

#52

RESOLUTION NO. 13-86
 February 12, 2013

(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
TRIAD GROUP, LLC ON BEHALF OF THE WYOMING COUNTY
INSURANCE 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 contract with Triad Group LLC, 185 Jordan Rd., Troy, NY 12180 on behalf of the County Insurance Office. Said Contract is for Workers' Compensation Claim Administration at a rate not to exceed one hundred thousand dollars (\$100,000.00) per year and 15% of savings on medical bill review (Bill Review Fee – not to exceed fifteen thousand (\$15,000.00) per year. Plus the cost of file allocated claim expenses and loss control fees as needed); effective April 01, 2013 through March 31, 2016.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-87
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**INVESTMENT POLICY 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 FOR WYOMING COUNTY

I. SCOPE

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

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

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

III. DELEGATION OF AUTHORITY

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

IV. PRUDENCE

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

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

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

V. DIVERSIFICATION

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

VI. INTERNAL CONTROLS

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

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

VII. DESIGNATION OF DEPOSITARIES

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

Depository Name	Maximum Amount	Officer
Five Star Bank	\$20,000,000.00	
Bank of Castile	\$20,000,000.00	
M & T Bank	\$20,000,000.00	
Steuben Trust Company	\$20,000,000.00	
JP Morgan Chase	\$10,000,000.00	
First Niagara Bank	\$10,000,000.00	

VIII. COLLATERALIZING OF DEPOSITS

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

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

IX. SAFEKEEPING AND COLLATERALIZATION

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

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

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

- * Special time deposit accounts;
- * Certificates of deposit;
- * Obligations of the United States of America;
- * Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;
- * Obligations of the State of New York;
- * Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Wyoming;
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorize such investments.
- * Certificates of Participation (COP's) issued pursuant to GML Sec. 109b.
- * Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

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

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wyoming. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listings shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

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

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

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Wyoming by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other

deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

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

APPENDIX A

Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.
- (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes

that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

(ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

(x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

(xi) Zero coupon obligations of the United States government marketed as "Treasury strips;" and be it

FURTHER RESOLVED, That the Chairman of this Board and/or the County Treasurer, with the approval of the County Attorney, are hereby authorized and directed to sign Custodial Agreements with the different area banks or their agents to maintain pledged securities to cover deposits made by the County of Wyoming.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #54

**RESOLUTION NO. 13-88
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, "**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**," the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Wyoming OB-GYN, PLLC, 121 South Main Street, Warsaw, NY 14569**, for a 1 year renewal contract, no changes to terms or conditions,

to provide Medical Director services for the acute and mental health divisions of WCCHS as defined contractually, rate not to exceed seventy thousand dollars (\$70,000.00) annually; effective February 12, 2013 through February 11, 2014.

- **Western New York Physicians PLLC, 2261 Route 19 North, Warsaw, NY 14569**, for a 2 year contract to provide hospitalist medical services, SNF medical needs director, and clinical services needed to cover patient needs who are unassigned to any primary care physician regardless of insurance, not to exceed four hundred thirty-five thousand dollars \$435,000 annually; effective February 1, 2013 through January 1, 2015.

Contingent upon the availability of funds.

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

#55

RESOLUTION NO. 13-89
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

HIPAA OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Officer Positions, for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Corporate Compliance Officer

- Jerry Davis (T/Covington Supervisor), 7414 Court Rd., P.O. Box 445, Pavilion, NY 14525

Privacy Officer

- Joan Kibler (Probation Director), 143 N. Main St., Warsaw, NY 14569

IT Security Officer

- Todd MacConnell (Information Technology Director), 66 Mt. View Ave., Warsaw, NY 14569

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

#56

RESOLUTION NO. 13-90
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

February 12, 2013

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

BE IT RESOLVED, That the following members are hereby reappointed to Inter-County of Western New York Association for a term of one (1) year; effective January 01, 2013 through December 31, 2013:

Member

- Jerry Davis(T/Covington), 7414 Court Road, PO Box 445, Pavilion, NY 14525
- Larry Rogers (T/Pike), PO Box 82, Pike, NY 14130-0082
- John Knab, (T/Sheldon), 2246 Thomas Road, Varysburg, NY 14167

Alternate Member

- Jean Totsline, (T/Genesee Falls), 6940 River Road, Portageville, NY 14536
- Cheryl Ketchum, 6578 Pearl Street, Bliss, NY 14024

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #57

**RESOLUTION NO. 13-91
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**JOSEPH KUSHNER REAPPOINTED TO THE WYOMING
COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That Joseph Kushner (T/Eagle), 3468 E. Main St., Bliss, NY 14024 be hereby reappointed to the Wyoming County Community Hospital Board of Managers as the Supervisor Member for a term of one (1) year; effective January 1, 2013 through December 31, 2013.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #58

**RESOLUTION NO. 13-92
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES “S” AND “G” 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":

Department of Social Services

- Set the salary of the **Administrative Assistant (Fiscal Operations)** at \$37,146.00/annually; effective January 1, 2013.

Salary Schedule "G":

District Attorney

- Set the salary of the **Domestic Violence Coordinator** at \$35,567.00 (\$19,961 -57% VAWA & \$15,606 – 43% CVB)/annually; effective January 1, 2013. This change only represents a change in the VAWA portion of the salary.

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

#59

**RESOLUTION NO. 13-93
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 12-387 AMENDED

WHEREAS, Resolution Number 12-387 entitled, “**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2013**,” passed by this Board of Supervisors on December 11, 2012 which provides for 2013 County appropriations to the various County Contract Agencies; now therefore

BE IT RESOLVED, That Resolution Number 12-387 be hereby amended to eliminate Mercy Flight. All else remains the same.

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

#60

**RESOLUTION NO. 13-94
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

February 12, 2013

EMPLOYEES' GUIDELINES FOR INFORMATION SECURITY APPROVED

WHEREAS, The Director of Information Technology did present an updated Information Security policy and procedures manual for Wyoming County staff titled "Employee Guidelines for Information Security," and

WHEREAS, The Finance Committee of the Board of Supervisors did review the Employee Guidelines for Information Security and does recommend the approval of these Information Security policies and procedures; now therefore

BE IT RESOLVED, That the Employee Guidelines for Information Security is hereby adopted and annexed hereto; effective immediately.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #61

RESOLUTION NO. 13-95 (February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION CALLING FOR THE GOVERNOR AND STATE LEGISLATURE TO COMPENSATE COUNTIES FOR STATE- MANDATED DISTRICT ATTORNEY SALARY

WHEREAS, Salaries of full time District Attorneys and the Clerks of the five boroughs of New York City are statutorily tied to those of New York State Judges and Justices in the Unified Court System; and

WHEREAS, When salaries increase for Judges and Justices, counties are mandated to raise the salaries of their District Attorneys as required under section 183-a of the Judiciary Law; and

WHEREAS, In 2012 the State Legislature increased the salary for Judges and Justices by 22 percent over a three year period; and

WHEREAS, This state-imposed salary increase has forced counties to increase pay for District Attorneys; and

WHEREAS, The Governor's 2013-14 Executive Budget proposal provides for the 100 percent reimbursement of the DA's salary increase for 2013; and

WHEREAS, Although the state pays the entire salary and benefits of judges and justices, the state only provides supplemental appropriations to counties to partially cover the cost of state-mandated pay for local district attorneys; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) to call upon the State Legislature to enact the Governor's proposal to reimburse 100 percent of the DA's salary increase and to also reimburse counties for the entire amount of District Attorneys' mandated pay and its associated retirement and social security costs, leaving counties responsible only for any portion of District Attorneys' compensation that exceeds the state's mandated amount; and be it

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

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

#62

**RESOLUTION NO. 13-96
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE
AND GOVERNOR TO RESTORE STATE AID TO COMMUNITY
COLLEGES AT THE LEVELS REQUIRED BY NEW YORK STATE
EDUCATION LAW**

WHEREAS, New York State Education Law Article 26 provides the methodology for funding community colleges under the State University of New York; and

WHEREAS, State Education Law provides for funding through state aid, a county sponsor contribution and student tuition and fees; and

February 12, 2013

WHEREAS, State Education Law requires the State of New York to assist in financing community college tuition costs; and

WHEREAS, Over the course of time, the State of New York has reduced the amount of state aid contributions due to state fiscal challenges and for some counties the state aid share does not exceed 18 percent of the community college operating budget; and

WHEREAS, In State fiscal year 2007-08 the State budget supported student base aid for SUNY and CUNY community colleges per full time student at \$2,675, the State fiscal year 2012-13 state budget included final base operating aid funding for community colleges at \$2,272 per full time student, representing a 15 percent reduction from prior state aid levels, not accounting for inflationary costs; and

WHEREAS, These State reductions are in addition to the elimination of State financial support to cover the costs of county charge backs related to bachelor and graduate degree programs at the Fashion Institute of Technology (FIT); and

WHEREAS, The reduction in state aid perpetuates New York State's actions of imposing increasingly more costs on county taxpayers and students in a manner that contradicts the intent of State Education Law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) to call on the Governor and State Legislature to gradually restore Community College base operating aid to the levels envisioned under New York State Education Law in order to maintain academic excellence and affordability at our community colleges; and be it

FURTHER RESOLVED, the Governor and Legislature should also restore the state aid reimbursement to counties for the chargeback cost of bachelor and graduate degree programs at FIT; and be it

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

Carried: XXX Ayes: 1599 Noses: Absent: Abstain: #63

RESOLUTION NO. 13-97
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE
LEGISLATURE TO ASSESS THE COST OF IMPLEMENTING
EARLY VOTING AND TO FULLY FUND ANY INCREASE IN
COSTS TO COUNTY BOARDS OF ELECTIONS**

WHEREAS, A.689 (Silver)/ S.1461 (Stewart-Cousins) has been introduced in the New York State Legislature establishing early voting in primary, general and special elections in the State of New York; and

WHEREAS, This bill would allow early voting to take place up to 14 days before a general election and up to a week before a primary or special election, from 8:00 am until 7:00 pm on every early voting day including Saturday and Sunday; and

WHEREAS, County boards of elections would be required to select a minimum of five polling places throughout each county and provide election inspectors at each location; and

WHEREAS, County boards of elections would also be required to follow the same polling place protocols that are observed on election day on all early voting days; and

WHEREAS, There will be costs associated with staffing early voting locations, and printing and county paper ballots associated with early voting; and

WHEREAS, The 2 percent tax cap and insufficient relief from state-imposed mandates has placed an unprecedented strain on local governments to provide more services with less funding; now therefore

BE IT RESOLVED, That the New York State Association of Counties does hereby oppose the passage of legislation requiring counties to implement early voting; and be it

FURTHER RESOLVED, If the proposal is enacted, allow counties to opt-in to providing early voting opportunities and the State needs to fully fund the cost of early voting for those counties that provide early voting; and be it

FURTHER RESOLVED, That the Clerk to this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State

February 12, 2013

Senator Patrick Gallivan and New York State Assemblyman David DiPietro and all others deemed necessary and proper.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #64

**RESOLUTION NO. 13-98
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR, STATE
LEGISLATURE AND THE NEW YORK CONGRESSIONAL
DELEGATION TO SUPPORT FEDERAL LEGISLATURE THAT
AUTHORIZES STATES TO REQUIRE THE COLLECTION OF SALES
AND USE TAXES ON SALES OF TAXABLE PRODUCTS AND
SERVICES INTO THEIR JURISDICTION BY REMOTE SELLERS**

WHEREAS, The ongoing expansion and maturity of Internet-based retailing, or E-commerce, continues to outpace the annual growth in regular "brick and mortar" retail sales; and

WHEREAS, E-Commerce has grown from about 1.5 percent of total U.S. retail sales to over 7 percent of total U.S. retail sales in just the last decade; and

WHEREAS, Projections over the next several years indicate that E-Commerce will continue to experience annual growth rates up to four times greater than brick and mortar sales; and

WHEREAS, Total E-Commerce sales are expected to reach \$250 billion in 2014; and

WHEREAS, A large number of Internet-based retailers do not collect sales taxes on the sale of their goods or services; and

WHEREAS, The growing migration of retail sales to the Internet, and mobile electronics, is creating an unfair competitive marketplace for many local brick and mortar retailers; and

WHEREAS, The State Streamlined Sales Tax Governing Board estimates that up to \$23 billion annually in sales taxes are not being collected nationally under the current system, severely impeding state and local government's revenue collections necessary to provide and fund critical public services; and

WHEREAS, Congress and the President have indicated their desire to improve the federal tax code by making it simpler and more fair, while removing obstacles that hinder economic growth and the efficient use of capital, along with modernizing the code to reflect the needs of our nation and economy in the decades to come; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins with the New York State Association of Counties (NYSAC) to hereby call on the Governor and New York State Legislature to strongly urge the New York Congressional Delegation to support legislation that authorizes states to require the collection of sales and use taxes on sales of taxable products and services into their jurisdictions by remote sellers, including hotel/motel room remarketers, as part of their federal tax code modernization efforts; and be it

FURTHER RESOLVED, That federal efforts to modernize the collection of sales tax across jurisdictions and modes of commerce include provisions that allow state flexibility in satisfying the streamlining and simplification of state and local sales tax models necessary to ease the burden for retailers to collect sales and use taxes on products and services sold over the Internet; and be it

FURTHER RESOLVED, That these federal efforts to modernize state sales tax collections should not dictate rates or mandate the imposition or elimination of sales taxes, and should not be combined with federal efforts to limit or restrict state taxing authority in other areas as our federal system depends on states retaining the responsibility and authority to manage their taxing policies to meet fiscal requirements; and be it

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

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #65

**RESOLUTION NO. 13-99
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE
TO HONOR HOME RULE SALES TAX REQUESTS IN ORDER TO**

February 12, 2013

MEET THE INTENT OF HOME RULE AUTHORITY GRANTED TO COUNTIES IN THE STATE CONSTITUTION

WHEREAS, Counties continue to face significant challenges in balancing their local budgets largely due to a significant drop in local revenues stemming from the recession and a continued weak economic recovery; and

WHEREAS, Counties must administer and pay for more than 40 State programs and mandated services that can consume up to 85 percent of a county's entire budget; and

WHEREAS, Local sales tax revenue is one of the two primary sources of revenue for county government; and

WHEREAS, Counties share more than \$1 out of every \$4 local sales tax dollars collected with cities, towns, villages and even local school districts to help these local governments pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, The pass through of local sales tax revenue from counties to cities, towns, villages and school districts exceeded \$1.6 billion in 2011; and

WHEREAS, the State Legislature has made important steps in limiting future mandated cost increases to county taxpayers by capping the growth in local Medicaid costs effective in 2015 and through the creation of a new pension tier; and

WHEREAS, While these mandate relief initiatives are important, the overall growth in costs incurred by counties to support other state mandates, coupled with counties being required to absorb hundreds of millions of dollars in new state program costs since 2007, continues to outstrip the ability of counties to support rising costs; and

WHEREAS, County "home rule bills" generally seek authority and fiscal management flexibility from the State to implement and deliver State mandated programs and local public health and safety, economic development and "quality of life" services demanded by county residents; and

WHEREAS, The rejection of local home rule authority by the State Legislature requires county leaders to either:

1. Raise property taxes (which are already among the highest in the nation) to pay for state mandated spending because non-property tax alternatives, or sufficient relief from state mandated spending is not keeping

pace with rising costs; or

2. Cut local quality of life services such as those that protect public safety, ensure the public health, encourage local economic development and care for our seniors and veterans in their communities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) in support of the Governor's Budget proposal to allow counties to renew the extension of current county sales tax rates without State Legislative approval, which will eliminate unnecessary and duplicative legislative activity at the State and local level that is currently required under state law; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports further improvement to the county home rule process by allowing county elected officials to determine their own local sales tax rates commensurate with the permanent sales tax authority already granted to New York City without the need for State legislative renewals; and be it

FURTHER RESOLVED, Counties do not support State legislative proposals that require counties to undertake a voter referendum to change local sales tax rates; and be it

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

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #66

**RESOLUTION NO. 13-100
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION CALLING FOR THE STATE LEGISLATURE AND THE GOVERNOR TO ALLOCATE 9-1-1 SURCHARGE FUNDS TO COUNTIES TO SUPPORT 9-1-1 AND PUBLIC SAFETY COMMUNICATIONS

WHEREAS, The State of New York imposes a \$1.20 public safety surcharge on all wireless telephones, a surcharge created to be spent on 9-1-1 operations to help first responders to communicate and respond to emergencies; and

February 12, 2013

WHEREAS, After years of diverting the proceeds of this fund for non-public safety purposes, and to the detriment of local 9-1-1 centers, the State of New York has begun allocating more of these monies to counties in the form of Statewide Interoperable Communications Grants (SICG); and

WHEREAS, The 2013/14 Executive Budget Proposal, released on January 22, 2013 allocated an additional \$75 million to the SICG program; and

WHEREAS, While these grants were a welcome step in the right direction when they were first created, they have not helped deliver much needed funding to counties, as the State is years behind schedule in awarding these monies to counties, which need the funding to make upgrades to their emergency communications equipment and systems; and

WHEREAS, The Governor's office has announced plans to award \$102 million in funding through the SICG program previously appropriated in 2011-12 and 2012-13 State fiscal years, in order to expedite the release of prior year grant funding; and

WHEREAS, Counties and other municipalities are the actual providers of 9-1-1 services to the people of New York State and incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes such as Next Generation 9-1-1 (NG 911), which is estimated to take 10 years to implement at a cost of approximately \$22 billion in New York State; and

WHEREAS, Most counties have been able to establish local surcharges to sustain their county's emergency communications needs; and

WHEREAS, New York State requires that each county that wants to establish a local 9-1-1 surcharge first obtain authorization in the form of State legislation, before they can create this local fee; and

WHEREAS, While nearly all counties have obtained the authority through the State Legislature to charge a local fee, a handful of counties remain unable to obtain such authorization to create a local surcharge, putting their local 9-1-1 centers at a financial disadvantage to meet the current emergency communications needs of their communities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins the New York State Association of Counties (NYSAC) to call upon the Governor to direct the Division of Homeland Security and Emergency Services to expedite the award of grant monies through the Statewide Interoperable Communications Grant program and to simplify and streamline the grant application and award process for

counties to implement multi-year grant applications; and be it

FURTHER RESOLVED, that the Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to pass legislation that authorizes all counties to create a public safety local surcharge to fund costs associated with the provision of 9-1-1; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to pass legislation that imposes the \$1.20 and \$0.30 local surcharges on pre-paid wireless phones as well as all devices capable of connecting to 9-1-1 and direct those monies to counties' 9-1-1 center operations; and be it

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

Carried: XXX **Ayes: 1599** **Noes:** **Absent:** **Abstain:** **#67**

RESOLUTION NO. 13-101
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION CALLING ON GOVERNOR CUOMO TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS

WHEREAS, County probation departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, It is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for Probation was drastically reduced between 1990 and 2011 from a 46.5 percent State share in 1990 to less than 12 percent in 2011, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, At the same time there have been increases in the number of mandated programs and the services county probation departments are required to provide; and

WHEREAS, The New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with the New York State Association of Counties (NYSAC) and State leaders to bring more awareness to the important work that probation does to protect the public; and

WHEREAS, In 2012, under direction from Governor Andrew Cuomo, Deputy Secretary for Public Safety Elizabeth Glazer and the Division of Criminal Justice Services (DCJS) engaged with the Council of State Governments Justice Center to examine the problems New York's Probation Departments face and generate solutions to promote better public safety through more effective probation; now therefore

BE IT RESOLVED, That NYSAC calls for the enactment of statutory and regulatory changes that improve probation and alternatives to incarceration (ATI) in the following ways.

1. Allow judges the ability to tailor a sentence of probation to the severity of the crime by creating flexible terms for felonies from 3-5 years and for misdemeanors from 2-3 years
2. Eliminates the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated
3. In response to Violation of Probation Petitions (VOP):
 - a. Requires counties to develop swift, certain graduated responses
 - b. Require the courts to dispose of the VOP's within 90 days
 - c. Enable probation to administratively modify conditions of probation as required
4. Allow for the expansion and monitoring of ATI programs to ensure risk reduction programming is available to all pre trial offenders.
5. Reinvest the savings generated by policy changes back into Probation and ATI programming.

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

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

#68

RESOLUTION NO. 13-102
(February 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION OPPOSING THE GOVERNOR'S PROPOSAL TO
LIMIT INDUSTRIAL DEVELOPMENT AGENCIES' ABILITY TO
GRANT STATE SALES TAX EXEMPTIONS AS PART OF LOCAL
ECONOMIC DEVELOPMENT EFFORTS**

WHEREAS, Currently, an industrial development agency ("IDA") may grant exemption from State sales and use taxes for projects that the IDA determines advance the job opportunities, health, general prosperity and economic welfare of the inhabitants of the county, region and the State; and

WHEREAS, IDAs can provide State sales tax exemption without State approval and must give notice to the State of the agent/project operator's appointment; and

WHEREAS, IDA's are uniquely created and organized to cooperate with local economic development groups and deal with state agencies, local businesses, job retention, job creation and grant inducements for economic development and stimulate economies of all sizes; and

WHEREAS, Governor Cuomo's proposed 2013-2014 Executive Budget contains a provision to restrict the authority of IDAs to provide State sales and use tax exemptions in the following ways:

- An IDA could only grant a State sales tax exemption to an agent or project operator that has been certified as a participant in the Excelsior Jobs Program, or is a business that would be eligible to participate in the Program, • Eligibility in the Program is limited to certain types of firms, with specific criteria for job creation and capital investment for each type of firm,
- Before an IDA could award a State sales tax exemption, it would need to receive a determination from the Commissioner of Economic Development, in consultation with the Regional Economic Development Council, that the benefit plan is consistent with regional economic development strategies,
- An IDA would be prevented from providing a State sales tax exemption greater than that approved by the Commissioner of Economic Development,
- An agent or project operator would have to submit a claim for credit or refund to obtain a State sales tax exemption,
- An IDA would be required to send notice to the Tax Department

when its appointment of an agent/project operator has expired or been revoked,

- An IDA would need to remit to the State any payments from a payment in lieu of taxes (PILOT) agreement for State sales and use taxes,
- If an IDA recaptures State sales and use tax monies from its agent or project operator, it would be required to turn such monies over to the NYS Commissioner of Tax and Finance,
- The bill would become effective immediately and apply to any IDA project, benefits or PILOT agreements established or revised on or after the bill's effective date; now therefore

BE IT RESOLVED, that the New York State Association of Counties (NYSAC) opposes this proposal and calls for the legislature to reject these reforms due to the detrimental impact they would have on local economic development and job creation efforts; and be it

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

Carried: XXX Ayes: 1599 Noses: Absent: Abstain: #69

**RESOLUTION NO. 13-103
(February 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. A
YEAR 2013**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11th day of February, 2013, a proposed local law entitled, "Local Law Introductory No. A Year 2013, " **"A LOCAL LAW TO AMEND LOCAL LAW 4, YEAR 2012"** 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 March, 2013 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of

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

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

INTRODUCTORY LOCAL LAW NO. A - YEAR 2013

A Local Law to Amend Local Law No. 4 for the Year 2012, County of Wyoming, Providing Salaries for Certain County Officers for the year 2013

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

SECTION 1. Section 1 and 2 of Local Law No. 4 of the County of Wyoming, Year 2012, are hereby deleted and the following Sections 1 and 2 are substituted therefore:

Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$810.00.

Section 2. Effective as hereafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,000.00.

SECTION 2. All salaries set forth above shall be effective as of January 01, 2013.

SECTION 3. This Local Law shall take effect 45 days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

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

SECTION 5. This Local Law shall become effective on the day that it is filed in the office of the Secretary of the State of New York

DATED at Warsaw, New York
February 12, 2013 (Introduced)
Cheryl J. Ketchum, Clerk

Prior to adjourning the meeting Supervisor Kushner spoke to the Community Colleges resolution and the impact mandatory Community Colleges payments make to the county budget. This year alone, Wyoming County tax payers are contributing \$1.7 million to Community Colleges.

There being no further business to come before this Board, Senior Supervisor Rogers, T/Pike, adjourned the meeting at 3:32 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION**(March 12, 2013)****Tuesday****2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Supervisor Dixon, T/Gainesville entered the meeting at 3 pm. Also present were Assistant County Attorney, James Wujcik; Budget Officer, J. Cook; Deputy Clerk to the Board of Supervisors, Brenda Ferrell and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Robert J. Scharf

Mr. Scharf's service to his country comes while serving during the Vietnam War. Mr. Scharf enlisted in the United States Army on June 21, 1967. He completed Basic Training at Ft. Dix, New Jersey and then Advanced Individual Training at Ft. Bliss, Texas and became qualified as a Radar Repairman. Mr. Scharf was then assigned to the "Philadelphia Air Defense Unit at Swedesboro, New Jersey and worked as a radar repairman, working on the "Hercules Missiles". After a year, he was reassigned to the 101st Air Borne Division and was deployed to Vietnam. Mr. Scharf and his unit were assigned to "Camp Eagle", which was located in the northern part of South Vietnam. He spent a year in Vietnam and was present for one of the "TET Offensives".

Mr. Scharf returned to the United States and was Honorably Discharged at Ft. Bliss, Texas on June 2, 1970 at the rank of Specialist 5th Class.

For his service to his country, Mr. Scharf was awarded:

The National Defense Medal**The Army Good Conduct Medal****The Army Commendation Medal****The Bronze Star**

Following his service to his country, Mr. Scharf settled in Philadelphia and went to work in the electronics' field. He spent about 25 years working with medical and consumer electronics in Philadelphia and New York City. Mr. Scharf then

relocated to this area and went to work for Moag Inc. in East Aurora and worked in electronic hydraulics. Moag Inc. made military and commercial air parts. After spending 16 years at Moag Inc., he retired in September of 2012.

Mr. Scharf has also been active in community life. He is a member of both the American Legion and Veterans of Foreign Wars, and an active member of the Yorkshire Free Methodist Church. Mr. Scharf has been married to his wife, Rebecca, for 23 years and they live in the Town of Yorkshire.

The pledge was said by all.

Chairman Berwanger presented Mr. Scharf with the customary certificate of appreciation and an opportunity to address the Board.

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

Mr. Scharf kindly thanked the Board for the invitation.

“...and God Made a Farmer...” video

Communications:

- ***US Congressman Collins*** ~
- Letter dated February 25, 2013 regarding the Board’s position on gun regulation.

Open Public Hearing:

Local Law No. 1, Year 2013 (Introductory A, Year 2013) Entitled, “A Local Law to Amend Local Law No. 4 for the Year 2012, County of Wyoming, Providing Salaries for Certain County Officers for the year 2013”

#1

**RESOLUTION NO. 13-104
(March 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Highway Capital Fund			
From: 17.66.5112.2.24001 Middle Resv. Rd. 17.66.5112.2.24009 Liberty St. To: 17.50.9901.9.99001 Interfund Transfer Reason: To transfer funds borrowed for the discontinued Better Pavement Program, to offset a portion of the debt payment for the 2013 Budget.	\$123,924.78 <u>\$ 26,075.22</u>	\$150,000.00	
Highway Capital Fund Total			\$150,000.00
Department of Social Services Capital Fund			
From: 61.61.6010.2.20001 Furniture 61.61.6010.4.40301 Professional Svc. 61.61.6010.4.40305 Other Svc.-Bond 61.61.6010.4.42306 Relocation Expense 61.61.6010.4.45001 Unallocated Debt 61.61.6010.4.45002 Other – Sale Scrap To: 61.61.9901.9.99001 Interfund Transfer Reason: To transfer funds borrowed for the completed DSS Project to offset a portion of the debt payment for the 2013 budget.	\$225,472.98 26,799.50 5,910.61 1,587.21 16,286.55 <u>3,884.22</u>	\$279,941.07	
Department of Social Services Capital Fund Total			\$279,941.07

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#2

RESOLUTION NO. 13-105
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Social Services			
To: 01.39.6010.4.40508 Private Auto Repair w/01.08.6010.2680 Insurance Recovery Reason: to cover cost of vehicle repair due to accident on 2/7/13. Total Insurance Allowance \$2,770.20 less \$200.00 deductible.	\$2,570.20	\$2,570.20	
Social Services Total			\$2,570.20
District Attorney			
To: 01.32.1165.4.40401 Training/Education <i>w/any fund available</i> Reason: To cover cost of Leadership Wyoming for Vincent Hemming.	\$900.00	\$900.00	
District Attorney Total			\$900.00

Sheriff			
To: 01.37.3110.4.40508 Auto Repairs-Other w/01.08.3110.2680 Insurance recovery Reason: insurance recovery check received for collision repair to car 7	\$1,643.44	\$1,643.44	
To: 01.37.3110.2.23001 Cars w/01.13.3110.5031 Interfund Transf. Reason: Needed for the purchase of 5 patrol cars from CIP funds.	\$125,000.00	\$125,000.00	
To: 01.37.3110.4.42101 Law Enforcement Supplies <i>w/any funds available</i> Reason: Ammunition that was ordered in Y2012 has not been received yet; no estimated delivery date.	\$1,653.05	\$1,653.05	
Sheriff Total			\$128,296.49
Public Defender			
To: 01.32.1170.4.41410 software purchase <i>w/any funds available</i> Reason: In order to pay the balance of Software costs allotted in 2012, but not installed until January, 2013 to the New York State Defenders Association with monies still available from 2012.	\$6,425.00	\$6,425.00	
To: 01.32.1170.1.10001 Salaries S/D/I 01.32.1170.4.40016 Internet 01.32.1170.4.41402 Computers 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare-FICA w/01.11.1170.3025 State Aid Reason: To appropriate remaining YR 1 ILS Grant funds (roll-over funds from 2012)	\$3,159.52 1,800.00 3,089.37 205.37 45.81	\$8,300.07	
To: 01.32.1170.1.10001 Salaries S/D/I 01.32.1170.4.40016 Internet 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare-FICA w/01.11.1170.3025 State Aid Reason: To appropriate Estimated YR 2 ILS Grant funds (Est. 7 months of YR 2 grant)	\$8,163.46 1,043.00 530.63 <u>118.37</u>	\$9,855.46	
Public Defender Total			\$24,580.53

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$3,205,779.42** for the month of **February 2013**.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#3

RESOLUTION NO. 13-106
(March 12, 2013)

Regular Session

By Mr. Davis, Chairman of Human Resource Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NEW YORK STATE BOARD OF ELECTIONS ON BEHALF OF WYOMING COUNTY BOARD OF ELECTIONS

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with New York State Board of Elections, 40 N Pearl St, Suite 5, Albany, NY 12207 on behalf of the County Board of Elections. Said contract is for Voter Education and Poll Worker Training funding (grant contract #T002582) in a minimum amount of twenty-four thousand two hundred thirteen dollars (\$24,213.00), remaining balance of six thousand two hundred twelve dollars and twenty-two cents (\$6,212.22); effective April 01, 2013 through March 31, 2014. This is the 4th extension of the contract. Funds used to train election inspectors. County pays 5%. 95% is reimbursable.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 13-107
(March 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES FOR GLOW REGION 2013 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2013 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended that a contract with Environmental Enterprises Inc., 4650 Spring Grove Avenue, Cincinnati, OH 45232 be extended to provide collection services for the September 21, 2013 Household Hazardous Waste Collection Program; now therefore

BE IT RESOLVED, That upon the approval of the County Attorney, the Chairman of the Wyoming County Board of Supervisors is authorized and directed to sign a contract with the GLOW Counties and Environmental

March 12, 2013

Enterprises Inc. for the 2013 GLOW Household Hazardous Waste Collection Program in an amount not to exceed twenty-nine thousand five hundred seventy-five dollars (\$29,575.00).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#5

**RESOLUTION NO. 13-108
(March 12, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**REBECCA JOHNSON APPOINTED TO THE
WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That Rebecca Johnson (T/Java), 656 Minkel Road, Strykersville, NY 14145 be hereby appointed to the **Wyoming County Planning Board as a Voting Member** for a term of three (3) years (to fill vacancy for the Town of Java); effective March 12, 2013 through December 31, 2015.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #6 and #7. A voice vote was taken and all voted aye.

#6

**RESOLUTION NO. 13-109
(March 12, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
PEERPLACE NETWORKS, LLC ON BEHALF OF WYOMING
COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with PeerPlace Networks, LLC, 300 Main Street, Suite 2-214, East Rochester, NY 14445 on behalf of Wyoming County Office for the Aging. Said contract is for a User Subscription Fee Services for the current data management software in an amount not to exceed five thousand five hundred sixty-nine

dollars and sixty-eight cents (\$5,569.68); effective March 1, 2013 through February 28, 2014.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#7

**RESOLUTION NO. 13-110
(March 12, 2013)**

By Mrs. Totsline, Chairman of 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 & FAMILY
SERVICES 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 NYS Office of Children & Family Services, 52 Washington Street, Rensselaer, NY 12144-2796 on behalf of the Department of Social Services. Said grant is for funding the County Domestic Violence Program in a minimum amount of thirty-four thousand nine hundred eighty-four dollars (\$34,984.00); effective March 31, 2013 through March 30, 2014.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #10. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 13-111
(March 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 12-162 AMENDED

WHEREAS, Resolution Number 12-162 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS GRANT APPLICATION AND ACCEPTANCE AWARDS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**,” passed by this

March 12, 2013

Board of Supervisors on May 08, 2012 and provides for various grant applications and acceptance awards on behalf of the County Health Department; now therefore

BE IT RESOLVED, That Resolution Number 12-162 be hereby amended to revise end dates and pro-rate awards with the **University of Rochester Center for Community Health**, 46 Prince Street, Rochester, NY 14607:

- **Livingston Wyoming Cancer Services Program Partnership infrastructure**, new end date June 30, 2013 with a pro-rated increase in funding; and
- **Livingston Wyoming Cancer Services Program Partnership clinical patient services fees**, new end date June 30, 2013 with a pro-rated increase in funding.

All else remains the same.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#9

RESOLUTION NO. 13-112
(March 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

COLON CANCER AWARENESS MONTH PROCLAIMED

WHEREAS, Colorectal cancer is the third most commonly diagnosed cancer and the second most common cause of cancer deaths for men and women in the United States; and

WHEREAS, The survival rate of diagnosed individuals is 91% when detected in early stages and at least 6 out of every 10 deaths could be prevented if every adult 50 or older get tested regularly; and

WHEREAS, Colorectal cancer is preventable, treatable, and beatable with early diagnosis; and

WHEREAS, Observing a Colorectal Cancer Awareness Month during the month of March would provide a special opportunity to offer education on the importance of early detection and screening; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim **March 2013** as:

“COLON CANCER AWARENESS MONTH”

in Wyoming County and

- (1) Recognizes the Livingston Wyoming Cancer Services Program and the Wyoming County Health Department for providing information about the importance of prevention and early detection through regular screening, and facilitating access to care for uninsured residents of Wyoming County
- (2) Supports the observance of Colorectal Cancer Awareness Month to offer education on the importance of early detection and screening
- (3) Urges residents of Wyoming County to discuss screening with their healthcare provider or contact the Wyoming County Health Department at 786-8890 for more information

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#10

RESOLUTION NO. 13-113
(March 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

DEVELOPMENTAL DISABILITIES MONTH PROCLAIMED

WHEREAS, Developmental disability is a natural part of the human experience and affects about 126,000 New Yorkers and their families; and

WHEREAS, Many people with developmental disabilities rely upon publicly funded services and supports in order to fully participate in community life. During times of economic decline, essential services and supports for people with developmental disabilities are often threatened; and

WHEREAS, It is often preconceived ideas, attitudes and human barriers that affect everyday life for an individual with disabilities. The power of these individuals is strongest when their voices are united with each other, their families, friends and communities to raise awareness of their abilities and contributions; and

WHEREAS, Every person, regardless of their abilities, has valuable strengths, infinite capacity to learn and can be productive, contributing members

March 12, 2013

of their communities. Celebrating the abilities and contributions of people with developmental disabilities can only serve to enrich the communities of Wyoming County; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby declare March 2013 to be

Developmental Disabilities Awareness Month

In Wyoming County and urges our citizens to give full support to efforts towards enabling people with developmental disabilities to live full and productive lives of inclusion in our communities.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

After the passage of resolutions #8 through #10, Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to present the Colon Cancer Awareness Month and Developmental Disabilities Awareness Month proclamations.

Supervisor Ryan invited Public Health Administrator, L. Paolucci to join her at the podium to receive the Colon Cancer Awareness Month proclamation.

Next, Supervisor Ryan invited Livingston ~ Wyoming ARC, Public Relations person, J. Thomas to join her at the podium to receive the Developmental Disabilities Awareness Month proclamation.

Certificate of RECOGNITION/Special Olympics World Games

Local Skier, Barney Pedraza, T/Warsaw, Captures Bronze
Presented by Supervisor Ryan

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #11 and #12. A voice vote was taken and all voted aye.

Supervisor Rogers commented on a successful 2-year trial period of rifle hunting of big game in Wyoming County and that the Board is in support of making the privilege permanent.

#11

RESOLUTION NO. 13-114
(March 12, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SOIL AND
WATER CONSERVATION DISTRICT FOR AGRICULTURE
DISTRICT REVIEW**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wyoming County Soil and Water Conservation District, 31 Duncan Street. Ext., Warsaw, NY 14569 on behalf of the Wyoming County Agricultural Districts. Said contract is to provide agricultural district reviews for the County of Wyoming in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 01, 2013 through December 31, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#12

**RESOLUTION NO. 13-115
(March 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF
SUPERVISORS IN SUPPORT OF NEW YORK STATE SENATE BILL
S.3757 AND NEW YORK STATE ASSEMBLY BILL A.05832 TO MAKE
RIFLE HUNTING OF BIG GAME IN WYOMING COUNTY
PERMANENT**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports New York State Senate bill S.3757 and New York State Assembly bill A.05832, AN ACT to amend chapter 326 of the laws of 2011, amending the Environmental Conservation Law, relating to allowing the use of rifles for hunting in Wyoming County, in relation to making such provisions permanent; and be it

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

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

Certificate of RECOGNITION/New York state Outdoorsmen Hall of Fame
Larry Becker, T/Pike

March 12, 2013

Presented by Supervisor Rogers, T/Pike

Certificate of RECOGNITION/4-H Public Presentations

Celina Almeter, T/Sheldon	(I Love Lucy, too!)
Andrew Paddock, T/Perry	(Trapping)
Abigail Parker, T/Perry	(A Superb Owl)

Presented by Supervisor Rogers, T/Pike

Introduced by Holly Harwood, Wyoming County Extension Educator

At the conclusion of the 4-H presentations, Chairman Berwanger, T/Arcade invited Supervisor Rogers to the podium to present Certificates of Recognitions from the Board of Supervisors to today's presenters... There was a brief pause in the meeting while pictures were taken...

There was a motion by Mr. Rogers, T/Pike, to pull resolution #14 and refer it back to the Public Safety Committee for further deliberations and combine resolutions #13 through #17 minus #14. A voice vote was taken and all voted aye.

#13

RESOLUTION NO. 13-116
(March 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 13-92 AMENDED

WHEREAS, Resolution Number 13-92 entitled, “**SALARY SCHEDULES “S” AND “G” AMENDED**,” passed by this Board of Supervisors on February 12, 2013 and provides for salary amendments to Salary Schedules “S,” and “G”; now therefore

BE IT RESOLVED, That Resolution Number 13-92 be hereby amended to correct breakdown of the Domestic Violence Coordinator. The total salary should be \$34,724 with the split as follows (19,961 for VAWA – 57.48473678147% and 14,763 for CVB – 42.51526321852%) instead of \$35,567.00 (\$19,961 -57% VAWA & \$15,606 – 43% CVB); All else remains the same.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

RESOLUTION NO. 13-
(March 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. B
YEAR 2013**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of March, 2013, a proposed local law entitled, “Local Law Introductory No. B Year 2013, “**A LOCAL LAW TO REPEAL LOCAL LAW 11, YEAR 1994, A LOCAL LAW BANNING POSSESSION OF WEAPONS IN WYOMING COUNTY BUILDINGS**” and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **9th day of April, 2013 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

Carried: Ayes: Noes: Absent: Abstain:

INTRODUCTORY LOCAL LAW NO. B - YEAR 2013**A Local Law to Repeal Local Law 11, Year 1994, A Local Law Banning Possession of Weapons in Wyoming County Buildings****BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING AS FOLLOWS:**

SECTION 1. Local Law No. 11, of the year 1994 Entitled, “A Local Law Banning Possession of Weapons in Wyoming County Buildings” is hereby repealed.

SECTION 2. This local law shall take effect upon filing with the office of the NYS Secretary of State.

DATED at Warsaw, New York
March 12, 2013 (Introduced)
Cheryl J. Ketchum, Clerk

March 12, 2013

RESOLUTION NO. 13-117
(March 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant participation agreement with NYS Division of Homeland Security and Emergency Services, 1220 Washington Ave., Bldg. 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said agreement is for the FY2012 Emergency Management Performance Grant in a minimum amount of twenty thousand three hundred ninety-nine dollars (\$20,399.00); effective October 01, 2011 through September 30, 2012.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

RESOLUTION NO. 13-118
(March 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF
SUPERVISORS IN SUPPORT OF NEW YORK STATE SENATE BILL
S.02111 WHICH GIVES STATE INCOME TAX CREDIT TO
VOLUNTEER FIRE FIGHTERS AND MEMBERS OF VOLUNTEER
AMBULANCE CORPS IN GOOD STANDING UP TO \$1,200**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports New York State Senate Bill S.02111, AN ACT to amend the tax law, in relation to providing for a credit against personal income tax for volunteer firefighters and members of volunteer ambulance corps, and asks that the New York State Assembly adopt similar legislation; and be it

FURTHER RESOLVED, That the Clerk to this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York

State Senator Patrick Gallivan and New York State Assemblyman David DiPietro and all others deemed necessary and proper.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#17

RESOLUTION NO. 13-119
(March 12, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH THE
 WYOMING COUNTY-ATTICA LEGAL AID 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 an agreement with Wyoming County-Attica Legal Aid, 18 Linwood Ave., Warsaw, NY 14569 on behalf of the Public Defender's office. Said agreement is for a Part-time Secretary to the Wyoming County Public Defender in an amount not to exceed fifteen thousand dollars (\$15,000.00) annually; effective January 1, 2011 through December 31, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#18

RESOLUTION NO. 13-120
(March 12, 2013)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 11-93 AMENDED

WHEREAS, Resolution Number 11-93 entitled, "CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH T. Y. LIN INTERNATIONAL ON BEHALF OF COUNTY HIGHWAY," passed by this Board of Supervisors on March 08, 2011 which provides for Professional Engineering/Design/Right of Way for the Allen Street Bridge over Oatka Creek, Town of Warsaw. BIN 3320300 in an amount not to exceed one hundred sixty-four thousand dollars (\$164,000.00). Contingent upon the availability of funds; and

March 12, 2013

WHEREAS, Resolution Number 11-93 was further amended by Resolution Number 13-80 on February 12, 2013 to authorize the Chairman to sign a change order with T.Y. Lin International, 250 East Avenue, Rochester, NY 14604 for the replacement of the Allen Street Bridge over Oatka Creek, Town of Warsaw; BIN 3320300; PIN 4755.01 for additional design in the amount of twenty-five thousand dollars (\$25,000.00) for a total contract amount not to exceed one hundred eighty-nine thousand dollars (\$189,000.00). All else remains the same; now therefore

BE IT RESOLVED, That Resolution 11-93 as amended by 13-80 be further amended for additional design in the amount of \$4,500.00 in an amount not to exceed \$193,500.00. All else remains the same.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #19 through #23. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 13-121
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION IN SUPPORT OF NEW YORK STATE REGARDING
THE PROPOSED LAWS CONCERNING CONTACT INFORMATION
FOR VACANT STRUCTURES**

WHEREAS, Vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, Vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, Lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures and require good faith in obtaining a foreclosure; and

WHEREAS, The Wyoming County Board of Supervisors supports the passage of said Bills; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the County of Wyoming support the passage of said Bills; and be it

FURTHER RESOLVED, That the Clerk to this Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro and New York State Assemblyman Michael P. Kearns of the 142nd Assembly District and all others deemed necessary and proper.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#20

RESOLUTION NO. 13-122
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

REFUND APPLICATION IN THE TOWN OF GAINESVILLE DENIED

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for refund of tax levy on the parcel of real property hereafter described, said application having been reviewed and denied by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error is hereby **DENIED** in accordance with the applicable section of the Real Property Tax Law.

PARCEL ONE:	Town of Gainesville Tax Map# 563203 122.16-1-65
ASSESSED TO:	Humphrey Land Co of NY, LLC Attn: Thomas Humphrey 199 Valentine Rd Slayden, MS 38635
ERROR:	NONE
AUTHORITY:	RPTL §524. No complaint filed with Town Board of Assessment Review for Assessment/Years 2010, 2011 or 2012.
ACTION:	<u>DENY refund application.</u>

March 12, 2013

Property Owner claims property assessment is too high. Did not file any complaint with the Town Board of Assessment Review, therefore, no correction/refund is allowed.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#21

RESOLUTION NO. 13-123
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH KINNEY DRUGS ON BEHALF OF THE WYOMING COUNTY SKILLED NURSING FACILITY

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Kinney Drugs, Inc.**, 29 East Main Street, Gouverneur, NY 13642 to establish and maintain a pharmacy services system to provide residents of the Nursing Facility with prescription drugs and medications and other health related products and services. Various costs – Kinney will bill residents, third party insurance’s or Nursing Facility, in an amount not to exceed three hundred thousand dollars (\$300,000.00); effective April 01, 2013 through March 31, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#22

RESOLUTION NO. 13-124
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE “C” 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 "C":

- **Wyoming County Community Health System**
 - Set the salary of the Chief Operating Officer at \$97,000.00/annually; effective March 03, 2013.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

#23

RESOLUTION NO. 13-125
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION/ABOLISHED APPROVED

BE IT RESOLVED, That one (1) position of **Child Support Unit Supervisor (1.00 FTE)** be hereby created within the Department of Social Services and placed on Schedule A, grade 15 of the current CSEA Bargaining agreement; and be it

FURTHER RESOLVED, That one (1) position of **Assistant Coordinator of Child Support** (position code #164.454) (1.00 FTE) be hereby abolished; effective March 05, 2013.

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

Supervisor Kushner briefly explained that the Better Pavement Program which was put on hold mid-2011 was revisited so as not to lose the prep. work done to the roads to ready them for resurfacing that never took place. Supervisor Patti, T/Attica concurred with Supervisor Kushner and added that some research was done on the cost to complete the reconstruction of Dewitt Rd. and that portion of Middle Reservation Rd. located in the Town of Castile. The following resolution is borrowing to fund the results of that research.

2/3 majority
#24

RESOLUTION NO. 13-126
(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

March 12, 2013

**A RESOLUTION AUTHORIZING THE
RECONSTRUCTION OF DEWITT RD., LOCATED IN
THE TOWN OF PIKE AND THAT PORTION OF
MIDDLE RESERVATION RD. LOCATED IN THE
TOWN OF CASTILE IN AND FOR THE COUNTY OF
WYOMING, NEW YORK, AT A MAXIMUM
ESTIMATED COST OF \$2,200,000, AND
AUTHORIZING THE ISSUANCE OF \$2,200,000 BONDS
OF SAID COUNTY TO PAY THE COST THEREOF.**

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

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

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

Section 1. The reconstruction of Dewitt Rd., located in the Town of Pike and that portion of Middle Reservation Rd. located in the Town of Castile and in and for the County of Wyoming, New York, including sidewalks, gutters, drainage, landscaping, grading or improving rights-of-way and other improvements and costs incidental thereto, is hereby authorized at a maximum estimated cost of \$2,200,000.

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

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,200,000 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

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

shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

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

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

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

required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

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

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

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

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

Carried: XXX Ayes: 1292 Noes: Absent: 179 (Perry) Abstain:

Public Comment (Local Law Introductory A):

Supervisor Kushner, T/Eagle spoke to the work that he and Supervisor Ryan, T/Warsaw put into salary adjustments for certain County Officers for the year 2013. He stated that the Board recognized inequities within some of the titles and tasked Supervisor Ryan and Supervisor Kushner with rectifying those issues.

Close Public Hearing:

A motion was made by Supervisor Dixon, T/Gainesville to close the public hearing. A second was made by Supervisor Fleischman, T/Java. All voted aye. Carried.

**Local Law
#25**

RESOLUTION NO. 13-127

Regular Session

(March 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

LOCAL LAW NO. 1 (INTRODUCTORY A) - YEAR 2013, “A Local Law to Amend Local Law No. 4 for the Year 2012, County of Wyoming, Providing Salaries for Certain County Officers for the Year 2013,” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of February, 2013, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2013, entitled, *“A Local Law to Amend Local Law No. 4 for the Year 2012, County of Wyoming, Providing Salaries for Certain County Officers for the year 2013;”* and

WHEREAS, In accordance with the provisions of Resolution No. 13-103, there was a public hearing held by this Board of Supervisors on this 12th day of March, 2013, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law Introductory No. A, Year 2013, County of Wyoming, New York, as presented to this Board on the 12th day of March 2013, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 1 - YEAR 2013

A Local Law to Amend Local Law No. 4 for the Year 2012, County of Wyoming, Providing Salaries for Certain County Officers for the year 2013

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

SECTION 1. Section 1 and 2 of Local Law No. 4 of the County of Wyoming, Year 2012, are hereby deleted and the following Sections 1 and 2 are substituted therefore:

Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$810.00.

Section 2. Effective as hereafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,000.00.

SECTION 2. All salaries set forth above shall be effective as of January 01, 2013.

SECTION 3. This Local Law shall take effect 45 days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

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

SECTION 5. This Local Law shall become effective on the day that it is filed in the office of the Secretary of the State of New York

Carried: XXX Ayes: 1412 Noes: Absent: 187 (Perry) Abstain:

There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 3:48 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

**REGULAR SESSION
(April 09, 2013)
Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Supervisor Dixon, T/Gainesville entered the meeting at 3 pm. Also present were Assistant County Attorney, James Wujcik; Budget Officer, J. Cook; Deputy Clerk to the Board of Supervisors, Brenda Ferrell and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Ronald E. Pike

Mr. Pike's service to his country comes while serving during the Vietnam War. He was working for Nuclear Fuels in West Valley as a chemical operator when he answered the call to serve his country. He enlisted in the United States Marine Corp on June 11, 1969. Completed Basic Training at Paris Island, South Carolina and then Advanced Infantry Training at Camp Lejeune, North Carolina and became qualified as both an Infantryman and communications specialist. His first assignment was at Guantanamo Bay, Cuba, working as both an infantryman and part time as a cook.

After six months, Mr. Pike was deployed to Vietnam and was assigned to "G" company, 1st Battalion, 2nd Marine Division of the 125th Infantry Division and was located just south of Da Nang, Vietnam. He worked as a communications specialist during his tour in Vietnam. Mr. Pike returned to the United States and was assigned to Camp Pendleton, California where he was honorably discharged on October 2, 1971.

For his service to his country, Mr. Pike was awarded:

**The National Defense Service Medal
The Rifle Sharpshooter Badge
The Vietnam Service Medal
The Vietnam Campaign Medal
The Army Combat Action Ribbon**

Mr. Pike returned to this area and worked in carpentry and as an electrician. In 1973, he went to work at Bethlehem Steel and worked 7 ½ years as a labor mechanic. He attended BOCES and learned the trade of an electrician for both residential and commercial industry. He went to work for “Industry Clean” in Westfall as a machine operator and spent the next 10 ½ years with “Industry Clean”. Then, Mr. Pike somewhat changed vocations and went to work in the plaiting department of US Chrome for about 3 years, then transferred to MaGard-McCully and worked as a plaiting operator for the next 10 years until his retirement in April of 2012.

Mr. Pike has been a member of the American Legion and enjoys: bowling, fishing, woodworking, and anything electrical. He has been married for 42 years to his wife, Beverly, and they live in the town of Attica.

The pledge was said by all.

Chairman Berwanger was joined by Supervisor Patti, T/Attica to present the customary certificate of appreciation and an opportunity to address the Board.

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

Mr. Pike thanked the Board for the invitation to lead in today's pledge.

Communications

- **Wyoming County Wildlife Federation ~**
 - Letter dated March 13, 2013 regarding the Board's
 - Annual appropriation
 - Making rifle hunting of big game in Wyoming County permanent
 - The use of crossbows during archery season
 - The Board's opposition to the NY SAFE Act
 - Letter dated March 13, 2013 thanking the Board for public recognition of induction into the NYS Outdoorsmen Hall of Fame

Clerk Ketchum was asked to read the letter thanking the Board for Pres. Becker's recognition of his induction into the NYS Outdoorsmen Hall of Fame. Chairman Berwanger recognized Mr. Becker as a Town of Pike Councilman and asked Supervisor Rogers to express the Boards' gratitude for recognizing the Boards' efforts.

#1

RESOLUTION NO. 13-128 (April 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

Regular Session

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Buildings & Grounds			
From: 12.61.9950.9.99004 CIP Interfund	\$64,100.00		
To: 12.61.1620.2.21017 Kaplan (Elections)		\$64,100.00	
CIP			
Reason: Funds to complete Roof Project on Elections/DMV/OFA building.			
Buildings & Grounds Total			
			\$64,100.00

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

#2

RESOLUTION NO. 13-129 (April 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Treasurer:			
To: 16.50.9901.9.99012 Interfund Transfer <i>w/any funds available</i>	\$899.94	\$899.94	
Reason: Funds to close out interest earned a decade ago.			
Treasurer Total			
			\$899.94
Wyo. Co. Cornell Cooperative Extension			
To: 01.49.8751.4.40909 Agriculture & Livestock (Ext) <i>w/any funds available</i>	\$45,000.00	\$45,000.00	
Reason: Funds to support contract amendment with Cornell Cooperative Extension.			
Wyo. Co. Cornell Cooperative Extension Total			
			\$45,000.00
Wyoming County Community Health System (CIP)			
To: 08.56.4510.4.42491 Wendt Grant w/08.09.4510.27701 Other – Rev Foundation Cap #1	\$41,211.00	\$41,211.00	
Reason: Additional funds for the 4th Floor Renovation Project per commitment letter dated 3/27/12			
WCCHS (CIP) Renovations Total			
			\$41,211.00
Probation			
To: 01.37.3141.4.41010 Office Supplies 01.37.3141.4.42101 Law Enf Supplies w/01.04.3141.1515 Alt Inc. Fee	\$2,350.00 200.00	\$2,550.00	
Reason: Purchase of a new shredder, current one will cost \$250 to repair and is not sufficient for our needs. The Law Enforcement supply request is for the purchase of a flashlight and LED cover for the ATI person.			
Probation Total			
			\$2,550.00

April 09, 2013

County Clerk			
To: 01.34.1410.1.10202 Temporary 01.34.1410.8.83001 FICA 01.34.1410.8.85001 Medicare – FICA w/01.06.1410.2545 Licenses & Permit Reason: In order to pay wages to Index Clerk – PT temporary employee.	\$7,050.00 437.10 102.23 \$7,589.33		
County Clerk Total			\$7,589.33
Youth Bureau			
To: 01.45.7310.4.42436 Omega Youth Court w/01.03.7310.1289 – Other Dept Income Reason: For various Youth Court. Omega Program activities.	\$1,500.00	\$1,500.00	
Youth Bureau Total			\$1,500.00
Sheriff			
To: 01.37.3110.4.40508 Auto Repairs w/01.08.3110.2680 Insurance recovery Reason: insurance recovery check received for collision repair to car 1 (2009 Ford)	\$5,371.60	\$5,371.60	
To: 01.37.3110.4.42306 Other w/01.07.3110.2626 Seized Property Reason: appropriation is for vehicle repairs for drug task force vehicles	\$448.78	\$448.78	
Sheriff Total			\$5,820.38

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$3,316,404.08** for the month of **March 2013**.

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

#3

RESOLUTION NO. 13-130
(April 09, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**APRIL 2013 PROCLAIMED CHILD ABUSE/NEGLECT PREVENTION
MONTH**

WHEREAS, Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

WHEREAS, Every child is entitled to be loved, cared for, nurtured and secure, and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, Wyoming County faces a continuing need to support community-based programs to prevent child abuse and neglect; and

WHEREAS, It is the responsibility of every adult who comes in contact with a child to protect that child's inalienable right to a safe nurturing childhood; and

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain assistance they need; and

WHEREAS, Our County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

WHEREAS, Wyoming County residents celebrate children, this county's greatest resource and the community leaders of tomorrow; now therefore

BE IT RESOLVED; That the Board of Supervisors does hereby proclaim the Month of April 2013 as:

CHILD ABUSE AND NEGLECT PREVENTION MONTH

in Wyoming County, and commend this observance to the citizens of this county.

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

After the passage of the above resolution, Chairman Berwanger invited Supervisor Totsline, T/Genesee Falls to the podium to present the Child Abuse and Neglect Prevention Month proclamation. Supervisor Totsline invited Social Services Commissioner, D. Rumsey to join her. He graciously agreed to read the proclamation and stated that he did invited his staff to come down to receive the proclamation but they declined because they were all at work and unavailable...

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 13-131
(April 09, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

April 09, 2013

**COLOR THE COUNTY PURPLE MONTH AND RELAY FOR LIFE
DAY IN WYOMING COUNTY PROCLAIMED**

WHEREAS, May is **“Color the County Purple”** month to bring attention to the upcoming Relay for Life event in Wyoming County. Relay for Life is an organized, overnight community fundraising walk. The walk is overnight, as cancer never sleeps; and

WHEREAS, The walk was started in May 1985 by Dr. Gordy Klatt who walked and ran for 24 hours around a track in Tacoma, Washington, ultimately raising \$27,000 to help the American Cancer Society fight the nation’s biggest health concern - “Cancer.” A year later, 340 supporters joined the overnight event. Since those first steps, the Relay for Life movement has grown into a worldwide phenomenon, raising more than \$4 billion to fight cancer; and

WHEREAS, Almost everyone has been touched by cancer, either through their own personal battle or through someone they love; and

WHEREAS, Every day, the American Cancer Society is helping us stay well by preventing cancer or finding it at its earliest, most treatable stages. They assist families in finding the best resources to help their friend or loved one deal with a diagnosis and their journey to get well; and

WHEREAS, Wyoming County’s Relay for Life is being held for the 6th year in the Village of Perry. Last year, 21 teams participated in the Wyoming County walk. This year’s theme is “Hoe Down for Hope;” now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim **May 2013** as **Color the County Purple Month** and recognize **June 8th and 9th** as **Relay for Life Day in Wyoming County**; and be it

FURTHER RESOLVED, That this Board of Supervisors commends all participants past, present, and future for their dedication in organizing, participating in, and donating time and money to the American Cancer Society’s Relay for Life .

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

#5

**RESOLUTION NO. 13-132
(April 09, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

ALCOHOL AWARENESS MONTH PROCLAIMED

WHEREAS, The Wyoming County Board of Supervisors and Partners For Prevention join to support National Awareness Month, which calls attention to the disease of alcoholism, and promotes understanding that alcoholism is a chronic, treatable disease from which people can recover; and

WHEREAS, Alcohol abuse and addiction continue to present a major health crisis and can have serious consequences for all of society, such as increased costs in health care, welfare, insurance and criminal justice services, and alcohol dependence can also impact an individual and his or her family by affecting job performance and family relationships; and

WHEREAS, Persons with alcoholism can experience periods of sobriety and stability and periods of relapse, and as with other forms of addiction, recovery is possible through effective treatments and rehabilitation programs; and

WHEREAS, For both health and legal reasons, many people should not drink alcohol – including those who are under the age of 21, women who are pregnant or trying to become pregnant, persons taking prescriptions or over-the-counter medications, those with a serious medical condition, anyone driving a vehicle or participating in activities requiring skill, coordination and alertness, or recovering from alcoholism; and

WHEREAS, It is imperative that Wyoming County joins with other counties in advancing efforts to strengthen the enforcement of our NYS underage drinking laws, and build partnerships among local agencies, elected officials, law enforcement, businesses, schools and communities to prevent underage drinking and alcoholism; and

WHEREAS, Wyoming County supports national efforts to prevent alcoholism among youth by responding to the Surgeon General's Call to Action to Stop and reduce underage drinking, so as to spread new information related to the public health risks associated with alcohol; and

WHEREAS, All Wyoming County residents join to recognize credentialed alcoholism and substance abuse prevention professionals and counselors who (along with other specialists in schools, communities and workplace) serve an important role in fighting alcoholism and related problems,

therefore enabling many people to recover and lead productive and healthy lives; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim April 2013 as **ALCOHOL AWARENESS MONTH**.

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

After the passage of the above Public Health Committee resolutions, Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to present the proclamations for Color the County Purple Month and Relay for Life Day. Supervisor Ryan invited Mary Hotchkiss and Deb Levinstein to join her to receive the proclamation.

The second proclamation, Alcohol Awareness Month was presented to Community Services Director, Liz Hodgdon.

There was a motion by Mr. Brick, T/Perry, to combine resolutions #6 and #7 A voice vote was taken and all voted aye. In addition, Supervisor Brick asked to reserve time after the passage of the Ag. Committee resolutions to hear from County Consultant, former Commissioner of Ag. and Markets and former USDA RD Director, Patrick Brennan to brief the Board on Federal legislation being proposed by US Senator Gillibrand.

#6

**RESOLUTION NO. 13-133
(April 09, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
ANDREW BOLDT ON BEHALF OF COUNTY FORESTLANDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Andrew Boldt, 4929 Creek Road, Springville, NY 14141 on behalf of County Forestlands. Said agreement is for the negotiated purchase of 87 marked saw timber trees (13,488 board feet) and 677 firewood trees as the result of timber stand improvements (TSI) in Stand 8 on the Hobday Road tract in a minimum amount of four thousand dollars (\$4,000.00) (revenue to county); effective April 09, 2013 through completion of the project.

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

#7

RESOLUTION NO. 13-134
(April 09, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

RESOLUTION NUMBER 12-388 AMENDED

WHEREAS, Resolution Number 12-388 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY FOR THE YEAR 2013**,” passed by this Board of Supervisors on December 11, 2012 and provides for County Appropriations for 2013 as follows:

\$138,899.20 to partially fund the Agricultural Dept.
185,495.80 to fully fund the 4-H Dept.
\$324,395.00

and

\$9,000.00 to partially fund the Wyoming County Dairy Institute

Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 12-388 be hereby amended to increase this appropriation by \$45,000.000. All else remains the same.

Carried: XXX Ayes: 1506 Noes: Absent: 93 (Gainesville) Abstain:

Mr. Brennan’s briefing, that he provided in greater detail to the Board of Supervisors, has been summarized with the following information taken from US Senator Gillibrand’s Web Site:

Dairy Pricing reform

Farmers have been paid for their milk through a complicated, regionally-based system called the Federal Milk Marketing Order (FMMO). This system was initially developed to price milk based on demand, but because price triggers were not transparent to the average producer, and prices were announced on a month delay, this made farmers unable to respond to the market and extreme volatility in both production and income to farmers.

Senator Gillibrand is working to include the Dairy Pricing Reform and Farmer Protection Act in the next Farm Bill, legislation that she authored that would reform the FMMO system to improve transparency and price discovery. Senator Gillibrand has outlined the types of reforms necessary to simplify and improve

the pricing structure, and has instructed the USDA to evaluate these reforms through the regulatory hearing process. Pricing alternatives, such as a competitive pay pricing system, would more directly tie pricing to demand, by reducing the manipulation of markets and inherent volatility in the current end-product pricing system. Senator Gillibrand's proposal also directs the USDA to evaluate the merits of moving from the current four-class system for characterizing dairy products to a two-class system (fluid milk and processed dairy products). Lastly, Senator Gillibrand's proposal directs the USDA to develop a more transparent price discovery methodology.

Congressman Collins has been asked to reach out to Mr. Brennan in order to educate himself on the importance of this legislation as it is an important issue to Wyoming County. Chairman Berwanger was quoted as saying, "So goes the Dairy Farmer, so goes the economy."

Prior to the roll call vote, Chairman Berwanger asked Director of Environmental Health, S. Perkins to comment on the Guidance Document referenced in the next resolution. Director Perkins stated that the agencies involved believed it to be important that well water supplies be tested with specific testing criteria in advance of any Hydrofracturing activities in order to establish a base line water quality marker.

#8

RESOLUTION NO. 13-135
(April 09, 2013)

By Mr. Brick, Chairman of Agriculture Committee and
 Mr. Fleischman, Chairman of Planning Committee:

**GENERAL GUIDANCE DOCUMENT ON WELL WATER
 MONITORING IN ADVANCE OF HIGH VOLUME HORIZONTAL
 HYDROFRACTURING**

BE IT RESOLVED, That the General Guidance Document on Well Water Monitoring in Advance of High Volume Horizontal Hydrofracturing be hereby approved; effective immediately and is annexed hereto.

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

After the roll call vote of resolution office number 8 Chairman Berwanger invited Supervisor Patti to the podium to make an introduction of the newly appointed Executive Director of Wyoming County Community Action, Alexander Pierce.

Mr. Pierce very graciously thanked the Board for his welcome and commented on how he and his family came to choose Wyoming County Community Action as his next career move.

The Board of Supervisors welcomes Mr. Pierce and looks forward to working together!!

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #16 through #18. A voice vote was taken and all voted aye.

#9

RESOLUTION NO. 13-136
(April 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 LIVINGSTON COUNTY SHERIFF'S DEPARTMENT ON
 BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with the Livingston County Sheriff's Department, 4 Court Street, Geneseo, NY 14454 on behalf of the County Jail. Said contract extension is for prisoner housing in an amount not to exceed \$85.00/day per prisoner; effective January 1, 2013 through December 31, 2013. Contingent upon the availability of funds.

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

RESOLUTION NO. 13-137
(April 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
 CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF THE
 COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign contracts with Frontier Food Service, PO Box 903, West Seneca NY 14224 on behalf of the County Jail. Said contract is for food service in an

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amount not to exceed \$2.77/meal for breakfast and \$2.96/meal for lunch and dinner; effective April 1, 2013 through March 31, 2018.

Contingent upon the availability of funds.

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

#11

**RESOLUTION NO. 13-138
(April 09, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF
SUPERVISORS IN OPPOSITION TO GOVERNOR CUOMO'S
PROPOSED REVISIONS TO ARTICLE 2-B**

WHEREAS, New York State Executive Law, [Article 2-B](#), enacted in 1978, shifted emphasis from Civil Defense to all-hazards preparedness activities and missions; created the

Disaster Preparedness Commission; and assigned responsibility for off-site radiological emergency preparedness for commercial nuclear power plants; and

WHEREAS, §20. Natural and man-made disaster; policy; definitions, states that 1.) It shall be the policy of the state that:

- a. local government and emergency services organizations continue their essential role as the first line of defense in times of disaster, and that the state provide appropriate supportive services to the extent necessary; and*

WHEREAS, During a recent devastating and fatal fire in the Town of Castile was it ever more evident that first response was rightfully established within the local municipalities. Response was immediate. Local Fire Departments responded within minutes, County resources responded immediately to provide assistance and because of the local response, the Town of Castile's government was back up and running within 24 hours of the devastation experienced in the aftermath of that fatal fire; and

WHEREAS, New York State Governor Andrew Cuomo is proposing to amend Article 2-B effectively usurping the Home Rule, which allows localities to coordinate response to their own communities' emergency needs, requesting assistance only when appropriate, in favor of designating the State of New York as the lead emergency response agency; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly opposes Governor Cuomo's proposal to amend Article 2-B making New York State the designated First Responder in times of disaster; and be it

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

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

RESOLUTION NO. 13-139
(April 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
AUTOMON, LLC ON BEHALF OF PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with AutoMon LLC, 10450 North 74th Street, Suite 210, Scottsdale, AZ 85258 on behalf of Probation. Said contract is for software maintenance in an amount not to exceed five thousand five hundred forty-five dollars (\$5,545.00); effective June 19, 2013 through June 18, 2014.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-140
(April 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Division of Criminal Justice Services, 4 Tower Plaza, Albany, NY 12203 on behalf of the Public Defender's Office. Said grant is for funding of the Public Defender's Alternative to Incarceration Defender Based DATA-DAY Program in a minimum amount of six thousand seven hundred seventy-seven dollars (\$6,777.00); effective July 1, 2012 to June 30, 2013.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #14 through #19. A voice vote was taken and all voted aye.

#14

**RESOLUTION NO. 13-141
(April 09, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

ANNUAL HIGHWAY MATERIALS BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective April 02, 2013 through April 01, 2014, all ties were awarded by lot at the March 29, 2012 Public Works Committee, and be it

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

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

#15

**RESOLUTION NO. 13-142
(April 09, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT FOR ENTRY UPON LANDS OWNED BY RAILROADS AND FOR CHANGES OF FACILITIES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign an agreement with the Norfolk Southern Railway Company, a corporation organized under and existing by virtue of the laws of the Commonwealth of Virginia and having its general office at Three Commercial Place in Norfolk, Commonwealth of Virginia on behalf of County Highway. The purpose of said agreement is for critical improvements to the Capwell Road at-grade crossing at Railroad DOT # 264 511P, M.P. SR-384.7 in an amount not to exceed amounts per the contract language; effective at the time of signing through completion of the project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-143
(April 09, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEND
LEASE (US) CONSTRUCTION, INC., ON BEHALF OF THE
WYOMING COUNTY COMMUNITY HEALTH SYSTEM CAPITAL
IMPROVEMENT RENOVATIONS PROJECT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Lend Lease (US) Construction, Inc., 360 West Jefferson Street, Suite A, Syracuse, NY 13202 on behalf of the Wyoming County Community Health System Capital Improvement Renovations Project. Said contract is for preparation of conceptual level estimate of the Hospital Master plan documents prepared by Clark Patterson Lee (Lab relocation, modifications to Central Sterilization, Operating Room addition and renovation and renovations for Radiology in the former ED space) in an amount not to exceed five thousand dollars (\$5,000.00); effective April 09, 2013 through completion of the project.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-144

April 09, 2013

(April 09, 2013)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NOMAD ENTERPRISES, INC. ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with NOMAD Enterprises, Inc., 6270 Abbott Road, Silver Springs, NY 14550 on behalf of Buildings and Grounds (Co. Bldgs.) Said contract is for lawn maintenance services at various County buildings for one (1) year in an amount not to exceed five thousand nine hundred ten dollars (\$5,910.00); effective April 01, 2013 through November 30, 2013.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-145
(April 09, 2013)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS WITH CARMODY ROOFING & SHEETMETAL CO. INC., ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign contracts with Carmody Roofing & Sheetmetal Co. Inc., 1191 Bowen Road, Elma, NY 14059 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for the replacement of the Kaplan Building roof located at Perry Avenue, Warsaw NY in an amount not to exceed sixty-four thousand one hundred dollars (\$64,100.00); effective April 09, 2013 through the completion of the project.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-146

Regular Session

(April 09, 2013)

By Mr. Patti, Chairman of Public Works Committee:

TRAFFIC SAFETY BOARD MEMBERS APPOINTED

BE IT RESOLVED, That the following members are hereby appointed to the Traffic Safety Board for the remainder of a three year term; effective April 9, 2013 through November 13, 2015:

- **Dennis Hare (T/Gainesville)**, 5757 School Road, Castile, NY 14427
(replacing *Gary Reinhardt*)
- **Daniel George (T/ Java)**, 4720 State Rt. 98, N. Java, NY 14113
(replacing *Ron George*)
- **James L. Kemp (T/Genesee Falls)**, Denton Corners Road, Castile, NY 14427
(replacing *Gary Vasile*)

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #20 through #25. A voice vote was taken and all voted aye.

#20

RESOLUTION NO. 13-147
(April 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

2013 UNITED WAY CAMPAIGN SUPPORTED

BE IT RESOLVED, That the United Way of Wyoming County has raised much needed funding for vital services provided by a number of human services agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2013 campaign goal of two hundred thousand dollars (\$200,000.00) for these much needed services to county residents; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2013 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the

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issues we face and no single solution. But, when we **“LIVE UNITED”** we can make a real difference.

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

**RESOLUTION NO. 13-148
(April 09, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

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

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 Maintenance agreement with ESRI, Inc., 380 New York Street, Redlands, CA 92373 on behalf of Information Technology. Said contract is for Annual Support of the GIS Software in an amount not to exceed five thousand six hundred dollars (\$5,600.00); effective June 15, 2013 through June 14, 2014. PER NYS Contract #PT63832.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-149
(April 09, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
WITH SOUTER & SONS PRINTING CO., ON BEHALF OF ALL
WYOMING COUNTY DEPARTMENTS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign contracts with Souter & Sons Printing Co., 56 Park St., Arcade, NY 14009 on behalf of all Wyoming County Departments in an amount per the language of the contract; effective March 11, 2013 through March 10, 2015 with three optional 1 yr. extensions.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-150
(April 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**POSITIONS REASSIGNED/SALARY SCHEDULES “S,” “D,” AND “T”
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”:

Public Health:

- Remove the position of **Public Health Administrator**; effective April 09, 2013

Budget:

- Remove the position of **Reimbursement & Budget Administrator**; effective April 09, 2013

Planning and Development:

- Reassign the **County Planner** to Fire and Building Code Enforcement; effective April 09, 2013
- Reassign the **Secretary I (.6 FTE)** to Worker’s Compensation; effective April 15, 2013

Salary Schedule “D”:

Public Health Dept.:

- Include the position of **Public Health Administrator**; effective April 09, 2013 and set the salary at \$60,362.00/annually

Budget:

- Include the position of **Reimbursement & Budget Administrator**; effective April 09, 2013 and set the salary at \$64,500.00/annually

Information Technology:

- Merge the stipend for Information Technology oversight at WCCH with that of the regular annual salary for the position of Dir. of Information Technology for a total annual salary of \$90,148.00; effective April 09, 2013

Salary Schedule “T”:

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District Attorney:

- Set the salary of the District Attorney to comply with the Law of New York, 2010, Chapter 567, the Report of the Special Commission of August 29, 2011, and Judiciary Law section 183-a at \$146,400.00/annually, effective April 1, 2013

**Reassign the Keyboard Specialist currently assigned to Planning and Development to Fire & Building Code Enforcement Dept.; effective April 09, 2013.*

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

#24

RESOLUTION NO. 13-151
(April 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Philips Healthcare**, 22100 Bothell Everett Highway, Bothell, WA 98041-3003 for maintenance and service of the CT scanner, including required NYS testing in the amount of \$6,582.00/month not to exceed three hundred fifteen thousand nine hundred thirty-seven dollars (\$315,937.00) for the total 48 month contract period; effective May 04, 2013 through May 03, 2017
- **Fuji Film**, 419 West Avenue, Stamford, CT 06902 for a Emerald Synapse Critical service agreement related to hardware and software maintenance on the Picture Archiving and Communication System (PACS) in an amount not to exceed eighty-two thousand six hundred seventy-six dollars (\$82,676.00) for the total 20 month contract period; effective April 16, 2013 through December 31, 2014

- **Wyoming County Medical P.C. (Mashtaq Khan)**, 61 Laurel Lane, Williamsville, NY 14221
 - **90-day contract extension** to provide emergency medical services to the WCCHS Emergency Department in an amount not to exceed three hundred seventy-eight thousand four hundred sixty-five dollars (\$378,465.00) with a 3% increase in hourly service rate and director fee rate; effective April 01, 2013 through June 30, 2013 or upon execution of a new 3 year contract.
 - **3-year contract** to provide emergency medical services to the WCCHS Emergency Department; effective upon cancellation of the 90 day contract extension dated April 01, 2013 through June 30, 2013, for a three year period in an amount not to exceed four million six hundred sixty thousand nine hundred ninety-three dollars (\$4,660,993.00)

Contingent upon the availability of funds.

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

#25

RESOLUTION NO. 13-152
(April 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
 CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF
 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 award bid and sign contracts with Frontier Food Service, PO Box 903, West Seneca NY 14224 on behalf of the Office for the Aging. Said contract is for food service in an amount not to exceed \$5.09/congregate meals and home delivered meals; effective April 1, 2013 through March 31, 2018.

Contingent upon the availability of funds.

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

After the passage of the Finance Committee resolutions, Chairman Berwanger introduced Mitch McLaughlin, Chairman of the 2013 Wyoming County United Way campaign.

Mr. McLaughlin announced this year's goal of \$200,000. Attendees watched the brief United Way Campaign video.

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Karen Rumfola introduced the very first ever United Way Gertrude Houston Spirit Award recipient as WCCH's very own, Laura Dutton. Ms. Dutton was presented with a Wyoming County Certificate of Recognition by Supervisor Kushner.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:42 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION**(May 14, 2013)****Tuesday****2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Supervisor Dixon, T/Gainesville entered the meeting at 3 pm. Also present were Assistant County Attorney, James Wujcik; Budget Officer, J. Cook; Deputy Clerk to the Board of Supervisors, Brenda Ferrell and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Gregory J. Landis

Mr. Landis' service to his country comes while serving during the Vietnam War. Mr. Landis was working at Motorola in Arcade, when he answered the call to serve his country. He enlisted in the United States Army on May 16, 1969. He completed Basic Training at Ft. Dix, New Jersey and then Advanced Individual Training at Fort Sill, Oklahoma and became qualified in basic and nuclear artillery. Mr. Landis was then shipped to Crailsheim, Germany and assigned to the Headquarters Battery of the 5th Battalion of the 73rd Field Artillery. His unit maintained a nuclear depot and was a distribution point for basic ammunition and security. Mr. Landis spent about a year and a half in Germany and then returned to Ft. Dix, New Jersey, where he was honorably discharged on May 7, 1971, at the rank of Corporal.

For his service to his country, Mr. Landis was awarded:

The National Defense Service Medal**The M-14 Sharpshooter Marksmanship Badge****The M-16 Expert Marksmanship Badge**

Following his service to his country, Mr. Landis returned to this area and went back to work at Motorola as a machinist. In 1977, he transferred to the Curtis Machine Screw Company in Buffalo and continued to work as a machinist and built prototypes. Mr. Landis completed 34 years with Curtis Machine Screw and retired in August of 2011.

Mr. Landis is a member of the American Legion and is presently serving as the Commander of the Hugh-Lynch Post 737 in Arcade. He also has been an active fireman in Arcade for the past 30 years and has been both a past Chief and Assistant Chief. He has been married to his wife of 42 years, Kathleen, and they live in the town of Arcade.

The pledge was said by all.

Chairman Berwanger presented the customary certificate of appreciation and offered an opportunity to address the Board.

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

Voice of Democracy presentation ~

Introduced by M. Mark Relyea of the VFW Henndershot Mannes Post 374 of Arcade

***Sydney Taylor**, son of Julie Wood of Arcade. Sydney is here today because he is the winner of the Voice of Democracy Audio Essay contest at the VFW Henndershot Mannes Post 374, in addition the winner of the District 7 of the VFW of NYS and placed 4th in NYS. He is a member of the National Honor Society and participates on the Pioneer indoor/outdoor track teams and cross country teams. Following graduation Sydney will attend Allegany County College where he will study political science.

How could our founding fathers possibly know what the world would be like 240 years after establishing a new republic?

How could they, coming from a monarchy, with no experience in democratic process, create a document that would guide Americans for 240 years?

How could they know that our Constitution would still be relevant 240 years later?

The creators of the Constitution had just managed to survive a Revolution that would lead them to a new life of self-government. They were inventors, farmers, businessmen- all colonials looking for a brighter future in their new land. They were intelligent enough, not only to plan for their countrymen's future, but in the process, provided for our future as well. They obviously were pretty smart- and not one of them was a politician. As Hombre Liggett wrote, concerning the authors of the Constitution: "They understood that times would change, and that breakthroughs would come in many forms and on many levels. They therefore constructed the Constitution on one thing that they knew would not change, and that was human nature."

Human nature... The writers of the Constitution made provisions to protect Americans from the evils of human nature, such as oppression,

and tyranny. They also realized the potential of what could come from meeting the needs of American citizens. Of all of the rights protected by our Constitution, the one that rises above the rest is the right to make personal choices. The United States is comprised of multiple, diverse, cultures. And all people and all heritages find protection from oppression. We enjoy personal protection, through the right to bear arms, and also national protection, through the support of our military. Not only does the military protect Americans within our own boundaries, but we have also seen generations of Americans who have fought in foreign countries so that people, worldwide, could benefit from the same rights and privileges afforded us by our Constitution.

Our system of checks and balances serves as a basis for insuring individual rights. Had the amendment process not been included, our Constitution could not have changed with the times and would not have met the ever-changing needs of the people as the United States ages. Would not- to this day- be relevant. The Peoples' voices have been heard. Changes in the Constitution have resulted from suffrage and civil liberties movements, and defending states' rights, and with amendments addressing timely issues, such as the right to vote and women's reproductive choices. All of these have created an updated, modern-day Constitution. Even Prohibition, and the withdrawal of Prohibition, helped the Constitution to remain current with the times ... and with the peoples' choices.

Certainly our Constitution is still relevant, and it becomes even more relevant, as we integrate it into our current lifestyles. As Thomas Jefferson alluded to, regarding the Constitution, "it gives citizens freedom from oppression by those in authority." In our daily lives we face self-government, as the right to bear arms, the right to own property, of free choice, freedom to assemble, and to enjoy the fruits of one's labor, to privacy, to personal security, and to a fair trial. All of these things were guaranteed by our by our forefathers. Today our Constitution is under attack more than ever, but it still serves as the law of the land. The Constitution is a living document, mostly because as a foundation for government, it relies on people and allows for change — amendments. We can petition the Supreme Court for clarification and elect representatives who may enact amendments.

The United States Constitution will continue to be alive and grow to meet the changes in our ever changing society it will be necessary for Americans to participate in governmental processes and take personal action to protect our rights and choices. When Americans do this, our Constitution will continue to be relevant.

Chairman Berwanger thanked Sydney for presenting his speech to the Board of Supervisors and presented him with a certificate of recognition by the Board of

Supervisors. Chairman Berwanger also stated that Sydney will be presenting his speech on Memorial Day in Arcade at the VFW Post.

Before the Chairman continued with the agenda he invited Director of Veteran Services, G. Cousins to the podium to make a small presentation on behalf of a local veteran with severe medical problems. Director Cousins stated that his department received news last week from the Quarter Master of the VFW Post about a twenty-six year old Army Veteran in a burn unit at a San Antonio, TX hospital. He was involved in an explosion of fuel oil in Afghanistan and suffered burns over 87% of his body. He has already had 6 operations. The local Wounded Warrior chapter has donated three months' rent for his family. Many others have donated gas cards and cell phones. The Veteran's name is SSGT Robert Thomas. He and his family are from Freedom, NY. Please keep them in your thoughts and prayers.

Communications

- ***Relay for Life ~***
 - Letter dated May 01, 2013 thanking the Board for supporting their yearly event. To show their gratitude for all of the Board's support they dedicated lap number 3 at the Relay for Life Walk on June 8th as the "Board of Supervisors" lap.
- ***Annual Picture of the Board of Supervisors ~***
 - Bob Michaels present for pictures of the Board on the front steps of the Government Center.

#1

RESOLUTION NO. 13-153 **(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Workers Compensation			
From: 01.42.6421.1.10001 Salary S/D/I	\$10,931.66		
01.42.6421.8.81001 Retirement	2,430.51		
01.42.6421.8.82001 Disability	76.95		
01.42.6421.8.83001 FICA	677.76		
01.42.6421.8.85001 Medicare - FICA	158.51		
01.42.6421.8.89001 Medical/Hosp Ins	6,702.32		
01.42.6421.8.89002 HRA	2,600.00		
01.42.6421.8.89003 HRA Admin Exp	<u>32.00</u>		
To: 01.52.9950.9.99006 Transfer to comp			
Reason: cover the cost of PT Secretary position transfer from Planning to Workers' Comp.		\$23,609.71	
Workers Compensation Total			\$23,609.71

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Public Health			
From: 01.38.4010.4.41404 Copiers 01.38.4010.4.42463 Novel H1N1 (PHEP)	\$1,950.00 <u>7,550.00</u>		
To: 01.38.4010.2.20401 Misc. Equipment		\$9,500.00	
Reason: For purchase of a Toshiba Copier from NYS Bid; to replace older model (parts not available); purchase in connection with the 2012-13 NYS DOH PHEP Grant			
Public Health Total			\$9,500.00
District Attorney			
From: 01.32.1168.4.40402 Conf/Conv To: 01.32.1168.8.81001 Retirement	\$147.00	\$147.00	
Reason: Transfer funds to match state grant budget			
District Attorney Total			\$147.00

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

#2

RESOLUTION NO. 13-154
(May 14, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Workers Compensation			
To: 05.58.1710.1.10001 Salary S/D/I 05.58.1710.8.81001 Retirement 05.58.1710.8.82001 Disability	\$10,931.66		
05.58.1710.8.83001 FICA	2,430.51		
05.58.1710.8.85001 Medicare - FICA	76.95		
05.58.1710.8.89001 Medical/Hospital Ins	677.76		
05.58.1710.8.89002 HRA	158.51		
05.58.1710.8.89003 HRA Admin Exp	6,702.32		
w/05.13.1710.5031 Interfund Transfer	2,600.00	\$23,609.71	
Reason: to support the position transfer from Planning to Workers' Comp.	<u>32.00</u>		
Workers Compensation Total			\$23,609.71
Emergency Services			
To: 01.37.3020.4.40301 Prof. Service Contract w/01.02.3020.114001 Wireless Surch.	\$1,500.00	\$1,500.00	
Reason: To provide pictometry services to other departments			
Emergency Services Total			\$1,500.00

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Sheriff			
To: 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery by same amount Reason: appropriation is for refunded deductibles paid	\$1,000.00	\$1,000.00	
To: 01.37.3112.2.20201E Computer Equip w/01.12.3112.43890E Homeland Security Reason: appropriation for 2010 Homeland Security Grant T838802	\$6,389.06	\$6,389.06	
To: 01.37.3112.2.20201F Computer Equip 01.37.3112.4.40009F Cellphone (974612) 01.37.3112.4.40016F Internet (974612) w/01.12.3112.43890F Homeland Security Reason: appropriation for 2011 Homeland Security Grant T974612	\$7,646.00 2,275.00 <u>23,195.92</u>	\$33,116.92	
Sheriff Total			\$40,505.98
Jail			
To: 01.37.3150.1.10601 Unused Benefit Time <i>w/any funds available</i> Reason: line item is depleted due to Bruce James retiring	\$16,000.00	\$16,000.00	
Jail Total			\$16,000.00
Highway			
To: 04.53.5110.4.41904 Bituminous Products w/04.11.5110.3501 Consolidated Highway Aid Reason: To allocate funds for CHIPS increased funding	\$272,784.23	\$272,784.23	
To: 04.53.5112.4.40940 HBRR Contract w/04.12.5112.4089 Corps of Engineers 04.11.5112.3089 Other State Aid <i>w/any funds available</i> Reason: Funds not used in 2012 need to be carried over for the 2013 expenses being incurred for various TIP projects.	\$1,757,865.42	1,449,718.71 193,381.18 \$114,765.53	
Highway Total			\$2,030,649.65
Highway (CIP)			
To: 17.66.5112.2.24001 Middle Reservation Rd. 17.66.5112.2.24008 Dewitt Road w/17.14.5112.5730 BAN Proceeds Reason: to cover expenses related to the Dewitt Road project and the completion of the Middle Reservation Road Project	\$900,000.00 <u>1,300,000.00</u>	\$2,200,000.00	
Highway (CIP)			\$2,200,000.00
Arts Council			
To: 01.46.7560.4.40921 Art Council <i>w/any funds available</i> Reason: to support contract amendment with Wyoming County Arts Council.	\$21,000.00	\$21,000.00	
Arts Council Total			\$21,000.00

Wyo. Co. Comm. Hospital (CIP)			
To: 08.56.4510.4.42107 Contingency w/08.11.4510.3097 State Aid	\$250,000.00	\$250,000.00	
Reason: to support NYS Dept. of Corrections construction contract amendments			
Wyo. Co. Comm. Hospital (CIP) Total			\$250,000.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$1,987,497.51** for the month of **April 2013**.

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

RESOLUTION NO. 13-155
(May 14, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

POSITION(S) ABOLISHED

BE IT RESOLVED, That one (1) position of LPN II, full time (position code 092.394) (1.00 FTE) located within the County Health Department Certified Home Health Agency be hereby abolished; effective immediately; and be it

FURTHER RESOLVED, That five (5) positions of RPN, full time (position codes 010.209, 006.209, 062.209, 103.209, 013.209) (1.00 FTE) located within the County Health Department Certified Home Health Agency be hereby abolished; effective immediately.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #4 through #9. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 13-156
(May 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

ARMED FORCES WEEK PROCLAIMED

May 14, 2013

WHEREAS, Since our nation's founding, the U.S. Military has been dispatched to all the world to defend our freedom and that of our allies. In battles big and small, our men and women of the U.S. Armed Forces have distinguished themselves through their strength, loyalty and valor; and

WHEREAS, Many members of our Armed Forces have come from all areas within our County, to fill the ranks of the Army, Navy, Air Force, Marines, and Coast Guard. Many being injured or even paying the ultimate sacrifice in the defense of our freedom in our great country; and

WHEREAS, Armed Forces Day having its origin when President Truman declared May 20, 1950 as the first official day to celebrate and honor all branches of the Armed Forces under one department, The Department of Defense; and

WHEREAS, Citizens of our county are presently serving in all branches of the Armed Forces, in places all around the World, many in "harms way" of the Gulf War in Iraq, Afghanistan, and Pakistan; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County, in keeping with the tradition of our State and Nation, strongly support our Veterans who sacrifice so much to insure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim the week of May 12–18, 2013 as:

"ARMED FORCES WEEK"

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President Barack Obama, U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. Congressman Chris Collins, and all other deemed appropriate and necessary.

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

#5

**RESOLUTION NO. 13-157
(May 14, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

Regular Session

OLDER AMERICANS MONTH PROCLAIMED

WHEREAS, Every year since 1963, May has been a month to appreciate and celebrate the vitality and aspirations of older adults and their contributions to our communities. The theme for Older Americans Month 2013, **Unleash the Power of Age**, has never been more fitting. Older Americans are productive, active, and influential members of society, sharing essential talents, wisdom, and life experience with their families, friends, and neighbors; and

WHEREAS, Wyoming County includes approximately 8,200 citizens ages 60 and older; and

WHEREAS, Wyoming County is committed to valuing all individuals and recognizing their ongoing life achievements; and

WHEREAS, The older adults in Wyoming County play an important role by continuing to contribute experience, knowledge, wisdom, and accomplishments; and

WHEREAS, Our older adults are active community members involved in volunteering, mentorship, arts and culture, and civic engagement; and

WHEREAS, Recognizing the successes of community elders encourages their ongoing participation and further accomplishments; and

WHEREAS, Our community can provide opportunities to allow older citizens to continue to flourish by:

- Emphasizing the importance of elders and their leadership by publically recognizing their continued achievements
- Presenting opportunities for older Americans to share their wisdom, experience, & skills
- Recognizing older adults as a valuable asset in strengthening American communities

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 2013 as:

Older Americans Month

and urges every citizen to take time this month to recognize older adults and the people who serve and support them as powerful and vital citizens who greatly contribute to the community.

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

May 14, 2013

RESOLUTION NO. 13-158
(May 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH
NEW YORK STATE DEPARTMENT OF HEALTH BUREAU OF
EARLY INTERVENTION ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the New York State Department of Health Bureau of Early Intervention, Empire State Plaza Corning Tower, Room 287, Albany, NY 12237 on behalf of the Youth Bureau. Said agreement is to perform Early Intervention services not to exceed 2013 budget - variable depending on need; effective April 1, 2013.

Contingent upon the availability of funds.

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

#7

RESOLUTION NO. 13-159
(May 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
NEW YORK STATE DEPARTMENT OF HEALTH BUREAU OF
EARLY INTERVENTION ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the New York State Department of Health Bureau of Early Intervention, Empire State Plaza Corning Tower, Room 287, Albany, NY 12237 on behalf of the Youth Bureau. Said contract will allow Wyoming County to deposit funds into an escrow account from which the Early Intervention State Fiscal Agent can draw from to pay Wyoming County Early Intervention Providers for services, amounts variable depending on need; effective April 1, 2013.

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

Regular Session

RESOLUTION NO. 13-160
(May 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

BRANDY SWAIN REAPPOINTED TO THE YOUTH BOARD

BE IT RESOLVED, That Brandy Swain P.O. Box 34 Pike, NY 14130 be hereby reappointed to the Youth Board as a Community Representative for a term of three (3) years; effective January 1, 2013 through December 31, 2015.

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

#9

RESOLUTION NO. 13-161
(May 14, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

FOSTER CARE MONTH PROCLAIMED

WHEREAS, The family, serving as the primary source of love, identity, self-esteem, and support, is the very foundation of our community and our State; and

WHEREAS, In Wyoming County there are 42 children and youth in foster care being provided with safe, secure, and stable environments, along with the compassion and nurturing of 24 foster families from voluntary agencies; and

WHEREAS, Foster families, who open their homes and hearts and offer help to children whose families are in crisis, play a vital role helping children and families heal and reconnect and launching children into successful adulthood; and

WHEREAS, Dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and

WHEREAS, There are numerous individuals, public and private organizations whom work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable

contribution of foster parents, and the foster care "system" is only as good as those who choose to be part of it; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 2013 as

FOSTER CARE MONTH

in Wyoming County; and be it

FURTHER RESOLVED, That the Board of Supervisors urge all citizens to come forward and do something positive that will help change a lifetime for children and youth in foster care.

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

After the passage of resolutions number #4 through #9 Chairman Berwanger invited Supervisor Totsline, T/ Genesee Falls to the podium to present proclamations for Armed Forces Week, Older Americans Month and Foster Care Month.

Director Cousins was invited to join Supervisor Totsline for the presentation of the Armed Forces Week proclamation. He was asked to read the proclamation and graciously agreed.

Next, Deputy Office for the Aging Director Proper was asked to join Supervisor Totsline at the podium for the presentation of the Older Americans Month proclamation. Deputy Director Proper thanked the Board for their continued support and invited all to the Sr. Ball in Pike on May 23th.

Lastly, Commissioner Rumsey was invited to join Supervisor Totsline to the podium for the presentation of the Foster Care Month proclamation.

Commissioner Rumsey read the proclamation out loud to attendees. He thanked the Board on behalf of the Department's Foster Care Unit Workers for the Board's continued support of their work...

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #10 through #16. A voice vote was taken and all voted aye.

#10

**RESOLUTION NO. 13-162
(May 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

Regular Session

RESOLUTION IN OPPOSITION TO NEW YORK STATE SENATE BILL S.03691 AND NEW YORK STATE ASSEMBLY BILL A.6571, AN ACT TO AMEND THE PUBLIC HEALTH LAW, IN RELATION TO ENACTING THE "SAFE STAFFING FOR QUALITY CARE ACT"

WHEREAS, The Wyoming County Board of Supervisors is very concerned about recently proposed legislation identified as New York State Senate Bill S.03691 and New York State Assembly Bill A.06571, which enacts the "safe staffing for quality care act" to require acute care facilities and nursing homes to implement certain direct-care nurse to patient ratios in all nursing units; sets minimum staffing requirements; requires every such facility to submit a documented staffing plan to the department on an annual basis and upon application for an operating certificate; requires acute care facilities to maintain staffing records during all shifts; authorizes nurses to refuse work assignments if the assignment exceeds the nurse's abilities or if minimum staffing is not present; requires public access to documented staffing plans; imposes civil penalties for violations of such provisions; and

WHEREAS, The Wyoming County Community Health System is a rural healthcare facility that has had to adapt and react to changes in the healthcare environment and reimbursement methodologies on an almost daily basis in order to survive. The entire workforce of the facility is committed to and believes in providing quality healthcare. To be locked into specific staffing ratios developed by an outside body would not allow the facility to react to changes as they occur and result in additional costs to the facility of approximately \$1.5 million annually which could have a devastating impact on the future viability of the Wyoming County Community Health System; and

WHEREAS, One size does not fit all. No patient is the same. Nurses and other available staff all vary in expertise. Every hospital and nursing home is different. This is why flexibility is needed to adapt nursing assignments to diverse patient and resident needs that evolve and can change quickly. This is especially true in the rural healthcare environment; and

WHEREAS, In addition, the facts do not support improved quality as the result of staffing ratios and the latest peer-reviewed studies finds no direct link between mandated nurse staffing ratios and improved patient outcomes. In reality, patient outcomes are improved primarily through the implementation of evidence-based practices to standardize care. Hospitals, health systems, and nursing homes continue to aggressively invest in and implement a variety of patient care improvement strategies the implementation of which would be hindered by dictated ratios. Further the Healthcare Association of New York State (HANYS) has determined:

- Staffing ratios would cost New York's hospitals and nursing homes approximately \$3 billion annually. This could amount to the largest-ever unfunded health care mandate.
- Meeting the proposed ratios would require more than 20,000 new nurses in hospitals alone, assuming these nurses could be found.
- Mandating minimum staffing ratios is counter to efforts to encourage new models of care delivery and shift services from the inpatient to outpatient and community settings. Mandated minimum staffing ratios are an outdated concept contrary to the tide of health care reform; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors are hereby opposed to New York State Senate Bill S.03691 and New York State Assembly Bill A.06571; and be it

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

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

**RESOLUTION NO. 13-163
(May 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

NATIONAL DONATE LIFE MONTH PROCLAIMED

WHEREAS, Wyoming County residents demonstrate their commitment to one another in the most difficult of circumstances through organ, tissue, stem cell, and blood donation; and

WHEREAS, During National Donate Life Month, we honor donors who provide others with a second chance for a healthy life and encourage more New Yorkers to share this precious gift; and

WHEREAS, Over 117,000 Americans await donation on the Organ Procurement and Transplantation Network waiting list, of which 10,000 New Regular Session

York State residents are among them, many of whom are from Wyoming County; and

WHEREAS, Many will receive a lifesaving transplant, but, for some, help will not come fast enough. Whether they are coping with kidney failure or recovering from severe injuries, these individual lives depend on the compassion of a loved one or a complete stranger; and

WHEREAS, Across our state, we face a shortage of donors and an urgent need for help. 85% of New Yorkers think organ donation is good, but only 21% of eligible New Yorkers are registered to become organ donors. The nationwide average for enrollment is 45% with some states individually exceeding 75%; and

WHEREAS, Wyoming County is responding with the spirit of generosity that has always defined the character of New Yorkers by answering the call for help. Each organ or tissue donor can save many lives, and becoming one is simple: join New York State's donor registry, indicate your decision on your driver's license, when you register to vote or by going online at <http://www.dmv.ny.gov/mydmv/organ-pop.htm> and inform loved ones of your decision; and

WHEREAS, There is no age limit for donors, and because some conditions and blood types are more common in certain ethnic and racial populations, the Department of Health and Human Services especially encourages minorities to consider donation. You can visit hatethewait.org to learn more about the urgent need for donors and to find resources on how to donate. Together, we can save lives and give hope to countless American families; now therefore

BE IT RESOLVED that Wyoming County Board of Supervisors does hereby proclaim May, 2013 as:

“DONATE LIFE MONTH”

In Wyoming County, and calls upon health care professionals, volunteers, educators, government agencies, faith-based and community groups, and private organizations to join forces to boost the number of organ, tissue, blood, and stem cell donors throughout our Nation.

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

#12

RESOLUTION NO. 13-164 (May 14, 2013)

May 14, 2013

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 12-278 AMENDED

WHEREAS, Resolution Number 12-278 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF HEALTH/HRI ON BEHALF OF THE HEALTH DEPARTMENT,”** passed by this Board of Supervisors on September 11, 2012 and approves funding for the 2012-2013 Public Health Emergency Preparedness Services Program in a minimum amount of fifty-three thousand five hundred dollars (\$53,500.00); effective July 1, 2012 through June 30, 2013; now therefore

BE IT RESOLVED, That Resolution Number 12-278 be hereby amended to *extend the term* through June 30, 2017 at an *annual award* of fifty-three thousand five hundred dollars (\$53,500.00); all other terms and conditions remain the same.

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

**RESOLUTION NO. 13-165
(May 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

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

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with New York State Department of Health, Bureau of Immunization, ESP, Albany, NY on behalf of the County Health Department. Said grant funding is for the Immunization Program in a minimum amount of thirty thousand dollars (\$30,000.00); effective April 1, 2013 through March 31, 2014.

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

#14

Regular Session

**RESOLUTION NO. 13-166
(May 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
CONTRACT WITH FREED MAXICK, CPAs, P.C. ON BEHALF OF THE
COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a contract with Freed Maxick CPAs, P.C., 424 Main Street, Suite 800, Buffalo, NY on behalf of the County Health Department. Said contract is for the preparation of the 2012 Cost Report for the Health Department Certified Home Health Agency in an amount not to exceed fifteen thousand two hundred dollars (\$15,200.00) plus direct expenses; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-167
(May 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**MENTAL HEALTH MONTH PROCLAIMED
“*Pathways to Wellness*”**

WHEREAS, Mental health is essential to everyone's overall health and well-being; and

WHEREAS, Mental health conditions are real and prevalent in our nation, as all Americans experience times of difficulty and stress in their lives - parents, children, sisters, brothers, and co-workers; and

WHEREAS, Stigma and fear of discrimination keep many who would benefit from mental health services from seeking help; and

WHEREAS, Greater public awareness about mental illnesses can change negative attitudes and behaviors toward people with mental illnesses; and

WHEREAS, With effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, Each business, school, government agency, faith-based organization, health care provider, and citizen has a responsibility to promote mental wellness and support prevention efforts; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim

May 2013 as:

Mental Health Month

and May 5th through 12th as:

Children's Mental Health Week

In Wyoming County and calls upon our community to recommit ourselves to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

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

**RESOLUTION NO. 13-168
(May 14, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE MENTAL HEALTH
ASSOCIATION OF NEW YORK STATE 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 Mental Health Association of NYS (MHANYS), 19 Washington Ave., Suite 415, Albany, NY 12210 on behalf of Mental Health. Said grant funding is for suicide prevention awareness in a

minimum amount of four thousand dollars (\$4,000.00) 100% State Aid, no County match; effective July 1, 2013 through December 31, 2013.

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

Supervisor Ryan, T/Warsaw was invited by Chairman Berwanger to the podium to present two proclamations, Donate Life Month and Mental Health Month/Children's Mental Health Week. She invited Dr. Collins to join her for the presentation of the Donate Life Month proclamation. Dr. Collins was invited to read the proclamation out loud to attendees.

Community Services Director Hodgdon was invited to the podium to receive the Mental Health Month/Children's Mental Health Week proclamation. Director Hodgdon graciously accepted the proclamation on behalf of the department.

There was a motion by Mr. Brick, T/Perry, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.

#17

**RESOLUTION NO. 13-169
(May 14, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
PIONEER FORESTRY ON BEHALF OF COUNTY FORESTLANDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Pioneer Forestry, 4000 Skunk Hollow Road, Jamestown, NY 14701 for:

Wethersfield Road

- Timber Stand Improvement Treatment in Stand 2
\$1,200.00

Stands 1 and 2 are dependent on completion of the felling or harvesting operation, both phases will be billed separately and payment will be expected upon their completion.

- Herbicide Treatments in Stands 1 and 2
\$3,000.00

Softwood Thinning / Clearcuts:

- Dale Road (Stands 2, 6 and 7)
\$2,250.00
- Hobday Rd. (Stand 4)
\$3,500.00

\$9,950.00

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-170
(May 14, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

**CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY
CELEBRATES 100TH ANNIVERSARY**

WHEREAS, Cornell Cooperative Extension of Wyoming County has enjoyed a long and distinguished history of serving the people of Wyoming County with educational and leadership opportunities since 1913; and

WHEREAS, Cornell Cooperative Extension serves Wyoming County residents through the 4-H Youth Development Program, 4-H Camp Wyomoco, Agriculture Programs, the Wyoming County Dairy Institute, and the North West New York Dairy Livestock and Field Crops Team; and

WHEREAS, Cornell Cooperative Extension agriculture programs in Wyoming County provide education and consulting in dairy, livestock, field crops, fresh vegetable, tree and small fruits, maple production, forestry, and consumer horticulture; and

WHEREAS, The 4-H youth development program in Wyoming County is one of the largest programs of its kind in New York State - providing hands on learning for youth ages 5-19 in the areas of Animal Sciences, Ag Education, Healthy Living, Science & Technology, Plant Science & Gardening, Natural Resources, and Farm Safety; and

WHEREAS, The success enjoyed by Cornell Cooperative Extension of Wyoming County is in direct correlation to the efforts of a superbly skilled volunteer and professional staff whose involvement is and has been characterized by an impressive commitment, an unbridled enthusiasm, and an

uncompromising standard of excellence in all endeavors on behalf of the organization and the population it serves; and

WHEREAS, Cornell Cooperative Extension of Wyoming County serves all of our residents, providing educational programming on relevant issues experienced by young and old, and from all walks of life; and now therefore

BE IT RESOLVED, That the Board of Supervisors of Wyoming County does hereby commemorate the 100th Anniversary of Cornell Cooperative Extension of Wyoming County, and urges all of our citizens to encourage and support the work of the Cornell Cooperative Extension program.

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

Supervisor Brick, T/Perry was invited to the podium to present the Cornell Cooperative Extension of Wyoming County Celebrates 100th Anniversary Proclamation. He invited Extension Executive Director, S. Tiede to join him at the podium. Director Tiede thanked the Board for the proclamation and the Board's support. A celebration is being planned for July 29th at the Legion Hall in the Village of Warsaw.

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #19 and #20. A voice vote was taken and all voted aye.

#19

**RESOLUTION NO. 13-171
(May 14, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That Rebecca Ryan (T/Warsaw), 172 W. Buffalo St., Warsaw, NY 14569 be hereby reappointed to the Wyoming County Chamber of Commerce Board of Directors as a Voting Member for a term of one (1) year; effective through December 31, 2013.

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

#20

**RESOLUTION NO. 13-172
(May 14, 2013)**

May 14, 2013

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
WYOMING COUNTY BUSINESS CENTER BOARD OF DIRECTORS**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Wyoming County Business Center (Local Development Corporation) Board of Directors for a term of three (3) years; effective May 10, 2013 through May 9, 2016:

Supervisor Member

- **James Brick** (T/Perry), 7618 Route 20A, Perry, New York 14530 (reappointment)

Private Sector Member

- **Sam Gullo** (Family Furniture), 9 S. Main St., PO Box 81, Perry, NY 14530 (replacing Frank Vitagliano)

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

At the conclusion of the roll call vote for resolutions #19 and #20 Chairman Berwanger introduced Nancy Clark and Marty Griffith, representing Five Star Bank. The Chairman continued by informing attendees about the project Supervisors Stout and Ryan have been working tirelessly in an effort to secure funding for the Target Tomorrow Plan, which is the comprehensive plan of the County Government and all things associated with the county to upgrade that plan and there is a cost associated with updating it. The Supervisors have been working on recruiting funding and the first group to provide funding for this update is Five Star Bank with a significant contribution.

Next, Marty Griffith was introduced and was offered an opportunity to speak on behalf of Five Star Bank's donation. Mr. Griffith explained that the funding being provided as seed money in order to preserve and expand our way of life in Wyoming County. The Target Tomorrow initiative provides that way of life.

Chairman Berwanger thanked Five Star Bank, Mr. Griffith and Ms. Clark for making today's presentation. In conclusion, the Chairman stated, let Five Star Bank's contribution serve as a challenge to other groups as an opportunity to stand up and be counted...

#21

**RESOLUTION NO. 13-173
(May 14, 2013)**

Regular Session

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 13-117 AMENDED

WHEREAS, Resolution Number 13-117 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT PARTICIPATION AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**,” passed by this Board of Supervisors on March 12, 2013 for the FY2012 Emergency Management Performance Grant in a minimum amount of twenty thousand three hundred ninety-nine dollars (\$20,399.00); effective October 01, 2011 through September 30, 2012; now therefore

BE IT RESOLVED, That Resolution Number 13-117 be hereby amended to revise the effective dates to June 01, 2012 through May 31, 2014. All else remains the same.

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

There was a motion by Mr. Patti, T/Attica, to withdraw resolution number #22 and to combine resolutions #23 through #25. A voice vote was taken and all voted aye.

Withdrawn
#22

**RESOLUTION NO. 13-
(May 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MJ MECHANICAL ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with MJ Mechanical Services, Inc., 2040 Military Road, Tonawanda, NY 14150 on behalf of Buildings and Grounds (Co. Bldgs.) Said contract is for installation of (2) two high efficiency commercial condensing boilers at the County Court House in an amount not to exceed forty-five thousand two hundred two dollars (\$45,202.00); effective May 14, 2013 through completion of the project.

Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

May 14, 2013

RESOLUTION NO. 13-174
(May 14, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of County Highway:

- **Nichols, Long & Moore Construction Corp.**, 149 Gunnville Road, Lancaster, New York 14086 for the Preventative Maintenance #1 Project (5 bridges) PIN 4755.31 to the lowest responsible bidder after reviewed by Engineer, Superintendent and County Attorney in an amount not to exceed \$670,615.10; effective through project completion.
- **Keeler Construction Co., Inc.**, 13519 West Lee Road, Albion, New York 14411:
 - Preventative Maintenance #3 Project (29 bridges) PIN 4755.61 to the lowest responsible bidder after reviewed by Engineer, Superintendent and County Attorney in an amount not to exceed \$963,554.65; effective through project completion.
 - High Risk Rural Road – Intersection Improvements PIN 4755.72 to the lowest responsible bidder after reviewed by Engineer, Superintendent and County Attorney in an amount not to exceed \$344,568.50; effective through project completion.
- **LaBella Associate**, 300 State Street, Suite 201, Rochester, NY 14614, Supplement #1 agreement for additional E/D and C & CI for the Preventative Maintenance #1 Project (5 bridges) PIN 4755.31 for an amount not to exceed \$116,000.00; effective through project completion.
- **Bryant Associates**, 108 W. Jefferson St., Suite 400, Syracuse, NY 13202 Supplement #1 agreement for additional E/D and C & CI for the Preventative Maintenance #3 Project (29 bridges) PIN 4755.61 for an amount not to exceed \$179,000.00; effective through project completion.
- **Bergmann Associates, Inc.**, 200 First Federal Plaza; 28 East Main Street, Rochester, NY 14614 Supplement #2 agreement for additional E/D and C & CI for the High Risk Rural Road – Intersection Improvements PIN

4755.72 for an amount not to exceed \$97,300.00; effective through project completion.

Contingent upon the availability of funds.

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

#24

**RESOLUTION NO. 13-175
(May 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, a Project for the **Replacement of Allen Street Bridge over Oatka Creek, Town of Warsaw, Wyoming County, P.I.N. 4755.01; BIN 3320300 (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 phases and C/CI**; now therefore

BE IT RESOLVED, That the Board of Supervisors, duly convened does hereby

RESOLVED, that the Board of Supervisors hereby approves the above-subject project; and it is hereby further

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

RESOLVED, that the sum of **\$1,488,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

May 14, 2013

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

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

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

FURTHER RESOLVED, this Resolution shall take effect immediately

RESOLVED, this resolution incorporates Resolution No. 11-152 approved 4/18/11.

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

**RESOLUTION NO. 13-176
(May 14, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**RESOLUTION IN OPPOSITION TO NEW YORK STATE
DEPARTMENT OF TRANSPORTATION PERM 33c REVISIONS**

WHEREAS, Currently the New York State Department of Transportation (NYSDOT) issues permits (PERM 33b) for other special events (parade, festival, walk-a-thon, etc.) **only** when the event is on or affects traffic on state highways or facilities **and** the municipality(ies) chooses **not** to issue their own permit; and

WHEREAS, A municipality may choose to issue permits for (regulate) an event within their jurisdiction that is on or affects traffic on a state highway or facility, and are not required to obtain a Perm 33b, **provided that they coordinate with their local NYSDOT Traffic Safety and Mobility Group any use of or impact to a state highway; and**

WHEREAS, NYSDOT **does not** issue permits for special events that are not on or affect traffic on state highways or facilities. **Only** the municipality(ies) through which the event passes can issue a permit for special events (parades, festivals, walk-a-thons, etc.) that are not on and do not affect traffic on any state highways or facilities; and

WHEREAS, NYSDOT issues permits (PERM 33c) for **SPECIAL EVENTS REGULATED BY MUNICIPALITIES ON STATE HIGHWAYS** when all of the following circumstances occur:

1. Special event (single county race, parade, festival, etc.) is regulated by the municipality.
2. Event occurs on a state highway.
3. The event will either require placing items (signs, barricades, etc) within the state highway right-of-way, or it will block traffic on a state highway.

The purpose of these permits is for the regulating municipality to coordinate efforts with the Department when a state highway is the site of a special use permit. Section 1684 of the Vehicle & Traffic Law requires that written permission be granted by the Department before any traffic control devices can be placed in a state highway. The PERM 33c serves as the mechanism for approving the use of traffic control devices as well as verifying that any detours implemented will enhance the safe and efficient movement of traffic during the event; and

WHEREAS, PERM 33(c) revisions are currently under review and a 90 day comment period. The Draft Permit application is in direct conflict to NYS V&T Law Ss1640: Traffic regulations in all cities and villages. This law authorizes local authority to block the movement of traffic on a state highway maintained by the state or on a highway which connects two state highways maintained by the state for a period of time in excess of ten minutes, such authority must, prior to such blocking, provide and designate with conspicuous signs a detour adequate to prevent unreasonable delay in the movement of traffic on said highway of the state. The DOT is overstepping NY V&T law with Perm 33c; and

WHEREAS, Local parade organizers for events such as Memorial Day, Little Leagues, home town festivals and walk-a-thons do not carry enough insurance coverage to extend a bond to DOT for damages to roadways and adjacent land of roadways. This Draft Perm 33c would serve to prevent our ability to assemble as a United States Citizen. In addition, each parade application must be submitted with an engineered traffic plan. This would cause most local community parades to discontinue as the cost for such design would not be achievable by the sponsoring entity or local government. **Parades would no longer exist in small communities;** and

WHEREAS, Draft Perm 33c indicates that signage photos, table of roads and signage times will be included in the application. This requirement is a redundancy of the work already performed through our local highway traffic safety board. The board reviews every local parade route, start and end time, route of the parade, identifies detours, signage and manpower necessary for the duration of detour. The new requirements by NYSDOT are a duplication of effort and undue burden to our authorized officials who have the ability to perform this function through NY V&T law. NYSDOT officials are invited to participate in regular meetings; and

WHEREAS, Extending PERM 1 undertaking a parade event, is a misuse of the intended purpose of highway roadwork undertaking. Further burden is added to the local municipalities with the requirement by NYS DOT to designate a bond for the purposes of guaranteed restoration of the site to its original condition at a cost determined by NYSDOT. Local authority of NYS V&T law would not support this section of the draft Perm 33c application. Draft Perm 33c indicates a section for emergency services; this is redundant with NYS Health Department Part 18 application. Coordinate the efforts of the departments at the state level to reduce burden on local communities; and

WHEREAS, Draft perm 33c, might have great value in larger metropolitan areas, this is an unachievable reach for upstate small communities. Please recognize that one size does not fit all in New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors offer comment that DRAFT PERM 33c be shelved and utilize the work hour value spent on this application process be directed for state owned road and bridge review and repairs. That is a necessary function of NYSDOT and in our view a much more necessary use of time and talents for benefit of the residents of our great state of New York; and be it

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

Inter-County Association of Western New York, New York State Association of Counties and all others deemed necessary and proper.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #26 through #32. A voice vote was taken and all voted aye.

#26

**RESOLUTION NO. 13-177
(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S) APPROVED

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

Probation

- Create one (1) position of **Clerk** (Temporary), full time for up to three months, CSEA agreement, sch. A, grade 4 (\$14.67 - \$16.14/hr), with only those benefits mandated by law; effective April 22, 2013 to cover for the current.

Real Property Tax Services

- Create one (1) position of **Real Property Tax Services Aid** (Temporary) (0.8 FTE), for three months, CSEA agreement, sch. A, grade 4 (\$14.67 - \$16.14/hr.) with only those benefits mandated by law; effective April 29, 2013 to cover for the current Real Property Tax Services Aid (position code 006.206) who is on a medical leave of absence.

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

#27

**RESOLUTION NO. 13-178
(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**HOME RULE REQUEST TO EXTEND SALES TAX INCREASE
APPROVED**

May 14, 2013

WHEREAS, The County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 11-258, passed by this Board of Supervisors on August 16, 2011; now therefore

BE IT RESOLVED, That the County of Wyoming hereby requests that the New York State Legislature support and pass Senate bill S.4837 and Assembly bill, A.7135, which is the legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three percent (3%) through November 30, 2015; and be it

FURTHER RESOLVED, That the Chairman of this Board and the Clerk of the Board be hereby authorized and directed to file the necessary Home Rule Request.

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

#28

**RESOLUTION NO. 13-179
(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

Mrs. May, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 01, 2012 through March 31, 2013 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to **\$206,089.92** 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	\$19,872.39	\$4,436.18	\$15,436.21
Attica	\$20,962.62	\$4,154.72	\$16,807.90
Bennington	\$23,679.28		\$23,679.28
Castile	\$13,869.37	\$1,012.33	\$12,042.00

Regular Session

Perry Village		\$815.04	
Covington	\$11,607.25		\$11,607.25
Eagle	\$5,762.36		\$5,762.36
Gainesville	\$4,661.15	\$149.78	\$4,005.65
Silver Springs Village		\$505.72	
Genesee Falls	\$3,564.19		\$3,564.19
Java	\$11,182.02		\$11,182.02
Middlebury	\$6,089.63	\$535.25	\$5,554.38
Orangeville	\$7,747.27		\$7,747.27
Perry	\$27,169.31	\$7,293.81	\$19,875.50
Pike	\$2,899.52	\$0.00	\$2,899.52
Sheldon	\$16,308.39		\$16,308.39
Warsaw	\$27,584.50	\$8,436.93	\$19,147.57
Wethersfield	\$3,130.67		\$3,130.67
Total:	\$27,339.76	\$178,750.16	
Grand Totals:	\$206,089.92		

Let This Be Your Warrant for Such Payment: **\$206,089.92** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 14th day of May 2013.

s/**Cheryl J. Ketchum**, Clerk

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

**RESOLUTION NO. 13-180
(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 12-387 AMENDED

WHEREAS, Resolution Number 12-387 entitled, “**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2013**,” passed by this Board of Supervisors on December 11, 2012 and provides for the various Letters of Understanding with County Contract Agencies for 2013 appropriations; now therefore

May 14, 2013

BE IT RESOLVED, That Resolution Number 12-387 be hereby amended to increase 2013 appropriations to the Arts Council for Wyoming County in the amount twenty-one thousand dollars (\$21,000.00). All else remains the same.

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

#30

**RESOLUTION NO. 13-181
(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION DECLARING "MAYDAY FOR MANDATE RELIEF"
AND URGING THE STATE TO ADOPT LAWS THAT DO NOT
IMPOSE FURTHER FISCAL STRESS ON LOCAL GOVERNMENTS
AND TAXPAYERS AND BUILD UPON RECENT EFFORTS TO
REFORM COSTLY UNFUNDDED MANDATES**

WHEREAS, Counties are mandated to administer and finance dozens of state and federal programs. Many counties in New York State face significant fiscal challenges made worse by the recent recession and slow economic recovery; and

WHEREAS, These county fiscal challenges are also directly tied to state-imposed mandates and in recent years reduced state reimbursement; and

WHEREAS, The New York State Association of Counties has identified 9 state mandates that consume 90 percent of all county property taxes levied across the state (outside of New York City), representing over \$4 billion in county property taxes levied. These mandates include: Medicaid, Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, These mandated and fixed employee costs can consume more than 80 percent of a county's total budget, leaving fewer local dollars that can be devoted to local programs and services. These State mandates are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of important local services; now therefore

BE IT RESOLVED, That Wyoming County Board of Supervisors does hereby declares the month of **May 2013** to be:

Regular Session

“Mayday for Mandate Relief”

to raise awareness that decisions made in Albany have a direct impact on the property tax levy and local community services here in Wyoming County; and be it

FURTHER RESOLVED, that Wyoming County strongly encourages Governor Cuomo and the State Legislature to continue working to enact meaningful mandate relief; and be it

FURTHER RESOLVED, that Wyoming County calls on State Lawmakers to enact legislation preventing future unfunded mandates without corresponding state aid to pay for them; and be it

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

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

**RESOLUTION NO. 13-182
(May 14, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-151 AMENDED

WHEREAS, Resolution Number 13-151 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on April 09, 2013 and provides for various contracts on behalf of the Wyoming County Community Health System; now therefore

BE IT RESOLVED, That Resolution Number 13-151 be hereby amended to correct a mathematical error of twenty thousand dollars (\$20,000.00) for with the **Fuji Film** contract for hardware and software maintenance on the Picture Archiving and Communication System (PACS) at a cost not to exceed \$82,676.00, total contract not to exceed the corrected amount of one hundred two thousand six hundred seventy-six dollars (\$102,676.00). All else remains the same.

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

May 14, 2013

RESOLUTION NO. 13-183
(May 14, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Bonadio & Co., LLP**, 171 Sully's Trail, Suite 201, Pittsford, New York 14534:
 - **Hospital Management Services Contract** (CEO services) to assist in operating, managing, and supervising the Hospital and staff at a cost of twenty-four thousand two hundred fifty dollars (\$24,250.00)/month; effective May 01, 2013.
 - **Professional Services Contract** to provide consulting services (related to HEAL 21 grant funding as well as other special projects and needs) in addition to those addressed in the Hospital Management Services contract as follows:
 - \$155 for manager level individuals
 - \$100 senior & staff level individuals
 - plus travel/mileage for special meetings,
 - not to exceed \$150,000/annually; effective May 01, 2013.

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

At the conclusion of the roll call vote for resolutions #26 through #32 Chairman Berwanger remarked on resolution number #30, Mayday for Mandate Relief. One more time, counties across the state as they've done for several years in the past, continue to hound on state government to provide some relief for the unfunded state mandates that the counties provide and pay for unfunded state mandates.

**Non-Consent
#33**

RESOLUTION NO. 13-184
(May 14, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S) APPROVED

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

Jail

- Create one (1) position of **Jail Administrator (Temporary)**, full time for six months and place it on Salary Schedule S with an annual salary of fifty-three thousand eight hundred thirty dollars (\$53,830.00) with only those benefits mandated by law; effective May 14, 2013.

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

Abstain:

UC#34

RESOLUTION NO. 13-185
(May 14, 2013)

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

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. C
YEAR 2013**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14th day of May, 2013, a proposed local law entitled, “Local Law Introductory No. C Year 2013, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2013,”** 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 **11th day of June, 2013 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

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

May 14, 2013

INTRODUCTORY LOCAL LAW NO. C- YEAR 2013

County of Wyoming, Providing Salaries for Certain County Officers for the year 2013

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

Section 1. Effective as hereafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,000.00.

Section 2. All salaries set forth above shall be effective as of January 01, 2013.

Section 3. This Local Law shall take effect 45 days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

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

DATED at Warsaw, New York
May 14, 2013 (Introduced)
Cheryl J. Ketchum, ^{CMC}
Board Clerk, Board of Supervisors County of Wyoming

UC#35

**RESOLUTION NO. 13-186
(May 14, 2013)**

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

SALARY SCHEDULE "I" AMENDED

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

- Set the Salary of the **County Treasurer** at \$55,190.00/annually; effective January 01, 2013; and
- Set the salary of the **County Sheriff** at \$78,303.00/annually; effective January 01, 2013; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the appropriate committee.

Regular Session

Carried: XXX Ayes: 1288 Noes: 172 (Arcade) Absent: Abstain:
51 (Eagle)
88 (Java)
311 Total

Commissioner Brennan was asked to present his monthly report to the Board of Supervisors.

Wyoming County Board of Supervisors
May 14, 2013

Report to the Board:

Wyoming Co Water Resources Agency (WCWRA): will meet on May 30th at 3:30pm to discuss public water expansion concepts with the IDA/LDC, review of the Agency structure, potentially utilizing existing county labor for leak-detection services etc., procurement of equipment and vehicle, along with new matters involving purchase of water meters with electronic readers and guidance documents on well-water monitoring in advance of high volume horizontal hydraulic-fracturing.

New York State: NYS unemployment rate drops from 8.4% to 8.2%, although it was also reported there has been “virtually” no gains for private-sector jobs in the Rochester area.

On April 19th Gov. Cuomo increased the CAFO threshold to 299 mature milk cows and removed duplicative requirements for existing CAFO’s for most permitting requirements under the solid-waste program for land application of food processing waste and storage in regards to anaerobic digestion of many organic wastes.

NYS Assembly passes a Campaign Finance bill: to be eligible for public funding candidates for state office would have to collect a minimum amount of matchable contributions. Matchable contributions are contributions that do not exceed \$250 and are not loans to a campaign. For example, a candidate for Governor would have to collect at least \$650,000 in matchable contributions from at least 6,500 individuals; eligible contributions would then be matched at a rate of \$6 for every \$1, up to a capped amount.

NYS Assembly passes Early Voting Legislation: requiring county board of elections to pay for any increased costs, due to its passage. Early voting will be permitted beginning on the third Thursday before any General election and the second Thursday before any Primary election, concluding on the Thursday prior to the election. The voting hours have been established at 8am-8pm on weekdays and 9am-5pm on weekends.

Siting of casinos: Gov. Cuomo announced six upstate regions could be potential sites for one of three casinos, currently three of the regions have Indian-casinos with “non-compete” clauses contained in their compacts. The Governor stated, two of the three compacts are not in good-standing...the “non-compete” clauses would only be valid if the Tribes come back into “good-standing”. The NYS Legislature will not be a part of the site-selection process; rather an independent committee of real estate, economic development and other financial executives will conduct this analysis. The proposal precludes a casino being located in NYC or Long Island for a period of five years.

The NYS Pension Fund is estimated at \$160.4 billion (all-time high); the Fund lost \$44 billion during the latest recession, beginning in 2008. Last fiscal year the Fund had a 10.4% return on investment (ROI). The Fund provides benefits to over 400,000 retirees.

In the last week, several media outlets reported “poor” relations between the Administration in Albany and the Canadian government. It has been pointed out the irony is because it involves matters related to the “Peace Bridge” and why only \$20 million in bridge improvements have been approved for the New York portion of the bridge compared with \$80-\$100 million approved for the Canadian portion.

Rockland County (NY) has approved a Home-Rule message, asking the state legislature and the Governor to allow them to borrow \$96 million for operations and deficit reduction. Rockland County’s annual budget is over \$700 million.

NYS Attorney General will ask a state court in Wyoming County to unseal previously secret documents containing details about a five-day period in September 1971. The documents are part of the Meyer Report; NYS Attorney General believes now is the time for this release of information...to shed light on one of the “darkest chapter of NYS government”.

Favorite quote out of Albany: Last week when former NYS Senate Majority Leader John Sampson was confronted by federal investigators regarding “falsehoods” he had previously provided, Sampson responded, “not everything I told you was false”!

Washington DC: A draft of the US Senate Farm Bill is due Thursday evening from the US Senate Ag Committee. The only difference from what was passed last fiscal-year is some minor concessions for beef and pork producers and rice and peanut growers. These moves were to garner support from southern Senators. There has been little discussion regarding dairy, other than some press from Sen. Gillibrand. There exists wide differences between the House and Senate regarding the Nutrition Title; the Senate proposes \$4.1 billion in savings

over the next ten years for the Supplemental Nutrition Assistance Program (SNAP), where the House is proposing \$16.4 billion. Many believe this will be the issue that prevents Congress from making “real” progress on this legislation.

Immigration reform has been widely reported on since the “gang of eight” first began its work, since this time 301 amendments have been offered from both sides of the capitol. Sen. Schumer has been active in this debate and has proposed impressive reforms, as they pertain to agriculture. With this many amendments offered, this issue will dominate much of the legislative calendar for both the House and Senate.

The US Senate passed the Marketplace Fairness Act, allowing states to collect sales tax on most internet purchases. The House will convene several hearings regarding this issue over the coming weeks. House leadership indicates they will increase thresholds for commerce, only impacting companies who have more than \$1 million in out of state sales. Many state and national business organizations have supported this legislation.

There being no further business to come before this Board, Senior Supervisor Totsline, T/Genesee Falls, adjourned the meeting at 3:42 PM with a rap on her desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(June 11, 2013)

Tuesday

2:30 PM

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik; Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Brenda Ferrell.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Howard J. Miller

Mr. Miller's service to his country comes while serving during the Korean War. Mr. Miller had graduated from Brown University and was working for a Boston Company, managing drive-ins when he answered the call to serve his country. He enlisted in the United States Army on November 27, 1950. He took Basic Training at Ft. Eustis, Virginia and completed leadership school at Ft. Indiantown Gap, Pennsylvania and was promoted to Sergeant.

Mr. Miller attended Officers Candidate School and was commissioned as a 2nd Lt. in the infantry. He then attended and completed Paratroop ("Jump") School and became a Training Platoon Leader. Mr. Miller volunteered for Korea and was deployed to Korea in March of 1953. He was assigned as a Platoon Leader with the 75th "Recoilless Rifle Platoon, under the 224th Regiment of the 40th Division, at a place known as the "Punch Bowl." He was promoted to 1st Lt. and reassigned as a liaison officer between the regiments and the division with duties including: inspections of the wire defenses, bunkers, and lines of fire. Completing his tour, Mr. Miller returned to the United States and was Honorably discharged on November 14, 1953 at the rank of 1st Lt.

For his service to his country, Mr. Miller was awarded:

The National Defense Service Medal

The Army Good Conduct Medal

The Parachute Badge

The Combat Infantry Badge

The Korean Service Medal w/2 service stars

**The United Nations Service Medal
The New York State Conspicuous Service Medal**

Following his service to his country, Mr. Miller returned to Pennsylvania and went to work for kitchen cabinet sales company in Evans City, Pennsylvania. He did so well that the company went into receivership in 1964.

Mr. Miller then relocated to Warsaw and continued in commission sales with the Puritan Chemical Company out of Atlanta, Georgia, selling bulk quantities of chemicals: everything from soap to hospital additives for Redi-mix to asphalt companies.

Mr. Miller continued his service to his country and joined the 98th Division of the Army Reserves and trained with the unit in Webster, New York.

Mr. Miller continued in sales with Puritan Chemical Company until his retirement in 1990.

He also retired from the Army Reserves as a “full” Colonel.

Mr. Miller also served his community, working as the Town Justice for Warsaw for 19 years and then as the Warsaw Town Supervisor for 8years. He also has co-hosted the annual reunion of his “Officers Candidate School” class which has met at Virginia Beach. Mr. Miller has published 2 books that recount the before and after activities of that class over the last 40 years with 110 of the original 130 members.

Mr. Miller is married to his wife of 58 years, Kate, and they live in the Town of Warsaw.

The pledge was said by all.

Chairman Berwanger, accompanied by Warsaw Supervisor, B. Ryan, presented the customary certificate of appreciation and offered an opportunity to address the Board. Mr. Miller took that opportunity to share a song that was often sang in the pubs during his service in the Korean War.

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

Open Public Hearing:

LOCAL LAW NO. 1 (INTRODUCTORY C) - YEAR 2013,
 “County of Wyoming, Providing Salaries for Certain County Officers
 for the year 2013,” **ADOPTED**

Chairman Berwanger introduced the 2013 Dairy Princess ~

June 11, 2013

Michaela Brennan is a junior at Attica High School and the daughter of Pat and Lynn Brennan. She comes from a farming family, having multiple aunts and uncles that own dairy farms while her father is a dairy nutritionist.

Michaela lives on a small beef farm in Wyoming where she also raises dairy heifers and pigs for show. She has been active in 4H since she was 8 and has shown dairy cows at the county and state levels.

Michaela also milks cows on weekends at Durfee Hill Farm in Wyoming, where she has worked for Rudd Wetherwax for two and a half years. In the future Michaela would like to attend college and pursue a career in the dairy industry.

#1

RESOLUTION NO. 13-187
(June 11, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

JUNE 2013 PROCLAIMED DAIRY MONTH IN WYOMING COUNTY

WHEREAS, June as Dairy Month was originally celebrated to help stabilize the demand for milk and dairy products during the spring months of peak production. Today we simply honor our dairy farmers and the safe, wholesome products they produce; and

WHEREAS, Wyoming County is the leading milk producing county in New York State in terms of total milk production and cow numbers; and

WHEREAS, The average dairy farm in New York State is family owned and consists of 100 cows. Wyoming County farms produce an average of 23,700 pounds (or 2,799 gallons) of milk per cow per year, with a total Wyoming County Milk production of 1.1 Billion pounds (or 129.4 Million gallons) with 46,500 milk cows. The top three leading dairy counties in the state are Wyoming, Cayuga, and St. Lawrence; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim *June 2013* to be:

Dairy Month in Wyoming County

and encourages all our citizens to enjoy milk and other dairy foods and do urge civic and business organizations to cooperate in this observance in public and in private in order that we may enjoy improved health and increased prosperity.

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

Supervisor Brick, T/Perry was invited to the podium with Dairy Princess Michaela Brennan to read and present the proclamation to Michaela.

The Dairy Princess accepted the proclamation and provided the Supervisors with a “Farmer’s Life” presentation.

Chairman Berwanger invited today’s attendees to the milk punch reception in chambers, provided by the Dairy Princess. Thank you Michaela!!

Former NYS Ag. & Markets Commissioner Brennan was asked to provide an update on recent legislation ~

- *Last night, by a vote of 66-27 the US Senate passed their version of the US Farm Bill. This legislation now moves on to the House of Representatives for their consideration. The Senate Bill which is a five year piece of legislation and will cost tax payers \$955 billion over the next ten years. It eliminates \$24 billion in direct payments to farms and creates a safety net for farmers by transitioning agriculture to risk management tools (i.e. insurance type programs for potential washes for disasters)*
- *On May 14th the House Ag. Committee passed its version of the US Farm Bill. The Bill does provide similar transition programs as the Senate bill but as reported last month and the month prior, the snag where these two bills meet is the Supplemental Nutrition Assistance Program (SNAP). The Senate bill provides \$4.1 billion in reductions over the next 10 years to the nutrition title and the House Ag. version still provides over \$20 billion in reductions. So as reported over the last 60 days they still have a ways to go before they agree on a bill and get to a conference. Advocates from Soybean, National Corn Growers, Beef and Pork producers have all been involved in development of the two versions of the bills and they have hoped that the House and Senate will conference and vote on a bill prior to their August recess.*
- *Immigration Reform ~ Work of the “Gang of 8,” Four Republican and Four Democratic Senators were working in earnest with regard to an Immigration Reform Bill. Since that time or over the last 60 days 301 amendments have been offered by various members of the Senate. On May 21st the Senate Judiciary Committee approved the Immigration Reform Bill allowing it to move to the full Senate. There has been great debate since May 21st in regard to provisions of the Bill. Majority Leader, Senator Harry Reid of Nevada called for a cloture vote last*

Thursday, which means debate has been cut off. He's scheduled a vote today in the US Senate. So, last evening and today are pretty significant days in the US Senate.

Communications

- *None*

#2

RESOLUTION NO. 13-188
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Mental Health				
To: 01.38.4323.4.42441	Misc. MH Programs w/01.03.4323.1289 Other Dept Rev	\$2,920.00	\$2,920.00	
Reason:	MHANYS Suicide Prevention Grant awarded.			
To: 01.38.4325.4.42415	Family Support 01.38.4325.4.42441 Misc. MH Programs w/01.11.4325.3490 Mental Health State Aid	\$25,000.00 <u>11,152.00</u>	\$36,152.00	
Reason: State Aid funding for Camp GetAWay and increase to Uncompensated Care/Forensic Services.				
Mental Health Total				\$39,072.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,218,130.43** for the month of **May 2013**.

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

#3

RESOLUTION NO. 13-189
(June 11, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
 WITH USHERWOOD OFFICE TECHNOLOGY ON BEHALF OF THE
 BOARD OF ELECTIONS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign a contract with Usherwood Office Technology, The Design Center,

Regular Session

3445 Winton Place, Suite 220, Rochester, NY 14623 on behalf of the Board of Elections. Said bid award is for a Canon Image Runner Advanced 8295 Digital Systems Copier/Printer in an amount not to exceed nineteen thousand five hundred thirty-eight dollars (\$19,538.00) plus \$.0045 per copy which includes all black toner, drums, parts, labor, travel, service and all supplies; effective June 11, 2013.

Contingent upon the availability of funds.

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

#4

**RESOLUTION NO. 13-190
(June 11, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

FLAG DAY PROCLAIMED

WHEREAS, For more than two centuries, the flag of the United States has been a symbol of hope and pride. The flag has inspired our citizens during times of conflict and comforted us during moments of sorrow and loss. On Flag Day we celebrate the proud legacy of "Old Glory" and reflect on this enduring symbol of freedom; and

WHEREAS, On June 14, 1777, the Second Continental Congress passed a resolution stating that "the Flag of the United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field." As States have been added to the Union, the flag has been modified to reflect their addition to our Nation. Today, the appearance of our flag is based on President Eisenhower's Executive Order of August 21, 1959, to include a star for all 50 states together with 13 stripes representing the original American colonies; and

WHEREAS, Generations of Americans in uniform have carried the Stars and Stripes into battle so that our citizens can live in freedom. Across the globe, a new generation of Soldiers, Sailors, Marines, and Coast Guardsmen have stepped forward to serve under our flag, defending America from our enemies. We are grateful to them and their families for defending our flag and the values of our great Nation; and

WHEREAS, On Flag Day, we recall the rich history of Old Glory and we remember our duty to carry our heritage of freedom into the future; and

WHEREAS, To commemorate the adoption of our flag, Congress, by joint resolution approved August 3, 1949 as amended, designated June 14 of each year as "Flag Day" and requested the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings. Congress also requested, by joint resolution approved June 9, 1966, as amended, that the President issue annually a proclamation designating the week in which June 14 occurs as "National Flag Week" and calling upon all citizens of the United States to display the flag during that week; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim June 14, 2013 as:

Flag Day

and the week of June 10-16, 2013 as:

Flag Week

in Wyoming County, and the Board of Supervisors hereby directs appropriate officials to display the flag on all Government buildings during that week and urge all Americans to observe Flag Day and Flag Week by flying the Stars and Stripes from their homes and other suitable places.

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

Chairman Berwanger invited Supervisor Totsline, T/Genesee Falls to the podium to present the Flag Day/Flag Week proclamation.

She invited County Veteran Services Director, G. Cousins to join her. Director Cousins stated that as we honor the colors of our banner that represent our country he directed the attention of attendees to a couple of events scheduled for Friday, the official Flag Day. If you've never witnessed the ceremony honoring the American flag in its proper retirement, The American Legion here in Warsaw, the Walter Klein does a retirement ceremony every year on Veteran's Day at their dinner. This coming Friday, June 14th, at the home of Dan and Cindy Bunch in Hermitage, Dan Bunch is the Commander for the local VFW Post and for many years they have put on an open ceremony open to the public. If you want to join them at 6 pm bring your lawn chairs and a dish to pass. It is a memorable moment.

Also, in Attica at 6 or 7 pm on Friday, they will perform a retirement ceremony of our Flag. It will be replaced by a new serviceable ones at the Veterans' Memorial Park. So as we honor our Flag on Friday please remember its colors and what they mean.

Director Cousins also announced that the old US mailbox in front of Veteran Services is now an old flag depository.

Supervisor Totsline was asked to remain at the podium for the next presentation. She was joined by OFA Director A. Aldinger for a presentation of a Certificate of Recognition to very special guest, Frank Wood.

Each year the New York State Office for the Aging recognizes Outstanding Senior Volunteers across the state. In early spring nominations are sought and a committee of people chooses a winner from each county.

This year's theme is called Unleash the Power of Age: Recognizing Older New Yorkers Who Demonstrate the Power of Making a Difference through Civic Engagement.

The Wyoming County Office for the Aging and the Wyoming County Board of Supervisor's would like to congratulate Frank Wood from Arcade for being chosen as a New York State 2013 Outstanding Volunteer.

Frank is a native to Western New York. He was born and raised in Orchard Park, NY and moved to Arcade in 1967. He is a retired teacher from the Pioneer Central School District.

Frank has spent over 40 years volunteering for various organizations in Wyoming County – but most recently he has started a Bereavement Support Group in Wyoming County. As a retired teacher and a very active member of his church, Frank is a perfect fit to run our program.

Frank's experience of losing his wife has given him personal insight into the journey through grief and he shares his journey in hopes of helping others with theirs. Frank offers bi-weekly meetings and has 8 – 12 attendees at each meeting. It is a confidential place to share your thoughts with others going through a similar process.

Frank has also started working with another group in the Arcade area and encourages people struggling with their loss to consider joining one or both groups. He has written the curriculum for the program and even published a book entitled "Stress Management through Christian Faith and Love."

Congratulations to Frank and thank you for your time and effort in all you do for our community.

There was a brief interruption as the press took pictures...

#5

RESOLUTION NO. 13-191
(June 11, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION #13-168 AMENDED

WHEREAS, Resolution Number 13-168 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE MENTAL HEALTH ASSOCIATION OF NEW YORK STATE ON BEHALF OF MENTAL HEALTH**,” passed by this Board of Supervisors on May 14, 2013 which provides for a grant application and acceptance award with Mental Health Association of NYS (MHANYS), 19 Washington Ave., Suite 415, Albany, NY 12210 on behalf of Mental Health. Said grant funding is for suicide prevention awareness in a minimum amount of four thousand dollars (\$4,000.00) 100% State Aid, no County match; effective July 1, 2013 through December 31, 2013; now therefore

BE IT RESOLVED, That Resolution Number 13-168 be hereby amended to reflect the awarded grant amount, in a minimum amount of two thousand nine hundred twenty dollars (\$2,920.00) from the Mental Health Association of NYS (MHANYS), 19 Washington Ave., Suite 415, Albany, NY 12210 for suicide prevention activities and remove the 100% state aid language. All else remains the same.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #6 through #10. A voice vote was taken and all voted aye

#6

RESOLUTION NO. 13-192
(June 11, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

AUTHORIZING THE IMPLEMENTATION OF A PURCHASE OF DEVELOPMENT RIGHTS PROGRAM IN WYOMING COUNTY

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports a Purchase of Development Rights Program and authorizes the Wyoming County Ag. & Farmland Protection Board to solicit pre-applications from county property owners who wish to voluntarily participate in the PDR program; and be it

FURTHER RESOLVED, That the County of Wyoming will act as the lead municipal applicant when applying for the New York State Purchase of Development Rights Program, as per the County's pre-application protocol and ranking procedures which identify the top-scoring pre-applications at the request of the Wyoming County Agricultural & Farmland Protection Board (AFPB).

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

**RESOLUTION NO. 13-193
(June 11, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Inter-Municipal Cooperative Agreement with the GLOW Solid Waste Management Committee, Genesee County Building 2, 3837 West Main Street

June 11, 2013

Road, Batavia, NY 14020 to carry out GLOW Solid Waste pharmaceutical and household hazardous waste collection programs and services in an amount not to exceed eighteen thousand one hundred seven dollars (\$18,107.00); effective January 1, 2014 through December 31, 2015.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-194
(June 11, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL
AGREEMENTS WITH THE 16 TOWNS AND 8 VILLAGES OF
WYOMING COUNTY ON BEHALF OF THE WYOMING COUNTY
WATER RESOURCE AGENCY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign Inter-Municipal Agreements with those Wyoming County Municipalities that wish to purchase water-sample analysis, leak-detection services and, if applicable, bulk-purchasing services provided by the County of Wyoming Water Resource Agency according to the Agency's adopted fee schedule; effective June 11, 2013.

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

**RESOLUTION NO. 13-195
(June 11, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS
ON BEHALF OF THE WYOMING COUNTY
WATER RESOURCE AGENCY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to award the following bids and sign the necessary documentation on behalf of the Wyoming County Water Resource Agency:

- **Fluid Conservation Systems**, 502 Technecenter Drive, Suite B, Milford, OH 45150, for leak detection equipment in an amount not to exceed seventy-two thousand four hundred dollars (\$72,400.00); effective June 11, 2013.
- **Basil Ford**, 1540 Walden Avenue, Cheektowaga, NY 14225 for one (1) new, full size, ½ ton, rear wheel drive (RWD), cargo van (preferred color: white) in an amount not to exceed eighteen thousand three hundred ninety-nine dollars (\$18,399.00); effective June 11, 2013.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-196
(June 11, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

**JOSEPH STEINMETZ AND REID SMALLEY APPOINTED TO
 THE GLOW WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That **Joseph Steinmetz**, Director of Career and Technical Education and Adult/Secondary Programs, Orleans Niagara BOCES be hereby appointed to the **GLOW Workforce Investment Board** to replace Roger Amati from Orleans Niagara BOCES /State Ed. Rep. as an At Large Member for an indefinite term; effective June 11, 2013; and be it

FURTHER RESOLVED, That **Reid Smalley**, Executive Director of Workforce Development, GCC – The Best Center be hereby appointed to the **GLOW Workforce Investment Board** to replace Jerry Kozlowski as the Perkins VATEA/Local Education Entity Rep. as an At Large Member for an indefinite term; effective June 11, 2013.

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #11 through #17. A voice vote was taken and all voted aye

#11

RESOLUTION NO. 13-197
(June 11, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

June 11, 2013

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a grant acceptance award with New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's office. Said grant acceptance award is for funding the Aid to Prosecution program in Wyoming County in a minimum amount of twenty-nine thousand two hundred dollars (\$29,200.00); effective April 1, 2013 through March 31, 2014.

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

#12

**RESOLUTION NO. 13-198
(June 11, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH COUNTY
OF MONROE, PUBLIC SAFETY LABORATORY ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with County of Monroe, Public Safety Laboratory, 150 S Plymouth Ave, 5th Floor, Rochester NY 14614 on behalf of the Sheriff's Department. Said contract is for forensic laboratory service in an amount not to exceed twenty-four thousand eight hundred five dollars (\$24,805.00); effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

#13

**RESOLUTION NO. 13-199
(June 11, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
ALLEGANY COUNTY SHERIFF ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Allegany County Sheriff, 4884 State Route 19 S, Belmont, NY 14813 on behalf of the County Jail. Said contract is for prisoner housing in an amount not to exceed eighty-five dollars (\$85.00) a day per prisoner; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-200
(June 11, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the Department of Homeland Security Emergency Services Office of Interoperable and Emergency Communications, State Campus, Building 7A, Suite 710, 1220 Washington Avenue, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant funding is for the Statewide Interoperable Communications Program for Fiscal Year 2013-2014; in a minimum amount of one million seven hundred seventy-one thousand two hundred thirty-six dollars (\$1,771,236.00); effective February 04, 2013 through February 03, 2014. There are no matching funds for this grant.

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

**RESOLUTION NO. 13-201
(June 11, 2013)**

June 11, 2013

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with U.S. Geological Survey, United States Department of the Interior, 425 Jordan Rd., Troy, NY 12180 on behalf of Wyoming County Emergency Services. Said contract is for the installation, operation, and maintenance of the satellite telemetry at gauging station 04216428, Tonawanda Creek in Attica, NY in an amount not to exceed ten thousand thirty dollars (\$10,030.00); effective June 1, 2013 through September 30, 2017.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-202
(June 11, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
APPLICATIONS AND ACCEPTANCE AWARDS WITH THE NEW
YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES OFFICE
OF PROBATION AND CORRECTIONAL ALTERNATIVES ON
BEHALF OF WYOMING COUNTY PROBATION AND 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 various grant applications and acceptance awards with the New York State Division of Criminal Justice Services – Office of Probation and Correctional Alternatives, Alfred E. Smith Building, 80 South Swan Street, Albany, NY 12210 on behalf of Probation and the Public Defender's Office for the following programs; effective July 01, 2013 through June 30, 2014.

- **Alternatives to Incarceration Programs ~**
 - **Community Service**, in a minimum amount of five thousand five hundred thirty-one dollars (\$5,531.00).

- **Pre-Trial Release**, in a minimum amount of five thousand five hundred thirty-one thousand dollars (\$5,531.00).
- **Data Day**, in a minimum amount of six thousand seven hundred seventy-seven dollars (\$6,777.00)
- **Probation Block Grant**, in a minimum amount of seventy-five thousand four hundred twenty-six dollars (\$75,426.00); effective April 01, 2013 through March 31, 2014.

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

#17

RESOLUTION NO. 13-203
(June 11, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 12-226 AMENDED

WHEREAS, Resolution Number 12-226 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES ON BEHALF OF PROBATION**,” passed by this Board of Supervisors on July 10, 2012 which provides for Block Grant funding for 2012-13 Probation and Alternatives to Incarceration (ATI) from the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, 4 Tower Place, 8th Floor, Albany, NY 12203 on behalf of Wyoming County Probation. The funding will be received in a Block Grant for Probation to cover probation services in a minimum amount of seventy-five thousand three hundred forty-one dollars (\$75,426.00); effective July 1, 2012 through June 30, 2013; now therefore

BE IT RESOLVED, That Resolution Number 12-226 be hereby amended to reflect revised effective dates of April 1, 2012 through March 30, 2013. All else remains the same.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #18 through #24. A voice vote was taken and all voted aye.

#18

RESOLUTION NO. 13-204
(June 11, 2013)

June 11, 2013

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 13-144 AMENDED

WHEREAS, Resolution Number 13-144 entitled, "**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NOMAD ENTERPRISES, INC. ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)**," passed by this Board of Supervisors on April 09, 2013 which provides for lawn maintenance services at various County buildings for one (1) year in an amount not to exceed five thousand nine hundred ten dollars (\$5,910.00); effective April 01, 2013 through November 30, 2013. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 13-144 be hereby amended to add lawn maintenance services at the Wyoming County Animal Control Shelter for one (1) year at an additional one thousand two hundred dollars (\$1,200.00) for a total contract amount of seven thousand one hundred ten dollars (\$7,110.00). All else remains the same.

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

RESOLUTION NO. 13-205
(June 11, 2013)

By Mr. Patti, Chairman of Public Works Committee:

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE

WHEREAS, A Project for the **Preventative Maintenance #1 on 5 bridges in Wyoming County, in various Towns, Wyoming County, P.I.N. 4755.31; BINS: 3319560, 3320180, 3320030, 3320190 and 3319650** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

RESOLVED, That the sum of **\$768,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED, This Resolution shall take effect immediately

RESOLVED, This resolution incorporates Resolution No. 11-283 approved 9/13/11

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

#20

June 11, 2013

RESOLUTION NO. 13-206
(June 11, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, A Project for the Preventative Maintenance #3 on 29 bridges in Wyoming County, in various Towns, Wyoming County, P.I.N. 4755.61; BINS: 3319470, 319700, 3329710, 3329760, 3319890, 3319980, 3320310, 3320320, 3320340, 3320360, 3321620, 3319430, 3319510, 3319630, 3319720, 3319750, 3319800, 3319810, 3319850, 3319870, 3319910, 3319920, 319930, 3320140, 3320280, 3320290, 3320380, 3369130 and 3369140 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

RESOLVED, That the sum of **\$1,274,000** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount

immediately upon the notification by the New York State Department of Transportation thereof, and it is further

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

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

RESOLVED, This Resolution shall take effect immediately

RESOLVED, This resolution incorporates Resolution No. 11-284 approved 9/13/11

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

#21

RESOLUTION NO. 13-207
(June 11, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**2011/2012 SALT BID AWARD EXTENDED THROUGH 2013/2014
SNOW SEASON**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to extend the 2011/2012 road salt contract with American Rock Salt Co., LLC, PO Box 190, Mt. Morris, NY 14510 for a second time, through the 2013/2014 snow season, per current bid specifications at the current price is \$40.49/ton. Contingent upon the availability of funds.

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

June 11, 2013

RESOLUTION NO. 13-208
(June 11, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO
EXTEND THE SNOW AGREEMENT WITH TOWNS AND VILLAGES
FOR 2014/2015**

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on county roads for the winter season of **2014/2015**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2014/2015** – increased by \$100.00 per center lane mile over the 2013-14 agreement

Contingent upon the availability of funds.

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

#23

RESOLUTION NO. 13-209
(June 11, 2013)

By Mr. Patti, Chairman of Public Works Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign a contract with Killian Construction Inc., 45 Hendrix Road, Suite 200,

Regular Session

West Henrietta, NY 14586 on behalf of County Highway. Said bid award is for Highway Shoulder Removal in an amount not to exceed eight thousand six hundred dollars (\$8,600.00).

Contingent upon the availability of funds.

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

•

RESOLUTION NO. 13-210
(June 11, 2013)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ENVOY ENVIRONMENTAL CONSULTANTS, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM CAPITAL IMPROVEMENT RENOVATION PROJECT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Envoy Environmental Consultants, Inc., 1815 Love Road, Grand Island, NY 14072 on behalf of the Wyoming County Community Health System Capital Improvement Renovation Project. Said contract is for Asbestos Air Sample Testing and Asbestos Abatement Monitoring for Department of Labor Compliance of the Skilled Nursing Facility portion of the renovations in an amount not to exceed one hundred thousand dollars (\$100,000.00); effective May 29, 2013 through completion of project.

Contingent upon the availability of funds.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #25 through #32. A voice vote was taken and all voted aye.

#25

RESOLUTION NO. 13-211
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

DISABILITY INSURANCE RATE WITH THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA APPROVED

June 11, 2013

BE IT RESOLVED, That rates for statutory New York State Disability Insurance coverage with The Guardian Life Insurance Company of America, 400 Willowbrook, Suite 450, Fairport, NY 14450 for the following employees are hereby approved; effective:

- **July 1, 2013 to June 30, 2014**
 - ❖ CSEA-WCCH Supervisory –
 - ❖ \$5.75 female/month; \$2.60 male/month

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-212
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH D&T VENTURES ON BEHALF OF THE COUNTY TREASURER'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 contract with D&T Ventures, PO Box 643, St Cloud, MN 56302-0643 on behalf of the County Treasurer's office. Said contract is for Online Tax Collection Software and one time development costing of thirteen thousand five hundred dollars (\$13,500.00) to be offset with twelve thousand one hundred ninety-seven dollars and twenty-seven cents (\$12,197.27) in NYS grant revenue. The Website annual service and compliance certification is in an amount not to exceed five thousand dollars (\$5,000.00); effective November 1, 2013 through October 31, 2016.

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

RESOLUTION NO. 13-213
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF CASTILE APPROVED

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

BE IT RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE: Town of Castile
Tax Map # 99.-2-29.2
LOCATION: 3795 Club Rd, Unit 1, Castile, NY
ASSESSED TO: Stephen C. Tarbell II
Justine M Kirsch
3795 Club Rd, Unit 1
Perry, NY 14530
ERROR TYPE: Clerical Error
AUTHORITY: *RPTL §550.2(e) "an entry on a tax roll which is incorrect by reason of a mistake in the transcription of a charge based on units of service of a special district."*
ACTION: Correct 2013 Town/County Tax Bill
Original Bill \$ 5,535.92
Corrected Bill \$ 3,760.73

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

#28

RESOLUTION NO. 13-214
(June 11, 2013)

By Mr. Kushner, 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 October 1, 2012 through March 31, 2013 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, New York

June 11, 2013

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling **\$32,733.65** (thirty-two thousand seven hundred thirty-three dollars and sixty-five cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$3,156.37
Attica	\$3,329.53
Bennington	\$3,761.02
Castile	\$2,202.91
Covington	\$1,843.61
Eagle	\$915.24
Gainesville	\$740.34
Genesee Falls	\$566.11
Java	\$1,776.06
Middlebury	\$967.22
Orangeville	\$1,230.51
Perry	\$4,315.36
Pike	\$460.54
Sheldon	\$2,590.29
Warsaw	\$4,381.30
Wethersfield	\$497.24
Grand Totals:	\$32,733.65

Let this be your Warrant for Such Payment: **\$32,733.65** (thirty-two thousand seven hundred thirty-three dollars and sixty-five cents). IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 11th day of June, 2013.

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

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

RESOLUTION NO. 13-215
s(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 12-391 AMENDED

WHEREAS, Resolution Number 12-391 entitled, "CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE BRENNAN GROUP CONSULTING (PATRICK BRENNAN) ON BEHALF OF THE

Regular Session

COUNTY OF WYOMING," passed by this Board of Supervisors on December 12, 2012 which provides for consulting services relating to the implementation of a Countywide Water Resource Agency in an amount not to exceed two thousand five hundred dollars (\$2,500.00) per month plus mileage, tolls, and reasonable expenses reimbursed; effective January 01, 2013 through December 31, 2013. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 12-391 be hereby amended to remove language pertaining to the Wyoming County Water Resource Agency. Resolution Number 12-391 reverts back to strategic advice on current state/federal financing opportunities, as they relate to Wyoming County's interests in an amount not to exceed two thousand five hundred dollars (\$2,500.00)/mo. plus mileage, tolls and reasonable reimbursements with the passage of Resolution Number 13-57 by the Board of Supervisors on February 12, 2013. All else remains the same.

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

#30

RESOLUTION NO. 13-216
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION REASSIGNMENT/CREATION(S) APPROVED

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

Budget Office

- One (1) position of **Senior Clerk** (position code 025.222) be reassigned to the Budget Office (Cost Center 1231) from the Public Health Certified Home Health Agency (Cost Center 4050) at 40 hours/week (35 hours dedicated to activities of the Budget Office/5 hours where needed); effective June 23, 2013.

Mental Health

- One (1) position of **Director of Community Services** (.8 FTE) be created and placed on Salary Schedule D (salary to be set at a later date commensurate with experience and education); effective June 5, 2013.

Jail

- One (1) position of **Correction Officer**, full time be created and placed on the Wyoming County Sheriff's Employee Association grade 3 (\$18.06 -

June 11, 2013

\$22.15); effective June 11, 2013 to replace one position of Control Room Operator, full time (position code 039.060)

- One (1) position of **Control Room Operator**, full time (position code 039.060) be hereby abolished; effective June 11, 2013.

Buildings and Grounds (CIP):

- One (1) position of **Laborer (Temp. Per Diem)** (up to 6 months) (position code 025.144) be extended at a rate of \$12.00/hr. with only those benefits mandated by law; effective July 9, 2013 through January 9, 2014

Carried: XXX Ayes: 1599 Noses: Absent: Abstain:

#31

RESOLUTION NO. 13-217
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-184 AMENDED

WHEREAS, Resolution Number 13-184 entitled, “**POSITION CREATION(S) APPROVED**,” passed by this Board of Supervisors on May 14, 2013 which provides for the creation of one Jail Administrator (Temporary); now therefore

BE IT RESOLVED, That Resolution Number 13-184 be hereby amended by removing the following language from the resolution, “*with only those benefits mandated by law.*” All else remains the same.

Carried: XXX Ayes: 1599 Noses: Absent: Abstain:

#32

RESOLUTION NO. 13-218
(June 11, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NOVA BIOMEDICAL ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM.

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this

Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Nova Biomedical**, 200 Prospect St., Waltham, MA 02454 for an Equipment, Software and Commodities purchase agreement for StatStrip Glucometers. Equipment with maintenance \$14,535; Software with maintenance (\$31,464 - Telcor quote); minimum test strip purchase is 112 cases of 1,800 @ \$.27 each = \$54,432 and 4 packs of batteries @ \$420 annually. Additional supplies as needed with pricing provided by GNYHA pricing as referenced in the Nova Quote sheet. Contract; effective January 1, 2014, through December 31, 2018 (5 years).

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

Public Comment: **None heard**

Motion to close the Public Hearing was made by Supervisor Rogers, T/Pike. Seconded by Supervisor Davis, T/Covington. Carried.

**Local Law
#33**

**RESOLUTION NO. 13-219
(June 11, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

LOCAL LAW NO. 1 (INTRODUCTORY C) - YEAR 2013, "County of Wyoming, Providing Salaries for Certain County Officers for the year 2013," ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 14th day of May, 2013, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2013, entitled, "*County of Wyoming, Providing Salaries for Certain County Officers for the year 2013;*" and

WHEREAS, In accordance with the provisions of Resolution No. 13-185, there was a public hearing held by this Board of Supervisors on this 11th day of June, 2013, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to

June 11, 2013

recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 1, Year 2013, County of Wyoming, New York, as presented to this Board on the 11th day of June 2013, is hereby adopted as presented, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 1 - YEAR 2013

County of Wyoming, Providing Salaries for Certain County Officers for the year 2013

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

Section 1. Effective as hereafter provided, the annual salary of the County Highway Superintendent shall be increased by \$2,000.00.

Section 2. All salaries set forth above shall be effective as of January 01, 2013.

Section 3. This Local Law shall take effect 45 days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

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

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

In closing, Chairman Berwanger reminded everyone about the Dairy Princess Reception and thanked her for attending. He also wished good luck to all Wyoming County Diary Farmers as the County celebrates Dairy Month.

There being no further business to come before this Board, Senior Supervisor Rogers, T/Pike, adjourned the meeting at 3:49 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

Regular Session

**REGULAR SESSION
(July 09, 2013)
Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Brenda Ferrell. Absent from today's meeting is Assistant County Attorney, James Wujcik. In honor and memory of long time County Attorney, Eric T. Dadd the nameplate that marked his desk in the Supervisors' Chambers was draped with a black ribbon.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

Gerald P. Howard

Mr. Howard's service to his country comes while serving during the Vietnam War. Mr. Howard enlisted in the United States Army Reserve on December 14, 1964. He completed his Basic Training and Advanced Individual Training at Ft. Dix, New Jersey and became Qualified as a supply specialist. He then returned to his unit, C Company of the 2nd Battalion of the 390th Regiment under the 98th Division Training, and trained monthly in Batavia.

Mr. Howard attended Annual Training at Ft. Dix, New Jersey and also at West Point, where his unit trained members of the National Guard. He also cross trained and became the company Armorer. Mr. Howard trained with his unit for 6 years and was Honorably Discharged in December of 1970.

Mr. Howard worked for the Warsaw Hardware from 1964 to 1968. He then went to work for Lapp Insulator in Leroy and worked as a carpenter for 32 years until his retirement in November of 2003.

Mr. Howard enjoys carpentry, painting, fixing up houses, and spends the winters in Florida. He lives in the Village of Silver Springs.

The pledge was said by all.

Chairman Berwanger, accompanied by Gainesville Supervisor, T. Dixon, presented the customary certificate of appreciation and offered an opportunity to

July 09, 2013

address the Board. Mr. Howard thanked the Board.

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

Chairman Berwanger welcomed Supervisor Susan May, T/Orangeville back into county service. She very graciously offered that it is a privilege to serve with this Board.

Chairman Berwanger noted the tragic and untimely death of long time County Attorney, Eric T. Dadd. He further pointed out that the County Attorney's chair is empty today in honor of the service Mr. Dadd has provided to Wyoming County with a black ribbon affixed to his name plate...

Chairman Berwanger was reminded by Supervisor Grant, T/Bennington before today's meeting of the time the Chairman announced a birthday during a regular monthly meeting of the Board and that the County's official Choral Director, County Attorney Dadd, would lead the Board in his rendition of Happy Birthday. He said the look on County Attorney Dadd's face was priceless yet he took it all in stride and played the part by leading in the song!!

Mr. Dadd was a great resource and very proudly wore Wyoming County on his sleeve. He will be greatly missed by all...

A moment of silence was observed in his memory...

Communications

None

#1

**RESOLUTION NO. 13-220
(July 09, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Wyoming County Water Resource Agency			
From: 01.48.8310.4.41214 Supplies Purchased	\$4,887.00		
To: 01.48.8310.2.20401 Misc. Equipment		\$4,887.00	
Reason: to cover cost of leak detection equipment			
Wyoming County Water Resource Agency Total			\$4,887.00

Wyoming County Community Hospital			
From: 01.35.1990.4.42110 Contingency/ WCCH To: 01.52.9950.9.99002 Transfer to Hospital Reason: Transfer funds to reflect intended allocation through the budget process.	\$300,000.00	\$300,000.00	
Wyoming County Community Hospital Total			\$300,000.00
Budget Office			
From: 01.33.1231.4.41206 Other To: 01.33.1231.1.10101 Full Time CSEA Reason: Transfer funds to cover the cost of the Sr. Clerk position transferred from the CHHA to the Budget Office.	\$11,500.00	\$11,500.00	
Budget Office Total			\$11,500.00

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#2

RESOLUTION NO. 13-221
(July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Youth Bureau			
To: 01.45.7310.4.42434 Stars of Tomorrow w/01.03.7310.1289 Other Dept Income Reason: Funds will be used for Youth Bureau activities for Honeycomb (R-AHEC) afterschool program for Perry School.	\$450.00	\$450.00	
Youth Bureau Total			\$450.00
Mental Health			
To: 01.38.4220.4.42306 Misc. Other w/01.03.4220.1289 Other Dept. Revenue increased by same Reason: Donation from Warsaw School from Drug Free Grant Micro Grant Tiger Trot	\$2,000.00	\$2,000.00	
Mental Health Total			\$2,000.00
Reforestation			
To: 01.49.8710.4.40301 Prof. Svc. Contracts w/01.08.8710.2652 Sale of Property <i>w/any funds available</i> Reason: To cover 2013 Forest Mgmt Plan activities with Pioneer Forestry for Poplar Tree Rd., Hobday Rd., and Wethersfield Rd. properties (Res. #12-281 for \$9,750.00 & 13-169 for \$9,950.00).	\$15,107.00	\$4,000.00 \$11,107.00	
Reforestation Total			\$15,107.00

July 09, 2013

Sheriff			
To: 01.37.3110.1.10301 Overtime w/01.12.3110.438902 Federal Traffic Aid Reason: appropriation is for the STEP grant award	\$7,500.00	\$7,500.00	
To: 01.37.3110.4.40508 Private Auto Repair From: 01.08.3110.2680 Insurance Recovery Reason: collision work to patrol car #8	\$2,770.85	\$2,770.85	
Sheriff Total			\$10,270.85
Department of Social Services – CIP			
To: 61.61.9901.9.99001 Interfund Transfer w/61.05.6010.2401 Interest Reason: To appropriate additional interest earned during run-off period closing the DSS Capital Project account.	\$65.50	\$65.50	
Department of Social Services – CIP Total			\$65.50
Wyoming County Community Hospital			
To: 01.35.1990.4.42110 Contingency – WCCH <i>w/any funds available</i> Reason: support effort to recruit OB/GYN and Orthopedic Surgeon w/ any funds available in the amount of \$211,000.00. (Plan approved at Finance Committee 6/4/13)	\$211,000.00	\$211,000.00	
Wyoming County Community Hospital Total			\$211,000.00
Budget Office			
To: 01.33.1231.1.10101 Full Time CSEA 01.33.1231.8.81001 Retirement 01.33.1231.8.82002 CSEA Disability 01.33.1231.8.83001 FICA 01.33.1231.8.85001 Medicare-FICA 01.33.1231.8.89001 Health Insurance 01.33.1231.8.89002 HRA 01.33.1231.8.89003 HRA Admin Exp <i>w/any funds available</i> Reason: To appropriate funds to cover the cost of the Sr. Clerk position transferred from the CHHA to the Budget Office in the amount of \$17,905.00.	\$6,455.00 3,340.00 89.00 1,114.00 261.00 4,022.00 2,600.00 24.00 \$17,905.00		
Budget Office Total			\$17,905.00

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$3,360,715.65** for the month of **June 2013**.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#3

RESOLUTION NO. 13-222
(July 09, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH THOMSON
REUTERS ON BEHALF OF THE COUNTY ATTORNEY'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Thomson Reuters, 610 Opperman Drive, St. Paul, MN 55164-1803 for:

- Renewal of the assured print pricing service of NY Supp.2d in the amount of \$212.36 per month and McKinney's CPLR in the amount of \$6.66 per month; annual amount \$2,628.24; 3 year contract with a 5% increase the second and third years; effective July 01, 2013 through June 30, 2016.
- Assured print pricing service of NY Consolidated Laws Annotated in the amount of \$198.66 per month; annual amount \$2,383.92; 3 year contract with a 5% increase the second and third years; effective July 01, 2013 through June 30, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #4 through #8. A voice vote was taken and all voted aye

#4

**RESOLUTION NO. 13-223
(July 09, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging. Said grant funding is for senior employment services to residents 55 and over in Wyoming County in a minimum amount of eighteen thousand four hundred thirty-seven dollars (\$18,437.00); effective July 1, 2013 through June 30, 2014.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

July 09, 2013

RESOLUTION NO. 13-224
(July 09, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WYOMING COUNTY COMMUNITY ACTION ON BEHALF OF
WYOMING COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wyoming County Community Action, 6470 Route 20A Suite 1, Perry, NY 14530 on behalf of the Wyoming County Office for the Aging. Said contract is to provide for senior employment services to residents 55 and over in Wyoming County in an amount not to exceed seventeen thousand five hundred fifteen dollars (\$17,515.00); effective July 1, 2013 through June 30, 2014.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#6

RESOLUTION NO. 13-225
(July 09, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144 on behalf of the Wyoming County Youth Bureau. Said funding is for Youth Bureau Administration costs, Stars, Omega, Youth Court, Positive Parenting, and administration of the Town and Village Recreation programs in a minimum amount of thirty-five thousand seven hundred seventeen dollars (\$35,717.00); effective January 01, 2013 through December 31, 2013.

Regular Session

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#7

RESOLUTION NO. 13-226
(July 09, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
LETCHWORTH CENTRAL SCHOOL DISTRICT ON BEHALF
OF WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Letchworth Central School District of Wyoming County, 5550 School Road, Gainesville, NY 14066 on behalf of the Wyoming County Youth Bureau. Said contract is for transportation services in an amount not to exceed 2013-2016 budget; variable depending on services provided; effective July 01, 2013 through June 30, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#8

RESOLUTION NO. 13-227
(July 09, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A LEASE
AGREEMENT FOR SIX (6) COPIER/PRINTERS ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to award a bid to *Printer Components, Inc.*, 100 Photikon Dr. Ste #2, Fairport, NY 14450 for six (6) copier/printers per bid specs. (to include training and finance charges) and sign a lease agreement with *Great American Financial Services*, One Great American Plaza, 625 1st Street, SE, Cedar Rapids, IA 52401 in the amount of \$980.15 monthly for 60 months (5 years) in an amount not to exceed fifty-eight thousand eight hundred nine dollars (\$58,809.00); effective from the date of signing for five years/Contingent upon the availability of funds; and be it

July 09, 2013

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a maintenance agreement for the above stated printers with **Printer Components, Inc.**, 100 Photikon Dr. Ste #2, Fairport, NY 14450 in the amount of \$.0059/copy for the Factory New 55 CPM B&W MFP and Factory New 45 CPM B&W MFP machines. \$.0086/B&W copy and \$.0494/color copy for the Factory New 40 CPM color MFP machines; effective the date of signing for 5 years/Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #9 through #11. A voice vote was taken and all voted aye

#9

RESOLUTION NO. 13-228
(July 09, 2013)

By Mrs. Ryan, Chairman of 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 the following grant acceptance awards on behalf of the County Health Department:

- **New York State Department of Health**, ESP, Corning Tower, Albany, NY 12237 for the *Integrated Cancer Services Program (Component A- Breast, Cervical and Colorectal Cancer Screening Program)* in the following amounts which are renewable annually beginning April 1, 2014 through March 31, 2018:
 - Infrastructure: In a minimum amount of eighty-two thousand five hundred dollars (\$82,500.00); effective July 1, 2013 through March 31, 2014 (*Renewable Annually @ one hundred ten thousand dollars (\$110,00.00) through 3/31/2018*); and\
 - Clinical Services: In a **maximum amount** of thirty-three thousand sixty-five dollars (\$33,065.00); effective July 1, 2013 through March 31, 2014; and be it

- **New York State Department of Health, Bureau of Water Supply Protection**, Corning Tower, Room 1110, Empire State Plaza, Albany, NY for the Drinking Water Enhancement Program in a minimum amount of one hundred one thousand dollars (\$101,000.00); effective April 1, 2013 through March 31, 2014.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#10

RESOLUTION NO. 13-229
(July 09, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

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

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a Sub-Agreement with the Livingston County Health Department, 2 Murray Hill Drive, Mt. Morris, NY 14510 on behalf of the County Health Department. Said agreement is for reimbursement of Livingston Wyoming Cancer Services Program activities, as required by the New York State Department of Health work plan in a **maximum amount** of twenty-six thousand seven hundred sixty-two dollars (\$26,762.00); effective July 01, 2013 through March 31, 2014; fully reimbursed by the New York State Department of Health Cancer Services Program Infrastructure Grant.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#11

RESOLUTION NO. 13-230
(July 09, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

**MEMBERS APPOINTED TO THE COMMUNITY SERVICES BOARD
AND VARIOUS MENTAL HEALTH SUBCOMMITTEES**

July 09, 2013

BE IT RESOLVED, That the following members be hereby appointed to the Community Services Board and various Mental Health Subcommittees:

Community Services Board Members

Remainder of a four (4) year term effective July 9, 2013 through December 31, 2014

- James A. Foley – 2766 Blackhouse Road, Warsaw, NY 14569
(unexpired term of Joyce Horner)

Remainder of a four (4) year term effective July 9, 2013 through December 31, 2015

- James Conway – 994 Creek Road, Attica, NY 14011, (unexpired term of Keirsten Shaffer)

Mental Health Subcommittee Member

Remainder of a four (4) year term effective July 9, 2013 through December 31, 2015

- James Conway – 994 Creek Road, Attica, NY 14011, (unexpired term of Keirsten Shaffer)

MR/DD Subcommittee Member

Remainder of a four (4) year term effective July 9, 2013 through December 31, 2015

- James Foley- 2766 Blackhouse Road, Warsaw, NY 14569
(unexpired term of Dr. Collins)

Remainder of a four (4) year term effective July 9, 2013 through December 31, 2013

- Karen Duboy – 3939 Wethersfield Road, Warsaw, NY 14569
(vacant unexpired term previously held by Karen Duboy)

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #12 and #13. A voice vote was taken and all voted aye

#12

**RESOLUTION NO. 13-231
(July 09, 2013)**

By ~~Mr. Fleischman~~ Mr. Davis, Vice Chairman of Planning Committee:

**MARCELL TAYLOR APPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That Marcell Taylor (Training and Employment

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Manager, Pathstone Corporation), 138-140 N. Main Street, Albion, NY 14411 be hereby appointed to the GLOW Workforce Investment Board as an At Large Member for an indefinite term effective June 11, 2013.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#13

**RESOLUTION NO. 13-232
(July 09, 2013)**

By ~~Mr. Fleischman~~ Mr. Davis, Vice Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN ANNUAL GLOW CEO WIB
AGREEMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the annual GLOW CEO WIB agreement between Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming County and the GLOW Workforce Investment Board (WIB), Genesee County Career Center, 587 E. Main St., Suite 100, Batavia, New York 14020 on behalf of Wyoming County; effective July 1, 2013 through June 30, 2016.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #14 through #18. A voice vote was taken and all voted aye

#14

**RESOLUTION NO. 13-233
(July 09, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE
GOVERNOR'S TRAFFIC SAFETY COUNCIL ON BEHALF OF THE
SHERIFF'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 Governors Traffic Safety Council, 6 Empire State Plaza, Room 414, Albany NY 12228 on behalf of the Sheriff's office. Said funding is for the Selective Traffic

July 09, 2013

Enforcement Program (STEP) in a minimum amount of seven thousand five hundred dollars (\$7,500.00); effective October 1, 2012 through September 30, 2013.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#15

RESOLUTION NO. 13-234
(July 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a grant application and acceptance award with New York State Office of Homeland Security, 1220 Washington Ave, Bldg 7A, Ste 610, Albany NY 12242 on behalf of the Sheriff's Office. Said funding is for law enforcement initiatives in a minimum amount of seventeen thousand five hundred dollars (\$17,500.00); effective September 1, 2013 through August 31, 2015.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#16

RESOLUTION NO. 13-235
(July 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

FIRE ADVISORY BOARD DELEGATES APPOINTED/REAPPOINTED

BE IT RESOLVED, That the following named persons are hereby appointed/ reappointed to the Wyoming County Fire Advisory Board and in accordance with Section 225-a of the County Law for a term of one year effective *July 01, 2013 through June 30, 2014*:

Arcade	Gregory Landis	782 Geer Rd., Arcade, NY 14009
Attica	Terry Snyder	37 Buffalo St., Attica, NY 14011
Bennington	David Valtin	2166 Church Rd., Darien Ctr., NY 14040

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Bliss	Richard Maher	3248 Rt. 39, Bliss, NY 14024
Castile	George T. Wright*	6505 W. Center Rd., Castile, NY 14427
Cowlesville	Raymond Anderson*	1131 Folsomdale Rd., Cowlesville, NY 14037
Gainesville	Gregory Lockwood*	32 N. Main St., Gainesville, NY 14066
Harris Corners	Mark Keem	2563 Rt. 77, Strykersville, NY 14145
North Java	Raymond Wilson*	1464 Beaver Meadow Rd. Java Center, NY 14082
Perry	Lawrence Hopper*	60 Park Ave., Perry, NY 14530
Perry Center	James Brick	7618 Rt. 20A, Perry, NY 14530
Pike	Douglas Flint	78 Main St., Pike, NY 14130
Sheldon	Richard Brzezicki, Jr.	2830 Valley View Ln., Strykersville, NY 14145
Silver Springs	John Proper	80 Orchard St., POB 183, Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Rd., Strykersville, NY 14145
Varysburg	Carl Parmerter	1871 Rt. 98, Attica, NY 14011
Warsaw	Primo Biscaro	3989 Miller Rd., Warsaw, NY 14569
Wyoming	Aaron Osterman*	25 Main St., Wyoming, NY 14591

*denotes new member

Members At-Large for towns without Departments:

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

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#17

RESOLUTION NO. 13-236
(July 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WILMAC
 ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a contract with Wilmac, 73 State St., Rochester, NY 14614 on behalf of Wyoming County Emergency Services. Said contract is for maintenance of the NICE Digital Recorder (S/N #41931101) for 24 hour support coverage in an amount not to exceed six thousand seven hundred dollars (\$6,700.00); effective September 1, 2013 through August 31, 2014.

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Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#18

RESOLUTION NO. 13-237
(July 09, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Office of Homeland Security, 1220 Washington Ave, Bldg 7A, Ste 610, Albany NY 12242 on behalf of Wyoming County Emergency Services. Said funding is to support the implementation of risk driven, capabilities-based State Homeland Security Strategies in a minimum amount of fifty-two thousand five hundred dollars (\$52,500.00); effective September 1, 2013 through August 31, 2015.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #19 through #21. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 13-238
(July 09, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, a Project for the **High Risk Rural Road Improvement: Intersection #1 – Dale Road, W. Middlebury Road & Capwell Road, Town of Middlebury; Intersection #2 – Curriers Road & Genesee Road, Town of**

Arcade, Wyoming County, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

NOW, THEREFORE, the Board of Supervisors, duly convened does hereby

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

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

RESOLVED, that the sum of **\$556,500.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED, this Resolution shall take effect immediately.

RESOLVED, this resolution incorporates Resolution No. 11-198 approved 6/14/11 and Resolution No. 12-201 approved 6/12/12.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#20

**RESOLUTION NO. 13-239
(July 09, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 12-139 AMENDED

WHEREAS, Resolution Number 12-139 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEND LEASE (US) CONSTRUCTION, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM CAPITAL IMPROVEMENT RENOVATIONS PROJECT**,” passed by this Board of Supervisors on April 10, 2012 and provides Construction Management services for the Wyoming County Skilled Nursing Facility and Community Hospital Addition and Select Interior Renovations in the amount of thirty-seven thousand one hundred eighty-seven dollars (\$37,187.00) for fifteen (15) consecutive months, commencing on April 1, 2012, and one final payment of thirty-seven thousand one hundred ninety-five dollars (\$37,195.00) due on July 1, 2013 for a total contract amount not to exceed five hundred ninety-five thousand dollars (\$595,000.00). Contingent upon the availability of funds; and

WHEREAS, Resolution Number 12-139 was amended by this Board of Supervisors on September 11, 2012 by Resolution Number 12-299 to include an increase of **\$470,000.00** to the Lend Lease Construction Management contract for the additional man power necessary to manage the balance of the Wyoming County Community Health System renovations and addition constructions; now therefore

BE IT RESOLVED, That Resolution Number 12-139 as amended by 12-299 be hereby amended to manage both projects through close out and to extend completion date to January 31, 2014 increasing the amount by one hundred forty thousand dollars (**\$140,000.00**). Work is above and beyond original contract agreement, for a total of one million two hundred five thousand dollars (**\$1,205,000.00**). All else remains the same.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

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**RESOLUTION NO. 13-240
(July 09, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS
WITH JEFFERY ELLIS CARL CABINETMAKERS, INC. ON BEHALF
OF THE WYOMING COUNTY COMMUNITY HOSPITAL
RENOVATIONS CAPITAL IMPROVEMENT PROJECT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to award a bid and sign a contract with Jeffery Ellis Carl Cabinetmakers, Inc., 725 Culver Rd, Rochester, NY 14609 on behalf of the Wyoming County Community Hospital Renovations Capital Improvement Project. Said bid award is for Cabinets and Corian Tops to be used in the Nurses Stations - SNF renovation project in an amount not to exceed thirty-eight thousand nine hundred fourteen thousand dollars (\$38,914.00), effective July 10, 2013 through completion of project.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There was a motion by Mr. Kushner, T/Eagle, to withdraw resolution office number 30 and to combine resolutions #22 through #29. A voice vote was taken and all voted aye.

#22

**RESOLUTION NO. 13-241
(July 09, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN/DIRECTOR OF INFORMATION TECHNOLOGY
AUTHORIZED TO SIGN A MAINTENANCE AGREEMENT WITH
MATRIX COMMUNICATIONS ON BEHALF OF INFORMATION
TECHNOLOGY**

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 Maintenance agreement with Matrix Communications, 126 Dwight Park Circle, Syracuse, NY 13209 on behalf of

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Information Technology. Said agreement is for the Annual Support Contract of the Phone System for the Government Center campus in a maximum amount of ten thousand two hundred eighty-one dollars and seventy-one cents (\$10,281.71); effective September 23, 2013 through September 22, 2014.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#23

**RESOLUTION NO. 13-242
(July 09, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S)/EXTENSION(S) APPROVED

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

Real Property Tax Services

- Create one (1) position of **Real Property Tax Services Aide (Temporary)** full time for up to 3 months, CSEA agreement, sch. A, grade 4 (\$14.67 - \$16.14/hr) with only those benefits required by law, effective July 3, 2013 to provide training for the new full time person.

Real Property Tax Services

- Create one (1) position of **Real Property Tax Services Deputy Director** (1.00 FTE) and place on Salary Schedule "S" and set the salary at \$40,000.00 annually; effective June 11, 2013.

Jail

- Create one (1) position of **Correction Officer (Temporary)**, full time and set the salary commensurate with the Wyoming County Sheriff's Employees Assoc. grade 3 (\$18.06 - \$22.15) effective June 24, 2013 to replace Mike Horton who was appointed to Sergeant on a temporary full time basis.
- Create one (1) position of **Correction Officer (Temporary)**, part time and set the salary commensurate with the Wyoming County

Sheriff's Employees Assoc. grade 3 (\$18.06 - \$22.15) effective June 24, 2013 to replace a part time CO appointed to a full time position on a temporary basis.

- Create one (1) position of **Correction Sergeant (Temporary)** full time and set the salary commensurate with the Wyoming County Sheriff's Employees Assoc. grade 6 (\$21.53 - \$24.17) effective June 28, 2013 to replace Matt Case who has been appointed to Jail Administrator on a temporary basis.

County Clerk

- Extend one (1) position of **Index Clerk, PT** (position code 020.137) salary commensurate with the CSEA Agreement sch. A grade 4 step 1 (\$14.67/hr.); effective through February 11, 2014 (6 mos.)

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#24

RESOLUTION NO. 13-243
(July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES "D," "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 "D":

Buildings & Grounds:

- Merge the stipend for Buildings & Grounds oversight at WCCH with that of the regular annual salary for the position of Superintendent of Buildings & Grounds (Co. Buildings) for a total annual salary of \$71,218.00; effective July 01, 2013

Salary Schedule "G":

Public Defender

- Place the 2013-2014 Office of Indigent Legal Services Stipends on the salary schedule and set as follows:

- Assist. Public Defender 1st ~ \$2,075.00
- Assist. Public Defender 2nd ~ \$10,000.00
- Assist. Public Defender 3rd ~ \$2,075.00
 (plus corresponding fringes)

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Salary Schedule "S":**Real Property Tax Services:**

- Include a separate stipend for the **Real Property Tax Services Deputy Director** in the amount of \$2,000.00/month; effective June 11, 2013 through September 30, 2013.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#25

RESOLUTION NO. 13-244
(July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **"AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,"** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **University of Rochester (URMC)**, 601 Elmwood Avenue, Rochester, NY 14642:
 - **Emergency Medical Services Agreement & Amendment #1** for a physician to provide emergency medicine services and emergency medicine assistant medical director services in an amount not to exceed six hundred two thousand three hundred sixty dollars (\$602,360.00) with 3% increase for each term thereafter; effective June 24, 2013 through June 30, 2014.
 - **Anesthesiology Services Agreement** for anesthesiology services, in an amount not to exceed two hundred fifty thousand dollars (\$250,000.00) per year based on volume; effective July 01, 2013 through June 30, 2014.
- **Fuji Film**, 419 West Ave., Stamford, CT 06902 for an Emerald Preferred Service Agreement on Fuji imaging equipment: CR IR356

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IE Carbon XL; CR IR362 XG5000 w Flash Plus IIP; CR IR368M Clearview CSM), \$27,004 04/16/13 – 12/31/13, \$38,055 Year 2, \$38,055 Year 3, actual payout will be less than \$103,114; effective April 16, 2013 through December 31, 2015.

- **Aureus Medical Group**, 13609 California Street, Omaha, NE 68154-5260 for an RN Temporary Staffing contract to fill vacant RN positions in specialty care nursing units in order to provide minimum staffing levels for patient safety and quality on a temporary basis while attempting to recruit/orient new hires, or to fill in for leaves of absence), not to exceed one hundred twenty five thousand dollars (\$125,000.00), for the period June 17, 2013 through June 16, 2014.
- **Cecilia Lyons , Pediatric Nurse Practitioner PLLC**, 311 Ortner Road, Darien Center, NY 14040, Independent Contractor Agreement to provide pediatric patient care and practice management services, \$100,000 / Year 1, \$102,000 / Year 2, for the period 01/01/2013 – 12/31/2014 (auto renewal with no changes).

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#26

RESOLUTION NO. 13-245
(July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-183 AMENDED

WHEREAS, Resolution Number 13-183 entitled, “**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**,” passed by this Board of Supervisors on May 14, 2013 and provides for a *Hospital Management Services Contract* (CEO services) and a *Professional Services Contract* with **Bonadio & Co., LLP**, 171 Sully’s Trail, Suite 201, Pittsford, New York 14534, Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 13-183 be hereby amended to revise the *Professional Services Contract* as follows:

- \$155 to \$160 manager-level individuals
- \$100 to \$110 senior & staff level individuals.

All else remains the same.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

July 09, 2013

RESOLUTION NO. 13-246
(July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. D
YEAR 2013

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 09th day of July, 2013, a proposed local law entitled, "Local Law Introductory No. D Year 2013, "A LOCAL LAW PURSUANT TO CHAPTER 97-2011 OF THE LAWS OF THE STATE OF NEW YORK AND SECTION 3-C OF THE GENERAL MUNICIPAL LAW OVERRIDING TAX LEVY LIMIT FOR FISCAL YEAR 2014" 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 **13th day of August, 2013 at 2:00 PM in the Youth Building at the County Fairgrounds, Pike, New York.**

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

INTRODUCTORY LOCAL LAW NO. D - YEAR 2013

A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014

Section 1. Legislative Intent

The slow recovery of the national and state economies and the continued financial obligations imposed on the County of Wyoming by New York State in the form of mandated governmental services not fully funded by the State are conditions beyond the control of County government. Notwithstanding these circumstances, the County will need to provide services in 2014, in addition to those mandated by the State, which are important to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for

the fiscal year 2013 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

Section 3. Tax Levy Limit Override

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

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

#28

RESOLUTION NO. 13-247 (July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH XPEDX ON BEHALF OF THE CENTRAL STOREROOM

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a contract with XPEDX, 75 Allied Drive, Cheektowaga, NY 14227 on behalf of

July 09, 2013

Central Storeroom. Said bid award is for copy paper for all county departments in the amount of \$27.00 per case delivered by pallet; effective July 9, 2013 through January 8, 2014.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

#29

RESOLUTION NO. 13-248
(July 09, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EXTENDED TAX BILL
INSERT & PRINTING AGREEMENT WITH APPLIED BUSINESS
SYSTEMS, INC. ON BEHALF OF REAL PROPERTY TAX SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Tax Bill Insert & Printing Agreement extension with Applied Business Systems, Inc. (ABS), 26 Harvester Avenue, Batavia, NY 14020 on behalf of Real Property Tax Services in an amount not to exceed fifteen thousand two hundred thirteen dollars and thirty cents (\$15,213.30) (same rates as previous year's agreement); effective March 30, 2013 through March 30, 2014 (1st of only one, one year option to extend) at same cost.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

**Withdrawn
#30**

**RESOLUTION NO. 13-
(July 09, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND USES OF
TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES,
AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT
CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE
STATE OF NEW YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

Withdrawn
Regular Session

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992, and ending November 30, 2015, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2015, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computers) are used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are

used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise

adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such

by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

Withdrawn

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law,

over and above the prevailing normal purchase price prior to such fabrication of such tangible

personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use be such person.

SECTION 4. Subdivision (k) of section 14 of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources, and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, the receipts from the detail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992, and ending November 30, 2015.

SECTION 5. Paragraph (B) of subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on December 1, 2013.

Carried: **Ayes:** **Noes:** **Absent:** **Abstain:**

Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolutions #31 through 33. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #31 through 33 prior to the roll call vote.

UC#31

RESOLUTION NO. 13-249
(July 09, 2013)

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

**LOCATION AND TIME OF AUGUST 2013 REGULAR SESSION
 CHANGED**

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

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on **Tuesday, August 13th, 2013 at 2:00 PM** in the **Youth Building** at the **Wyoming County Fairgrounds in Pike, New York**.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

UC#32

RESOLUTION NO. 13-250
(July 09, 2013)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT EXTENSION

Regular Session

**WITH MCDONALD'S BUS SERVICE ON BEHALF OF
THE WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with McDonald's Bus Service, Inc., 248 Sargent Street, Cowlesville, NY 14066 on behalf of the Wyoming County Youth Bureau. Said contract extension is for Early Intervention and Pre-School Transportation. The cost is variable – depending on need; effective July 1, 2013 through September 1, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

UC#33

**RESOLUTION NO. 13-251
(July 09, 2013)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS
WITH MCDONALD'S BUS SERVICE ON BEHALF OF THE
WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with McDonald's Bus Service, Inc., 248 Sargent Street, Cowlesville, NY 14037 for the provision of transportation services not to exceed 2013- 2016 budget; variable depending on number of services; effective September 01, 2013 through June 30, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1511 Noes: Absent: 88 (Java) Abstain:

There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 2:57 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

July 09, 2013

SPECIAL SESSION
(August 01, 2013)
Tuesday
11:00 AM

The special session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present except Supervisors Patti, T/Attica; Tarbell, T/Castile; Dixon, T/Gainesville; Fleischman, T/Java and May, T/Orangeville. Also present were Budget Officer, J. Cook and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 11:00 AM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this meeting is:

*Supervisor John Copeland, T/Wethersfield

#1

RESOLUTION NO. 13-252
(August 01, 2013)

By Mr. Davis, Vice Chairman of Planning Committee:

**RESOLUTION IN SUPPORT OF VILLAGE OF WARSAW'S
APPLICATION TO NEW YORK STATE MAIN STREET (NYMS)
GRANT PROGRAM AND JAMES RUTKOWSKI'S GRANT
APPLICATION TO NEW YORK STATE EMPIRE STATE
DEVELOPMENT CORPORATION TO ASSIST IN THE RENOVATION
AND REHABILITATION OF THE VACANT BROWN KNITTING MILL
BUILDING INTO THE WYOMING COUNTY BUSINESS AND
AGRICULTURAL CENTER**

WHEREAS, The County of Wyoming has been approached by Mr. James Rutowski, a private developer, to convert the vacant 36,000 square feet historic Brown Knitting Mill building, which sits on a 4.3 acre plot at 36 Center Street in the Village of Warsaw, immediately adjacent to the border of the Town of Warsaw's Main Street Grant program target area, into the Wyoming County Agricultural and Business Center of Excellence at an estimated total project cost of \$4,575,000; and

WHEREAS, The Wyoming County Agricultural and Business Center for Excellence will create a unique public-private partnership that will co-locate federal, Wyoming County and not-for-profit agriculture and economic

development agencies to further Governor Cuomo's request to expand the dairy industry in New York State by creating a regional one-stop building dedicated to the expansion of the region's agri-business and dairy industry; and

WHEREAS, The successful development of the "one stop" state of the art agricultural education and research center in the Village's central business district will result in the revitalization of the historic former Brown Knitting Company into a new use, while expanding and supporting the region's agricultural base in an effort to increase the region's milk supply by over 15% to accommodate the demands placed on the industry by the addition of two new yogurt plants in nearby Genesee County; and

WHEREAS, The project will support the County's economy and Warsaw's Main Street by eliminating a visual eyesore in the Village's business district, create enhanced synergies and collaboration for agricultural industry entrepreneurs, create direct and indirect new employment opportunities for County residents and increase the available disposable income of residents in the community that can be spent at local businesses, give the documented evidence that the majority of dollars generated by the agricultural community goes directly back into the local economy through the purchase of dairy supplies, equipment, fertilizer, seeds, etc., and the successful project will increase the taxable assessed valuation of a currently underutilized building; and

WHEREAS, the New York State Main Street Program and the NYS Empire State Development Authority offers grant funding to assist private developers to complete building façade renovation and streetscape improvements in areas that have experienced sustained physical deterioration, decay, neglect or disinvestment in targeted commercial areas and enhances economic development and job creation; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby support and encourage the applications submitted to the New York Main Street grant program, administered by the NYS Office of Community Renewal, in the amount of \$67,500 and Mr. James Rutowski's application for grant assistance from the NYS Empire State Development Corporation's Regional Capital Fund program to support the rehabilitation of the historic Brown Knitting Mill Building into the Wyoming County Business and Agricultural Center of Excellence, and be it

FURTHER RESOLVED, That a copy of this resolution be forwarded to the Main Street grant program officials, Empire State Development Corporation officials, and the Village of Warsaw.

Supervisor Ryan, TWarsaw reported that The Town of Warsaw provided letters of support to Senator Gallivan and Assemblyman DiPietro.

Environmental Health Director, S. Perkins was asked to provide comment on the next resolution. He explained that the resolution provides for step one of a multi-step plan to a 20 + year problem.

Supervisor Brick, T/Perry questioned the size of the line (A: 8" line).

Supervisor Rogers, T/Pike questioned the location of the expansion (A: Near Village line, Route 39 to Chapman Rd. to provide a “loop.”) The “loop” will alleviate current stagnant water issues. 100% grant funded if awarded.

#2

RESOLUTION NO. 13-253
(August 01, 2013)

By Mr. Davis, Vice Chairman of Planning Committee:

**RESOLUTION IN SUPPORT OF THE TOWN OF CASTILE'S
APPLICATION TO MARKET NEW YORK TOURISM FACILITY
GRANT PROGRAM TO ASSIST IN INCREASING WATER SUPPLY
QUANTITIES AND PRESSURES TO THE CHARCOAL CORRAL, THE
COUNTY'S MOST SIGNIFICANT PRIVATE REGIONAL TOURIST
DESTINATION**

WHEREAS, The County of Wyoming has been approached by the Town of Castile to support the Town's application to the New York Tourism Facility Grant Program to install booster pumps and undertake necessary waterline improvements to correct significant volume and pressure problems at the Charcoal Corral, a regional family oriented tourist destination; and

WHEREAS, The Charcoal Corral, which attracts more than 250,000 tourists per year to the County and generates over \$200,000 in sales tax revenues to the County of Wyoming; and

WHEREAS, The successful installation of an enhanced public water system to the site will result in the retention of over 100 seasonal jobs, a vital

Special Session

source of employment for youth and other residents of the County, with the strong potential for additional job producing developments to occur at the site in the future if adequate water is available; and

WHEREAS, The Charcoal Corral management has pledged that increased water pressures and volumes will allow them to immediately proceed with the construction of 17 new residential housing units on a fully developed and approved housing subdivision that has been unable to proceed for over 20 years because of the lack of water at an affordable cost, and:

WHEREAS, Said housing construction will result in the creation of over 136 direct construction jobs and increased business to County appliance, furniture, lawn care and other related businesses and will result in the addition of over \$3,000,000 of assessed valuation to the Town and County real property tax rolls, and;

WHEREAS, The project will support the County's economic development initiative to increase the availability of water to existing and future businesses and industries, and;

WHEREAS, The project will support and enhance the region's tourist industry and create enhanced synergies and collaboration with neighboring Letchworth State Park, the Village of Perry's Main Street and recreational facilities, marinas and summer camps surrounding Silver Lake; and;

WHEREAS, The proposed Charcoal Corral waterline project will to support a significant regional tourist destination that will benefit Wyoming County and the surrounding region and is in alignment with the Finger Lakes Regional Council's strategic plan for tourism; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby support and encourage the application submitted to the New York Tourism Facility grant program, administered by the Empire State Development Corporation, and be it

FURTHER RESOLVED, That a copy of this resolution be forwarded to the Finger Lakes Regional Council Development Corporation, Empire State Development Corporation officials, and the Town of Castile.

**Carried: XXX Ayes: 1073 Noes: Absent: 164 (Attica) Abstain: 123 (Castile)
93 (Gainesville)
88 (Java)
58 (Orangeville)
526 Total**

Mary Kay Hotchkiss of the Perry Herald was in attendance to provide media coverage of the meeting.

Prior to the adjournment of the meeting Chairman Berwanger reported on the appointment of John Noble, Synergy (Wyoming County Dairy Farm) by Governor Cuomo to serve on the CFA scoring committee...

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 11:12 AM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION**(August 13, 2013)****Tuesday****2:00 PM**

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

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

ACKNOWLEDGEMENT OF COLORS ~

By The Wyoming County Joint Veterans Council (Gary Cousins)

The Veteran leading the Pledge of Allegiance this month is:

Robert John Kibler

Mr. Kibler's service to his country comes while serving during the Vietnam War. Mr. Kibler answered the call to serve his country when he enlisted in the United States Army on December 10, 1965. He completed his Basic Training at Ft. Dix, New Jersey and then Advanced Individual Training at the Alabama Redstone Arsenal and became qualified as an Ammunitions Records Specialist. Mr. Kibler was then assigned to the 7th I.C.C. Unit under the 57th Ordinance Brigade in Kaiserslautern, Germany and worked as an Ammunitions record specialist. He returned to the United States and was Honorably Discharged on November 27, 1967 at the rank of SP4 (Specialist 4th Class).

For his service to his country, Mr. Kibler was awarded:

The National Defense Service Medal
The Sharpshooter Marksmanship Badge

Mr. Kibler returned to this area and went back to work for Hoodi Corporation for a period and then went to work for National Fuel Gas, starting as a pipe fitter and then worked his way up to sub Forman. During that period, Mr. Kibler decided to continue his career in the military and enlisted in the United States Army Reserves in September of 1982 and drilled with the 1/390th Regiment of the 98th Division Training. Mr Kibler first was assigned duties as a Training NCO and then attended the Drill Sergeant Academy and became a Drill

Sergeant. For the next 10 years he attended Annual Training to teach Basic Training to Active Duty personnel at Ft. Leonard Wood, Missouri. During this period, Mr. Kibler was activated for the 1st Gulf War four times during 2002 to 2005 and was an instructor teaching troops before they deployed to the Gulf. After his last deployment to active duty, Mr. Kibler returned to his unit as a Training NCO until his promotion to Master Sergeant, at which time he became the Senior Instructor at Conesus College under the R.O.T.C. Program. Mr. Kibler was still working for National Fuel Gas and retired from there in February of 2001 after 32 years. In July of 2006, at the rank of Master Sergeant, Mr. Kibler retired from the Army Reserves. For his Service to his country, Mr. Kibler was also awarded:

The National Defense Service Medal (2nd award)

The Overseas Service Ribbon

The Drill Sergeant Identification Badge

The Armed Forces Reserve Medal (2nd award)

The Non-Commissioned Officers Professional Development Ribbon (3rd award)

The Army Achievement Medal (5th award)

The Army Reserve Component Achievement Medal (6th award)

The Army Commendation Medal (2nd award)

Mr. Kibler has also been active in his community. He has been a member of the American Legion 6 Start Post of Strykersville for 39 years, was instrumental in forming of the 6 Star AMVETS Post of Strykersville, and presently serves as the commander. He is also a past member of the Strykersville Ambulance unit and a past member of the N. Java Fire Department. He enjoys home projects, RV camping, and travel.

Mr. Kibler has been married to his wife, Brenda, for 44 years and they live in the village of Java Center.

The pledge was said by all.

Chairman Berwanger, accompanied by Java Supervisor, J. Fleischman, presented the customary certificate of appreciation and offered an opportunity to address the Board. Mr. Kibler thanked the Board.

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

Presentations ~ New York State Senator, Patrick Gallivan (accompanied by New York State Assemblyman, David DiPietro)

- **Honoring Specialist Austin J. Sampson**

* presented to Wesley and Pam Sampson (parents)

- **Public Service ~ Ron George (T/Java Highway Superintendent for 51 years)**
 - * presented to Bernice Sampson (wife)
- **Volunteer Fire Service**
 - * **Volunteer Fireman of the Year ~ Bill Pomeni**
 - 100th Anniversary of Strykersville Fire Dept.
 - Sixty-two (62) years of dedicated service
 - * **Warsaw Fire Dept. & Wyoming County Volunteer Firemen's Association Chaplin ~ Beanie Head**
- **Sportsman ~ Larry Becker – NYS Outdoorsmen Hall of Fame**
 - * joined by his wife, Carol Becker
- **Agriculture ~ 100th Anniversary - Cornell Cooperative Extension**
 - * presented to Shawn Tiede
- **4-H Quiz Bowl Winner ~ Alton Rutgers**

COMMUNICATIONS:

- **NYS Governor Andrew Cuomo** ~ Letter dated August 13, 2013 to Chairman Berwanger ~ *Greetings to everyone gathering at the Wyoming County Fairgrounds*

OPEN PUBLIC HEARING:

Local Law No. 2, Year 2013 (Introductory D Year 2013) Entitled, "A Local Law Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-C of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2014"

#1

RESOLUTION NO. 13-254 **(August 13, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 10th through August 17th, 2013 in the Town of Pike, Pike, New York; and

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

WHEREAS, The Fair's theme "**Summer's Main Attraction**" focuses on all families, particularly the farm family, agriculture, horticulture, domestic

August 13, 2013

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 proclaims the week of August 10th through August 17th in the year 2013 as:

“WYOMING COUNTY FAIR WEEK”

and be it

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

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

After the roll call vote was taken, Chairman Berwanger invited Supervisor Brick, T/Perry to the microphone to present this year's proclamation to Michael Roche, Fair Superintendent and the 2013 Fair Queen, Natalie McHugh, T/Gainesville resident and Warsaw Central School student.

ANIMAL SHELTER RECOGNITIONS

Several Certificates of Recognition were distributed by Supervisor Brick, T/Perry and D. Clerk to the Board Ferrell.

Animal Control Officer Goodell was in attendance to assist with the designations. Animal Control Officer Goodell also received a special recognition for demonstrating outstanding leadership skills and compassion toward the animals in need during the rescue.

Chairman Berwanger recognized the outstanding volunteers of the Wyoming County Fair Association. If Government Agencies of all levels worked as well as this volunteer group it would be in much better shape.

Ag. & Business Center of Excellence & Wyoming County Water Resource Agency Updates by former NYS Commissioner of Ag. & Markets/County Consultant ~Patrick Brennan

Grants submitted

- Ag. & Business Center of Excellence
 - CFA (deadline to submit was 08/12/13, yesterday)
 - Village of Warsaw Main Street Grant \$67,000.00
 - To improve the walkway and façade around the building, which is the former Brown Knitting Co.

- *Developer, Jim Rutowski*
 - *Empire State Development Corporation \$781,000.00*
 - *For overall redevelopment of that structure*
 - *Cornell University*
 - *Genesee Valley Regional Market Authority (January 22, 2013 by W. Maddison) \$295,000.00*
 - *For the purchase of HVAC equipment and negative airflow equipment for the laboratory and the reception area for Quality Milk, which will be transitioning from Geneseo to the downtown Warsaw facility.*
- *WCWRA*
 - *CFA (deadline to submit was 08/12/13, yesterday) \$902,000.00*
 - *Increase pressure and capacity from Village of Perry to the Charcoal Corral area and a loop back around.*
 - *Third submitted*
 - *First grant for a feasibility study \$50,000.00*
 - *Second grant was for implementation \$212,000.00*

#2

RESOLUTION NO. 13-255
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Buildings and Grounds/CIP			
From: 12.61.9950.9.99004 CIP Interfund	\$847.00		
To: 12.61.1620.2.21017 Kaplan (Elections) CIP		\$847.00	
Reason: To transfer funds for additional costs associated with the Roof Project at the Elections/ DMV/OFA building.			
Buildings and Grounds/CIP Total			\$847.00

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#3

RESOLUTION NO. 13-256
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Emergency Services			
To: 25.72.3640.4.40301 Professional Services w/25.13.3640.5031 Interfund Transfer Reason: To appropriate funds for recurring expenses associated with the Fire Training Tower Clean up.	\$75,000.00	\$75,000.00	
Emergency Services Total			\$75,000.00
Board of Supervisors			
To: 01.31.1010.2.20001 Furniture w/ <i>any funds available</i> Reason: To cover purchase of cabinetry in chambers to house new sound system.	\$1,900.00	\$1,900.00	
Board of Supervisors Total			\$1,900.00
Human Resources			
To: 01.34.1431.4.40301 Prof. Services Contracts w/ <i>any funds available</i> Reason: To pay for labor attorney expenses for the remainder of this year.	\$12,000.00	\$12,000.00	
Human Resources Total			\$12,000.00
Youth Bureau			
To: 01.45.7310.4.42434 - Stars of Tomorrow w/01.03.7310.1289 Other Dept Income Reason: To use for various Stars programs.	\$500.00	\$500.00	
Youth Bureau Total			\$500.00
Public Health			
To: 01.38.4051.1.10001 Salaries - Fixed Sch /D/I 01.38.4051.1.10101 Full Time CSEA Contract 01.38.4051.2.20201 Computer Equipment 01.38.4051.4.40009 Cellular Phone 01.38.4051.4.40301 Professional Svc Contracts 01.38.4051.4.40401 Training/Education 01.38.4051.4.41010 Office Supplies 01.38.4051.4.41201 Postage 01.38.4051.4.41204 Advertising 01.38.4051.4.41402 Computers 01.38.4051.8.80001 Worker's Compensation 01.38.4051.8.81001 Retirement 01.38.4051.8.83001 FICA 01.38.4051.8.85001 Medicare - FICA 01.38.4051.8.89001 Medical/Hospital Ins. 01.38.4051.8.89002 Health Reim. Acct/Employee	\$25,964.00 12,961.50 15,468.00 952.50 29,575.00 2,515.00 250.00 759.50 4,641.50 376.00 1,051.00 7,092.00 2,386.00 568.00 7,430.00 1,343.00 \$113,333.00		

w/01.12.4051.4489 Fed Aid (Nav. CFDA 93.750)			
REASON: Salary, Fringe, Equipment, and Contractual expenses related to the Administration of the NYSDOH OHIP Navigator Program.			
Public Health Total			\$113,333.00
Public Defender			
To: 01.32.1170.4.40902 Legal Services/Investigator w/01.11.1170.3089 Other State Rev. Reason: For Investigator Services on "606" Inmate cases.	\$2,500.00	\$2,500.00	
Public Defender Total			\$2,500.00

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,230,477.69** for the month of **July 2013**.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #4 through #7. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 13-257
(August 13, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

JAMES KIRSCH APPOINTED REAL PROPERTY TAX SERVICES DIRECTOR

BE IT RESOLVED, That James Kirsch, 3454 Humphrey Rd., Varysburg, NY 14167 be hereby appointed to the position of Real Property Tax Services Director per RPTL §1530 to complete the vacant unexpired current term of 6 years; effective August 16, 2013 through September 30, 2013 and for the new term of 6 years; effective October 01, 2013 to September 30, 2019.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#5

RESOLUTION NO. 13-258
(August 13, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

August 13, 2013

**CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. LOCAL 1000,
AFSCME, AFL-CIO AGREEMENT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the Agreement between the Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO and the County of Wyoming dated January 01, 2012 to December 31, 2015, subject to ratification by the CSEA membership; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, with the approval of David Lippett, Legal Council for the County of Wyoming are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#6

**RESOLUTION NO. 13-259
(August 13, 2013)**

By Mr. Davis, Chairman of Human Resource Committee:

RESOLUTION NUMBER 13-189 AMENDED

WHEREAS, Resolution Number 13-189 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT WITH USHERWOOD OFFICE TECHNOLOGY ON BEHALF OF THE BOARD OF ELECTIONS**,” passed by this Board of Supervisors on June 11, 2013 and provides for a Canon Image Runner Advanced 8295 Digital Systems Copier/Printer in an amount not to exceed nineteen thousand five hundred thirty-eight dollars (\$19,538.00) plus \$.0045 per copy which includes all black toner, drums, parts, labor, travel, service and all supplies; effective June 11, 2013. Contingent upon the availability of funds.; now therefore

BE IT RESOLVED, That Resolution Number 13-189 be hereby amended to reflect effective dates of July 1, 2013 through June 30, 2017, with the option to renew the contract for an additional two, twelve (12) month periods. All else remains the same

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#7

RESOLUTION NO. 13-260

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(August 13, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL CONTRACT
WITH WENDY SISSON ON BEHALF OF THE COUNTY ATTORNEY'S
OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wendy Sisson, P.O. Box 242, Geneseo, New York 14454 on behalf of the County Attorney's Office. Said contract is for legal services to the Wyoming County Department of Social Services in an amount not to exceed thirty thousand dollars (\$30,000.00); effective September 1, 2013 through August 31, 2014.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #8 and #9. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 13-261
(August 13, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE OFFICE OF GENERAL
SERVICES ON BEHALF OF WYOMING COUNTY VETERAN
SERVICES**

BE IT RESOVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a grant acceptance award with New York State Office of General Services, 5 Empire Plaza, Suite #2836, Albany, NY 12242 on behalf of Wyoming County Veteran Services. Said grant funding is provided under Section 359 of the Executive Law in a minimum amount of eight thousand five hundred twenty-nine dollars (\$8,529.00); effective April 01, 2013 through March 31, 2014.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#9

August 13, 2013

RESOLUTION NO. 13-262
(August 13, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

CHILD SUPPORT AWARENESS MONTH PROCLAIMED

WHEAREAS, 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;

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

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim August, 2013 as:

CHILD SUPPORT AWARENESS MONTH

in the County of Wyoming.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

At the conclusion of the roll call vote Chairman Berwanger invited Supervisor Totsline, T/Genesee Falls to the microphone to present the Child Support Awareness Month proclamation. On behalf of herself and Social Services Commissioner Rumsey, Supervisor Totsline, T/Genesee Falls requested that the reading of the proclamation be waived in the interest of time. She will be sure to deliver the proclamation to the department when back in Warsaw... Permission was granted.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #10 through #12. A voice vote was taken and all voted aye.

#10

RESOLUTION NO. 13-263
(August 13, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
 GRANT ACCEPTANCE AWARDS WITH THE NEW YORK STATE
 DEPARTMENT OF HEALTH, OFFICE OF HEALTH INSURANCE
 PROGRAMS/BUREAU OF CHILD HEALTH PLUS POLICY AND
 EXCHANGE CONSUMER ASSISTANCE ON BEHALF OF THE
 COUNTY HEALTH DEPARTMENT**

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 grant acceptance awards with the New York State Department of Health, Office of Health Insurance Programs/Bureau of Child Health Plus Policy and Exchange Consumer Assistance, Corning Tower, OCP 826, Albany, NY 12237 on behalf of the County Health Department. Said grant funding is for Consumer Assistance with the NYS Health Benefit Exchange, providing in person assistors and navigators for Wyoming County in a minimum amount of twenty-eight thousand three hundred thirty-three dollars (\$28,333.00); effective August 1, 2013 through September 31, 2013 and one hundred seventy thousand dollars (\$170,000.00); effective October 1, 2013 through September 30, 2014/annually, renewable at one hundred seventy thousand dollars (\$170,000.00) per year through September 30, 2018. Maximum award eight hundred seventy-eight thousand three hundred thirty-three dollars (\$878,333.00); effective August 1, 2013 through September 31, 2018.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#11

RESOLUTION NO. 13-264
(August 13, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
NEW YORK STATE DEPARTMENT OF HEALTH IN PERSON
ASSISTORS AND NAVIGATOR GRANT SUB-AGREEMENTS WITH
WYOMING COUNTY CHAMBER OF COMMERCE AND WYOMING
COUNTY COMMUNITY ACTION ON BEHALF OF THE COUNTY
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney's office are hereby authorized and directed to sign Sub-Agreements for reimbursement of Navigator Grant activities, as required by the New York State Department of Health work plan; effective October 01, 2013 through September 30, 2014; fully reimbursed by the New York State Department of Health In Person Assistors and Navigator Grant:

- **Wyoming County Chamber of Commerce**, 6470 Route 20A, Suite 6, Perry, NY 14530 ten thousand dollars (\$10,000.00), annually (renewable through September 30, 2018)
- **Wyoming County Community Action**, 6470 Route 20A, Suite 1, Perry, NY 14530 forty-nine thousand one hundred fifty dollars (\$49,150.00), annually (renewable through September 30, 2018)

Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#12

RESOLUTION NO. 13-265
(August 13, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

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

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BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with New York State Department of Health, Bureau of Community Environmental Health & Food Protection, Empire State Plaza, Corning Tower Building, Room 1395, Albany, New York 12237 on behalf of the County Health Department. Said funding is for the Tobacco Enforcement Program in a minimum amount of twenty-seven thousand five hundred thirty-nine dollars (\$27,539.00); effective April 1, 2013 through March 31, 2014.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

SPECIAL RECOGNITIONS

Privatization of the Wyoming County Certified Home Health Agency

- Dr. Collins
- Laura Paolucci
- Sarah Matthews
- Cathy Murdie

The decision to privatize was not an easy one to make but was a necessary action. Thank you to the above Public Health Administration for making that transition as successful as it was!!

#13

RESOLUTION NO. 13-266 (August 13, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

JERRY DAVIS APPOINTED TO THE GLOW REGIONAL SOLID WASTE MANAGEMENT COMMITTEE

BE IT RESOLVED, That Jerry Davis, 7414 Court Rd., P. O. Box 445, Pavilion, NY 14525 be hereby appointed to the GLOW Regional Solid Waste Management Committee as an

Alternate Supervisor Member to fill the vacant unexpired term of Supervisor Gerald Stout, T/Orangeville through December 31, 2013.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #14 through #18 with the exception of resolution number 18, which has been withdrawn. A voice vote was taken and all voted aye.

August 13, 2013

RESOLUTION NO. 13-267
(August 13, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. E
YEAR 2013

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of August 2013, a proposed local law entitled, “Local Law Introductory No. E Year 2013, “**A LOCAL LAW TO AMEND LOCAL LAW 11, YEAR 1994 BANNING POSSESSION OF WEAPONS IN WYOMING COUNTY BUILDINGS**” 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 **10th day of September, 2013 at 2:30 PM in the Supervisors’ Chambers**, 2nd floor of the Government Center, Warsaw, New York.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

INTRODUCTORY LOCAL LAW NO. E - YEAR 2013

A Local Law Amending Local Law No. 11 of the Year 1994, entitled “A Local Law Banning Possession of Weapons in Wyoming County Buildings”

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. County of Wyoming Local Law No. 11 of 1994 adopted a local law entitled “A Local Law Banning Possession of Weapons in Wyoming County Buildings”.

Section 2. Said Local Law Section 2 shall be amended as follows.

Section 2: Prohibited Acts

No person shall bear or have in his or her possession, either openly or concealed, any firearm, gun, explosive devise or substance, lethal or debilitating

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chemical or gas, a “deadly weapon” as defined in subdivision 12 of Section 10 of the New York State Penal Law, a “dangerous instrument” as defined in subdivision 13 of Section 10 of the New York State Penal Law, while entering or being present in any building owned, leased or operated by the County of Wyoming. Prohibited items shall include but are not limited to: a rifle, shotgun, handgun, pistol, target pistol, imitation pistol, dagger, dirk, razor, stiletto, switchblade, blackjack, and metal knuckles.

Section 3. Effective Date. This local law shall become effective upon the filing with the New York State Department of State.

DATED at Warsaw, New York
August 13, 2013 (Introduced)
Cheryl J. Ketchum, ^{CMC}
Board Clerk

#15

RESOLUTION NO. 13-268
(August 13, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

DAVID LINDER APPOINTED STOP DWI COORDINATOR, PT

BE IT RESOLVED, That David Linder, 563 Perry Rd., Strykersville, NY 14145 be hereby appointed Stop-DWI Coordinator, PT to fill a vacant unexpired term of one (1) year; effective August 13, 2013 through December 31, 2013 to replace retired Sheriff, Farris Heimann, who previously held the position.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#16

RESOLUTION NO. 13-269
(August 13, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**EMS TRAINING COORDINATOR - INSTRUCTOR FEE SCHEDULE
ADOPTED**

August 13, 2013

BE IT RESOLVED, That the EMS Training Coordinator – Instructor

EMS TRAINING COORDINATOR - INSTRUCTOR FEE SCHEDULE

TITLE	RATE PER HR.
CIC (Certified Instructor Coordinator - EMS))	\$ 25.00
CLI (Certified Lab Instructor - EMS)	\$ 15.00
Lecturers	\$ 20.00
Uncertified CLI	\$ 10.00
Rates used for Practical Exams	
PSC (Practical Skills Coordinator)	\$ 25.00
Evaluator	\$ 10.00
Patient	\$ 7.50
Helper	\$ 7.50

Fee Schedule is hereby adopted and annexed hereto.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#17

RESOLUTION NO. 13-
(August 13, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
WITH DELACY FORD ON BEHALF OF WYOMING COUNTY
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign a contract with Delacy Ford, 1501 Transit Road, PO Box 437, Elma, NY 14059 on behalf of Wyoming County Emergency Services. Said bid award is for one (1) new 2014 Ford Expedition, XL EL series, 4WD Vehicle (preferred color: factory red) in an amount not to exceed thirty four thousand nine hundred eighty-three dollars (\$34,983.00); effective August 13, 2013.

Carried: Ayes: Noes: Absent: Abstain:

#18

RESOLUTION NO. 13-270

Regular Session

(August 13, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 09-288 AMENDED

WHEREAS, Resolution Number 09-288 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE CRIME VICTIM’S BOARD ON BEHALF OF THE DISTRICT ATTORNEY’S OFFICE**,” passed by this Board of Supervisors on July 14, 2009 and provides grant funding for crime victim services in a minimum amount of two hundred fifty thousand seven hundred fifty-seven dollars (\$250,757.00) as follows:

- 2009-2010 - \$79,282.00
- 2010-2011 - \$83,393.00
- 2011-2012 - \$88,082.00;

effective October 01, 2009 through September 30, 2012; and

WHEREAS, Resolution Number 09-288 was amended on June 12, 2012 this Board of Supervisors with passage of resolution Number 12-195 to amend the expiration date effective October 1, 2012 through September 30, 2013 and provide an additional (one of two available) award amount of eighty-six thousand three hundred twenty dollars (\$86,320.00) for a revised grant award of three hundred thirty-seven thousand seventy-seven dollars (\$337,077.00);. Original term was 2009-2012; all else remains unchanged; now therefore

BE IT RESOLVED, That Resolution Number 09-288 as amended by Resolution Number 12-195 be hereby further revised to amend the expiration date effective October 1, 2013 through September 30, 2014 and provide an additional (and final) award amount of eighty-six thousand three hundred twenty dollars (\$86,320.00) for a revised grant award of four hundred twenty-three thousand three hundred ninety-seven dollars (\$423,397.00);. Original term was 2009-2012; all else remains unchanged.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #19 through #25. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 13-271

(August 13, 2013)

August 13, 2013

By Mr. Patti, Chairman of Public Works Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following cleaning contracts on behalf of Buildings and Grounds (Co. Bldgs.):

- **S & T Pierson**, 2276 Silver Lake Rd., Perry, NY 14530 for cleaning services at the Health Department in an amount not to exceed sixteen thousand eight hundred eighty-four dollars (\$16,884.00); effective October 14, 2013 through October 13, 2014.
- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569, for cleaning services at the Wyoming County Courthouse and Office for the Aging in an amount not to exceed forty-two thousand three hundred dollars (\$42,300.00); effective October 14, 2013 through October 13, 2014.
- **Warren's Carpet Cleaning, Inc.**, 454 North Main Street, Warsaw, NY 14569, for cleaning services at various County buildings in an amount not to exceed fifty-six thousand four hundred eighty dollars and forty cents (\$56,480.40); effective October 14, 2013 through October 13, 2014

Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#20

**RESOLUTION NO. 13-272
(August 13, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 13-145 AMENDED

WHEREAS, Resolution Number 13-145 entitled, "CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS WITH CARMODY ROOFING & SHEETMETAL CO. INC., ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)" passed by this Board of Supervisors on April 09, 2013 and provides for a bid award and contracts with Carmody Roofing & Sheetmetal Co. Inc., 1191 Bowen Road, Elma, NY 14059 on behalf of Buildings and Grounds (Co. Bldgs.) for the replacement of the Kaplan Building roof located at 8 Perry Avenue, Warsaw NY in an amount not

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to exceed sixty-four thousand one hundred dollars (\$64,100.00); effective April 09, 2013 through the completion of the project. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 13-145 be hereby amended to reflect the additional plywood required for deck repair at an additional cost of eight hundred forty-seven dollars (\$847.00) for a total revised contract of sixty-four thousand nine hundred forty-seven dollars (\$64,947.00); effective April 09, 2013 through completion of the project. All else remains the same.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#21

RESOLUTION NO. 13-273
(August 13, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, a Project for the **Traffic Sign Replacement, Countywide**, Wyoming County, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-federal funds; and

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

NOW, THEREFORE, the Board of Supervisors, duly convened does hereby

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

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

August 13, 2013

RESOLVED, that the sum of **\$29,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

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

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

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

RESOLVED, this Resolution shall take effect immediately.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#22

RESOLUTION NO. 13-274
(August 13, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HUNT
ENGINEERS ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Hunt Engineers, 4 Commercial Street, Suite 300, Rochester, NY 14614 on behalf of County Highway. Said contract is for Engineering Design for Traffic Sign Replacement (Curve); PIN 4755.89 in an amount not to exceed twenty-nine thousand dollars (\$29,000.00); effective through project completion.

Regular Session

Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#23

RESOLUTION NO. 13-275
(August 13, 2013)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 13-141 AMENDED

WHEREAS, Resolution Number 13-141 entitled, “**ANNUAL HIGHWAY MATERIALS BIDS APPROVED**,” passed by this Board of Supervisors on April 09, 2013 and provides yearly County Highway material bids; effective April 02, 2013 through April 01, 2014, all ties were awarded by lot at the March 29, 2012 Public Works Committee, and that the County of Wyoming reserves the right to allow all municipalities within the county to purchase any goods or services at the prices stated herein pursuant to section 103 of the General Municipal Law; now therefore

BE IT RESOLVED, That Resolution Number 13-141 be hereby amended to include “Pavement Markings” to Seneca Pavement Marking Inc., 3526 Watkins Road, Horseheads, NY 14845 as per 2012 bid specifications for the 2013 striping season with all prices remaining as per 2012 contract. All else remains the same.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#24

RESOLUTION NO. 13-276
(August 13, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 SIMONSON ENTERPRISES ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That that Chairman of the Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Simonson Enterprises, 7903 Forty Dollar Road, Campbell, NY 14821 on behalf of County Highway. Said contract is for the removal of deer at \$35.00/deer as per New York State contract; effective August 01, 2013 thru

August 13, 2013

December 31, 2018.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#25

RESOLUTION NO. 13-277
(August 13, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
WITH KENWORTH NORTHEAST GROUP, INC. ON BEHALF OF
COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to award a bid and sign a contract with Kenworth Northeast Group Inc., 100 Commerce Dr., Buffalo, NY 14218 on behalf of County Highway. Said bid award is for one (1) 2014 Kenworth T800 Tractor in an amount not to exceed one hundred thirty-five thousand dollars (\$135,000.00). Piggybacking Onondaga County Bid award.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #26 through #36. A voice vote was taken and all voted aye.

#26

RESOLUTION NO. 13-278
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND USES OF
TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES,
AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT
CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE
STATE OF NEW YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

Regular Session

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992, and ending November 30, 2015, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2015, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b)

of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2015, the tax shall be at the rate of four percent, and on and after December 01, 2015, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use be such person.

SECTION 4. Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992, and ending November 30, 2015.

SECTION 5. Paragraph (B) of subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992, and ending November 30, 2015, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on December 1, 2013.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#27

RESOLUTION NO. 13-279
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-247 AMENDED

WHEREAS, Resolution Number 11-247 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH XPEDX ON BEHALF OF THE CENTRAL STOREROOM**,” passed by this Board of Supervisors on July 09, 2013 and provides for copy paper for all county departments in the amount of \$27.00 per case delivered by pallet; effective July 09, 2013 through January 08, 2014. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 13-247 be hereby amended to reflect the entire bid award per bid sheet annexed hereto. All else remains the same.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

BID SHEET					
ITEM # 1	8 1/2" x 11" Letter Size				
White 92 Brightness Paper Weight 20 lbs. 5,000 Sheets per Case 10 Reams/500 Sheets per Pallet quantity - 40		Case Price <u>\$29.00</u>	10 to 39 Cases <u>\$27.50</u>	40 to 199 Cases <u>\$27.00</u>	200 to 600 Cases <u>\$26.50</u>
ITEM # 2	8 1/2" x 14" Legal Size				
White 92 Brightness Paper Weight 20 lbs. 5,000 Sheets per Case 10 Reams/500 Sheets per		Case Price <u>\$45.80</u>	Price Per Case Palletized <u>\$44.80</u>		
ITEM # 3	11" x 17" Ledger Size				
White 92 Brightness Paper Weight 20 lbs. 5,000 Sheets per Case 5 Reams/500 Sheets per		Case Price <u>\$32.00</u>	Price Per Case Palletized <u>\$31.00</u>		
ITEM # 4	8 1/2" x 11" Letter Size - Three Hole Punched				
White 92 Brightness Paper Weight 20 lbs. 5,000 Sheets per Case 10 Reams/500 Sheets per Pallet quantity - 40		Case Price <u>\$38.00</u>	10 to 39 Cases <u>\$36.00</u>	40 to 199 Cases <u>\$35.00</u>	200 to 600 Cases <u>\$34.00</u>
ITEM # 5	8 1/2" x 11" Letter Size - Colors				
Assorted Colors - Examples only 92 Brightness Paper Weight 24 lbs. 5,000 Sheets per Case 10 Reams/500 Sheets per Pallet quantity - 40		Price Per Ream 500 Sheets Full Cartons <u>\$ Only</u>	Case Price 10 Reams/500 Sheets per Ream <u>\$39.00</u>	10 to 39 Cases <u>\$38.00</u>	Canary, Green, Gold, Blue, Cream, Pink, Lilac, Salmon, Turquoise, Gray, Orchid, Goldenrod, Daffodil
Assorted Colors - Examples only Paper Weight 24 lbs. 5,000 Sheets per Case 10 Reams/500 Sheets per Pallet quantity - 40		Price Per Ream 500 Sheets Full Cartons <u>\$ Only</u>	Case Price 10 Reams/500 Sheets per Ream <u>\$145.00</u>	10 to 39 Cases <u>\$72.00</u>	Blue, Yellow, Green, Orange, Red, Light Green, Light Yellow, Fuchsia, Purple, Teal, 6 Colors
Assorted Colors - Examples only Paper Weight 24 lbs. 5,000 Sheets per Case 10 Reams/500 Sheets per Pallet quantity - 40		Price Per Ream 500 Sheets Full Cartons <u>\$ Only</u>	Case Price 10 Reams/500 Sheets per Ream <u>\$55.00</u>	10 to 39 Cases <u>\$53.00</u>	Blue, Yellow, Green, Orange, Cherry , Pastel Colors

This form must be signed and returned with bid

RESOLUTION NO. 13-280
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

STANDARD WORK DAY AND REPORTING RESOLUTION

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

BE IT RESOLVED, That the County of Wyoming hereby establishes the following as standard work days for elected and appointed officials whose term begins on or after August 12, 2009 and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

Title	Name	Registration Number	Standard Work Day hrs/day	Term Begins/Ends	Participates in Employer's Time Keeping System Y/N	Days/Month (based on record of activities)
Elected Officials						
Coroner	Williams, Neil	XXXXXXXXXX	6	01/01/12-12/31/15	Y	N/A
Coroner	Stranahan, William	XXXXXXXXXX	6	01/01/11-12/31/14	Y	N/A
Coroner	Hill, Renee	XXXXXXXXXX	6	01/01/12-12/31/15	Y	N/A
Coroner	Smith, Michael	XXXXXXXXXX	6	01/01/10-12/31/13	Y	N/A

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#29

RESOLUTION NO. 13-281
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

August 13, 2013

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, "**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**," the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Radiometer America, Inc.**, 810 Sharon Drive, Westlake, OH for the ABL-820 Analyzer that will enable the laboratory to maintain current test menu for Emergency Room and Respiratory Therapy patients. Cost is \$1,285.00 per month for a total agreement amount not to exceed seventy-seven thousand one hundred dollars (\$77,100.00), effective August 01, 2013 through July 31, 2018 (60-month Lease Agreement).
- **Stericycle, Inc.**, 87 Hallam Road, Buffalo, NY 14216
 1. **Regulated Medical Waste Disposal** for treatment and disposal of medical and biohazardous waste at a cost of:
 - \$0.347 per lb. regulated medical waste,
 - \$24/container pathological & chemotherapy,
 - \$75 minimum pickup,
 - \$75 per stop, not to exceed \$40,000/year (cost based on volume or usage), an August 01, 2013 36-month Master Service Agreement
 -
 2. **Sharps Disposal Management** for comprehensive proactive sharps disposal services with reusable containers. Cost is \$1,854.14 per month in an amount not to exceed forty thousand dollars (\$40,000.00) per year (cost based on volume or usage), effective August 01, 2013 36-month Master Service Agreement.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#30

**RESOLUTION NO. 13-282
(August 13, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

Regular Session

**FRANK VITAGLIANO APPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That **Frank Vitagliano**, 3855 Luther Rd., Silver Springs NY 14550 be hereby appointed to the Wyoming County Community Hospital Board of Managers for the remainder of a five (5) year term; effective through December 31, 2013 (to replace Nathan Rudgers).

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#31

**RESOLUTION NO. 13-283
(August 13, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**DAVID RUMSEY APPOINTED TO THE WYOMING COUNTY
WORKER'S COMPENSATION PLAN BOARD OF TRUSTEES**

BE IT RESOLVED, That David Rumsey, 6436 Main Rd., Stafford NY 14143 be hereby appointed to the Wyoming County Workers' Compensation Plan Board of Trustees to represent Wyoming County Departments; effective August 1, 2013 to fill a vacancy created by retirement of Sheriff, Farris Heimann; effective July 31, 2013.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#32

**RESOLUTION NO. 13-284
(August 13, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S)/ABOLISHED/EXTENSION(S) APPROVED

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

Jail

- Create one (1) position of **Correction Officer, (Temp.)**, PT on Wyoming County Sheriff's Employees Assoc. grade 3 (\$18.06 - \$22.15/hr.) effective August 14, 2013. The position is temporary until such time the Sergeant position is no longer temporary.
- Create one (1) position of **Correction Officer, (Temp.)**, FT on

August 13, 2013

Wyoming County Sheriff's Employees Assoc. grade 3 (\$18.06 - \$22.15/hr.) effective August 14, 2013.

The position is temporary until such time the Sergeant position is no longer temporary.

Office for the Aging

- Create one (1) position of **Case Manager (Temp.)**, FT for up to one month, on CSEA agreement, sch. A, grade 15 (\$18.31 - \$21.30/hr.) with only those benefits mandated by law, effective September 09, 2013 to provide the replacement with time to train with Jane Stevens prior to her departure.

Health Department

- Create one (1) position of **RPN (Per Diem)** effective August 14, 2013 Schedule A, Grade 10B (\$22.85 - \$24.88/hr) plus 10% with only those benefits mandated by law; to provide coverage for the Jail Medical and other Health Department programs, as necessary.

Human Resource

- Create one (1) position of **Human Resource Assistant** and place on Salary Schedule "S" with an annual salary of \$32,019.00; effective August 19, 2013.
- Abolish one (1) position of **Secretary I** (position code #007.350)

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#33

RESOLUTION NO. 13-285 (August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 11-71 AMENDED

WHEREAS, Resolution Number 11-71 entitled, "**SALARY SCHEDULE "S" AMENDED**," passed by this Board of Supervisors on February 15, 2011 and provides for amendments to Salary Schedule "S"; now therefore

BE IT RESOLVED, That Resolution Number 11-71 be hereby amended to extend the hours of the Assistant Animal Control Officer, PT from 15 hrs./wk. to 20 hrs./wk. with benefits according to the Wyoming County Salary Schedule "S" Employee Handbook. All else remains the same.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain: #34

RESOLUTION NO. 13-286
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES "D," "G," AND "S" AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended to reflect the following changes to the following Salary Schedules:

Salary Schedule "D"

Fire and Building Code Enforcement

- Include a stipend for the **Code Enforcement Officer** of ten thousand (\$10,000.00); effective June 01, 2013 through December 31, 2013 for additional Administrative Duties related to the oversight of Planning Department Employees.

Salary Schedule "G"

Environmental Health/Wyoming County Water Resource Agency

- Place the position of **Public Health Sanitarian** (Position Code 055.198) on Salary Schedule G at \$20.97/hr. for up to 5 hours per week, with only those benefits mandated by law. These additional hours are applied to the NYS Local Government Efficiency Grant – Contract # C1000070; effective 08/13/13 through 03/31/14.

Salary Schedule "S"

Real Property Tax Services

- Set the salary of the **Real Property Tax Services Deputy Director** at \$62,402.00 annually; effective 08-16-13 through 09-30-13, then at \$12,000.00 for the period that covers 10-01-13 through 12-27-13, with only those benefits mandated by law.

Sheriff

- Include a stipend for the **Under Sheriff** of \$3,000/mo. while performing the duties of Wyoming County Sheriff; effective July 31, 2013 through December 31, 2013.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

RESOLUTION NO. 13-287
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**WYOMING COUNTY DEPUTY SHERIFF'S ASSOCIATION
CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between the *Wyoming County Deputy Sheriff's Association (D.S.A.) and the County of Wyoming/Wyoming County Sheriff dated January 1, 2012 to December 31, 2015*; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, with the approval of David Lippitt, Legal Council are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming. This resolution shall become effective immediately, contingent on the ratification of said agreement by all parties.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

#36

RESOLUTION NO. 13-288
(August 13, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SAIA
COMMUNICATIONS ON BEHALF OF WYOMING COUNTY
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Saia Communications, 100 Stradtman Street, Buffalo, NY 14206 on behalf of Wyoming County Emergency Services. Said contract is for the construction of a tower site using an existing 100' tower owned by Wyoming County. The tower will be reinstalled on lands leased from William Jenkins near the intersection of Kelly Road and Kingsley Road in an amount not to exceed ninety-six thousand seven hundred twenty-nine dollars and eighty one cents (\$96,729.81); effective September 01, 2013 through completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1541 Noes: Absent: 58 (Orangeville) Abstain:

Public Comment (Local Law Introductory D):

The following Public Hearing Rules for Speakers was reviewed by Chairman Berwanger prior to hearing public comments:

PUBLIC HEARING RULES FOR SPEAKERS

- Comments will be limited to 3 minutes.
- Pre-registration is required
- Anyone choosing to speak shall address the Board only.
 1. *(This avoids any “for” or “against” arguments)*
- The Board is here to listen not to debate or necessarily express its views or opinions.
 1. *The Board is here to listen to your opinion on the proposal before us to help the Board in coming to the proper conclusion regarding the matter concerning which the hearing has been called. Simply state your opinion distinctly.*
- Only comments regarding the Local Law Overriding the Tax Cap will be heard.
- Please do not duplicate the comments of other speakers.
- Be respectful of others

Public Comments were heard by ~

1. **Harold Hopkins (T/Orangeville)**, 2953 Dunham Road, Varysburg, NY 14167 ~
 - a. Mr. Hopkins began his remarks by acknowledging and thanking the Board for their good work in regards to being the first county in NYS to oppose Governor Cuomo’s NY SAFE Act and calling for its repeal.
 - b. The county deserves more time, perhaps 30 to 60 days before voting on such matters of raising property tax levy in excess of Governor Cuomo’s 2% cap. To vote immediately following this short hearing would make this hearing but a formality. Wyoming County is a fiscally conservative community and we should not be out spending a liberal Governor’s 2% cap.
 - c. In closing, Mr. Hopkins offered condolences in the absence of his Town Supervisor, Susan May, T/Orangeville as she is recovering from a health issue.
2. **Brian Deck (T/Java)**, P. O. Box 120, Java Center, NY 14082 ~

- a. Running for Town Supervisor
- b. Concerned about percentage of over ride. Can't allow a free for all...

Close Public Hearing:

Motion to close the Public Hearing was made by Supervisor Davis, T/Covington. Seconded by Supervisor Brick, T/Perry. Carried.

Supervisor Kushner, T/Eagle ~ Spoke For the Board of Supervisors on consideration to override 2% Tax Cap.

Consideration to override the tax cap by the Board of Supervisors is not taken lightly by any of the Supervisors. Main concern Unfunded State Mandates. Senator Gallivan thanked for his ongoing efforts to reduce Unfunded State Mandates.

2014 ~Two largest:

Retirement over \$7 million
Medicaid over \$7 million

Community Colleges coming in at just over \$1.7 million

All toll, unfunded state mandates will come in at over \$20 million

Tax revenue allowed by staying under the tax cap is \$16 million. Wyoming County will be \$4 million short. By overriding the Tax Cap, taxpayers can expect to pay an extra \$13.00/ \$100,000.

Why did the Board go into such debt? \$17 million for Wyoming County Community Hospital and for Roads. It was necessary to go into debt to improve the infrastructure of the hospital and the skilled nursing facility or shut it down... Can't sell ~ no buyers...

Tried once to sell the nursing home. The offer was 25% of what the facility is worth. Only 3 county owned hospitals in all of New York State. Not doing that. Besides that 463 people would be out of work and that number is even down from 2010 of 547 under the watchful leadership of Don Eichenauer, CEO of the Hospital.

There have been many improvements to become more efficient. One of those changes in the way Wyoming County Community Hospital delivers health care services is by affiliating with Strong Memorial Hospital. By doing so Wyoming County is able to provide 3 certified ER doctors from Strong. Many improvements are coming. Have to have a facility to have an affiliation.

The following statistics have been verified!

- 12,000 ER visits 64% from Wyoming County
- 2,300 admittance resulting in 4,000 surgeries
- 25,000 ultrasounds, MRI's and CAT scans (out patient procedures)
- 126 averaging at the skilled nursing home

Supervisor Kushner has been a member of the rescue squad for over 30 years and has done CPR on critical patients. Rescue squads do not want to travel 40 minutes to Springville, 45 minutes to Batavia or 1 hour to Rochester or Buffalo with these patients.

Initially, the Supervisor was not in favor of the borrowing to renovate. County Employees have done as much of the work as possible. They've done that on all projects.

Roads are needed for the transport of goods and services. Wyoming County is a huge Ag. Community. Farm Bureau pointed out the importance of maintaining good roads during an annual Farm Bureau/Board of Supervisors meeting... Supervisor Kushner explained that the Better Pavement program was put on hold a few years ago because of a lack of funding.

One solution is that the county could take the 256 bridges in the located within the Towns and give them back to the Towns to maintain. By do that the Towns would be put out of business...

Highway Supt. Gadd stated that Wyoming County is only about 1 out of 3 counties that maintains all Town and Village bridges within the county.

Can get rid of the County Road Patrol. Supervisor Kushner shared a story where Eagle responded to a call just over the Allegany County line. A Wyoming County Deputy responded. About 20 minutes later a Trooper showed up. He had a call 30 minutes away and asked if the Deputy would handle the call for him...

Could cut Cornell Cooperative Extension, that would mean no more 4-H, largest contract agency.

Can cut OFA & Youth.

Already made the painful decision to sell the CHHA under the direction of Dr. Collins, Laura Paolucci and Sarah Matthews. Didn't want to do it! Was a showcase across the state. Reimbursements were down, expenses are up and the county had no other choice.

Talked about going to a County Executive again. Would be a lot more expensive than that current model which the Chairman has agreed to handle.

Supervisor Kushner, T/Eagle talked about the hospital

*Resolution No. 37, By Mr. Kushner, Chairman of the Finance Committee:

Local Law No. 2, Year 2013 (Introductory D Year 2013) Entitled, "A Local Law Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-C of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2014"

The Local Law was deferred to the September 2013 meeting.

Local Law #37

**RESOLUTION NO. 13-
(August 13, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

LOCAL LAW NO. 2 (INTRODUCTORY D) - YEAR 2013, "A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014," ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 9th day of July, 2013, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2013, entitled, "A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014;" and

WHEREAS, In accordance with the provisions of Resolution No. 13-246, there was a public hearing held by this Board of Supervisors on this 13th day of August, 2013, at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 2, Year 2013, County of Wyoming, New York, as presented to this Board on the 13th day of August

2013, is hereby adopted as presented, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 2 - YEAR 2013

A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014

Section 1. Legislative Intent

The slow recovery of the national and state economies and the continued financial obligations imposed on the County of Wyoming by New York State in the form of mandated governmental services not fully funded by the State are conditions beyond the control of County government. Notwithstanding these circumstances, the County will need to provide services in 2014, in addition to those mandated by the State, which are important to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

Section 3. Tax Levy Limit Override

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

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

Carried: Ayes: Noes: Absent: Abstain:

Supervisor Rogers, T/Pike reported that he was on the phone this morning with the Department of State going over the annual review of the dissolution of the village. He shared with them that the Board of Supervisors would be holding their monthly meeting at the Fairgrounds so that the public can witness their government at work. The Department of State asked the Supervisor to extend their warmest wishes for a successful County Fair. The Dept. of State rep. would be sharing this idea with her department head and congratulated the Wyoming County Board for being forward thinking in this area...

There being no further business to come before this Board, and in honor of Senior Supervisor Rogers, T/Pike last Fair meeting, he was asked to adjourn the meeting at 2:53 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

**REGULAR SESSION
(September 10, 2013)**

**Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik, Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Brenda Ferrell.

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

The Veteran leading the Pledge of Allegiance this month is:

Edward A. Hamilton

Mr. Hamilton's service to his country comes while serving in the United States Army following the Korean War. He had just finished a year at Park Ranger school and was qualified as a Park Ranger when he entered the United States Army on April 16, 1958. He completed Basic Training and Advance Individual Training at Ft. Dix, New Jersey and became qualified as an Administration Specialist. Mr. Hamilton was assigned to Ft. Belvoir, Virginia as an Administration Specialist under the Headquarters Commandant Officer and worked helping the servicemen clear the billets. Mr. Hamilton was honorably discharged from Ft. Belvoir on April 15, 1960 at the rank of SP4 (Specialist 4th Class)

For his service to his country, Mr. Hamilton was awarded:

The Army Good Conduct Medal

Mr. Hamilton returned to this area and went to work at Bearmont State Park as the Forest General Forman under the Palisades Park Commission. In 1975, he was promoted and transferred to Jones Beach State Park on Long Island as the Supervisor for the Park's Maintenance System. Mr. Hamilton returned to this area in 1978 and became the Parks General Manager of Letchworth State Park. He also became a Master Instructor for the Department of Environmental Conservation, teaching for over 20 years and spent 8 years as a Representative to the New York State National Trappers Association. In 2008, Mr. Hamilton was appointed by Governor Patterson to the Genesee Regional Parks Commission, a position he still holds.

September 10, 2013

Mr. Hamilton enjoys trapping, hunting, and volunteering. He has been happily married to his wife Judith for 53 years and they live in the Town of Genesee Falls.

The pledge was said by all.

Chairman Berwanger, accompanied by Genesee Falls Supervisor, J. Totsline, presented the customary certificate of appreciation and offered our Veteran an opportunity to address the Board. Mr. Hamilton thanked the Board for their recognition of area Veterans... Mr. Hamilton served on the Board of Supervisors in the mid-80's...

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

POW / MIA DAY RECOGNITION CEREMONY ~

Director Cousins invited visiting veterans to join Mr. Hamilton, who agreed to assist with the ceremony, to the small table set especially for this service.

“Before we begin our activities, we pause to recognize our POWs and MIAs.

We call your attention to a small table which occupies a place of dignity and honor. It is set for one, symbolizing the fact that members of our armed forces are missing from our ranks. They are referred to as: POWs and MIAs.

We call them comrades. They are unable to be with their loved ones and families, we join together to pay humble tribute to them, and to bear witness to their continued absence.

The table is small, symbolizing the frailty of one prisoner, alone against his or her suppressors.

The tablecloth is white, symbolic of the purity of their intentions to respond to their Country's call to arms.

The single rose in the vase signifies the blood they may have shed in sacrifice to ensure the freedom of our beloved United States of America.

The yellow ribbon reminds us of the family and friends of our missing comrades who keep faith, while awaiting their return.

A slice of lemon on the plate reminds us of their bitter fate.

The salt sprinkled on the plate reminds us of their bitter fate.

The chair is empty. They are NOT here.

The candle is reminiscent of the light of hope, which lives in our hearts to illuminate their way home, away from their captors, to open arms of a grateful nation.



The American flag reminds us that many of them may never return – and have paid the supreme sacrifice to insure our freedom.

Let us pray to the Supreme Commander that all of our comrades will soon be back amongst our ranks.

Let us remember – and NEVER forget their sacrifice. “LET US REMEMBER”

#3

RESOLUTION NO. 13-289
(September 10, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

POW/MIA RECOGNITION DAY PROCLAIMED

WHEREAS, The Federal Government has designated Friday September 20, 2013 as National POW/MIA Recognition Day; and

WHEREAS, Numerous members of our Armed Forces are still listed as POW/MIA and we demand an accurate accounting of those listed as POW/MIA; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County strongly support our Veterans who sacrificed so much to insure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby designate **Friday, September 20, 2013** as:

POW/MIA RECOGNITION DAY

in Wyoming County; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward copies of this resolution to President Barack Obama, U.S. Senators Charles Schumer and Kirsten Gillibrand, US Congressman Chris Collins, New York State Senator Patrick Gallivan and New York State Assemblyman David DiPietro.

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

After the roll call vote, Supervisor Totsline, T/Genesee Falls was invited to the podium by Chairman Berwanger to present the proclamation to Veteran Services Director G. Cousins.

September 10, 2013

- *None*

OPEN PUBLIC HEARING:

Local Law No. 3, Year 2013 (Introductory E Year 2013) Entitled,
“A Local Law to Amend Local Law 11, Year 1994 Banning Possession
of Weapons in Wyoming County Buildings”

#1

RESOLUTION NO. 13-290
(September 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Board of Supv./Legis.			
From: 01.31.1010.4.40102 Professional Liability Ins.	\$72.10	\$72.10	
To: 01.31.1010.1.10601 Unused Benefit Time			
Reason: To cover Salary Schedule “S” and “D” buy back of 5 day			
Board of Supv./Legis. Total			\$72.10
Public Health			
From: 01.38.4010.4.42433 Assist Grant ATUPA	\$6,408.42	\$6,408.42	
To: 01.38.4010.2.20201 Computer Equipment			
Reason: For purchase of a Fujitsu Tablet from NYS OGS #PT65341, paid by NYSDOH Tobacco Enforcement Grant BOS Resolution #13-265)			
From: 01.38.4050.1.10101 FT CSEA contract	\$48,000.00	\$48,000.00	
To: 01.38.4050.8.81001 Retirement			
Reason: To cover CHHA Retirement expenses through the end of the Fiscal Year			
Public Health Total			\$54,408.42
Buildings and Grounds/CIP			
From: 12.61.9950.9.99004 CIP Interfund	\$3,500.00	\$3,500.00	
To: 12.61.1620.2.21017 Kaplan (Elections) CIP			
Reason: To transfer funds for additional costs associated with the Roof Project at the Kaplan building.			
Buildings and Grounds Total			\$3,500.00

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

#2

RESOLUTION NO. 13-291
(September 10, 2013)

Regular Session

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Coroners			
To: 01.32.1185.4.40908 Autopsy Transport 01.32.1185.8.81001 Retirement w/01.03.1185.1289 Other Dept. Income	\$1,800.00 <u>500.00</u>	\$2,300.00	
Reason: To cover 2013 expenditures			
Coroners Total			\$2,300.00
Animal Control			
To: 01.37.3510.4.41212 Veterinary Expense w/01.09.3510.270501 Donations – Special	\$9,000.00	\$9,000.00	
Reason: Additional funds for Veterinary Expenses			
Animal Control Total			\$9,000.00
WCCH/CIP Renovations			
From: 08.56.4510.4.42491 Wendt Grant w/08.09.4510.27701 Foundation Cap #1	(\$29,902.10)	(\$29,902.10)	
Reason: To reduce appropriated funds for the 4th Floor Renovation Project. This amount represents the cost of purchased hospital beds that were paid through another source.			
WCCH/CIP Renovations Total			(\$29,902.10)
Public Health			
To: 01.38.4035.1.10101 FT CSEA Contract 01.38.4035.4.41706 Medical & Safety Supplies w/01.04.4035.168904 FP Medicaid	\$2,500.00 <u>10,000.00</u>	\$12,500.00	
Reason: Appropriate for FT CSEA contract and Medical Supplies needed due to increased volume in Family Planning.			
Public Health Total			\$12,500.00
Public Safety			
To: 01.37.3110.4.40508 Private Auto Repair	\$487.90		
From: 01.08.3110.2680 Insurance Recovery		\$487.90	
Reason: collision work to patrol car #8			
Public Safety Total			\$487.90
Highway			
To: 03.54.5130.2.23001 Motor Vehicle Purchases <i>w/any fund available</i>	\$106,000.00	\$106,000.00	
Reason: Money originally appropriated from 2012 Fund Balance, cut and when needed, come back for appropriation. Now needed.			
Highway Total			\$106,000.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$3,738,596.65** for the month of **August 2013**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #4 through #8. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 13-292
(September 10, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging. Said grant is for funding the NY Connects: Choices for Long Term Care Program Year in a minimum amount of forty-three thousand two hundred eighty-nine dollars (\$43,289.00); effective October 1, 2013 through September 30, 2014.

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

#5

**RESOLUTION NO. 13-293
(September 10, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

**GREG RUDOLPH APPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That **Greg Rudolph** (Sheriff), 151 North Street, Warsaw, NY 14569 be hereby appointed to the Office for the Aging Advisory Council as an Agency Member to fill the unexpired three (3) year term vacated by recently retired Sheriff Farris Heimann; effective September 1, 2013 through December 31, 2014.

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

RESOLUTION NO. 13-294
(September 10, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

YOUTH COURT MONTH PROCLAIMED

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

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaims the month of **September 2013** as:

"Youth Court Month"

In Wyoming County and calls on all citizens to find ways to give their time, energy, and talents to serve and support the Wyoming County Youth Court.

September 10, 2013

RESOLUTION NO. 13-295
(September 10, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH NECOLE HUBBARD ON BEHALF OF THE WYOMING COUNTY YOUTH BUREAU

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Necole Hubbard, 3842 Fullington Road, Attica, NY 14011 on behalf of the Wyoming County Youth Bureau. Said contract is for Pre-School Related Services in an amount not to exceed the 2012-2015 budget; effective September 1, 2013 through June 30, 2015.

Contingent upon the availability of funds.

RESOLUTION NO. 13-296
(September 10, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION URGING THE STATE OF NEW YORK TO TAKE CERTAIN MEASURES TO RESOLVE DEFICIENCIES IN THE STATE'S ADMINISTRATION OF THE EARLY INTERVENTION (EI) PROGRAM AND PREVENT THE COLLAPSE OF THE EI PROVIDER NETWORK

WHEREAS, Pursuant to amendments to the New York State Public Health Law enacted in 2012, the New York State Department of Health (DOH) assumed responsibility for the fiscal management and payment of Early Intervention Program (EIP) claims on April 1, 2013; and

WHEREAS, As a result of said statutory amendments, all EIP contracts between the County and EIP service providers were terminated effective March 31, 2013; and

WHEREAS, All EIP service providers were required to enter into provider agreements directly with DOH for the provision and payment of EIP services provided on and after April 1, 2013; and

WHEREAS, Since DOH's takeover of the administration of the EIP on April 1, EIP providers have received limited payments for their services; and

WHEREAS, DOH's difficulties in facilitating payment to EI providers are due in part to its New York State Early Intervention System (NYEIS) billing software which has consistently failed since its inception in 2011 to interface with New York State Medicaid billing software system eMedNY; and

WHEREAS, DOH does not currently have a mechanism in place to allow counties to claim for the 49% State Reimbursement of EI tuition; and

WHEREAS, NYEIS has suffered from a continuing inability to produce accurate financial reports verifying municipal EI costs and the State's share of EI costs, leaving municipalities vulnerable to not being fully reimbursed for eligible EI expenses; and

WHEREAS, As a result of DOH's failure to timely provide guidance to commercial insurers processing EI claims, prolonged delays in the adjudication of commercial insurance claims have caused extreme financial hardship to EI providers who are not receiving payment for their services; and

WHEREAS, Counties in New York State are already financially strapped by the State-imposed 2% property tax cap; and

WHEREAS, It is the State's responsibility to remedy the problems it has created by attempting to take over administration of the EIP before it was organizationally prepared to do so; now therefore

BE IT RESOLVED, That this Board of Supervisors hereby declares that the smooth and efficient provision of Early Intervention services to eligible Wyoming County children is a top priority of this Board; and be it

FURTHER RESOLVED, That this Board recognizes the outstanding services provided by EI service providers to children in need, and further expresses its strong support for those providers who have been placed in a position of financial hardship as a result of the State Department of Health's inability to properly administer the State's Early Intervention Program; and be it

FURTHER RESOLVED, That it is the position of this Board that DOH and the State of New York are responsible for correcting the problems that plague DOH's administration of the Early Intervention Program; and be it

FURTHER RESOLVED, That this Board hereby demands that the State Department of Health take immediate action to correct all problems surrounding its administration of the EIP, or, in the alternative, to return the administration of the EIP to the counties with full re-payment of administrative funding previously reduced as part of the shift of EI administrative responsibilities to DOH; and be it

FURTHER RESOLVED, That the Clerk of the Board mail a certified copy of this Resolution to Governor Andrew M. Cuomo, State Health Commissioner Nirav R. Shah, M.D., M.P.H., and our local State legislators.

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

After the passage of resolutions numbered #4 through #8, Chairman Berwanger invited Supervisor Totline to the podium to present the Youth Month proclamation. She invited Supervisor S. Tarbell, T/Castile, originator of the Wyoming County Youth Court program, and Youth Bureau Director, A. Aldinger to join her.

Supervisor Tarbell stated that Wyoming County was fortunate in 1997 that the Board of Supervisors bought into the program. He and Judge Griffith started the program with a pad of paper and a couple of pencils. At the beginning there were only 200 Youth Courts in the nation. Today there are over 1200. Wyoming County's recidivism rate is over 97%.

Director Aldinger stated that Youth Courts are a big thing across the state of New York. Wyoming County involved on a state level and is considered a Model across the state. Attica Central School Student and Youth Court Member, Thomas Finnegan is being recognized on the state level for being an Outstanding Youth Court Member. Director Aldinger will travel with Mr. Finnegan to Albany on September 23rd to watch him receive his award...

Before moving on Chairman Berwanger called attention to Resolution Number #8, third paragraph from the bottom ~ Unfunded State Mandate...

FURTHER RESOLVED, That it is the position of this Board that DOH and the State of New York are responsible for correcting the problems that plague DOH's administration of the Early Intervention Program; and be it

FURTHER RESOLVED, That this Board hereby demands that the State Department of Health take immediate action to correct all problems surrounding its administration of the EIP, or, in the alternative, to return the administration of the EIP to the counties with full re-payment of administrative funding

previously reduced as part of the shift of EI administrative responsibilities to DOH;"

Chairman Berwanger talked about EI Providers finally receiving payment from the state... State created a hardship with the Providers.

Director Aldinger stated that the history not unusual. Mandate Relief? Cost the County more money... Responsibilities have doubled because Directors are talking with providers on the phone who have not been paid since April 1st... One single provider was due \$10,000... Created "loans" to providers until accounts can be reconciled... Director Aldinger spoke briefly about reimbursements to the counties...

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #09 and #10. A voice vote was taken and all voted aye.

#9

**RESOLUTION NO. 13-297
(September 10, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

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

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with Health Research Inc., 150 Broadway, Suite 560, Menands, NY 12204 on behalf of the County Health Department. Said funding is for clinical services payments for the Cancer Services Program of Livingston & Wyoming Counties in a minimum amount of thirty-one thousand six hundred eleven dollars (\$31,611.00); effective July 1, 2013 through June 29, 2014.

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

**RESOLUTION NO. 13-298
(September 10, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON
BEHALF OF WYOMING COUNTY MENTAL HEALTH**

September 10, 2013

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following various contracts on behalf of Wyoming County Mental Health:

- **Bach Harrison, L.L.C.**, 116 South 500 East, Salt Lake City, Utah 84102, for evaluation of 3,100 student surveys assessing the occurrence of underage drinking in an amount not to exceed ten thousand seventy-five dollars (\$10,075.00); effective September 10, 2013 through December 31, 2013 100% State Aid and grant funding. No County levy.
- **Keegan Associates**, 50 Clinton Ave., Cortland, NY 13045 for social/media marketing for the Prevention 1st – NY/SPF-SIG grant in an amount not to exceed eight thousand three hundred eighty-nine dollars (\$8,389.00); effective September 10, 2013 through December 31, 2013. 100% Grant funding. No County Levy.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noses: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #11 and #12. A voice vote was taken and all voted aye.

#11

RESOLUTION NO. 13-299
(September 10, 2013)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH
 WILLIAM JENKINS ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a lease agreement with William E. Jenkins, 2000 Kingsley Road, Wyoming, NY 14591 on behalf of Emergency Services. Said lease is for a 75' x 75' section of premises (SBL #61.-1-8) for construction of a 100' communications tower in the amount of two hundred sixty dollars (\$260.00) per month for 5 years; effective September 1, 2013 through August 31, 2018.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1599 Noses: Absent: Abstain:

#12

RESOLUTION NO. 13-300
(September 10, 2013)

Regular Session

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF
THE SHERIFF'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 contract with State of New York, Unified Court System, 8th Judicial District, 92 Franklin St, 3rd floor, Buffalo NY 14202-3902 on behalf of the Sheriff's office. Said contract is for court security for County, Family, and Supreme Courts in a minimum amount of three hundred twenty-two thousand five hundred dollars (\$322,500.00); effective April 1, 2013 through March 31, 2014.

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

Chairman Berwanger explained his opposition to Non-Consent Resolution Number #13. Due to the state bidding process this board is bound to award to Delacy Ford. He challenged anyone to tell him how much county tax Delacy Ford and Vision Ford pay or how many county residents are employed by each.

Chairman Berwanger explained that there should be provisions to allow counties to "buy local."

Senator Gallivan is on a quest to identify and help eliminate up to 1,000 burdensome and duplicitous state regulations that impede job creation and economic growth. Chairman Berwanger will ask the Senator to add this issue to his list...

**Non-Consent
#13**

**RESOLUTION NO. 13-301
(September 10, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS
WITH DELACY FORD ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with Delacy Ford, 3061 Transit Rd., PO Box 437, Elma, NY 14059 on behalf of Emergency Services. Said bid award is for one (1) new, Ford Expedition, EL, Special Service, 4WD Vehicle (preferred color: factory

300

red) in an amount not to exceed thirty-five thousand nine hundred twenty-eight dollars (\$35, 928.00); effective September 10, 2013.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 854 Noes: 172 (Arcade) Absent: 164 (Attica)
88 (Java) 62 (Middlebury)
58 (Orangeville) 201 (Warsaw)
745 Total**

There was a motion by Mr. Patti, T/Attica, to combine resolutions #14 through #16. A voice vote was taken and all voted aye.

#14

**RESOLUTION NO. 13-302
(September 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

ANNUAL HIGHWAY SAND BID APPROVED

BE IT RESOLVED, That the attached yearly County Highway sand bids are hereby approved effective September 01, 2013 through August 31, 2014, all ties were awarded by lot at the August 29, 2013 Public Works Committee; and be it

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

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

**RESOLUTION NO. 13-303
(September 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH GEORGE & SWEDE SALES & SERVICE ON BEHALF OF COUNTY HIGHWAY

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with George & Swede Sales & Service 7515 Big Tree Road, Pavilion, NY 14525 on behalf of County Highway. Said bid award is for the purchase of one (1) 2013 Interstate 50 Ton Capacity Equipment Trailer in an amount not to exceed fifty-seven thousand eight hundred six dollars (\$57,806.00); effective September 10, 2013.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-304
(September 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
P. S. BRUCKEL ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That that Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with P.S. Bruckel, Inc., 2697 Lakeville Road, Suite 1, Avon, NY 14414 on behalf of County Highway. Said contract is for Spray Applied Waterproofing membrane to the Overholt Road Bridge and East Arcade Road Bridge in an amount not to exceed twenty-three thousand dollars (\$23,000.00); effective August 29, 2013 through completion of project.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
Non-Consent #17**

**RESOLUTION NO. 13-305
(September 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

September 10, 2013

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH VISION FORD ON BEHALF OF
COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with Vision Ford, 4545 Ridge Road West, Rochester, NY 14626 on behalf of County Highway. Said bid award is for the purchase of two (2) 2014 Ford F350 Crew Cab Pickup Trucks in an amount not to exceed forty-eight thousand five hundred ninety-two dollars (\$48,592.00); effective September 10, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 854 Noes: 172 (Arcade) Absent: 164 (Attica) 88 (Java) 62 (Middlebury) 58 (Orangeville) 201 (Warsaw) 745 Total

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #18 through #24. A voice vote was taken and all voted aye.

Chairman Berwanger explained that resolution number #24 needs to pass by a 60% majority. So resolution numbers #18 through #23 will be voted on separately.

#18

**RESOLUTION NO. 13-306
(September 10, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2014 INSURANCE
RENEWAL RATES ON BEHALF OF COUNTY EMPLOYEES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the Assistant County Attorney is hereby authorized and directed to sign Univera Healthcare Insurance renewal rates for County employees for **2014** as follows:

Univera PPO

- ❖ Single - \$694.81/mo.
- ❖ Family - \$1,884.93/mo.

Univera High Deductible Plan

- ❖ Single - \$342.90/mo.
- ❖ Family - \$930.21/mo.

Retiree PPO

- ❖ Single - \$1,084.77/mo.
- ❖ Family - \$2,913.36/mo.

Retiree High Deductible Plan

- ❖ Single - \$605.67/mo.
- ❖ Family - \$1,465.02/mo.

Medicare Plan Retiree rates are not available until October.

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

#19

RESOLUTION NO. 13-307
(September 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTER-MUNICIPAL
 AGREEMENTS FOR COUNTYWIDE ASSESSING SERVICES
 ON BEHALF OF REAL PROPERTY TAX SERVICES**

WHEREAS, The Wyoming County Board of Supervisors is supportive of offering Countywide Assessing Services to the municipalities within the borders of Wyoming County; and

WHEREAS, The Director of Real Property Tax Services has proposed to the Wyoming County Board of Supervisors' Finance Committee and the Committee approved the proposed Countywide Assessing Program; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Inter-Municipal Agreements with those Municipalities that wish to participate in the Countywide Assessing Services program according to the proposed Countywide Assessing Services Fee Schedule; effective October 01, 2013 through September 30, 2016.

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

September 10, 2013

RESOLUTION NO. 13-308
(September 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE “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 “D”:

Real Property Tax Service

- Set the salary of the **Director of Real Property Tax Services** at \$50,000/annually; effective August 16, 2013
- Set the following stipends for the **Director of Real Property Tax Services**
 - \$12,000.00/annually for RPTS Coordinator duties; effective August 16, 2013**
 - \$3,354.00/annually (\$1/parcel) Countywide Assessing Services; effective October 01, 2013**

***These amounts are reflected in the Director’s RPTS Outlook for 2014 Plan A proposal as presented to the 09/03/13 Finance Committee, per the instruction of Finance Committee Chair Kushner.*

Mental Health

- Set the salary of the **Community Services Director** at \$60,000.00/annually (32 hours/week); effective September 23, 2013.

Salary Schedule “G”:

Public Health/OFA/Navigator Grant

Place the following titles on Salary Schedule “G” and set annual stipends for additional duties associated with the Navigator Program Grant (DOH Seq #1301300317-72);

Effective 10/1/13 through 9/30/18

- **Director of Aging and Youth** (position code #014.098)
\$2,000/annually
- **Deputy Director of Aging** (position code #271.389)
\$2,000/annually
- **Public Health Administrator** (position code #094.400)
\$2,516/annually

- **Director of Nursing (Public Health)** (position code #037.097)
\$2,516/annually
- **PH Fiscal Administrator** (position code #089.405)
\$2,516/annually

Effective 08/1/13 through 9/30/18

- **Aging Services Aide** (position code #005.015)
\$11,145/annually

Sheriff

- Set the salary of the **Deputy Sheriff** (Youth Officer) to corresponding Wyoming County Deputy Sheriff Agreement; Grade 4/Step 7 of \$24.45/hour; effective January 1, 2013. This increase is offset by the New York State Office of Alcoholism and Substance Abuse Prevention First-NY Grant.

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

#21

**RESOLUTION NO. 13-309
(September 10, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Kronos Incorporated**, 297 Billerica Road, Chelmsford, MA 01824 2-year agreement for workforce timekeeper software license and sales agreement. Time and attendance software, equipment, support, training, and past educational subscription. Cost is \$123,592.32. Annual support of \$8,206 and past educational subscription \$2,100. \$10,306 (year 2), and \$11,150 (year 3), not to exceed 4% increase per year, effective on software delivery date.

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

September 10, 2013

RESOLUTION NO. 13-310
(September 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S)/ABOLISHED/EXTENSION(S) APPROVED

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

Real Property Tax Services

- Create one (1) position of **Assessor** and place on Salary Schedule "S" (salary to be set at a later date and is commensurate with education and experience), effective October 1, 2013.

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

#23

RESOLUTION NO. 13-311
(September 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-243 AMENDED

WHEREAS, Resolution Number 13-243 entitled, "**SALARY SCHEDULES "D," "G" AND "S" AMENDED**," passed by this Board of Supervisors on July 09, 2013 and provides for various Salary Schedule amendments; now therefore

BE IT RESOLVED, That Resolution Number 13-243 be hereby amended to reflect the addition of an expiration date for the Real Property Tax Services Deputy Director stipend on Salary Schedule "S" of August 15, 2013. All else remains the same.

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

Supervisor Kushner, T/Eagle explained that a 2014 Budget Subcommittee has been formed to assist the Budget Office with 2014 Budget preparations and that Budget Hearings will take place on Thursday, September 19th starting at 10 AM.

Supervisor Brick, T/Perry brought forward New York State's reduction of Ag. Assessments by 7% last year and compared that to the 2% tax cap imposed by Governor Cuomo last year.

Supervisor May, T/Orangeville spoke on behalf of a Town recently able to reduce Town Taxes 100% and not in favor of raising County Taxes, she stated that she supports a conservative approach to county budgeting.

The promise of mandate relief by NY State has provided no relief. In fact, the Chairman stated, mandates have increased. Community College charges of \$1.8M.

**Local Law
#24**

**RESOLUTION NO. 13-312
(August 13, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

LOCAL LAW NO. 2 (INTRODUCTORY D) - YEAR 2013, “*A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014,*” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 9th day of July, 2013, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2013, entitled, “*A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014;*” and

WHEREAS, In accordance with the provisions of Resolution No. 13-246, there was a public hearing held by this Board of Supervisors on the 13th day of August, 2013, at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 2, Year 2013, County of Wyoming, New York, as presented to this Board on the 13th day of August

2013, is hereby adopted as presented, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 2 - YEAR 2013

A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2014

Section 1. Legislative Intent

The slow recovery of the national and state economies and the continued financial obligations imposed on the County of Wyoming by New York State in the form of mandated governmental services not fully funded by the State are conditions beyond the control of County government. Notwithstanding these circumstances, the County will need to provide services in 2014, in addition to those mandated by the State, which are important to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

Section 3. Tax Levy Limit Override

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2014 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

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

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

Public Comment:

Larry Becker, T/Pike questioned the amendment. Supervisor Rogers, T/Pike responded by giving background history. He explained Supervisor Tarbell's encounter with one of his constituents about the time the Governor passed the NY SAFE Act. Input was gathered by Department Heads, Supervisors, WCCH and the Department of Social Services. Many of these agencies expressed concern over their clientele carrying concealed weapons into an interview.

The only amendment the committee would agree to was clarification on the definition of a Jack knife as many citizens carry a jack knife in their pockets. There was some discussion allowing weapons on county owned property but not in the county owned buildings.

Supervisor Tarbell, T/Castile spoke to the issue as a retired law enforcement official.

Motion to close the Public Hearing was made by Supervisor Fleischman, T/Java. Seconded by Supervisor Totsline, T/Genesee Falls. Carried.

**Local Law
#25**

**RESOLUTION NO. 13-313
(August 13, 2013)**

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

LOCAL LAW NO. 3 (INTRODUCTORY E) - YEAR 2013, “A Local Law to Amend Local Law 11, Year 1994 Banning Possession of Weapons in Wyoming County Buildings” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 13th day of August, 2013, a proposed local law of the County, designated as Local Law Introductory No. E, for the year 2013, entitled, “*A Local Law to Amend Local Law 11, Year 1994 Banning Possession of Weapons in Wyoming County Buildings*,” and

WHEREAS, In accordance with the provisions of Resolution No. 13-267, there was a public hearing held by this Board of Supervisors on this 10th day of September, 2013, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 3, Year 2013, County of Wyoming, New York, as presented to this Board on the 10th day of September 2013, is hereby adopted as presented, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 3 - YEAR 2013

A Local Law Amending Local Law No. 11 of the Year 1994, entitled “A Local Law Banning Possession of Weapons in Wyoming County Buildings”

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. County of Wyoming Local Law No. 11 of 1994 adopted a local law entitled “A Local Law Banning Possession of Weapons in Wyoming County Buildings”.

Section 2. Said Local Law Section 2 shall be amended as follows.

Section 2: Prohibited Acts

No person shall bear or have in his or her possession, either openly or concealed, any firearm, gun, explosive devise or substance, lethal or debilitating chemical or gas, a “deadly weapon” as defined in subdivision 12 of Section 10 of the New York State Penal Law, a “dangerous instrument” as defined in subdivision 13 of Section 10 of the New York State Penal Law, while entering or being present in any building owned, leased or operated by the County of Wyoming. Prohibited items shall include but are not limited to: a rifle, shotgun, handgun, pistol, target pistol, imitation pistol, dagger, dirk, razor, stiletto, switchblade, blackjack, and metal knuckles.

Section 3. Effective Date. This local law shall become effective upon the filing with the New York State Department of State.

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

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:21 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

**REGULAR SESSION
(October 08, 2013)
Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik, Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Brenda Ferrell.

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

The Veteran leading the Pledge of Allegiance this month is:

Richard L. Cummins

Mr. Cummins' service comes while serving during the Vietnam War. Mr. Cummins enlisted in the United States Army on July 30, 1970. He completed his Basic Training at Ft. Dix, New Jersey and then Advanced Individual Training at Ft. Leonard Wood, Missouri, and became qualified as a Quarry Machine Operator. Mr. Cummins was then deployed to Vietnam and assigned to A Co, 169th Engineer Battalion, under the 20th Engineer Brigade at Long Binh Base. He was recognized for his mechanics ability and became a machinist and repairman for the unit to work on trucks and heavy equipment. Mr. Cummins was then assigned to the "Contact Team" and did repairs on trucks and equipment from the Mekong Delta in the South, to Danang in the North.

Mr. Cummins returned to the United States and was Honorably discharged at Ft. Hood, Texas on December 10, 1971, at the rank of Sp 5(Specialist 5th Class).

For his service to his country, Mr. Cummins was awarded:

**The National Defense Service Medal
The Vietnam Service Medal w/2 Bronze Service Stars
The Vietnam Campaign Medal
The Army Commendation Medal**

Following his service to his country, Mr. Cummins returned to this area and went to work for International Harvester in Batavia, starting as a "set up" mechanic. Over the next 13 years he worked his way up the corporate ladder and spent the last 6 years as store manager for International Harvester in

Rochester. After the merger of International Harvester with the Case Company, Mr. Cummins left the company and became self-employed in 1985, by raising beef cattle and cash crops. In 1992 he reduced his production to just beef cattle until his retirement in 2007, at which time he converted his farm for the commercial use of boarding horses, a business he continues on today.

Mr. Cummins is an active member of the Eagle Memorial Post in Bliss and presently holds the position of Vice-Commander. He also attends the "New Beginning Fellowship" Church in Bliss and enjoys restoring antique tractors. Mr. Cummins lives in the Town of Wethersfield.

The pledge was said by all.

Chairman Berwanger, accompanied by Wethersfield Supervisor, J. Copeland, presented the customary certificate of appreciation and offered our Veteran an opportunity to address the Board. Mr. Hamilton thanked the Board.

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

COMMUNICATIONS ~

- **NYS Assemblyman D. DiPietro** ~ Letter dated September 19, 2013 acknowledging receipt of two (2) resolutions of the Board of Supervisors.

INTRODUCTION OF LEADERSHIP WYOMING GROUP ~

- by Wyoming County Chamber of Commerce, Exec. Director/S. Gardner ~ Mr. Gardner also offered a brief explanation of the 10 month program.

Chairman Berwanger announced that he recognizes that there are several people attending today's meeting who may have an interest in one of the resolutions pertaining to the sale of property that has been foreclosed on by the county. He further explained that the process for that will be as follows:

At a regular Board meeting, the general public is not allowed to address the Board. This rule is according to the Rules of Procedures of the Wyoming County Board of Supervisors **Rule No. 43. Participation in Sessions: No person other than the members of the Board of Supervisors, the Clerk to the Board, the County Attorney, and the Budget Officer shall participate in any way in the meetings of the Board, except that the privilege of the floor may be granted for factual statements by a two-thirds vote of the members present.**

Having read that and after discussing the issue with the Board, it was decided that the Board probably will, depending on how the vote goes, extend the offer for one person to speak on behalf of the property in question, which is the WNY

Performing Arts Center. He or she will be allowed 5 min. to speak at the appropriate time during the presentation of the Finance Committee Agenda. So, having said that if someone wants to be prepared to speak the Board would certainly entertain that request.

#1

RESOLUTION NO. 13-314
(October 08, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

WCCH - CIP Renovations				
From: 08.56.4510.4.42107 Contingency		\$55,000.00		
To: 08.56.4511.4.42171 SNF Renov. Materials			\$55,000.00	
Reason: To cover the Temporary Labor cost for the SNF Project.				
WCCH – CIP Renovations Total				\$55,000.00
Buildings and Grounds/CIP				
From: 12.61.9950.9.99004 CIP Interfund		\$6,955.00		
To: 12.61.1620.2.21017 Kaplan (Elections) CIP			\$6,955.00	
Reason: To transfer funds for additional costs associated with the Roof Project at the Kaplan building.				
Buildings and Grounds/CIP Total				\$6,955.00

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

#2

RESOLUTION NO. 13-315
(October 08, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Historical Property				
To: 01.46.7520.4.40802 Contracted Blg. Repair Pvt		\$6,600.00		
w/any funds available			\$6,600.00	
Reason: To appropriate funds for the purpose of roof replace of and tree trimming around the Wyoming County Pioneer Cabin.				
Historical Property Total				\$6,600.00

Regular Session

Emergency Services			
To: 01.37.3020.2.20101 Telecommunications w/ 01.02.3020.114001 Wireless Surcharge 01.03.3020.1289 Misc. Other Reason: To appropriate funds to erect a 911 Tower in Middlebury using 911 reserve funds of \$60,000 and \$50,000 from the wind company Invenergy.	\$110,000.00	\$60,000.00 \$50,000.00	
To: 01.37.3020.4.40601 Rental 911 Tower Use Contract w/01.02.3020.114001 Wireless 911 Surcharge Reason: To lease property for construction of 100' communications tower in an amount of \$260.00 per month for remainder of 2013.	\$1,040.00	\$1,040.00	
Emergency Services Total			\$111,040.00
Treasurer			
To: 01.42.6420.4.40901 Bed Tax-Tourism w/01.02.1000.1113 Bed Tax – Hotel Room Occupancy Reason: revise budget in 2013 to reflect estimated additional revenues and payments to Tourism	\$30,000.00	\$30,000.00	
To: 01.33.1364.4.40301 Professional Serv. w/01.03.1364.1265 Attorney Fees Reason: revise budget in 2013 to reflect legal foreclosure fees	\$5,000.00	\$5,000.00	
Treasurer Total			\$35,000.00
Mental Health			
To: 01.38.4220.4.42489 Drug Free Com. Grant w/01.12.4220.4490 Federal Revenue Reason: Unbudgeted balance of DFC grant funding.	\$4,433.51	\$4,433.51	
Mental Health Total			\$4,433.51
Buildings and Grounds (County Buildings)			
To: 01.34.1620.2.20401 Misc Equipment <i>w/any funds available</i> Reason: To appropriate funds to remove and replace two (2) boilers at the Wyoming County Courthouse.	\$48,999.00	\$48,999.00	
Buildings and Grounds (County Buildings) Total			\$48,999.00
Highway			
To: 03.54.5130.2.23001 Motor Veh. Purchases <i>w/any fund available</i> Reason: For items 4-6 above. Money originally appropriated from 2012 Fund Balance (cut and when needed, come back for appropriation). Now needed...	\$15,250.00	\$15,250.00	
Highway Total			\$15,250.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$3,732,171.12** for the month of **September 2013**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #3 through #5. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 13-316
(October 08, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with **Adecco**, 230 East Main Street, Arcade NY 14009 on behalf of the Department of Social Services. Said contract is for two Energy Resource Aides for the HEAP program in an amount not to exceed forty thousand dollars (\$40,000.00); effective October 1, 2013 through September 30, 2014.

Contingent upon the availability of funds.

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

#4

RESOLUTION NO. 13-317
(October 08, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAIMED

WHEREAS, Domestic violence affects all residents of Wyoming County, its damage is inflicted not only upon victims, but their children, families, and communities. Sadly, one in six individuals suffers abuse at the hands of their partner and these victims can be of any age, race, religion or economic status, and can endure extreme suffering and possible long-term harm; and

WHEREAS, Wyoming County, through its domestic violence programs, takes decisive steps to strengthen the polices of New York State that hold domestic violence offenders accountable and ensure the safety of victims and their children by focusing upon the improved working relationship with legal, law enforcement, human services, education, and healthcare systems; and

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of domestic violence and to help families obtain the 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 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 2013 as:

DOMESTIC VIOLENCE AWARENESS MONTH

in Wyoming County, and commend this observance to the citizens of this county.

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

**RESOLUTION NO. 13-318
(October 08, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

**RESOLUTION URGING THE STATE OF NEW YORK TO TAKE
CERTAIN MEASURES TO RESOLVE DEFICIENCIES IN THE
STATE'S MEDICAID ADMINISTRATION TAKEOVER**

WHEREAS, The guiding principles for the New York State Medicaid Administration Takeover is to reduce the number of uninsured New Yorkers, involve stakeholders, prepare for the implementation of federal health care reform, meet the needs of consumers and promote uniformity, improve accountability and transparency, improve efficiency, recognize the role of Medicaid in the health delivery system and insure program integrity; and

WHEREAS, In 2010 the New York State Department of Health (DOH) initiated the five year plan to take over the Medicaid Administration functions from the local Department of Social Services; and

October 08, 2013

WHEREAS, A proposed Medicaid Administration Takeover timeline was provided to the local districts in 2012 which outlined DOH's expectations for the takeover; and

WHEREAS, The local district began utilizing the enrollment center in May 2013 and to date are still experiencing deficiencies. Approximately 750 cases have been submitted to the enrollment center for processing. Of these cases 426 (57%) have been completed and 324 (43%) remain with the enrollment center or are returned to the local district to be completed. DOH has made no formal commitment to the local districts or Counties for indemnification for cases that are not filed timely to protect the local district from liability; and

WHEREAS, The Non-MAGI cases and renewal cases will continue to be completed by the local district until the DOH is ready to assume responsibility, possibly in 2014; and

WHEREAS, The funding for Medicaid Administration is allocated through 2014, it is unclear if any additional funding for Medicaid Administration activities at the local district will be funded past 2014, making it very difficult to budget for; and

WHEREAS, The local district has elected to provide Certified Assistance Counseling services to better serve our County residents with the transition to the New York State of Health, which begins processing applications October 1, 2013 for full implementation on January 1, 2014. There is no additional funding for this service and the training for the counselor's is not available until the end of October 2013; and

WHEREAS, The local district Medicaid unit staff anxiously awaits the outcome of the continuing Medicaid Administration Takeover in regards to their future employment, while at the same time seeing no reduction in cases or workload; and

WHEREAS, There is still a feeling by the local district staff that there needs to be a local presence to respond to Medicaid questions and concerns and to assist those Wyoming County residents who apply for programs in addition to Medicaid; and

WHEREAS, The other parts of the Medicaid Administration Takeover, that include transportation, nursing home, resource and recovery and long term care are complex and time consuming and will have an impact on the local district operation if not coordinated smoothly; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby declares that the smooth and efficient takeover of Medicaid Administration to eligible Wyoming County residents is a top priority to this Board; and be it

FURTHER RESOLVED, That this Board recognizes the outstanding services provided by the Wyoming County Department of Social Services Medicaid unit and staff and further express its strong support for them; and be it

FURTHER RESOLVED, That the position of this Board is that the State of New York and DOH are responsible to correct the problems that have occurred to date and continue to work to improve the process for a smooth Medicaid Administration Takeover or return the administration of the Medicaid program back to the local districts with full administrative funding; and be it

FURTHER RESOLVED, That the Clerk of the Board forward a certified copy of this Resolution to Governor Andrew M. Cuomo, State Health Commissioner Nirav R. Shah, M.D., M.P.H, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, Inter County Association of Western New York and the New York State Association of Counties.

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

After the passage of resolution numbers 3 through 5 Chairman Berwanger invited Supervisor Totsline to the podium to present the Domestic Violence Awareness Month Proclamation to the Department of Social Services Commissioner, D. Rumsey. Commissioner Rumsey agreed to read the resolution as well. At the conclusion of the presentation Commissioner Rumsey thanked the Board Members for their continued support of the Department's Domestic Violence programs.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #6 through #9. A voice vote was taken and all voted aye.

#6

**RESOLUTION NO. 13-319
(October 08, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 13-165 AMENDED

October 08, 2013

WHEREAS, Resolution Number 13-165 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF IMMUNIZATION ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on May 14, 2013 and provides for an Immunization Program in a minimum amount of thirty thousand dollars (\$30,000.00); effective April 1, 2013 through March 31, 2014.; now therefore

BE IT RESOLVED, That Resolution Number 13-165 be hereby amended to reflect the five (5) year contract executed, “...in a minimum amount of thirty thousand (\$30,000.00) annually; effective April 1, 2013 through March 31, 2018.” All other terms and conditions remain the same.

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

#7

RESOLUTION NO. 13-320
(October 08, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

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 the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a contract with Freed Maxick CPAs, P.C., 424 Main Street, Suite 800, Buffalo, NY 14202 on behalf of the County Health Department. Said contract is for audit and cost reporting services for the Health Department in an amount not to exceed five thousand five hundred dollars (\$5,500.00) plus direct expenses; effective January 1, 2013 through December 31, 2013.

Contingent upon the availability of funds.

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

#8

RESOLUTION NO. 13-321
(October 08, 2013)

Regular Session

By Mrs. Ryan, Chairman of Public Health Committee:

BREAST CANCER AWARENESS MONTH PROCLAIMED

WHEREAS, This year it is estimated that over 230,000 women in the United States will be newly diagnosed with breast cancer; and

WHEREAS, Early detection and prompt treatment can significantly reduce the suffering caused by this disease. Monthly self breast exam and regular mammograms are the most effective methods to detect changes that may be cancer; now therefore

BE IT RESOLVED, In recognition of the fact that there are nearly three million breast cancer survivors in the United States today, the Wyoming County Board of Supervisors does hereby proclaim the month of October 2013 as:

BREAST CANCER AWARENESS MONTH

In Wyoming County; and be it

FURTHER RESOLVED, That all women of Wyoming County are urged to care for themselves and to seek information on cancer prevention and early detection from the Wyoming County Health Department Cancer Services Program.

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

Chairman Berwanger invited Supervisor Ryan to the podium to make two introductions and present the Breast Cancer Awareness Month proclamation.

The first introduction was newly appointed Community Services Director, Nancy Balbick.

Director Balbick thanked the Board for the opportunity to serve Wyoming County residents.

Next, Supervisor Ryan, T/Warsaw invited Public Health Admin. L. Paolucci to the podium to receive the Breast Cancer Awareness Month proclamation.

The Administrator stated that she learned something recently and that is that about 60% of women in Wyoming County regularly receive an annual mammogram. That figure is lower than state and federal averages. Wyoming County has outstanding services. All women are urged to seek these life saving services.

Admin. Paolucci was then giving the opportunity to introduce Cathy Murdie who will provide a presentation on the Affordable Care Act enrollment process...

**RESOLUTION NO. 13-322
(October 08, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION IN SUPPORT OF THE CONTINUED EXISTENCE AND
OPERATION OF SHELTERED WORKSHOP PROGRAMS**

WHEREAS, The State of New York has supported the closure of sheltered workshop programs and the Office for People with Developmental Disabilities has been devising a closure plan for these facilities, unfairly enacting an all-inclusive response to a situation involving specific providers; and

WHEREAS, Local providers of such programs to Wyoming County residents are highly successful and have been providing these essential services for our developmentally disabled residents for decades, offering a safe environment to work and earn wages, foster independence, social integration, self-confidence and economic self-sufficiency. Closure of sheltered workshops would be devastating to those individuals who receive a sense of pride and purpose by performing their jobs each day; and

WHEREAS, The Supreme Court held that public entities must provide community based services to persons with disabilities, when such services are appropriate and the affected persons do not oppose community-based treatment. While the Olmstead Act eliminates unnecessary segregation of persons with disabilities, local sheltered workshops provide an essential option for individuals who would not benefit from participating in an integrated work environment; and

WHEREAS, In an already difficult economic climate marked by high unemployment rates, many of those with developmental disabilities would face even greater barriers to compete in job markets when sheltered workshops are eliminated, especially in small rural communities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports the continued existence and operation of sheltered workshop programs for those developmentally disabled individuals for whom this would be the most appropriate level of service and urges the New York State Governor, State Legislature and the Office for Persons with Developmental Disabilities to

continue the existence and funding of sheltered workshop programs for developmentally disabled New Yorkers; and be it

FURTHER RESOLVED, That copies of this resolution be forward to New York State Governor Andrew Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, and Office for Persons with Developmental Disabilities Acting Commissioner Laurie A. Kelley.

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



NY State of Health
the Official Health Plan Marketplace

Presenter : Cathy Murdie

Date : October 2013





Patient Protection and Affordable Care Act (ACA)

- The ACA was signed into law, March 23, 2010 by President Obama
- The US Supreme Court rule ACA mandate and Medicaid expansion constitutional in June 2012
- Establishes a mandate that all U.S. Citizens and Legal Residents maintain health insurance coverage
- Legislation makes significant changes/improvements to major components of our health care system
 - Private health insurance
 - Medicaid
 - Medicare



Insurance Expansions

- Starting in 2014, everyone will be required to have comprehensive health insurance or have an income tax penalty.
 - ✓ Exceptions will be made based on financial hardship, certain religious sects, incarceration, undocumented immigrants, Indian tribes, etc.
- Each state had the option to create its own Exchange; but if it does not, the federal government will operate the Exchange in that state (only 18 states elected to create their own individual Exchanges).
- The NYS Health Benefit Exchange "nystateofhealth" is established to allow shoppers to compare insurance plans on an "apples to apples" basis – benefits, out of pocket costs, plan performance, and customer satisfaction data.





What is NY State of Health?

- **Organized marketplace**
 - One-stop shopping for subsidized and unsubsidized coverage
 - Easily compare health plan options
 - The only place to check eligibility and apply for financial assistance
 - Enroll in qualified health plans
- **Two programs**
 - Individual Marketplace
 - Small Business Marketplace

nystateofhealth.ny.gov

4



IPA/Navigator Grants

- 50 organizational awards, including one Urban Indian organization.
 - 96 subcontractors for a total of 430 FT staff
- Wyoming County Health Department
 - Wyoming County LOCAL Navigator Subcontracts:

Office for the Aging, Community Action and

Chamber of Commerce

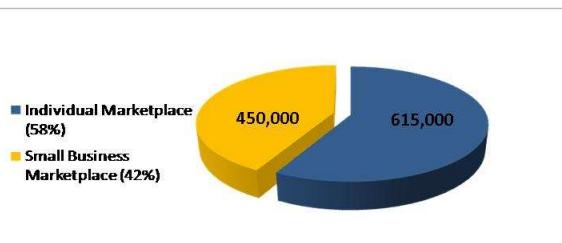
nystateofhealth.ny.gov

5



Who Will Enroll In NY State Of Health?

Health Plan Marketplace enrollment is estimated to be
1.1 million New Yorkers



nystateofhealth.ny.gov

6



NY State of Health Enrollment

- Open Enrollment began on October 1st
- Individuals may enroll in health plans during open enrollment (October 1, 2013 - March 31, 2014) or with a qualifying event
- Individuals who qualify for Medicaid/CHP may enroll any month of the year
- Small employers may choose open enrollment dates for their employees any month of the year

nystateofhealth.ny.gov

7



Online Enrollment

- One portal will process applications for:
 - Medicaid
 - Child Health Plus
 - Individual Marketplace
 - Small Business Marketplace

nystateofhealth.ny.gov

8



Wyoming County Individual Health Plans

- American Progressive
- Excellus / Univera
- Fidelis
- Health Now /Blue Cross Blue Shield of WNY
- Independent Health
- MVP



Wyoming County Small Business Market Place

- Excellus /Univera Health Care
- Independent Health
- MVP



Four Metal Levels and Catastrophic Health Plans

- Bronze
- Silver /Silver CSR
- Gold
- Platinum
- Catastrophic





All Plans Cover 10 Essential Health Benefits

- Outpatient Services
- Preventive, Wellness, & Chronic Disease Management
- Mental Health & Substance Abuse Disorder Services
- Hospitalization
- Emergency Services
- Pediatric Dental
- Pediatric Vision
- Prescription Drugs
- Laboratory and Imaging Services
- Rehabilitative & Habilitative Services

nystateofhealth.ny.gov

12



Financial Assistance

Many individuals and families will be eligible for financial assistance to reduce the cost of coverage

- Financial assistance is available in 2 forms:
 - **Tax credits** will reduce the cost of premiums for most single adults earning less than \$45,960 and for families of 4 earning less than \$94,200
 - **Cost-sharing** reductions will lower co-payments and deductibles for single adults earning less than \$28,725 and for families of 4 earning less than \$58,875
- Tax credits and cost sharing reductions are estimated at the time of application and applied immediately

nystateofhealth.ny.gov

13



Wyoming County

- Single Adult – \$22,980/Year (200%FPL)
- Silver Plan - \$ 338.11
- Tax Credit – \$205.57/Month
- Premium Cost – \$ 132.54

(Eligible for Cost Sharing Reduction)



Wyoming County

- Single Adult – \$22,980/year
- Bronze Plan – MVP \$ 260.25
- Tax Credit – \$205.57
- Monthly Premium - \$54.68

Regular Session



Customer Service Call Center

1-855-355-5777

- September 16th – 30th : Call Center available to answer questions and provide guidance; not accepting applications; Hours: 8am-5pm (M-F)
- Starting October 1st : Enrollment opened, Call Center now accepting applications from 8am-8pm (M-F) and 9am-1pm (Sat)



Wyoming County Health Department

Local Navigator Phone Number

1-800-466-1191



There was a motion by Mr. Brick, T/Perry, to combine resolutions #10 through #13. A voice vote was taken and all voted aye.

#10

RESOLUTION NO. 13-323 (October 08, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT WITH EXCEL FENCE, INC. ON BEHALF OF THE WYOMING COUNTY ANIMAL SHELTER

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with **Excel Fence, Inc.**, 10760 Allegany Road, Darien Center, NY 14040 on behalf of the Wyoming County Animal Shelter. Said Bid Award is for fencing at the shelter in an amount not to exceed six thousand three hundred eighty-nine dollars (**\$6,389.00**); effective October 08, 2013 through the completion of the project.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-324
(October 08, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2013 through April 1, 2014, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry, New York
Daily News, Batavia, New York

And be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

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

RESOLUTION NO. 13-325
(October 08, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2014 through Midnight,

October 08, 2013

December 31, 2014, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, that notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry, New York
Daily News, Batavia, New York

And be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

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

RESOLUTION NO. 13-326
(October 08, 2013)

By Mr. Brick, Chairman of Agriculture Committee:

NATIONAL 4-H WEEK PROCLAIMED

WHEREAS, 4-H and Cornell Cooperative Extension have been serving the young people of New York State and Wyoming County with educational and leadership opportunities since 1913; and

WHEREAS, 4-H work is the youth development program of the Cornell University Cooperative Extension education system, and is administered by the 4-H staff of Cornell Cooperative Extension Wyoming County along with the help of local 4-H volunteers who are outstanding men and women in their communities; and

WHEREAS, 4-H reaches more than 4,000 young people, or 1 in 4 youth in Wyoming County, and 225 volunteers annually; and

WHEREAS, 4-H'ers pledge their Heads, Hearts, Hands, and Health to the improvement of their clubs, communities, countries, and world; and

WHEREAS, 4-H members working with educational learn-by-doing projects put into practice new skills and science as they strive "To Make the Best Better," the motto of 4-H; and

Regular Session

WHEREAS, 4-H provides a unique opportunity for young people to develop life skills through hands on learning experiences, including educational workshops, project work, presentation experiences, camps, conferences, school programs, and other events at local, county, district, state, and national levels; and

WHEREAS, The citizenship and leadership training which 4-H members receive in this program is an invaluable asset to our democratic way of life; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim October 6-12, 2013, as:

NATIONAL 4-H WEEK

in Wyoming County, and urge all of our citizens to encourage and support the work of the 4-H Youth Development Program.

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

Chairman Berwanger invited Supervisor Brick, T/Perry to the podium to present the National 4-H Week proclamation to Cooperative Extension representatives, S. Tiede, R. Dueppengiesser, H. Harwood, and T. Nickerson.

Executive Director Tiede thanked the Board for the proclamation. Wyoming County has the biggest 4-H program in the state due in large part to all of the hard work provided by those with him today...

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #14 through #16. A voice vote was taken and all voted aye.

#14

RESOLUTION NO. 13-327 (October 08, 2013)

By Mr. Fleischman, Chairman of Planning Committee:

ROBERT FONTAINE APPOINTED TO THE INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

BE IT RESOLVED, That **Robert Fontaine** (Upstate Door, Warsaw/Sun Door, Castile), 26 Industrial Street, Warsaw, NY 14569 be hereby appointed as a Member of the Industrial Development Agency Board of

October 08, 2013

Directors to complete the unexpired vacant term created by the resignation of Amanda Parker; effective October 08, 2013 through August 14, 2014.

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

**RESOLUTION NO. 13-328
(October 08, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**2014 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 2014 Matching Funds Program for tourist promotional activities; and be it

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

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

**RESOLUTION NO. 13-329
(October 08, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. F
YEAR 2013**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 8th day of October 2013, a proposed local law entitled, “Local Law Introductory No. F Year 2013, “**A LOCAL LAW AUTHORIZING LEASE ON REAL PROPERTY;**” and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

Regular Session

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 November, 2013 at 2:30 PM in the Supervisors' Chambers**, 2nd floor of the Government Center, Warsaw, New York.

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

INTRODUCTORY LOCAL LAW NO. F-YEAR 2013

County of Wyoming, Providing a Local Law Authorizing Lease on Real Property.

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

WHEREAS, The County of Wyoming has determined that it is necessary to provide office space for the Wyoming County Planning Department, Wyoming County Fire and Building Codes, Wyoming County Water Resource Agency, Wyoming County Industrial Development Agency, Wyoming County Business Center (Local Development Corporation), Business and Development Center, The Business Education Council, Wyoming County Chamber of Commerce and Tourism in the County of Wyoming; and

WHEREAS, There is no County-owned real property available for this purpose.

THEREFORE, To provide the County of Wyoming with the ability to obtain office space on terms most favorable to the County, it may be necessary for the County to lease such property for a period of in excess of five (5) years, the limitation on leasehold property contained in New York County Law Section 215(3).

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

Section 1. Pursuant to the authority granted to local governments under the New York Municipal Home Rule Law, the County of Wyoming may enter into a lease of real property for purposes of housing the Wyoming County Planning Department, Wyoming County Fire and Building Codes, Wyoming County Water Resource Agency, Wyoming County Industrial Development Agency, Wyoming County Business Center (Local Development Corporation), Business and Development Center, The Business Education Council, Wyoming County Chamber of Commerce and Tourism for a period of in excess of five (5) years.

Section 2. This local law shall supersede County Law Section 215(3) as it applies to the leasing of real property.

Section 3. Effective Date. This local law shall become effective upon the filing thereof in the office of the Secretary of State of the State of New York.

TARGET TOMORROW PRESENTATION

- Bank of Castile ~ Brianna Stone
 - The Bank of Castile is partnering with Wyoming County Government, the many Wyoming County participating businesses and agencies and Five Star Bank to provide a means to updating the County's outdated Comprehensive Plan with their generous donation of \$1,000.00

#17

RESOLUTION NO. 13-330 **(October 08, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT PARTICIPATION AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant participation agreement with the New York State Division of Homeland Security and Emergency Management, 1220 Washington Ave., State Office Building Campus, Bldg. 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said funding is for the FY2013 Emergency Management Performance Grant in the amount of twenty thousand one hundred eight dollars (\$20,108.00); effective October 01, 2012 through September 30, 2013.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #18 through #20. A voice vote was taken and all voted aye.

#18

RESOLUTION NO. 13-331 **(October 08, 2013)**

Regular Session

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
WITH MJ MECHANICAL SERVICES, INC. ON BEHALF OF
BUILDINGS AND GROUNDS (COUNTY BUILDINGS)**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with MJ Mechanical Services, Inc., 2040 Military Road, Towanda, NY 14150 on behalf of Buildings and Grounds (County Buildings). Said Bid Award is for removal and replacing of two (2) boilers at the Wyoming County Courthouse in an amount not to exceed forty-eight thousand nine hundred ninety-nine dollars (\$48,999.00); effective October 8, 2013 through completion of the project.

Contingent upon the availability of funds.

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

#19

**RESOLUTION NO. 13-332
(October 08, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with any of the following vendors for Bridge & Highway Related Engineering Design Services, as needed, in an amount not to exceed fifty thousand dollars (\$50,000.00) per contract per year, on behalf of County Highway; effective October 08, 2013 through October 08, 2016 which includes two one year extensions:

- a.) **Bryant Associates, P.C.**, 108 W. Jefferson St., Suite 400, Syracuse, NY 13202
- b.) **Clark Patterson Lee**, 205 St. Paul St., Rochester, NY 14604
- c.) **LaBella Associates, D.P.C.**, 300 State St., Suite 201, Rochester, NY 14614

Contingent upon the availability of funds.

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

October 08, 2013

RESOLUTION NO. 13-333
(October 08, 2013)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD A BID
FOR THE PURCHASE OF HIGHWAY EQUIPMENT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid for the purchase of Highway equipment as follows:

- **One (1) used 2010 Cat P5000 LPG Pneumatic Tire Forklift** with a telescoping boom with 1,039 hours in an amount not to exceed twenty-one thousand four hundred dollars (\$21,400.00).
 - Prolift, 1835 Dale Road, Buffalo, NY 14225

Contingent upon the availability of funds.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #21 through #25. A voice vote was taken and all voted aye.

#21

RESOLUTION NO. 13-334
(October 08, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE “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 “S”:

Real Property Tax Service

- Set the salary of the **County Assessor** at \$40,000/annually; effective October 4, 2013

Salary Schedule “D”:

Real Property Tax Service

Regular Session

- Increase the following stipend for the **Director of Real Property Tax Services**
 - from \$3,354.00 to \$5,058.00/annually (\$1/parcel) Countywide Assessing Services (Covington, Gainesville, Genesee Falls, Java, and Pike); effective October 01, 2013**

*****These amounts are reflected in the Director's RPTS Outlook for 2014 Plan A proposal as presented to the 09/03/13 Finance Committee, per the instruction of Finance Committee Chair Kushner.***

Salary Schedule "G":

Public Health

- Amend Salary Schedule "G," to set the **Public Health Nurse** (1.0fte) wage to correspond with the recently settled CSEA Agreement Schedule A – Grade 18/Step 6 \$26.26/hr.; effective January 1, 2013.

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

#22

**RESOLUTION NO. 13-335
(October 08, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S)/ABOLISHED/EXTENSION(S) APPROVED

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

Real Property Tax Services

- Extend One (1) position of **Real Property Tax Services Aide (Temporary)** (position code 011.206) full time, CSEA agreement, sch. A, grade 4 (\$14.67 - \$16.14/hr) with only those benefits required by law, effective September 26, 2013 through December 31, 2013 to provide coverage in the absence of a Coordinator during the implementation of the county-wide assessment program.

Probation

- Create one (1) position of **Probation Officer, (Temp.)** FT on CSEA agreement, Sch. A Grade 15, (\$18.58- \$21.62) with only those benefits mandated by law, commencing on or about December 2, 2013 for approximately 4 to 6 months, to cover a medical leave of absence within the department.

October 08, 2013

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

**RESOLUTION NO. 13-336
(October 08, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTER OF
UNDERSTANDING WITH WYOMING HISTORICAL PIONEER
ASSOCIATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Letter of Understanding with the Wyoming Historical Pioneer Association, Walker Road, Silver Lake, NY 14549 for county appropriations in a maximum amount of six thousand five hundred dollars (\$6,575.00) to support their request for funds to cover tree removal and roof replacement of the 30 X 60 Museum located on the Pioneer Cabin grounds in the Town of Castile, Village of Perry.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-337
(October 08, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 09-342 AMENDED

WHEREAS, Resolution Number 09-342 entitled, “**AUTHORIZING THE APPLICATION OF A COUNTY CREDIT CARD WITH THE BANK OF CASTILE**,” passed by this Board of Supervisors on August 18, 2009 and provides for a County Credit Card to be used in connection with the day-to-day operations of the county having a line of credit not to exceed ten thousand dollars (\$10,000.00); now therefore

BE IT RESOLVED, That Resolution Number 09-342 be hereby amended to increase the line of credit not to exceed twenty thousand dollars (\$20,000.00).

All else remains the same.

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

RESOLUTION NO. 13-338
(October 08, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL**,” the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Schindler Elevator Corporation**, 50 Vantage Point Drive, Suite 2, Rochester, NY 14624-1181 to modernize (mechanical and aesthetics) the healthcare system elevators #1-8. Pricing through NYS contract CMU60AA, Group 71004, Award 21340; effective November 01, 2013 through December 31, 2014
 - Elevators #1, 2, and 3 \$406,429.00
 - Elevators #4 and 5 143,336.00
 - Elevator #6 93,986.00
 - Elevator #7 82,495.00
 - Elevator #8 85,334.00

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

Chairman Berwanger explained that resolutions #26 and #27 will be voted on separately. He then instructed Clerk Ketchum to read resolution #26 out loud.

2/3 Majority
#26

RESOLUTION NO. 13-339
(October 08, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

APPROVES PROPERTY SALE BY SEALED BID

October 08, 2013

WHEREAS, The County has acquired the right to transfer property located at Rt. 98, North Java, NY 14113 Tax map #105.3-1-52.12 in the Town of Java, New York pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

WHEREAS, The Wyoming County Board of Supervisors has determined that this property is surplus property based on its location, condition, age and lack of suitability for any public use; and

WHEREAS, The Finance Committee of this Board has obtained offers via sealed bid to purchase said property and recommends the acceptance thereof, namely:

- **Kari Stenzel**, 4172 Rt. 98, North Java, NY 14113 Bid **\$12,500.00** for property located at Rt. 98, North Java, NY 14113 Tax map #105.3-1-52.12; now therefore

BE IT RESOLVED, Under County Law §215 (5), by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, that the above sale is hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a quit-claim deed to the purchaser, providing payment of said purchase price is received by her on or before December 20, 2013.

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

Chairman Berwanger invited Treasurer Mayer to the podium to provide meeting attendees with a very detailed explanation of the foreclosure process. She explained that over the past three years Mr. Penner received several mailings requesting payment of the back taxes on the property.

Several Supervisors spoke in regard to Mr. Penner's attempts to delay the foreclosure. They stated that Mr. Penner himself admitted in the past to a Board of Supervisors Standing Committee that he would let the property go for back taxes in order to buy it back and have the debt forgiven. Supervisor Rogers, T/Pike stated that was the first he questioned Mr. Penner's tactics.

Supervisor Kushner, T/Eagle and Finance Committee Chair spoke to the recent story in the Batavia Daily that stated Mr. Penner called on members of the Board of Supervisors to delay the bid award of the property until such time as the financial status of the bidders can be verified.

Supervisor Kushner explained that had the taxes on the property been paid Mr. Penner wouldn't be in this situation. He has no one to blame but himself not the Board of Supervisors.

RESOLUTION NO. 13-340
(October 08, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

APPROVES PROPERTY SALE BY SEALED BID

WHEREAS, The County has acquired the right to transfer property located at 23 South Main Street, Warsaw, NY 14569 Tax map #85.7-5-17 in the Village of Warsaw, New York pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

WHEREAS, The Wyoming County Board of Supervisors has determined that this property is surplus property based on its location, condition, age and lack of suitability for any public use; and

WHEREAS, The Finance Committee of this Board has obtained offers via sealed bid to purchase said property and recommends the acceptance thereof, namely:

- **Scott Treutlein**, 44 Brooklyn Street, Warsaw, NY 14569, Bid **\$20,000.00** for property located at 23 South Main Street, Warsaw, NY 14569 Tax map #85.7-5-17; now therefore,

BE IT RESOLVED, Under County Law §215 (5), by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, that the above sale is hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a quit-claim deed to the purchaser, providing payment of said purchase price is received by her on or before December 20, 2013.

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

There being no further business to come before this Board, Senior Supervisor Totsline, T/Gainesville, adjourned the meeting at 3:33 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

October 08, 2013

**REGULAR SESSION
(November 12, 2013)**

**Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik, Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Brenda Ferrell.

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

The Veteran leading the Pledge of Allegiance this month is:

Joseph W. Hageman

Mr. Hageman's service to his country comes while serving during the Korean War. He was working for General Motors in Buffalo when he enlisted in the United States Naval Air Reserve on October 19, 1952. He completed his Basic Training at Niagara Falls Air Base and Advanced Individual Training at Lakehurst, New Jersey and became qualified as a Machinist Mate 3rd Class to work on helicopters. Mr. Hageman was assigned duties with the HU 932 Helicopter Squadron at Lakehurst, New Jersey.

He continued to work for General Motors in Buffalo and trained with his reserve unit. He was part of a helicopter crew on a training mission in the "Great Bear Swamps" of Pennsylvania in 1960 and was involved in a fatal helicopter crash that killed the pilot. Mr. Hageman saved the lives of two other crew members. For his heroism, he was awarded the Navy/Marine Corp Medal for Heroism. Mr. Hageman was honorably discharged on October 18, 1960.

For his service to his country, Mr. Hageman was awarded:

**The National Defense Service Medal
The Navy/Marine Corp Commendation Medal**

He moved to Perry in 1976, while continuing to work for General Motors in maintenance and as a painter, until his retirement in 1990.

Mr. Hageman is very active in his community. He is a member of McKelton Post #350 of the American Legion in Perry, presently serves as Vice

Commander. He has been a member of the Masons for 36 years. He also has been very active with Wyoming County Community Action, Angel Action, the Cornerstone Food Pantry, the Salvation Army, Perry's Festival of Lights, and has coordinated the Annual Fishing Contest for his American Legion Post.

Mr. Hageman was awarded the Outstanding Citizenship Award by McKelton Post 350.

Mr. Hageman lives in the Town of Castile.

The pledge was said by all.

Chairman Berwanger, accompanied by Castile Supervisor, S. Tarbell and Perry Supervisor, J. Brick, presented the customary certificate of appreciation and offered our Veteran an opportunity to address the Board. Mr. Hageman thanked the Board.

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

Mr. Zintel, who accompanied today's Veteran asked for permission to address the Board. He thanked the Board of Supervisors for inviting a local Veteran to lead in the pledge. He indicated that the invitation means a lot to Veterans...

COMMUNICATIONS~

- *None*

OPEN PUBLIC HEARING:

**Local Law No. 4, Year 2013 (Introductory F, Year 2013) Entitled,
"A Local Law Authorizing Lease on Real Property"**

#1

RESOLUTION NO. 13-341 (November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Wyoming County Community Hospital/CIP			
From: 08.56.4510.2.20101 Telecommunications To: 08.56.4510.4.42708 Electrical Contract Reason: To cover the Change Orders approved to the Electrical Contract made for additional work on the	\$35,000.00	\$35,000.00	

November 12, 2013

WCCH project.			
Wyoming County Community Hospital/CIP Total			\$35,000.00
Sheriff			
From: 01.37.3110.1.10102 Full Time	\$2,632.50		
To: 01.37.3110.8.84001 Unemployment		\$2,632.50	
Reason: Cover shortfall for unemployment benefits paid			
Sheriff Total			\$2,632.50

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

#2

RESOLUTION NO. 13-342
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Real Property Tax Services			
To: 01.33.1355.1.10001 Fixed S/D/I	\$19,329.2		
01.33.1355.1.10202 Temporary	2		
01.33.1355.8.83001 FICA	8,324.80		
01.33.1355.8.84001 Unemployment Ins	1,714.43		
01.33.1355.8.85001 Medicare	6,923.00		
01.33.1355.8.89001 Hospital Ins	400.95		
01.33.1355.8.89003 HRA-adm expense	1,675.60		
w/01.04.1355.221003 Svc to Towns	<u>\$ 8.00</u>	19,726.20	
<i>w/any funds available</i>		<u>\$18,649.80</u>	
Reason: In order to pay for the expenses from staffing changes of the RPTS Department including Director, Assessor, RPTS Aide, temporary employee, and unused benefit time for the previous Director.			
Real Property Tax Services Total			\$38,376.00
Emergency Services			
To: 12.61.3020.2.20101 Telecommunications	\$1,717.23		
12.61.3020.4.40301 Professional Svc	<u>6.0054.00</u>		
w/12.11.3020.3397 State Aid	<u>0.00</u>	\$1,771,236.	
Reason: To cover the cost of equipment and consulting related to the Round 2 Statewide Interoperable Communications Grant funding award.		00	
Emergency Services Total			\$1,771,236.00
Animal Control			
To: 01.37.3510.2.21001 Property	\$6,581.00		
w/01.09.3510.270501 Donations		\$6,581.00	
Reason: To appropriate funds for outdoor fencing			
Animal Control Total			\$6,581.00

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County Clerk			
To: 01.34.1410.1.10202 Temporary 01.34.1410.8.83001 FICA 01.34.1410.8.85001 Medicare – FICA w/01.06.1410.2545 Licenses & Permit Reason: In order to pay wages to a PT temporary employee.	\$3,525.00 218.55 51.11	\$3,794.66	
County Clerk Total			\$3,794.66
Office For the Aging			
To: 01.44.6772.4.40916 Food Service <i>w/any funds available</i> Reason: Increased meal cost through the end of 2013 due to increased per meal rate in April 2013 when the contract was renegotiated. This was discussed at the March 2013 committee meeting.	\$75,000.00 0	\$75,000.00	
Office For the Aging Total			\$75,000.00
Public Health			
To: 01.38.4035.4.41706 Med. & Safety Supplies w/01.04.4035.168903 (FP Private Insurance) Reason: for Medical Supplies in Family Planning.	\$12,900.00 0	\$12,900.00	
Public Health Total			\$12,900.00
Mental Health			
To: 01.38.4220.4.42306 Misc. Other w/01.12.4220.4490 Federal Revenue Reason: Receipt of Federal Salary Sharing funds for substance abuse programming.	\$3,074.00	\$3,074.00	
Mental Health Total			\$3,074.00
Sheriff			
To: 01.37.3110.4.42306 Seized Asset Fund w/01.07.3110.2626 Seized Property Reason: needed for the Drug Task Force for balance of year	\$2,000.00	\$2,000.00	
Sheriff Total			\$2,000.00
County Jail			
To: 01.37.3150.4.40301 Professional Services 01.37.3150.4.41306 Uniforms 01.37.3150.4.41417 Locks & Cameras w/01.12.3150.4389 SCAAP increased by Reason: SCAAP award; purchase 20 jackets for Correction Officers; parts needed for Jail	\$2,030.20 2,500.00 \$2,952.65	\$7,482.85	
County Jail Total			\$7,482.85
Stop DWI			
To: 01.37.3315.4.41313 DWI Patrols w/01.12.3315.4389 Federal Grants/Aid Reason: Crackdown Grant Award	\$11,000.00 0	\$11,000.00	
Stop DWI Total			\$11,000.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling \$1,869,769.52 for the month of October 2013.

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

November 12, 2013

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #3 through #8. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 13-343
(November 12, 2013)**

By Mrs. Totsline, Chairman of Human Services Committee:

FAMILY CAREGIVERS MONTH PROCLAIMED

WHEREAS, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is 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 2013** as:

Family Caregivers Month

in Wyoming County.

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

#4

Regular Session

RESOLUTION NO. 13-344
(November 12, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

ANNUAL IMPLEMENTATION PLAN APPROVED

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with New York State Office for the Aging 2, Empire State Plaza, Albany, NY 12223 on behalf of Wyoming County Office for the Aging. The Annual Implementation Plan provides funding for Titles IIIB, C1, C2, D, E, EISEP, CSE, CSI, SNAP HIICAP, WRAP, and Transportation in a minimum amount of six hundred three thousand two hundred ninety-nine dollars (\$603,299.00) (varies by grant); effective January 1, 2014 through December 31, 2014 and April 1, 2014 through March 31, 2015, depending on the program.

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

#5

RESOLUTION NO. 13-345
(November 12, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**RESOLUTION REQUESTING THE STATE OF NEW YORK TO
ESTABLISH A RESIDENCY REQUIREMENT IN ORDER TO
RECEIVE WELFARE BENEFITS**

WHEREAS, Currently there is no residency requirement in the State of New York to receive welfare benefits; and

WHEREAS, Other states throughout the country have been known to send people to New York State to receive said benefits as a result of the State's total benefit package, including Medicaid; and

WHEREAS, Counties have experienced an influx of out of state residents to receive benefits resulting in an increase of hundreds of thousands of dollars to County taxpayers; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors goes on record as requesting the State of New York establish a residency requirement for the receiving of welfare benefits; and be it

November 12, 2013

FURTHER RESOLVED, That a copy of this resolution be forwarded to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, Assemblyman David Dipietro, Inter County Association of Western New York and the New York State Association of Counties.

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

RESOLUTION NO. 13-346
(November 12, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

NATIONAL ADOPTION AWARENESS MONTH PROCLAIMED

WHEREAS, November 2013 is National Adoption Awareness Month and is designed to provide us with an opportunity to acknowledge the families and staff who are involved in adoption activities throughout the year. The focus this year is on those children currently in foster care; and

WHEREAS, Deciding to open their hearts and homes to a child, adoptive and foster care families demonstrate great compassion and provide hope and love to these children. National Adoption Awareness Month and National Adoption Day, November 23, 2013 help to raise public awareness of the fact that there are children available who are waiting for caring families; and

WHEREAS, There are currently six children freed for adoption and approximately 38 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 2013 is hereby proclaimed

NATIONAL ADOPTION MONTH

In Wyoming County; and be it

FURTHER RESOLVED, That it is the desire of this Board of Supervisors and Wyoming County Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

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

RESOLUTION NO. 13-347
(November 12, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

VETERANS AWARENESS AND APPRECIATION MONTH

WHEREAS, Since our nation's founding, the U.S. Military has been dispatched to the entire world to defend our freedom and that of our allies. In battles big and small, our men and women of the United States Armed Forces have distinguished themselves through their strength, loyalty and valor; and

WHEREAS, The first Veterans Day was known as "Armistice Day" and was noted at the Eleventh Month, Eleventh Day, and at the Eleventh Hour. It signified the end of World War I; and

WHEREAS, Many members of our Armed Forces have come from all areas within our County, many being injured or even paying the ultimate sacrifice in the defense of our freedoms in our great country; and

WHEREAS, Armed Forces Day having its origin when President Truman declared May 20, 1950 as the first official day to celebrate and honor all branches of the Armed Forces; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County strongly support our Veterans who sacrificed so much to insure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby designate the month of November as:

VETERANS AWARENESS AND APPRECIATION MONTH

And be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward copies of this resolution to President Barack Obama, U.S. Senators Charles Schumer and Kirsten Gillibrand, US Congressman Chris Collins, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro and all others deemed appropriate and necessary.

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

November 12, 2013

RESOLUTION NO. 13-348
(November 12, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

GARY COUSINS REAPPOINTED DIRECTOR OF VETERAN SERVICES

BE IT RESOLVED, That Gary Cousins, 154 North Maple Street, Warsaw, NY 14569 be hereby reappointed to the position of Director of Veteran Services, pursuant to County Law §800, for a term of two (2) years; effective November 15, 2013 through November 14, 2015.

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

At the conclusion of the roll call vote Chairman Berwanger invited Supervisor Totsline, T/Genesee Falls to the podium to present the Family Caregivers Month, National Adoption Month and the Veterans' Awareness and Appreciation Month. Supervisor Totsline invited Director Cousins to join her and read the proclamation, which he gladly did... Social Services Commissioner Rumsey was then invited to approach the podium to receive the National Adoption Month Proclamation. He agreed to read the proclamation to attendees. And lastly, Supervisor Totsline invited the Director of Aging and Youth to the podium to receive the Family Caregivers Month Proclamation. She too agreed to read the proclamation.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #9 through #13. A voice vote was taken and all voted aye.

#9

RESOLUTION NO. 13-349
(November 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT 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 the following grant acceptance awards on behalf

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of the County Health Department:

- **State of New York Governor's Traffic Safety Committee Department of Motor Vehicles**, 6 Empire State Plaza, Albany, NY 12228, for funding of the Child Passenger Safety Program in a minimum amount of seven thousand dollars (\$7,000.00); effective October 1, 2013 through September 30, 2014.
- **Health Research, Inc**, 150 Broadway, Menands, NY for funding of the "Local Health Department Technological Support for Immunization Billing Implementation" in a minimum amount of thirty-six thousand nine hundred seventy-eight dollars (\$36,978.00); effective September 1, 2013 through August 31, 2014.

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

RESOLUTION NO. 13-350
(November 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH
 XEROX STATE AND LOCAL SOLUTIONS 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 an agreement with Xerox State and Local Solutions, Inc., 130 Division Street, Waitive Park, MN 56387 on behalf of the County Health Department. Said agreement is for the conversion of Certified Home Health Agency data to an SQL format in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); implementation target November 1, 2013 to December 31, 2013 through completion of the project.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-351
(November 12, 2013)

By Mrs. Ryan, Chairman of Public Health Committee:

November 12, 2013

CHAIRMAN AUTHORIZED TO SIGN 2014 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY 2014:

1. Livingston/Wyoming ARC, 18 Main Street, Mt. Morris, NY 14510, contract renewal for Sheltered Workshop Program for the mentally ill population for the period January 1, 2014 through December 31, 2014 for \$44,447.00.

2. Suburban Adult Services, Inc., 960 West Maple Court, Elma, NY 14059, contract renewal for the period of January 1, 2014 through December 31, 2014 for \$39,955.00 for Sheltered Work

3. Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY 14569, contract renewal for the period of January 1, 2014 through December 31, 2014 for \$166,825.00.

A.	PAO screenings - \$22,505.00
B.	Forensic case management - \$25,808.00
C.	Jail based Chemical Dependency services in the jail - \$3,000.00
D.	MICA/Homeless - Case Management - \$11,364.00
E.	Crisis Outreach Program - \$66,227.00
F.	Mobile Treatment Team - \$16,813.00
G.	Case Management AOT - \$21,108.00

4. Mental Health Association of Rochester/Monroe County, Inc., 320 North Goodman Street, Rochester, NY 14607 – contract renewal for the period of January 1, 2014 through December 31, 2014 for \$214,239.00:

A.	Consumer Run Thrift Store - \$31,049.00
B.	Drop-in Center - \$90,988.00
C.	Transportation Program - \$44,797.00
D.	MICA & Social Club - \$25,734.00
E.	Peer Advocacy - \$11,546.00
F.	Temporary Housing - \$10,125.00

5. Hillside Children's Center, 1183 Monroe Ave., Rochester, NY 14620-1699, contract renewal for the period of January 1, 2014 through December 31, 2014 for \$92,325.00:

- A. Crisis respite for children - \$17,802.00
- B. GLOW Family Support - \$31,683.00
- C. Home Based Crisis Intervention - \$14,340.00
- D. Coordinated Children's Services - \$25,000.00
- E. Customized Services - \$3,500.00

6. Spectrum Human Services, Inc., 227 Thorn Ave., Orchard Park, NY 14127 contract renewal for the period of January 1, 2014 through December 31, 2014 for \$444,076.00.

- A. Mental Health Clinic, Crisis - \$22,408.00
- B. Adult ICM/SCM/SPOA - \$59,464.00
- C. Child & Youth ICM/SPOA - \$32,589.00
- D. RIV-POEMS - CSP
- E. Co-Occurring Disorders Coordinator and Case Management - \$16,179.00
- F. Forensic/Uncompensated Care - \$44,600.00
- G. PROS - \$43,816.00
- H. Alcohol and Substance Abuse Treatment - \$225,020.00

7. Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227-2728, contract renewal for the period of January 1, 2014 through December 31, 2014 for \$175,845.00.

- A. Four-bed treatment apartments - \$ 4,821.00
- B. Supported Housing (20 SLOTS) - \$168,524.00
- C. Crisis/Respite Bed - \$2,500.00

8. Coordinated Care Services, Inc. of Rochester, 1099 Jay Street, Building J, Rochester, NY 14611-1153, contract renewal for the period of January 1, 2014 through December 31, 2014 for \$404,594.00

- A. Service Coordination - \$ 121,234.00
- B. Dual Diagnosis Coordination - \$68,771.00
- C. Performance Measurements - \$8,558.00
- D. Substance Abuse Prevention - \$193,031.00
- E. Technical Assistance - \$13,000.00

9. Camp Get-A-Way, Western Region New York State, 18 West Buffalo Street, Warsaw, NY 14569, contract renewal period for January 1, 2014 through December 31, 2014 for \$25,000.00

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-352
(November 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT RENEWAL
WITH TCCT, INC. ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with TCCT, Inc., 46 N. Maple St., Warsaw NY on behalf of Mental Health. Said contract is for janitorial services at Mental Health Dept, 460 N. Main, Warsaw, NY in an amount not to exceed six thousand sixty dollars (\$6,060.00); effective July 5, 2013 through July 4, 2014.

Contingent upon the availability of funds.

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

#13

**RESOLUTION NO. 13-353
(November 12, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**MEMBERS APPOINTED TO
THE MENTAL HEALTH SUBCOMMITTEE**

BE IT RESOLVED, That the following individuals be hereby appointed to the Mental Health Subcommittee to fill vacant unexpired four (4) year terms as follows:

- **Kelly Dryja**, 4167 Quakertown Road, Warsaw NY 14569, to fill the remainder of the unexpired vacant four (4) year term of Sharon Ward; effective November 12, 2013 through December 31, 2013
- **Kathy Bell**, P. O. Box 57, Warsaw, NY 14569 to fill the remainder of the unexpired vacant four (4) year term of Nancy Balbick; effective November 12, 2013 through December 31, 2014.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #14 and #15. A voice vote was taken and all voted aye.

Prior to the roll call vote Supervisor Brick, T/Perry asked that the Clerk publish the amended resolutions in the local papers and provide the Town and Village Clerks with the amended versions to post in their offices.

#14

**RESOLUTION NO. 13-354
(November 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

RESOLUTION NUMBER 13-324 AMENDED

WHEREAS, Resolution Number 13-324 entitled, “**ORDER OF PROTECTION FOR DEER APPROVED**,” passed by this Board of Supervisors on October 08, 2013 and provides that the Wyoming County Board of Supervisor ordered and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2013 through April 1, 2014, under Article 7, Section 122 of the New York State Agriculture and Markets Law; now therefore

BE IT RESOLVED, That Resolution Number 13-324 be hereby amended to add, “***A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler.***” All else remains the same.

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

**RESOLUTION NO. 13-355
(November 12, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

RESOLUTION NUMBER 13-325 AMENDED

WHEREAS, Resolution Number 13-325 entitled, “**CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED**,” passed by this Board of Supervisors on October 08, 2013 and provides that the Wyoming County Board of Supervisor ordered and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise

November 12, 2013

for the period January 1, 2014 through Midnight, December 31, 2014, under Article 7, Section 122 of the New York State Agriculture and Markets Law; now therefore

BE IT RESOLVED, That Resolution Number 13-325 be hereby amended to add, ***“A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler.”*** All else remains the same.

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

Chairman Berwanger invited Supervisor Brick, T/Perry to the Podium to present special New York State 4-H recognitions to several members of the Cornell Cooperative Extension of Wyoming County staff.

Each were presented with a Certificate of Recognition by the Wyoming County Board of Supervisors!!

New York State Special Service Award – Tanya Nickerson

Recognizes members who have developed a new technique in programming, worked successfully with new audiences and/or have been innovative in utilizing resources, people and situations. Member has completed one to five years of service.

Achievement in Service Award – Holly Harwood

Recognizes members who have been creative and innovative in programming efforts. Member has completed at least three years of service but less than ten years.

Distinguished Service Award – Shawn Tiede

Recognizes members who have eight or more years of service in Extension Youth Programs and who have exhibited outstanding performance and professionalism.

Communicator Award – Promotional Piece (Team) – Shawn Tiede, Marie Wixner, Nate Smith

Recognizes members who have been creative and innovative in promoting programming. Publication is designed to attract audience's attention and make them respond in a positive way.

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #16 through #18. A voice vote was taken and all voted aye.

#16

**RESOLUTION NO. 13-356
(November 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE**

Regular Session

**GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON BEHALF OF
WYOMING COUNTY STOP DWI**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Governor's Traffic Safety Committee; NYS STOP-DWI Foundation; 6 Empire State Plaza, Albany, NY 12228 on behalf of the Wyoming County Stop DWI program. Said funding is for Special Crackdown patrols during special holidays and events with high visibility road checks and saturation patrols in an amount not to exceed eleven thousand dollars (\$11,000.00); effective October 1, 2013 through September 30, 2014.

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

**RESOLUTION NO. 13-357
(November 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant participation agreement with NYS Division of Homeland Security and Emergency Services, 1220 Washington Ave., Bldg. 7A, Suite 710, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant is for FY2013 Emergency Management Performance in a minimum amount of forty thousand two hundred sixteen dollars (\$40,216.00); (grant will be \$20,108.00 with 50% in-kind \$20,108.00); effective October 1, 2012 through September 30, 2014.

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

**RESOLUTION NO. 13-358
(November 12, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

November 12, 2013

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

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 NYS Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, 80 S. Swan Street, Albany, NY12210 on behalf of the Public Defender's Office. Said funding (LG13-1235-D00) is for the Indigent Parolee Contract in a minimum amount of one hundred eighty thousand dollars (\$180,000.00); effective April 1, 2013 to March 31, 2014.

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

Special Certificates of Valor were presented by Supervisor Rogers, T/Pike (Public Safety Chair) and Patti, T/Attica Supervisor to Attica Correctional, Correction Officers, Bradley Walters and Ernie Emminger for Outstanding Volunteer Firefighting in observing and preventing a potentially life threatening incident on September 30, 2013 in the Town of Attica, NY.

These gentlemen were commended for their heroic actions and bravery...

There was a motion by Mr. Patti, T/Attica, to combine resolutions #19 through #22. A voice vote was taken and all voted aye.

#19

**RESOLUTION NO. 13-359
(November 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 11-333 AMENDED

WHEREAS, Resolution Number 11-333 entitled, "CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN CONTRACTS ON BEHALF OF WYOMING COUNTY HIGHWAY," passed by this Board of Supervisors on November 08, 2011 and provides various contracts on behalf of County Highway; now therefore

BE IT RESOLVED, That Resolution Number 11-333 be hereby amended to reflect revisions to the contract with Lu Engineers, 175 Sully's

Trail, Suite 202, Pittsford, NY 14534, Supplement Agreement #4; to amend ending date from December 31, 2012 to December 31, 2013. All else remains the same

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

**RESOLUTION NO. 13-360
(November 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A
CONTRACT WITH UNION CONCRETE AND CONSTRUCTION
CORP. ON BEHALF OF COUNTY HIGHWAY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign contracts for the replacement of Allen Street Bridge over Oatka Creek, Town of Warsaw, PIN #4755.01; BIN #3320300 to Union Concrete and Construction Corp., PO Box 410, 105 Center Road, West Seneca, NY 14224 in an amount not to exceed eight hundred fifteen thousand eight hundred eighty-seven dollars and seventy cents (\$815,887.70); effective November 12, 2013 through completion of the project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-361
(November 12, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD FOUR (4) BIDS AND SIGN
FOUR (4) SEPARATE CONTRACTS IN CONNECTION WITH THE
WYOMING COUNTY COMMUNITY HOSPITAL FACILITY
RENOVATION PROJECT ON BEHALF OF THE COUNTY OF
WYOMING**

WHEREAS, The Wyoming County Board of Supervisors in partnership with the Wyoming County Community Hospital Board of Managers has determined that the facility located at 400 North Main Street is in need of

November 12, 2013

extensive repair and as a result on March 09, 2010 this Board of Supervisors passed resolution number 10-138 entitled, "**WYOMING COUNTY COMMUNITY HOSPITAL RENOVATIONS CAPITAL IMPROVEMENT PROJECT ESTABLISHED;**" now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and Project Manager is hereby authorized and directed to award the following bids and sign contracts with the following contractors for the construction of Adult Day Care Facilities at Wyoming County Community Hospital located at 400 North Main Street, Warsaw, NY 14569:

- **General Contractor ~**
 - ***Building Innovation Group***, 107 Lincoln Pkwy, East Rochester, NY 14445
 - \$205,964.00
- **Electrical Contract ~**
 - ***Concord Electric Corp.***, 706 Maple St., Rochester, NY 14611
 - \$136,000.00
- **Mechanical Contract ~**
 - ***Landry Mechanical Contractors***, 164 Flint hill Rd., LeRoy, NY 14482
 - \$123,500.00
- **Plumbing Contract ~**
 - ***Nairy Mechanical, LLC***, P. O. Box 209, Union Hill, NY 14563
 - \$108,500.00

Total \$573,964.00

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-362
(November 12, 2013)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT
 WITH COOPER SIGN COMPANY IN CONNECTION WITH THE
 WYOMING COUNTY COMMUNITY HOSPITAL FACILITY
 RENOVATION PROJECT ON BEHALF OF THE COUNTY OF
 WYOMING**

WHEREAS, The Wyoming County Board of Supervisors in partnership with the Wyoming County Community Hospital Board of Managers has determined that the facility located at 400 North Main Street is in need of extensive repair and as a result on March 09, 2010 this Board of Supervisors passed resolution number 10-138 entitled, "**WYOMING COUNTY COMMUNITY HOSPITAL RENOVATIONS CAPITAL IMPROVEMENT PROJECT ESTABLISHED;**" now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and Project Manager is hereby authorized and directed to award the following bid and sign a contract with the following contractor for signage at the newly renovated Wyoming County Community Hospital located at 400 North Main Street, Warsaw, NY 14569:

- **Cooper Sign Company**, 7350 Porter Road, P. O. Box 172, Niagara Falls, NY 14304-0172 in an amount not to exceed two hundred thirty- four thousand six hundred eighty-nine dollars (\$234,689.00).

Contingent upon the availability of funds.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #23 through #34. A voice vote was taken and all voted aye.

Prior to the roll call vote Chairman Berwanger commented on the County Budget being in excess of \$100 million dollars including the health system. He also remarked on the lack of attendance at last year's budget hearing held in the evening due to previous criticism of the Board in an attempt to allow more of the public to attend. There were four attendees other than the Board of Supervisors. Budget Officer Cook's husband and two daughters and Cornell Cooperative Extension of Wyoming County's Exec. Director, Shawn Tiede.

#23

**RESOLUTION NO. 13-363
(November 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2014 INSURANCE
RENEWAL RATES ON BEHALF OF RETIRED COUNTY
EMPLOYEES**

November 12, 2013

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 **2014** as follows:

- **Univera Medicare PPO High Option**
 - Single - \$259.56/month
- **Univera Medicare PPO Low Option**
 - Single \$238.48/month
- **Excellus Medicare PPO**
 - Single \$276.53/month
- **MVP Medicare Gold Anywhere**
 - Single \$261.10/month

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

RESOLUTION NO. 13-364
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

2014 WORKERS' COMPENSATION COSTS APPROVED

BE IT RESOLVED, That the cost of Workers' Compensation Insurance for the Participants covered by the Wyoming County Workers' Compensation Pool as based upon the 2014 budget of \$3,276,406 (total budget of \$3,321,129.76 minus a \$44,723.76 inter-fund transfer) are as follows:

TOWNS

Arcade	\$42,162
Attica	38,657
Bennington	57,326
Castile	41,444
Covington	28,559
Eagle	35,982
Gainesville	37,426
Genesee Falls	21,982
Java	37,386
Middlebury	38,792
Orangeville	33,718
Perry	36,464
Pike	29,258
Sheldon	47,906

Warsaw	47,378
Wethersfield	30,635
Total	\$605,075

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.

COUNTY & OUTSIDE AGENCIES

County Government	\$316,172
County Highway Department	200,025
Wyom. Co Community Hospital	745,711
Community Action	42,526
Wyom. Co. Volunteer Fire Depts.	367,710
Soil & Water Conservation	4,828
Total	\$1,676,972

VILLAGES

Arcade	\$100,810
Attica	75,472
Castile	9,931
Gainesville	39
Perry	81,919
Silver Springs	9,761
Warsaw	123,644
Wyoming	8,805
Total	\$410,381

SCHOOL DISTRICTS

Attica Central School	\$174,160
Perry Central School	98,919
Pioneer Central School	265,873
Warsaw Central School	10,151
Wyoming Central School	34,875
Total	\$583,978

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#25

RESOLUTION NO. 13-365
(November 12, 2013)
November 12, 2013

By Mr. Kushner, Chairman of the Finance Committee:

2014 EQUALIZATION TABLE PRESENTED AND TABLED

BE IT RESOLVED, That the 2014 Equalization Table is hereby presented; and be it

FURTHER RESOLVED, That its adoption be tabled for at least one day.

2013 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
94.00%	ARCADE	209,809,727	223,201,837	0.107299250	209,801,877
100.00%	ATTICA	172,760,985	172,760,985	0.083050948	172,750,685
48.50%	BENNINGTON	113,766,926	234,570,981	0.112764710	113,738,397
100.00%	CASTILE	231,738,652	231,738,652	0.111403131	231,726,152
100.00%	COVINGTON	75,819,745	75,819,745	0.036448633	75,815,545
100.00%	EAGLE	54,596,936	54,596,936	0.026246246	54,582,636
100.00%	GAINESVILLE	88,164,073	88,164,073	0.042382890	88,157,623
100.00%	GENESEE FALLS	26,172,964	26,172,964	0.012582062	26,169,964
89.00%	JAVA	114,974,377	129,184,693	0.062102628	114,965,377
100.00%	MIDDLEBURY	86,466,028	86,466,028	0.041566593	86,465,428
100.00%	ORANGEVILLE	86,264,057	86,264,057	0.041469500	86,264,057
100.00%	PERRY	184,526,773	184,526,773	0.088707085	184,512,323
100.00%	PIKE	52,485,372	52,485,372	0.025231159	52,485,372
89.00%	SHELDON	134,276,606	150,872,591	0.072528596	134,251,506
100.00%	WARSAW	234,232,189	234,232,189	0.112601843	234,229,189
96.00%	WETHERSFIELD	47,157,982	49,122,898	0.023614725	47,144,282
	TOTALS	1,913,213,392	2,080,180,775	1.000000000	1,913,060,413

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

Regular Session

RESOLUTION NO. 13-366
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**DATE OF PUBLIC HEARING AND SPECIAL BOARD MEETING FOR
THE CONSIDERATION OF THE 2014 TENTATIVE COUNTY BUDGET
SET**

BE IT RESOLVED, That the Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 2014 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 N. Main Street, in the Village of Warsaw, NY 14569, on *Wednesday, November 27th, 2013 at 11:30 AM* and that copies of that tentative County Budget will be available at the Public Hearing and after 3:00 P.M. on November 15, 2013, 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 a Special Board Meeting to consider the 2014 Tentative Budget of the County for the fiscal year and calendar year 2014 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 N. Main Street, in the Village of Warsaw, NY 14569, on *Wednesday, November 27th, 2013 at 11:30 AM*; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and be it

FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on November 27, 2013.

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

RESOLUTION NO. 13-367
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

JANIS COOK REAPPOINTED WYOMING COUNTY BUDGET

November 12, 2013

OFFICER

BE IT RESOLVED, That Janis Cook, 6 East Court Street, Warsaw NY 14569 be hereby reappointed as Wyoming County Budget Officer for a two (2) year term; effective January 01, 2014 through December 31, 2015.

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

RESOLUTION NO. 13-368
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

Mr. Kushner, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 01, 2013 through September 30, 2013 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 **\$263,949.63** 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	\$39,149.94	\$8,764.53	\$30,385.41
Attica	\$23,744.23	\$4,703.55	\$19,040.68
Bennington	\$41,491.43		\$41,491.43
Castile	\$17,643.18	\$1,273.55	\$15,336.95
Perry Village		\$1,032.68	
Covington	\$6,687.32		\$6,687.32
Eagle	\$5,970.72		\$5,970.72
Gainesville	\$8,395.61	\$269.15	\$7,234.00
Silver Springs Village		\$892.46	
Genesee Falls	\$1,193.63		\$1,193.63
Java	\$17,443.34		\$17,443.34
Middlebury	\$9,558.08	\$838.44	\$8,719.64
Orangeville	\$8,233.23		\$8,233.23

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Perry	\$15,935.68	\$4,268.00	\$11,667.68
Pike	\$3,568.67	\$0.00	\$3,568.67
Sheldon	\$22,055.44		\$22,055.44
Warsaw	\$34,673.04	\$10,601.32	\$24,071.72
Wethersfield	\$8,206.09		\$8,206.09
Total:	\$32,643.68		\$231,305.95
Grand Totals:	\$263,949.63		

Let This Be Your Warrant for Such Payment: **\$263,949.63** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 12th day of November 2013.

s/Cheryl J. Ketchum, Clerk
Board of Supervisors

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

**RESOLUTION NO. 13-369
(November 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

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

BE IT RESOLVED, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Hodgson Russ legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **ComDoc, Inc.**, 55 Amherst Villa Road, Buffalo, NY 14225 for document management hardware (copiers and printers), maintenance, and consumable supplies (except paper); effective 11/01/2013 – 10/31/2017
 - \$345,172.80/lease cost (\$7,191.10/month), Overages will only be charged for actual copies that are over the base agreement.
 - \$0.06/page additional color usage copier
 - \$0.10/page for printer
 - \$0.006/page additional black/white usage

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- \$0.012/page for printer

- **Ofelia Ortiz, MD**, 137 5th Street, Ridgefield Park, NJ 07660 to practice OB/GYN on a full time basis in Warsaw, NY. Start date 11/06/2013 per agreement signed 10/16/2013. Amount not to exceed \$742,920/2 years (expensed over 4 years) (\$450,000 personal services, \$277,320 space and support services, and \$15,600 moving and start-up expenses [one-time]).
- **University of Rochester (URMC) – Strong**, 601 Elmwood Avenue, Rochester, NY 14642 to provide pharmacy management services, effective 12/01/2013 – 11/30/2014, \$200,600 annual base amount to be paid monthly plus an estimated mileage reimbursement expense of \$2,000. The agreement also includes a 3% increase for each term thereafter.

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

RESOLUTION NO. 13-370
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION(S) CREATED/ABOLISHED/EXTENDED APPROVED

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

Workmen's Compensation

- Abolish one (1) position of **Secretary I/Worker's Comp.** (position code # 008.350)
- Create one (1) position of **Insurance Program Assistant**, full time (1.00 FTE) to be placed on Salary Schedule "S" at an annual salary of (\$32,000 - \$34,638) commensurate with experience; effective November 1, 2013 to replace Karen Quinn who is resigning.

Real Property Tax Services

- Create one (1) position of **Tax Map Technician**, full time to be placed on Salary Schedule "S" at a salary of \$33,000.00/annually; effective January 1, 2014.

Jail

- Extend one (1) position of **Jail Administrator (Temporary)**, full time

Regular Session

(position code #063.497) for four months on Salary Schedule "S" at a salary of \$53,830.00/annually; effective November 14, 2013 while waiting New York State Civil Services reclassification (to non-competitive) decision.

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

**RESOLUTION NO. 13-371
(November 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN ONE YEAR CONTRACT
EXTENSION WITH PRINTER COMPONENT, INC. ON BEHALF OF
INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with Printer Component, Inc., 155 Periton Parkway, Fairport, NY 14450 on behalf of Information Technology. Said contract is for Printer/Copier Toner for all Wyoming County departments; effective December 13, 2013 through December 12, 2014. All else remains the same.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-372
(November 12, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES
AT THE REQUEST OF: County Treasurer**

WHEREAS, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2013-2014 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 village taxes will be relieved as part of the town and county levy; now therefore

November 12, 2013

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

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

RESOLUTION NO. 13-373
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

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

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

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

Serial #31 **Jerry Osgood**, 10344 Pleasant Valley Road, Delevan, NY 14042 has offered \$16,500 for property located on 6747 Stinson Road, Town of Arcade. Tax Map #163.-1-47.2.

Serial #96 **Ralph A. Janes**, 4 Market Street, Attica, NY 14011 has offered \$13,000 for property located on 41-43 Water Street, Town and Village of Attica. Tax Map #6.10-2-24.

Serial #132 **Ryan J. Piechocki**, 558 Werner Road, Attica, NY 14011, has offered \$26,000 for property located at 4010 East Main Street, Town of Attica. Tax Map #7.-1-32.

Serial #210 **Harold E. McWilliams**, 11568 Minard Road, Portageville, NY 14536 has offered \$4,500 for property located on 1 Park Road East, Town and Village of Castile. Tax Map #147.7-2-3.

Serial #223 **Edwin G. Morse and Tamara S. Morse**, 20 Park Road West, Castile, NY 14427 has offered \$3,400 for property located on Beechwood Avenue, Town of Castile. Tax Map #147.6-1-8.

Serial #224 **Edwin G. Morse and Tamara S. Morse**, 20 Park Road West, Castile, NY 14427 has offered \$4,000 for property located on Beechwood Avenue, Town of Castile. Tax Map #147.6-1-9.

Serial #225 **Michael Woolley**, 4720 Poplar Tree Road, Gainesville, NY 14066 has offered \$21,000 for properties located on 16 Buffalo Street, Town of Castile. Tax Map #135.19-4-1.

Serial #237 **Rocky A. Panjwani**, 20 Fredon Marksboro Road, Fredon, NY 07860 has offered \$35,000.00 for properties located on Standpipe Road, Town of Castile. Tax Map #100.14-2-8.1.

Serial #241 **Roger Kelly and Constance Kelly**, 1642 McCullouch Blvd. N #228, Lake Havasu City, AZ 86403 has offered \$21,000 for property located on 3821 Euclid Avenue, Town of Castile. Tax Map #100.18-2-29.

Serial #245 **Nicholas Macaluso**, 6270 Abbott Road, Silver Springs, NY 14550 has offered \$100 for property located on 140 S. Main Street, Village of Perry and Town of Castile. Tax Map #100.11-5-56.

Serial #327 **John P. Lyday**, 11877 Cadwell Road, Bliss, NY 14024 has offered \$6,500 for property located on Wing Street, Town of Eagle. Tax Map #187.-1-7.2.

Serial #439 **Thomas J. Kelley**, 230 East Treehaven Road, Cheektowaga, NY 14215 has offered \$2,000 for property located on Maplewood Avenue, Town of Java. Tax Map #140.8-7-60.

Serials #440 **James E. McElhinny, Jr.**, 77 Chestnut Corner, Lancaster, NY 14086 has offered \$400 for & 441 properties located on South Parkway, Town of Java. Tax Map #140.8-8-2 and 140.8-8-3.

Serial #447 **John Dingwall**, 4172 Route 98, North Java, NY 14113 has offered \$26,000 for property located on Route 98, Town of Java. Tax Map #105.3-1-52.11.

Serial #465 **Brent L. Jordan and Erica L. Jordan**, 7322 Eagle Road, Bliss, NY 14024 has offered \$3,500 for property located on Torrey Hill Road, Town of Java. Tax Map #128.-1-26.

Serial #470 **Joanne Titas**, 2512 Snyder Road, Varysburg, NY 14167 has offered \$400 for property located on Block G, Town of Java. Tax Map #140.8-8-12.

Serial #513 **James R. VanDeWalker**, 533 McGrath Road, Attica, NY 14011 has offered \$16,000 for property located on 787 Vernal Road, Town of Middlebury. Tax Map #21.-2-5.

Serial #579 **Nicholas Stefaniak**, 6856 West View Drive, Perry, NY 14530 has offered \$7,000 for property located on 42 Water Street, Town of Perry. Tax Map #100.8-2-40.

Serial #580 **John J. Maloney III**, 49 Water Street, Perry, NY 14530, has offered \$1,000 for property located at 44 Water Street, Town of Perry. Tax Map #100.8-2-41.

Serial #610 **Santo Consiglio**, PO Box 87, Gainesville, NY 14066 has offered \$600 for property located on 86 South Main Street, Town and Village of Perry. Tax Map #100.7-7-14.2.

Serial #664 **Jay J. Ballared**, 10270 Daley Road, Fillmore, NY 14735 has offered \$11,500 for property located at 6907 Campbell Road, Town of Pike. Tax Map #168.-1-0.1.

Serial #716 **Vincent Kirsch**, 3932 Lefort Road, Strykersville, NY 14145 has offered \$56,000 for property located at 3828 Route 78, Town of Sheldon. Tax Map #90.4-1-37.

Serial #727 **Michael Woolley**, 4720 Poplar Tree Road, Gainesville, NY 14066 has offered \$15,000 for properties located at 28 South Avenue, Town of Warsaw. Tax Map #82.12-3-29.1.

Serial #757 **Carol Eickhoff**, 4848 Route 20A, Warsaw, NY 14569 has offered \$5,000 for properties located at 4850 West Buffalo Street, Town of Warsaw. Tax Map #85.5-1-11.

Serial #760 **Craig Kelkenberg**, 11920 Rapids Road, Akron, NY 14001 has offered \$25,000 for property located at 235 South Main Street, Town of Warsaw. Tax Map #85.11-3-76.1.

Serial #797 **Danelle Blahowicz and Bradley Zimmer**, 1612 Emerson Street, Alden NY 14004 has offered \$1,400 for property located on 4850 Route 20A W, Town of Warsaw. Tax Map #85.-1-5.

Serial #814 **Richard D. Brydalski and Debra J. Bifaro**, 2742 Sodom Road, North Java, NY 14113 has offered \$3,000 for property located on Youngers Road and Town of Wethersfield. Tax Map #117.-2-12.3.

Serial #815 **Richard D. Brydalski and Debra J. Bifaro**, 2742 Sodom Road, North Java, NY 14113 has offered \$5,000 for property located on Youngers Road and Town of Wethersfield. Tax Map #117.-2-12.4.

Serial #816 **Richard D. Brydalski and Debra J. Bifaro**, 2742 Sodom Road, North Java, NY 14113 has offered \$6,800 for property located on Youngers Road and Town of Wethersfield. Tax Map #117.-2-12.2; 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 quit-claim deed to the purchaser, providing payment of said purchase price is received by her on or before December 13, 2013.

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

RESOLUTION NO. 13-374
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

RECYCLING FEES LEVIED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2014 as indicated in the amount of \$1,392,982.50 (one million three hundred ninety-two thousand nine hundred eighty-two dollars and fifty cents):

Castile	Seasonal	136	\$ 13,260.00
	Year Round	1158	225,810.00
Gainesville	Seasonal	18	1,755.00
	Year Round	817	159,315.00
Genesee Falls	Seasonal	15	1,462.50
	Year Round	192	37,440.00

November 12, 2013

Middlebury	Seasonal	9	877.50
	Year Round	593	115,635.00
Orangeville	Seasonal	22	2,145.00
	Year Round	479	93,405.00
Perry	Seasonal	6	585.00
	Year Round	1863	363,285.00
Pike	Seasonal	20	1,950.00
	Year Round	422	82,290.00
Sheldon	Seasonal	10	975.00
	Year Round	890	173,550.00
Warsaw	Seasonal	3	292.50
	Year Round	610	118,950.00
GRAND TOTAL			\$1,392,982.50

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

Defeated #35
(2/3 Majority/980 votes)

RESOLUTION NO. 13-375
(November 12, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

APPROVES PROPERTY SALE BY SEALED BID

WHEREAS, The County has acquired the right to transfer property located at 4172 Route 98, North Java, NY 14113 Tax map # 105.3-1-52.2 in the Town of Java, New York pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

WHEREAS, The Wyoming County Board of Supervisors has determined that this property is surplus property based on its location, condition, age and lack of suitability for any public use; and

WHEREAS, The Finance Committee of this Board has obtained offers via sealed bid to purchase said property and recommends the acceptance thereof, namely:

Jonathan F Kersch, 2170 East Avenue, North Java, NY 14113 bid \$77,000 for property located at 4172 Route 98, North Java, NY 14113 Tax map # 105.3-1-52.2; now therefore

BE IT RESOLVED, Under County Law §215 (5), by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, that the above sale is hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a quit-claim deed to the purchaser, providing payment of said purchase price is received by her on or before December 20, 2013.

Defeated: XXX Ayes: 151 (Attica) **Noes:** 161 (Arcade) **Absent: Abstain:**
 128 (Bennington) 55 (Middlebury)
 110 (Castile) 52 (Orangeville)
 47 (Covington) 179 (Perry)
 45 (Eagle) 92 (Sheldon)
 83 (Gainesville) 34 (Wethersfield)
 17 (Genesee Falls) 573 Total
 78 (Java)
 42 (Pike)
197 (Warsaw)
 898 Total

Public Comment (Local Law Introductory F):

None

Close Public Hearing:

Motion by Supervisor Rogers, T/Pike, second by Supervisor Brick, T/Perry to close the Public Hearing. All Aye. Carried.

**Local Law
#36**

**RESOLUTION NO. 13-376
(November 12, 2013)**

By Mr. Fleischman, Chairman of the Planning Committee:

**LOCAL LAW NO. 4 (INTRODUCTORY F) - YEAR 2013,
“A Local Law Authorizing Lease on Real Property” ADOPTED**

November 12, 2013

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 8th day of October, 2013, a proposed local law of the County, designated as Local Law Introductory No. F, for the year 2013, entitled, ***“A Local Law Authorizing Lease on Real Property,”*** and

WHEREAS, In accordance with the provisions of Resolution No. 13-313, there was a public hearing held by this Board of Supervisors on this 12th day of November, 2013, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT ENACTED, That Local Law 4, Year 2013, County of Wyoming, New York, as presented to this Board on the 8th day of October 2013, is hereby adopted as presented, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 4 - YEAR 2013

County of Wyoming, Providing A Local Law Authorizing Lease on Real Property.

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

WHEREAS, The County of Wyoming has determined that it is necessary to provide office space for the Wyoming County Planning Department, Wyoming County Fire and Building Codes, Wyoming County Water Resource Agency, Wyoming County Industrial Development Agency, Wyoming County Business Center (Local Development Corporation), Business and Development Center, The Business Education Council, Wyoming County Chamber of Commerce and Tourism in the County of Wyoming; and

WHEREAS, There is no County-owned real property available for this purpose.

THEREFORE, To provide the County of Wyoming with the ability to obtain office space on terms most favorable to the County, it may be necessary for the County to lease such property for a period of in excess of five (5) years, the limitation on leasehold property contained in New York County Law Section 215(3).

NOW, THEREFORE, IT IS HEREBY ENACTED as follows:

Section 1. Pursuant to the authority granted to local governments under the New York Municipal Home Rule Law, the County of Wyoming may enter into a lease of real property for purposes of housing the Wyoming County Planning Department, Wyoming County Fire and Building Codes, Wyoming County Water Resource Agency, Wyoming County Industrial Development Agency, Wyoming County Business Center (Local Development Corporation), Business and Development Center, The Business Education Council, Wyoming County Chamber of Commerce and Tourism for a period of in excess of five (5) years.

Section 2. This local law shall supersede County Law Section 215(3) as it applies to the leasing of real property.

Section 3. This Local Law is subject to permissive referendum.

Section 4. Effective Date. This Local Law shall take effect 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.

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

There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 3:09 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board

**SPECIAL SESSION
Budget Hearing
(November 27, 2013)
Wednesday
11:30 AM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present Budget Officer, J. Cook and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 11:30 AM Chairman Berwanger, T/Arcade, called the meeting to order.

The Pledge of Allegiance to the Flag was said.

Open Public Hearing:

Adoption of Wyoming County Tentative Budget for the Year 2014

Budget Message delivered by Budget Officer Cook

Wyoming County 2014 Budget

November 27, 2013

Presented by: Janis Cook, Budget Officer

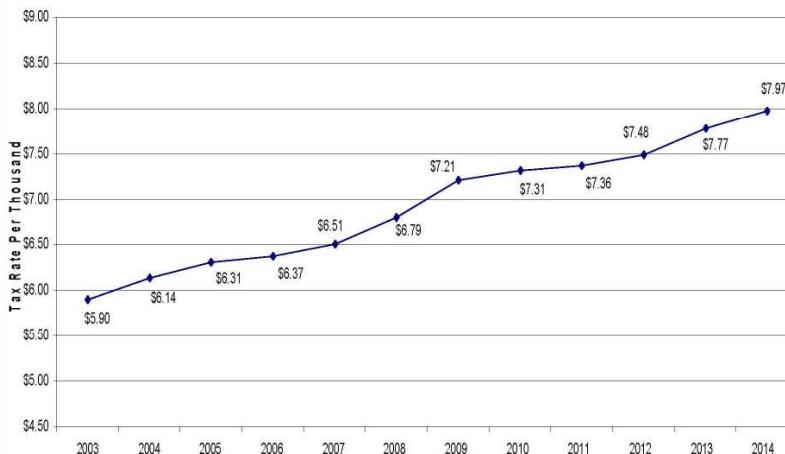
Summary of Proposed 2014 Budget

- Proposed budget - \$122,165,700
- Proposed tax levy - \$16,581,631
 - An increase of \$637,539 or 4% or over 2013 Adopted tax levy
- Taxable Valuation - \$1,913,060,413
 - An increase of .70%
- Proposed tax rate @ 100% assessment - \$7.97 per thousand
 - An increase of \$.20 per thousand or 2.57%

2014 Property Tax Levy and Rate

	2013	2014	Amt / % change from prior yr
Property Tax Levy	\$ 15,944,091.73	\$ 16,581,630.55	\$ 637,538.82
Taxable Valuation	\$ 1,899,704,970	\$ 1,913,060,413	.70%
Full Valuation	\$ 2,051,683,286	\$ 2,080,180,775	1.39%
Property Tax Rate (100%)	\$ 7.77	\$ 7.97	\$.20

Tax Rate 2003 - 2014



General County Levy	Adopted 2013	Tentative 2014	2014 Inc / (Dec)	2014 Percentage Inc / -Dec
Revenue	99,564,759.39	101,267,899.10	1,703,139.71	1.71%
Expenses	118,816,542.12	122,167,090.65	3,350,548.53	2.82%
Reserve to offset	3,307,691.00	4,317,561.00	1,009,870.00	30.53%
Total General County Levy	15,944,091.73	16,581,630.55	637,538.82	4.00%
Special District Levy				
Town Balances	14,059.91	4,588.92	(9,470.99)	-67.36%
Board of Elections	21,054.00	20,700.00	(354.00)	-1.68%
Recycling	1,392,300.00	1,392,982.50	682.50	0.05%
Worker's Comp	496,369.00	605,075.00	108,706.00	21.90%
Total Levy All Districts	17,867,874.64	18,604,976.97	737,102.33	4.13%
NYS Tax Levy Limitation		18,245,069.06	377,194.42	2.11%
Over / (Under) Allowable Cap		359,907.91		

General Fund Recap

General Fund Only		Adopted 2013	Tentative 2014	Change Amount Inc / (Decrease)
Total Revenues		37,900,166.45	38,442,574.74	542,408.29
.1	Personal Svc	13,386,797.28	13,642,904.82	256,107.54
.2	Capital	208,527.70	373,410.00	164,882.30
.4	Contractual	27,929,169.70	27,902,554.13	(26,615.57)
.6	Principal Pmt	711,000.00	731,000.00	20,000.00
.7	Interest Pmt	437,781.78	432,356.03	(5,425.75)
.8	Fringe	7,972,736.44	8,077,996.55	105,260.11
.9	Transfers	5,598,245.28	6,813,983.76	1,215,738.48
Total Expenditures		56,244,258.18	57,974,205.29	1,729,947.11
Fund Balance		(2,400,000.00)	(2,950,000.00)	550,000.00
Levy		15,944,091.73	16,581,630.55	637,538.82

Highway & Machinery Fund Recap

Highway & Machinery Fund Only		Adopted 2013	Tentative 2014	Change Amount Inc / (Decrease)
Total Revenues		9,239,982.00	8,578,882.00	(661,100.00)
.1	Personal Svc	1,286,205.00	1,332,045.92	45,840.92
.2	Capital	56,852.00	270,000.00	213,148.00
.4	Contractual	7,756,379.00	7,252,772.00	(503,607.00)
.6	Principal Pmt	150,000.00	150,000.00	0.00
.7	Interest Pmt	4,140.00	2,070.00	(2,070.00)
.8	Fringe	894,097.00	939,555.08	45,458.08
.9	Transfers	0.00	0.00	0.00
Total Expenditures		10,147,673.00	9,946,443.00	(201,230.00)
Fund Balance		(907,691.00)	(1,367,561.00)	459,870.00
Levy		0.00	0.00	0.00

Hospital Fund Recap

Hospital Fund Only		Adopted 2013	Tentative 2014	Change Amount Inc / (Decrease)
Total Revenues		49,334,731.94	50,603,202.60	1,268,470.66
.1	Personal Svc	19,432,745.00	19,744,070.00	311,325.00
.2	Capital	750,000.00	750,000.00	0.00
.4	Contractual	16,940,700.00	17,037,868.00	97,168.00
.6	Principal Pmt	866,000.00	1,357,000.00	491,000.00
.7	Interest Pmt	768,838.94	931,133.94	162,295.00
.8	Fringe	10,576,448.00	10,783,130.66	206,682.66
.9	Transfers	0.00	0.00	0.00
Total Expenditures		49,334,731.94	50,603,202.60	1,268,470.66
Fund Balance		0.00	0.00	0.00
Levy		0.00	0.00	0.00

Property Tax Cap Calculation

2013 Tax Levy	15,944,091.73
+ Special District Levy	1,923,833.91
2013 Total Adjusted Tax Levy	17,867,925.64
x Tax Base Growth Factor (Provided by NYS)	1.0065
+ PILOTS in 2013 (est.)	17,984,067.16
	240,000.00
x Allowable Levy Growth (1.66%)	18,224,067.16
	1.0166
- PILOTS in 2014 (est.)	18,526,586.67
	281,517.61
ESTIMATED TOTAL TAX CAP	18,245,069.06
Amount Allowed to Increase Tax Levy	377,143.42
	2.11%

NINE STATE MANDATES

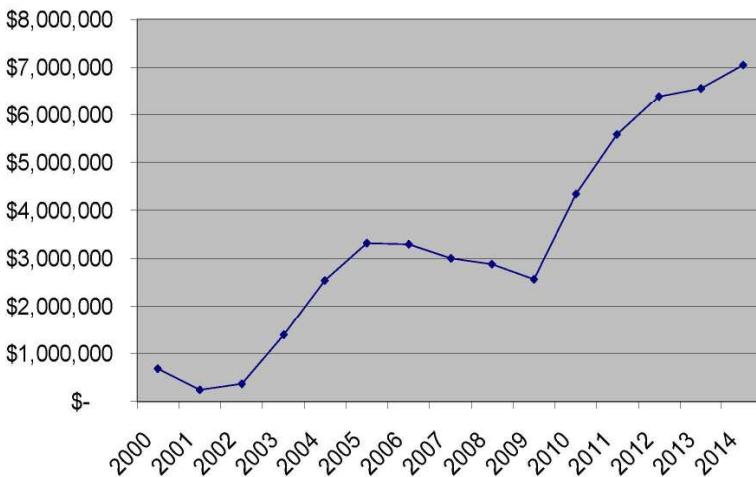
Currently these 9 mandates take up 114% of our County Tax Levy!!!!

Mandates	2013 Adopted	2014 Budget	Levy Increase
Medicaid (inc. IGT)*	7,093,303.00	7,084,596.00	(8,707.00)
All other mandated DSS Programs**	2,291,398.00	2,606,636.00	315,238.00
NYS Retirement Contribution	7,308,457.00	7,056,915.52	(251,541.48)
Probation	455,672.67	501,563.24	45,890.57
Indigent Defense	359,036.17	393,045.83	34,009.66
Special Ed Pre-K	1,051,189.17	1,023,154.01	(28,035.16)
Early Intervention	202,376.50	223,625.93	21,249.43
Total Levy Increase	18,761,432.51	18,889,536.53	128,104.02
Allowable Levy Increase			377,143.42

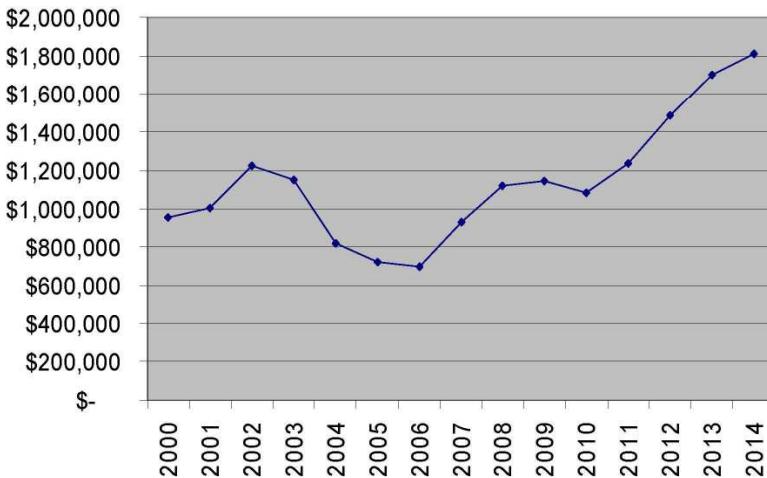
*The Medicaid Levy for both years includes a budgeted \$1.5 M local share of estimated IGT funding.

**Public Assistance, Safety Net, Child Welfare

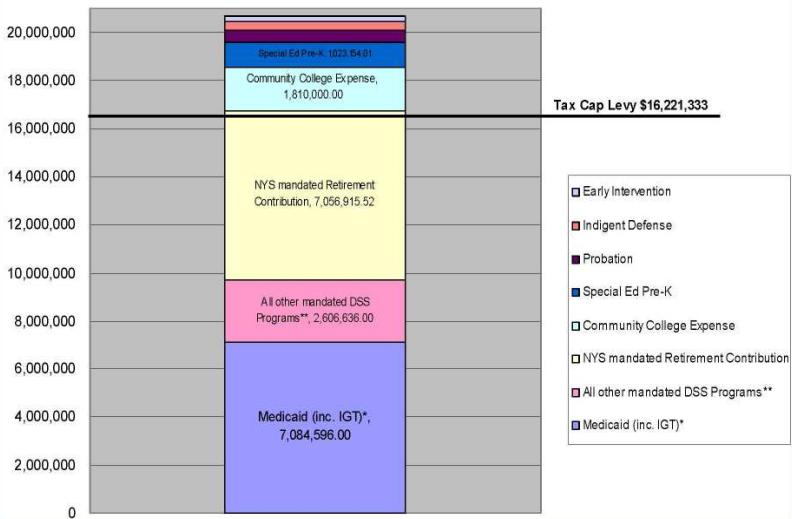
NYS Retirement Expense History



Community College Expense History

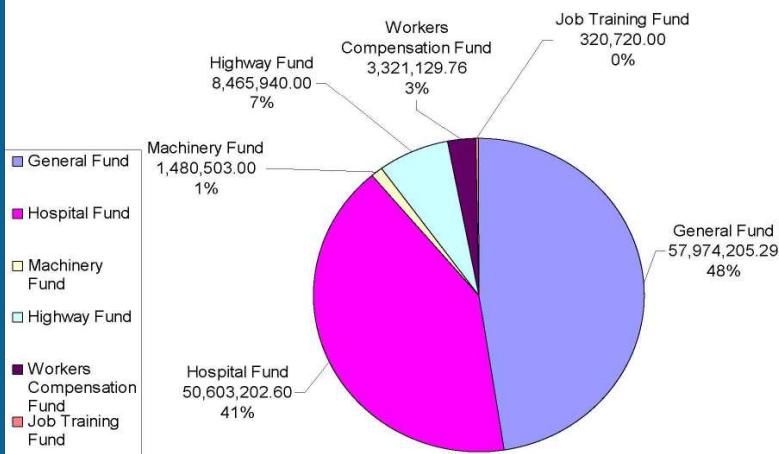


2014 Levy Mandates



Special Session

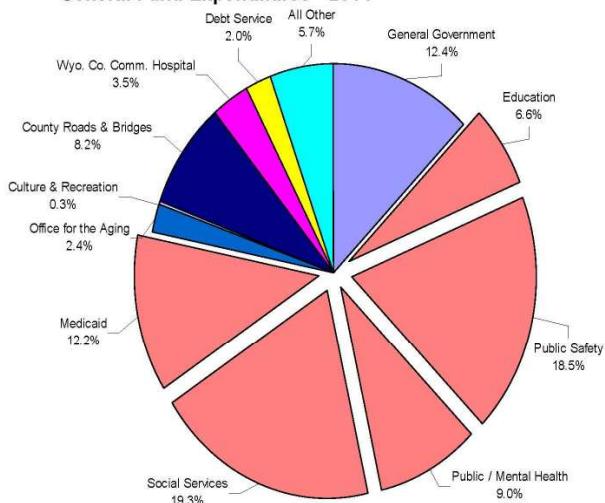
Appropriation Summary Expenditures By Fund - 2014



SUMMARY OF 2014 BUDGET BY FUNCTION					
FUNCTION	APPROPRIATIONS	STATE & FEDERAL AID	REVENUES	TAX LEVY / SURPLUS	% OF TAX LEVY/SURPLUS
General Governmental Support	\$0.00	\$0.00	\$17,861,017.61	(\$17,861,017.61)	-85.5%
Legislative	\$760,582.40	\$0.00	\$0.00	\$760,582.40	3.6%
Judicial	\$1,318,215.23	\$576,121.00	\$57,900.00	\$684,194.23	3.3%
Finance	\$1,061,202.02	\$0.00	\$813,504.80	\$247,697.22	1.2%
Staff	\$3,789,866.15	\$105,246.00	\$1,535,599.13	\$2,149,021.02	10.3%
Special Items	\$246,251.00	\$0.00	\$0.00	\$246,251.00	1.2%
Education	\$3,863,154.01	\$1,020,000.00	\$0.00	\$2,833,154.01	13.6%
Public Safety	\$10,721,054.46	\$533,636.60	\$923,974.43	\$9,263,443.43	44.3%
Health	\$5,199,810.87	\$3,691,897.09	\$646,517.38	\$861,396.40	4.1%
Social Services (Less Medicaid)	\$11,105,045.43	\$7,141,963.00	\$896,000.00	\$3,147,682.43	16.1%
Social Services (Medicaid / MMIS)	\$7,084,596.00	\$0.00	\$0.00	\$7,084,596.00	33.9%
Economic Development	\$659,528.28	\$0.00	\$2,500.00	\$657,028.28	3.1%
Other	\$158,930.97	\$11,529.00	\$0.00	\$147,401.97	0.7%
Economic Assistance	\$1,364,767.12	\$710,311.00	\$125,905.00	\$528,551.12	2.3%
Recreation	\$186,012.86	\$34,800.00	\$12,725.00	\$138,478.96	0.7%
Culture	\$83,690.65	\$0.00	\$3,880.00	\$79,810.65	0.4%
Adult Recreation	\$95,000.00	\$95,000.00	\$0.00	\$0.00	0.0%
General Environment	\$1,608,265.00	\$50,000.00	\$1,516,100.00	\$42,124.00	0.2%
Natural Resources	\$615,293.05	\$0.00	\$12,000.00	\$603,293.05	2.9%
Employee Benefits	\$5,000,000.00	\$0.00	\$5,000.00	\$0.00	0.0%
Debt Service	\$1,163,358.00	\$59,398.70	\$0.00	\$1,103,957.33	5.3%
Interfund Transfers - County Road	\$4,753,605.00	\$0.00	\$0.00	\$4,753,605.00	22.8%
Interfund Transfers - Hospital	\$2,015,656.00	\$0.00	\$0.00	\$2,015,656.00	9.6%
Interfund Transfers - Workers Comp	\$44,723.76	\$0.00	\$0.00	\$44,723.76	0.2%
Highway Funds	\$9,946,443.00	\$2,515,861.00	\$6,063,021.00	\$1,367,561.00	6.5%
Hospital Funds	\$50,803,202.60	\$177,150.66	\$50,426,051.94	\$0.00	0.0%
JTPA Funds	\$320,720.00	\$320,720.00	\$0.00	\$0.00	0.0%
Compensation	\$3,321,129.76	\$0.00	\$3,321,129.76	\$0.00	0.0%
Risk Retention Fund	\$0.00	\$0.00	\$0.00	\$0.00	0.0%
Capital	\$0.00	\$0.00	\$0.00	\$0.00	0.0%
Subtotal Surplus Applied				\$4,317,561.00	
TAX LEVY:				\$16,581,630.55	

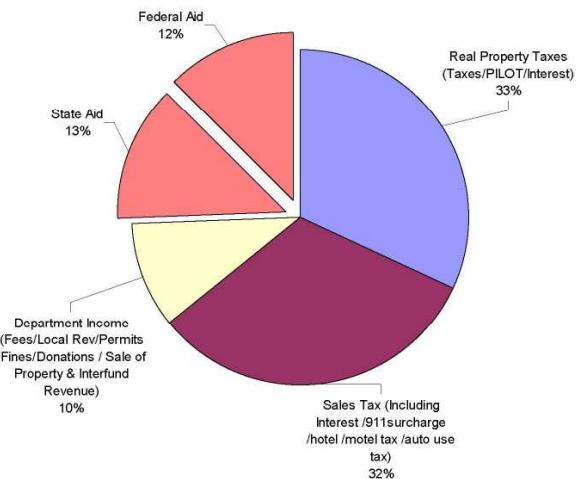
Appropriation Summary General Fund Expenditures - 2014

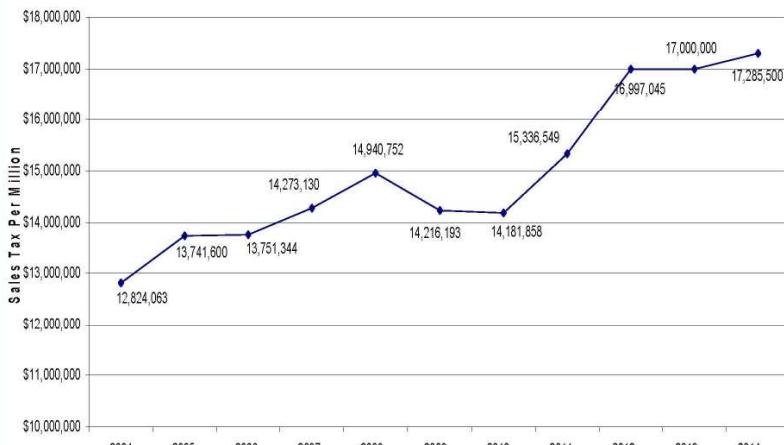
- General Government
- Education
- Public Safety
- Public / Mental Health
- Social Services
- Medicaid
- Office for the Aging
- Culture & Recreation
- County Roads & Bridges
- Wyo. Co. Comm. Hospital
- Debt Service
- All Other



Revenue Summary General Fund Revenue By Source - 2014

- Real Property Taxes (Taxes/PILOT/Interest)
- Sales Tax (Including Interest /911surcharge /hotel /motel tax /auto use tax)
- Department Income (Fees/Local Rev/Permits/Fines/Donations/Sale of Property & Interfund Revenue)
- State Aid
- Federal Aid



Sales Tax w/ assoc. Interest 2004 - 2014 Projection

Initiatives included in the budget to improve efficiency and services to the residents of Wyoming County

- Completion of the Wyoming County Skilled Nursing Facility renovation including a new Medical Adult Day Care unit
- Completion of the Wyoming County Community Hospital addition and renovation project

- Wyoming County Water Resource Agency to provide towns and villages with assistance.
- Continue to support the Wyoming County Agriculture and Business Center for Excellence initiative
- Reconstruction of Liberty Street in the Town of Warsaw and the completion of a formal plan to reconstruct the remaining county roads
- Begin renovation to the Wyoming County Highway buildings

Contract Agencies	2014 Allocation
Wyoming County Chamber of Commerce (Tourism)	\$ 138,630.00
Wyoming County Business Education Council	\$ 5,400.00
Wyoming County Business Center	\$ 75,000.00
Wyoming County Arts Council	\$ 14,000.00
Wyoming County Wildlife Federation	\$ 1,130.40
Wyoming County Soil and Water	\$ 160,000.00
Cornell Cooperative Extension	\$ 415,500.00
Wyoming County Fair Association	\$ 22,500.00
Total Budgeted Expenditures	\$ 832,613.05
Percentage of Total Levy: 5.02%	

Mandate Relief from Albany?

Please contact your local representatives to request mandate relief so that Wyoming County can continue to focus on the priorities that make our county great.

Starting With:

NYS Governor

Hon. Andrew M. Cuomo
Executive Chambers
State Capitol Building
Albany, NY 12224
(518) 474-8390

Contact Information:

- NYS Senator (59th District)
Hon. Patrick M. Gallivan
947 Legislative Office Building
Albany, NY 12247
(518) 455-3471
- NYS Assemblyman (147th District)
Hon. David DiPietro
543 Legislative Office Building
Albany, NY 12248
(518) 455-5314
- 4729 Transit Road, Suite 7
Depew, NY 14043
(716) 656-8544
- 411 Main St.
E. Aurora, NY 14052
(716) 655-0951
- 143 North Main St., Room 103
Warsaw, NY 14569
(585) 786-5048

Thank You!

- If you have any questions please feel free to contact me at:

Janis Cook

Wyoming County Budget Officer

Phone: (585) 786-8804

JCook@wyomingco.net

- Your Town Supervisor

Public Comment:

Supervisor Kushner, T/Eagle (Finance Committee Chair) on behalf of the Finance Committee, thanked Supervisors and Department Heads for their input. Department Heads have done their best to contribute to the 2014 budget reductions. Supervisor Kushner touched briefly on his concern over the National Government monetizing the national debt

Supervisor Rogers, T/Pike added that Department Heads are very conscientious about their spending. He closed by wishing the Board of Supervisors much success in 2014 beyond his retirement at the end of 2013.

Chairman Berwanger, T/Arcade commented on Budget Officer Cook's remarks about the 9 identified state mandates taking 114% of the county tax levy. He questioned cut backs, the appropriation to WCCH (650 employees / state of the art renovations / Board of Supervisors expect great things) and pointed out that county residents are also against the reduction of the Sheriff's road patrol. He briefly touched on Social Services programs and County Health Department services. The Better Pavement Program has 6 roads remaining to restore besides the State's 20A renovation project impact to the completion of Liberty Street (proposed detour route). Without the Tax Cap override there would be no funding for the above identified discretionary programs and services.

Close Public Hearing:

Motion by Supervisor Rogers, T/Pike, second by Supervisor Ryan, T/Warsaw to close the Public Hearing. All Aye. Carried.

#1

RESOLUTION NO. 13-377
(November 27, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

LIFT THE 2014 EQUALIZATION TABLE AND ADOPT

BE IT RESOLVED, That the 2014 Equalization Table, which was tabled on November 12, 2013, 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 2014 is hereby adopted as presented.

2014 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
94.00%	ARCADE	209,809,727	223,201,837	0.107299250	209,801,877
100.00%	ATTICA	172,760,985	172,760,985	0.083050948	172,750,685
48.50%	BENNINGTON	113,766,926	234,570,981	0.112764710	113,738,397
100.00%	CASTILE	231,738,652	231,738,652	0.111403131	231,726,152
100.00%	COVINGTON	75,819,745	75,819,745	0.036448633	75,815,545
100.00%	EAGLE	54,596,936	54,596,936	0.026246246	54,582,636
100.00%	GAINESVILLE	88,164,073	88,164,073	0.042382890	88,157,623
100.00%	GENESEE FALLS	26,172,964	26,172,964	0.012582062	26,169,964
89.00%	JAVA	114,974,377	129,184,693	0.062102628	114,965,377
100.00%	MIDDLEBURY	86,466,028	86,466,028	0.041566593	86,465,428
100.00%	ORANGEVILLE	86,264,057	86,264,057	0.041469500	86,264,057
100.00%	PERRY	184,526,773	184,526,773	0.088707085	184,512,323
100.00%	PIKE	52,485,372	52,485,372	0.025231159	52,485,372
89.00%	SHELDON	134,276,606	150,872,591	0.072528596	134,251,506

November 27, 2013

100.00%	WARSAW	234,232,189	234,232,189	0.112601843	234,229,189
96.00%	WETHERSFIELD	47,157,982	49,122,898	0.023614725	47,144,282
	TOTALS	1,913,213,392	2,080,180,775	1.000000000	1,913,060,413

2013 FINANCE COMMITTEE		
<i>Joseph Kushner</i>	Jerry Davis	James Brick
<i>Becky Ryan</i>	Jean Totsline	Larry Rogers
Douglas Patti	Jim Fleischman	John Knab

**Carried: XXX Ayes: 1366 Noes: Absent: 140 (Bennington) Abstain:
93 (Gainesville)
233 Total**

#2

**RESOLUTION NO. 13-378
(November 27, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

TENTATIVE 2014 BUDGET FOR WYOMING COUNTY ADOPTED

BE IT RESOLVED, That the tentative budget for the year 2014, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2014, which requires the raising by tax levy in the amount of sixteen million five hundred eighty-one thousand six hundred thirty dollars and fifty-five cents (\$16,581,630.55); and be it

FURTHER RESOLVED, That the said sum of sixteen million five hundred eighty-one thousand six hundred thirty dollars and fifty-five cents (\$16,581,630.55) 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, 2014.

**Carried: XXX Ayes: 1366 Noes: Absent: 140 (Bennington) Abstain:
93 (Gainesville)
233 Total**

Chairman Berwanger expressed the Gratitude of the entire Board of Supervisors to Budget Officer Cook, members of the Board of Supervisors, Department Heads and Contract Agencies. They were asked to "come in flat."

Happy Thanksgiving to all!! One last bit of business to come before this Board is to wish Supervisor Davis, T/Covington a Happy Birthday and invited all to join the Supervisor in the Committee room for a piece of cake provided by resident caterer extraordinaire, Supervisor Totsline, T/Genesee Falls

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 12:05 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

**REGULAR SESSION
(December 10, 2013)**

**Tuesday
2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers at the Wyoming County Government Center located in Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney, James Wujcik, Budget Officer, J. Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board of Supervisors, Brenda Ferrell.

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

The Veteran leading the Pledge of Allegiance this month is:

Jack A. Rase

Mr. Rase's service to his country comes while serving during the Vietnam War. Mr. Rase had earned his Associates Degree in tool design from the State of New York University at Canton and was working at Yale and Town Manufacturing in Batavia as a test engineer, when he answered the call to serve his country. He enlisted in the United States Air Force on January 12, 1965 and completed Basic Training at Lackland Air Force Base in San Antonio, Texas. He was then assigned to Middletown Air Material Area (Area 51), working as a draftsman and surveyor. In August of 1966 he deployed to South East Asia in Thailand and was assigned to the 355th Tactical Fighter Wing, where he worked with charts, grafts, and map reading, and prepared the pilot mission briefing charts. While in Thailand, he saw Bob Hope and was seen on TV by his mother holding up a sign for Warsaw, NY. Mr. Rase returned to the United States in October of 1967 and was assigned duties at Chanute Air Force Base in Illinois and became the drafting supervisor. His last base commander was Col. Chuck Yeager. Mr. Rase was Honorably discharged on October 1, 1968 at the rank of SSG (Staff Sergeant).

For his service to his country, Mr. Rase was awarded:

**The National Defense Service Medal
The Small Arms Expert Marksmanship Badge
The Vietnam Service Medal w/2Bronze Service Stars
The Vietnam Campaign Medal
The Republic of Vietnam Gallantry Cross w/ Palm
The Air Force Good Conduct Medal**

The Air Force Outstanding Unit Award w/3 Oak Leaf Clusters The Presidential Unit Citation Award w/2 Oak Leaf Clusters

Following his service to his country, Mr. Rase returned to this area, and returned to work at Yale and Town Manufacturing in Batavia as a test engineer until its closing in 1980, after 20 years of service. Mr. Rase then went to work for Alliance Tool and Die in Rochester and spent about seventeen years working as a design engineer. He retired in 2000 due to a knee injury.

Mr. Rase has also been very active in the community. He is a 20 year member of the Warsaw Fire Department and Rescue Squad, being a past president of the Fire Department and past Captain of the Rescue Squad. He is a life member of VFW Post 4823, a life member of Vietnam Veterans Chapter 193, and 10 year active member of Walter Klein Post 532 of the American Legion. Mr. Rase is also an active member of the Wyoming County Joint Veterans Council and its Honor Guard. He has served on the Perry/Warsaw Airport Board for 12 years and is a 40 year Charter member of the Oatka Valley Snowmobile Association. Mr. Rase lives in the Town of Warsaw.

The pledge was said by all.

Chairman Berwanger accompanied by Warsaw Supervisor, B. Ryan presented the customary certificate of appreciation and offered Mr. Rase an opportunity to address the Board. Mr. Rase offered a brief story about the time he met Col. Chuck Yeager and concluded by thanking the Board.

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

The next presentation was to commemorate the retirement of County Judge Mark Dadd by Chairman Berwanger.

Wyoming County Judge Mark H. Dadd graduated from Fordham University and Cornell Law School where he was an Editor of the Cornell Law Review. After admission to the bar in 1968, he served as a Legal Officer in the United States Navy and practiced in New York City, New York and Milwaukee, Wisconsin.

In March of 1972 he joined his father, Hayden H. Dadd, in the practice of law and in 1973 was elected to the office of Wyoming County District Attorney.

After serving in that capacity of DA for ten years, Mark Dadd was elected to the office of Wyoming County Judge and has served as Acting Supreme, County, Family, and Surrogate Court Judge for 30

years. Judge Dadd has also presided over the Wyoming County Drug Treatment Court since its inception in 2003.

Judge Dadd is the most senior County Court Judge in New York State, Served as president of the New York State County Judges Association, and was a member of the Executive Committee, Criminal Justice Section of the New York Bar Association. He has also served as the District Representative to the New York State Trial Lawyers Association and a member of the House of Delegates of the New York State Bar Association.

Judge Dadd's wife, Margaret Dadd, practiced law in Attica, New York and was appointed as Commissioner of the New York State Civil Service Commission by Governor Pataki.

Chairman Berwanger presented Judge Dadd with a plaque and offered the Judge an opportunity to address the Board of Supervisors. He very eloquently thanked the Board, his wife Margaret and his secretary, Shirley Ingalls for their years of dedicated support.

Additional retirements recognized were

Larry W. Rogers	2000 – 2013	14 years
Douglas P. Patti	2004 – 2013	10 years
James W. Fleischman	2004 – 2013	10 years

Changes in the County since **2000** (last 14 years)

- New Jail
- New Courthouse
- Renovation of the Government Center
- Better Pavement Program
- County-wide Solid Waste Pick-up
- Purchase of Kaplan Building –DMV, OFA, Youth Bureau, & Board of Elections
- Public Health moved from 338 N. Main St. (Thomson Hall) to South Warsaw
- Records Retention moved from Gainesville to the new Records Retention Building in South Warsaw
- Purchase of 408 N. Main Street Building
- Renovation of DSS Building
- Renovation of Hospital
- Deputies – take home cars
- Mental Health Department moved from 338 N. Main Street (Thomson Hall) to 460 N. Main Street

- County-wide HR Department – Human Resources now located at 338 N. Main Street (Thomson Hall) along with Civil Service (consolidating into one location)
- County-wide Maintenance Department (Capital Improvements & County Buildings)
- County-wide IT Department (Information Technology)
- White House (old Civil Service/Personnel Office) building renovated & Public Defender moved into the building (previously in Attica)

Larry Rogers, Supervisor Town of Pike 01/01/2000 – 12/31/2013 14 years

Served on Courthouse Committee, Human Resource, Human Services, Public Health, Public Safety, Planning, Ag, Finance, and Audit Committee

Chairman of Health & Human Services, Public Health, & Public Safety Committees

Vice Chairman of Public Safety, Planning, Human Services, Finance, and Ag Committees

Douglas Patti, Supervisor – Town of Attica 01/01/2004 – 12/31/2013 10 years

Served on Human Service, Public Health, Public Safety, Planning, Ag, & Finance Committees

Chairman of Public Works Committee

James Fleischman, Supervisor – Town of Java 01/01/2004 – 12/31/2013 10 years

Served on Human Resource, Public Health, Public Safety, Planning, Finance, & Audit Committees

Vice Chair & Chairman of Planning Committee

Plaques were presented and each of the Supervisors offered thanks and advice as they move into 2014.

Chairman Berwanger invited Supervisor Ryan, T/Warsaw and Chairman of the Public Health Committee accompanied by Nancy Balbick, Community Services Director, to the podium to present Supervisor Grant with a Certificate of Recognition upon her retirement as the Mental Health Fiscal Director I with over 35 years of service with Wyoming County.

Chairman Berwanger recognized Shirley Ingalls' career in the Wyoming County Court System upon her retirement as Judge Dadd's secretary.

#1

RESOLUTION NO. 13-379
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2013 accounts as follows:

Information Technology			
From: 01.34.1680.1.10202 Temporary	\$6,510.00		
01.34.1680.8.81001 Retirement	13,670.00		
01.34.1681.2.20201 Computers (Capital)	<u>6,000.00</u>		
To: 01.34.1681.4.41410 Software (Capital)			
Reason: to cover Microsoft Software purchases		\$26,180.00	0
Information Technology Total			\$26,180.00
Records Retention			
From: 01.34.1460.8.81001 Retirement	\$500.00		
To: 01.34.1460.4.41010 Misc. Office Supplies		\$500.00	
Reason: Need of Permanent boxes at WCRC.			
Records Retention Total			\$500.00
Mental Health			
From: 01.38.4324.1.10001 Salaries Schedule D/S/I	\$6,500.00		
To: 01.38.4324.2.20201 Computer Equipment		\$6,500.00	
Reason: Replacement of five computers for compliance with 2014 technology changes per IT.			
From: 01.38.4310.8.81001 Retirement	\$5,100.00		
To: 01.38.4310.4.41801 Misc. Asses/Charges Owed Other Govt.		\$5,100.00	
Reason: Transfer unused Federal Salary Sharing funds to pay for inpatient psychiatric charges by NYS Office of Mental Health.			
Mental Health Total			\$11,600.00

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

RESOLUTION NO. 13-380
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2013 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2013 accounts as follows:

Regular Session

Sheriff			
To: 01.37.3110.2.23001 Motor Vehicle w/01.08.3110.2665 Sale of Equipment incr. by same Reason: to purchase unmarked patrol vehicle	\$18,725.00	\$18,725.00	
Sheriff Total			\$18,725.00
Coroner			
To: 01.32.1185.4.40406 Mileage 01.32.1185.4.40908 Autopsy Transport w/01.03.1185.1289 Other Dept. Income incr. by Reason: to cover 2013 Coroner expenses.	\$750.00 <u>800.00</u>	\$1,550.00	
Coroner Total			\$1,550.00
Workmen's Compensation Program			
To: 05.58.1720.4.41601 Medical Payments 05.58.1720.4.41602 Indemnity Payments w/05.08.1720.2680 Recovery-Special Funds Reason: to cover 2013 additional expenses	\$225,000. 00 <u>302,661.6</u> <u>1</u>	\$527,661.6 1	
Workmen's Compensation Program Total			\$527,661.61
Treasurer			
To: 01.33.1364.4.40301 Professional Serv. w/01.03.1364.1265 Attorney Fees Reason: revise budget in 2013 to reflect legal foreclosure fees to be covered by redemption or auction proceeds.	\$10,000.00 0	\$10,000.00	
Treasurer Total			\$10,000.00
Wyoming County Community Hospital CIP			
To: 08.56.4511.4.42725 ADC Reno. & Material 08.56.4511.4.42721 General Contractor 08.56.4511.4.42722 Electrical 08.56.4511.4.42723 Mechanical 08.56.4511.4.42724 Plumbing w/08.09.4511.27701 Wyoming Foundation Funds Reason: for the Adult Day Care Project	\$326,036. 00 205,964.0 0 136,000.0 0 \$900,000.0 0 <u>108,500.0</u> 0	\$900,000.0 0	
Wyoming County Community Hospital CIP Total			\$900,000.00
County Attorney			
To: 01.34.1421.4.42305 Assigned Counsel Prog. <i>w/any funds available</i> Reason: expenses related to Assigned Counsel.	\$20,000.00 0	\$20,000.00	
County Attorney Total			\$20,000.00

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$5,489,618.31** for the month of **November 2013**.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 13-381
(December 10, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

COUNTY ATTORNEY APPOINTED

BE IT RESOLVED, That James Wujcik, 11 Exchange Street, Town of Attica, Attica, NY 14011, is hereby appointed County Attorney, for a term of two (2) years; effective January 01, 2014 through December 31, 2015.

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

#4

RESOLUTION NO. 13-382
(December 10, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MARK H. DADD LAW OFFICE, PLLC ON BEHALF OF THE COUNTY ATTORNEY'S OFFICE

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Mark H. Dadd Law Office, PLLC, 166 Main Street, Attica, NY 14011 on behalf of the County Attorney's Office. Said contract is for legal services in an amount not to exceed forty thousand dollars \$40,000.00; effective January 1, 2014 through December 31, 2014.

Contingent upon the availability of funds.

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

#5

RESOLUTION NO. 13-383
(December 10, 2013)

By Mr. Davis, Chairman of Human Resource Committee:

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EDUCATIONAL RESOURCE ASSOCIATES ON BEHALF OF HUMAN
RESOURCES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Educational Resource Associates, 216 E. Main Street, Batavia, NY 14020 on behalf of Human Resources. Said contract is to provide for an Employee Assistance program in an amount not to exceed eleven thousand eight hundred sixty-nine dollars (\$11,869.00) per year; effective January 1, 2014 through December 31, 2014.

Contingent upon the availability of funds.

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

#6

**RESOLUTION NO. 13-384
(December 10, 2013)**

By Mr. Davis, Chairman of Human Resource Committee:

2013 ELECTION EXPENSES APPORTIONED

BE IT RESOLVED, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2013 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

TOWN	NO. ENROLLED VOTERS	AMOUNT OF LEVY	SPECIAL ELECTION
Arcade	2,482	\$ 2,048.00	
Attica	2,591	\$ 2,138.00	
Bennington	2,315	\$ 1,910.00	
Castile	1,949	\$ 1,608.00	
Covington	780	\$ 644.00	
Eagle	789	\$ 651.00	
Gainesville	1,471	\$ 1,214.00	
Genesee Falls	316	\$ 261.00	
Java	1,421	\$ 1,172.00	
Middlebury	970	\$ 800.00	
Orangeville	901	\$ 743.00	
Perry	2,813	\$ 2,321.00	
Pike	680	\$ 561.00	
Sheldon	1,719	\$ 1,418.00	
Warsaw	3,320	\$ 2,739.00	

December 10, 2013

Wethersfield	572	\$ 472.00	
Total	25,089	\$ 20,700.00	0

Very truly yours,

Board of Elections

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

Joint Resolution
#7

RESOLUTION NO. 13-385
(December 10, 2013)

By Mr. Davis, Chairman of Human Resource Committee and Mr. Rogers of the Public Safety Committee:

**RESOLUTION OPPOSING USE OF WYOMING COUNTY
SEALS BY THE STATE OF NEW YORK**

WHEREAS, The State of New York has passed a gun control law referred to as the New York SAFE Act; and

WHEREAS, This Act clearly indicates that the enforcement of this law is the responsibility of New York State; and

WHEREAS, In recent discussions the State has indicated an interest in using the Wyoming County Seal and the names of the offices of the Wyoming County Sheriff and Wyoming County Clerk in pistol permit recertification notices, and

WHEREAS, The Wyoming County Sheriff and Wyoming County Clerk have voiced their strong objection to this request and suggestion; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors denies the State of New York permission to use the Name, seal of the County, letter head or address for purposes of corresponding with legal and registered gun owners regarding permit recertification or for any other purpose associated with the SAFE Act; and be it

FURTHER RESOLVED, That copies of this resolution be transmitted to the office of the Governor of New York State, the Superintendent of State

Police, NYS Senator Patrick Gallivan and NYS Assemblyman David DiPietro and the legislature of every County in the State of New York.

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

There was a motion by Mrs. Totsline, T/Pike, to combine resolutions #8 through #12. A voice vote was taken and all voted aye

#8

RESOLUTION NO. 13-386
(December 10, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION IN SUPPORT OF NEW YORK STATE ASSEMBLY BILL A.8134 ENTITLED, AN ACT TO AMEND THE REAL PROPERTY TAX LAW, IN RELATION TO TAX EXEMPTIONS FOR PERSONS WITH ACTIVE MILITARY SERVICE OF THE UNITED STATES AND ELIGIBLE RESERVISTS

WHEREAS, New York State Assembly Bill A.8134, entitled, “AN ACT to amend the real property tax law, in relation to tax exemptions for persons with active military service of the United States and eligible reservists; and

WHEREAS, This legislation provides a benefit to those who are called to active duty by the President of the United States. Military personnel who are serving our country are sacrificing so much in order to protect the citizens of the United States. This legislation would allow the communities in which they live to express their gratitude to the military personnel by providing an exemption from real property taxes for the time that they are called to active duty. This exemption would ease the financial burden that personnel and their families often face when they are called upon to serve; and

WHEREAS, The legislation, if passed, would authorize a real property tax exemption for certain persons with active military service of the United States and active duty reservists upon adoption of a local law, ordinance or resolution providing therefore; requires property of such person with active military service of the United States and active duty reservists to be his or her primary residence and such person with active military service and such active duty reservist must have retained his or her active duty status for at least 90 consecutive days to claim such tax exemption; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports New York State Assembly efforts to make available real

December 10, 2013

property tax exemptions to local governments by introducing A.8134 and encourages the New York State Senate to introduce a companion bill and encourages that passage of, AN ACT to amend the real property tax law, in relation to tax exemptions for persons with active military service of the United States and eligible reservists; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to send copies of this resolution to New York State Governor Andrew Cuomo, New York State Senator Gallivan and New York State Assemblyman David DiPietro.

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

RESOLUTION NO. 13-387
(December 10, 2013)

By Mrs. Totsline, Chairman of 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 for a term of three (3) years; effective January 1, 2014 through December 31, 2016

Agency Reps

- Deb Gage (Foster Grandparent Program), 3 Murray Hill, Mt. Morris, NY 14510
- Bonnie Turner (Wyoming Transit Service), 18 W. Buffalo Street, Warsaw, NY 14569
- Colleen Eccleston (Peers Helping Peers), 27 West Buffalo Street Warsaw, NY 14569

Town Reps

- Charles Perl (Town of Sheldon), 1025 Centerline Road, Strykersville, NY 14145
- Rose George (Town of Eagle), 6660 Railroad Avenue, Bliss, NY 14024
- Rita Simmons (Town of Genesee Falls), 6610 Pike Street, P.O. Box 313, Portageville, NY 14536
- Joanne Almeter (Town of Java), 2077 Perry Road, North Java, NY 14113
- Carol Brown (Town of Middlebury), 1236 South Academy Street, Wyoming, NY 14591
- Jim McIlroy (Town of Covington), 7806 Big Tree Road, Pavilion, NY 14525

Community Rep

- Steve Tarbell, P.O. Box 215, Silver Lake, NY 14569

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

RESOLUTION NO. 13-388
(December 10, 2013)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOVED, That the Chairman of this Board and the Office For the Aging Director 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 2014:

- **The Pine Lounge**, 164 Clinton Street, Cowlesville, NY 14037 on behalf of the Office for the Aging. Said contract is for Congregate Meals for Wyoming County senior citizens age 60 and over in an amount not to exceed 2014 budget; effective January 1, 2014 through December 31, 2014.
- **Nancy M. Reding**, 69 High Street, Attica, NY 14011 for dietician services to the Office For the Aging as required by NYSOFA and the Older Americans Act in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2014 through December 31, 2014.
- **The Cloisters**, 171 North Maple Street, Warsaw, NY 14569 for Respite Services to caregivers in Wyoming Co. as part of the Title III-E grant-variable depending on use in an amount not to exceed 2014 budget; effective January 1, 2014 through December 31, 2014.
- **Eagle Inn**, 3129 Route 39, Bliss, NY 14024 for Congregate Meals for Wyoming County senior citizens age 60 and over in an amount not to exceed 2014 budget; effective January 1, 2014 through December 31, 2014.
- **Community Care of WNY**, 1225 West State Street, Olean, NY 14760 for In-Home Services, based on need, to Wyoming County residents 60 and over in an amount not to exceed 2014 budget, effective January 1, 2014 through December 31, 2014.

- **Doyle Medical Monitoring**, 792 Calkins Road, Rochester, NY 14623 for Personal Emergency Response System (PERS) services to Wyoming County seniors age 60 and over in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2014 through December 31, 2014.

Contingent upon the availability of funds.

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

RESOLUTION NO. 13-389
(December 10, 2013)

By Mrs. Totsline, Chairman of 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 Members

Three (3) year term effective January 1, 2014 through December 31, 2016

- Patty Jarnot, 2422 Snyder Road, Varysburg, NY 14067
- Val Lundy, 11 Shearing Road, Gainesville, NY 14066
- Fran Livingston, 3870 Centerline Road, Warsaw, NY 14569
- Sheryl Montgomery, 3791 Hollow Road, Varysburg, NY 14167 (replacing Judy Schoonover)

Agency Members

Two (2) year term effective January 1, 2014 through December 31, 2015

- Ivan Carrasquillo (Wyoming County Sheriff's Dept.), 151 North Main Street, Warsaw, NY 14569
- Amanda Daniel (Probation Dept.), 143 North Main Street, Warsaw, NY 14569

Youth Members

One (1) year term effective January 1, 2014 through December 31, 2014

- AC Casseri, 3721 Krotz Road, Warsaw, NY 14569

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

RESOLUTION NO. 13-390

Regular Session

(December 10, 2013)

By Mrs. Totsline, Chairman of Human Services 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 the Commissioner of Social Services 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:

- **Spectrum Human Services**, 227 Thorn Avenue, PO Box 631, Orchard Park, NY 14127-0631 for court ordered mental health evaluations, Domestic Violence intervention and anger management programs, drug and alcohol assessments, PROS (Personalized Recovery Oriented Services) in an amount not to exceed thirteen thousand six hundred thirty dollars (\$13,630.00); effective January 1, 2014 through December 31, 2014.
- **Allegany Rehabilitation Associates, Inc.** , 4222 Bolivar Road, Wellsville, NY 14895, for court ordered mental health evaluations & counseling (MHC) in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 1, 2014 through December 31, 2014.

Contingent upon the availability of funds.

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

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #13 through #16. A voice vote was taken and all voted aye

#13

**RESOLUTION NO. 13-391
(December 10, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON
BEHALF OF THE WYOMING 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

December 10, 2013

authorized and directed to sign the following grant acceptance awards on behalf of the County Health Department:

- **University of Rochester Center for Community Health**, 46 Prince Street, Rochester, NY 14607 for reimbursement of Livingston Wyoming Cancer Services Program Partnership infrastructure expenses in a minimum amount of twenty-nine thousand three hundred seventy-six dollars (\$29,376.00); effective April 1, 2013 through June 30, 2013 (three month extension, pro-rated with all other terms and conditions the same as Resolution Number 12-162 as amended by 13-111).
- **New York State Department of Health, Bureau of Maternal and Child Health**, ESP Corning Tower, Albany, NY for funding of the Family Planning Program by the Wyoming County Health Department, in a minimum amount of one hundred sixty-three thousand eight hundred seventy-eight dollars (\$163,878.00); effective January 1, 2014 through December 31, 2014.

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

**RESOLUTION NO. 13-392
(December 10, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

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

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a Sub-Agreement with the Livingston County Health Department, 2 Murray Hill Drive, Mt. Morris, NY 14510 on behalf of the County Health Department. Said agreement will provide for reimbursement of Livingston Wyoming Cancer Services Program activities, as required by the approved NYSDOH work plan in a maximum amount of nine thousand five hundred twenty-nine dollars (\$9,529.00) fully reimbursed by Cancer Services Program Infrastructure Grant funds paid by the University of Rochester; effective April 1, 2013 through June 30, 2013.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-393
(December 10, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**THERESA GILLILAND REAPPOINTED TO
THE WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That Theresa Gilliland, 6688 Church Street, Portageville, NY 14536 is hereby reappointed as a member of the Wyoming County Board of Health for a term of six (6) years; effective January 01, 2014 through December 31, 2019.

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

**RESOLUTION NO. 13-394
(December 10, 2013)**

By Mrs. Ryan, Chairman of Public Health Committee:

**JOAN KIBLER AND JUSTIN CHERNOGOREC
APPOINTED/REAPPOINTED
TO THE ALCOHOL AND SUBSTANCE ABUSE SUBCOMMITTEE**

BE IT RESOLVED, That Joan Kibler (Wyoming County Probation Dept.), 143 North Main Street, Warsaw, NY 14569 and Justin Chernogorec, SP4, US Army, Civil Operations Specialist, 430 E. Main Street, Batavia, NY 14020 (replacing Martha Button) are hereby appointed/reappointed as Members to the Alcohol & Substance Abuse Subcommittee for a term of four (4) years; effective January 1, 2014 through December 31, 2017.

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #17 through #19. A voice vote was taken and all voted aye.

**RESOLUTION NO. 13-395
(December 10, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

RESOLUTION NUMBER 13-323 AMENDED

WHEREAS, Resolution Number 13-323 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT WITH EXCEL FENCE, INC. ON BEHALF OF THE WYOMING COUNTY ANIMAL SHELTER**,” passed by this Board of Supervisors on October 08, 2013 and provides for a bid award and signed contracts with Excel Fence, Inc., 10760 Allegany Road, Darien Center, NY 14040 on behalf of the Wyoming County Animal Shelter. Said Bid Award is for fencing at the shelter in an amount not to exceed six thousand three hundred eighty-nine dollars (\$6,389.00); effective October 08, 2013 through the completion of the project. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 13-323 be hereby amended to correct the bid award amount, from the quoted \$6,389.00 to the actual lowest responsible bid amount of \$6,581.00. All else remains the same.

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

**RESOLUTION NO. 13-396
(December 10, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

DARYL E. HEIBY REAPPOINTED TO THE WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD

BE IT RESOLVED, That Daryl E. Heiby (Soil & Water Conservation District), 31 Duncan Street Ext, Warsaw NY 14569 be hereby reappointed to the Wyoming County Soil and Water Conservation District Board as a Member at Large for a term of three (3) years; effective January 1, 2014 through December 31, 2016.

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

**RESOLUTION NO. 13-397
(December 10, 2013)**

By Mr. Brick, Chairman of Agriculture Committee:

**RONALD BARVIAN AND JOHN GILLEN REAPPOINTED TO THE
REGION 9 – FISH & WILDLIFE MANAGEMENT BOARD**

BE IT RESOLVED, That Ronald Barvian, 360 Big Tree Rd.,

Strykersville NY 14145 as the Sportsman Rep. and John Gillen, , 92 Wyoming St., Warsaw, NY 14569 as the Sportsman Rep. Alternate are hereby reappointed for a term of two (2) years; effective January 1, 2014 through December 31, 2015.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #20 through #23. A voice vote was taken and all voted aye

#20

**RESOLUTION NO. 13-398
(December 10, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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

WHEREAS, The County of Wyoming has appropriated the sum of six thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2014 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

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

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

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

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

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

**RESOLUTION NO. 13-399
(December 10, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

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

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

Voting Members

Three (3) year term effective January 1, 2014 through December 31, 2016

- Jerome Marley (T/Gainesville), 5717 Hardys Road, Gainesville, NY 14066
- Thomas Suto (T/Orangeville), 2932 Royce Road, Varysburg, NY 14167

Alternate Member #1

One (1) year term effective January 1, 2014 through December 31, 2014

- Lee Frette (T/Perry), 3692 Shearman Road, Perry, NY 14530

Alternate Member #2

One (1) year term effective January 1, 2014 through December 31, 2014

- Gerald R. Pfeifer (T/Warsaw), 261 Linwood Avenue, Warsaw, NY 14569.

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

**RESOLUTION NO. 13-400
(December 10, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

Regular Session

**ALEX PIERCE APPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD (WIB)**

BE IT RESOLVED, That Alex Pierce (Wyoming County Community Action, Executive Director), 6470 Rt. 20A, Suite 1, Perry, NY 14530 (replacing Marty Mucher) is hereby appointed as a Member of the GLOW Workforce Investment Board (WIB) for an Indefinite Term; effective December 10, 2013.

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

**RESOLUTION NO. 13-401
(December 10, 2013)**

By Mr. Fleischman, Chairman of Planning Committee:

ART BUCKLEY REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE MANAGEMENT COMMITTEE, SOLID WASTE ADVISORY COMMITTEE, AND THE SOLID WASTE PLANNING COMMITTEE

BE IT RESOLVED, That Art Buckley (County Planner), 6470 Route 20A, Suite 4, Perry, NY 14530 is hereby reappointed to the GLOW Regional Solid Waste Management Committee, Solid Waste Advisory Committee, and the Solid Waste Planning Committee as the County Planning Department representative for a term of one (1) year; effective January 1, 2014 through December 31, 2014.

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #24 through #25. A voice vote was taken and all voted aye.

#24

**RESOLUTION NO. 13-402
(December 10, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign the following contracts on behalf of Wyoming County Emergency Services:

December 10, 2013

- **E.M. Systems, Inc.**, 4042 Maple Road, Amherst, NY 14226-1054 for software support and maintenance agreement of software – CAD, AVL and mobile data system in the amount of twenty-one thousand dollars (\$21,000.00) per year; effective January 1, 2014 through December 31, 2016.
- **Frontier Communications of Rochester, Inc.**, 180 S. Clinton Avenue, Rochester, NY 14646 to maintain the Positron and Frontier equipment in the public safety dispatch center in an amount not to exceed two thousand four hundred fifty dollars (\$2,450.00) monthly; effective January 1, 2014 through December 31, 2014 with automatic renewal on a year to year basis per provisions of this contract.
- **Motorola Solutions, Inc.** 117 Woodside Drive, Penfield, NY 14526 for a countywide radio system that supports Statewide interoperable communications for first responders in an amount not to exceed one million five hundred ninety thousand dollars (\$1,590,000.00); effective December 10, 2013 through completion of the project.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 13-403
(December 10, 2013)**

By Mr. Rogers, Chairman of Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH 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 and directed to sign grant acceptance awards with New York State Office of Indigent Legal Services, Capitol Building, Room 128, Albany, New York on behalf of the Public Defender's office as follows:

- **Council at First Appearance**, 2014 ILSF Distribution, which has been amended to \$54,165.00 per year for three (3) years with a maximum total of \$162,495.00, effective February 1, 2014 to January 31, 2017.

- **Upstate Quality Improvement and Caseload Reduction** for a full time Investigator in a minimum amount of \$192,758.00 over three years (\$65,468/Yr.1, \$63,130/Yr.2, \$64,160/Yr.3); effective February 1, 2014 to January 31, 2017.

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

Before introducing the Public Works resolutions, Chairman Berwanger introduced the NYSAC News article written by Bill Maddison regarding the Board's efforts to create the Ag. and Business Center of Excellence.

Wyoming County Implements New Initiative That Will Create Government Efficiencies and Support Its' Most Important Industry: Agriculture!

Bill Maddison, Facilitator, Wyoming County Dairy Institute

Wyoming County is the leading dairy producing county in New York State and is responding to the Governor's request to grow the state's dairy industry by 15 percent. A growth opportunity has been created in this industry by the increasing demand for yogurt and new yogurt production facilities in upstate New York. Dairy farmers in Wyoming County produce one billion pounds of milk annually, which is just over eight percent of the total milk production in New York State. To continue and improve upon this long and successful tradition in dairy agriculture, the Wyoming County Board of Supervisors is creating a unique public-private partnership called **The Wyoming County Agriculture and Business Center of Excellence (The Center)**.

This partnership between Wyoming County and local entrepreneur, Jim Rutowski, will begin with the rehabilitation of a vacated circa 1930's textile mill located on Center Street in the county seat of Warsaw, New York. Once renovated, all agriculture and economic development agencies will be located in this building.

The agriculture agencies that will become part of the new center of excellence include Cornell Cooperative Extension, United States Department of Agriculture's Natural Resources and Conservation services, Farm Service Agency, Wyoming County Soil and Water Conservation District Conservation, and Quality Milk Production Services of Cornell University's, College of Veterinary Medicine, Diagnostic Laboratory and Cornell Cooperative Extension of Wyoming County.

These economic development agencies that will become part of The Center include the Wyoming County Business Center, Chamber of

Commerce and Tourism, Industrial Development Agency, Planning and Development, Business and Development Center, Business Education Council, Fire and Building Code Enforcement and the newly formed Wyoming County Water Resource Agency.

The creation of **The Center** will accomplish the following four objectives.

1. Enhance inter-agency efficiencies and synergies to stimulate expansion of the dairy industry.
2. Create economic and administrative efficiencies while leveraging resources.
3. Provide one-stop shopping for the agriculture community.
4. Promote regional leadership within Wyoming County.

The creation of **The Center** is a priority of the Wyoming County Board of Supervisors and is led by local dairyman, the Honorable Doug Berwanger, chairman of the Board of Supervisors from the Town of Arcade. The growth and expansion of dairy and agri-business industries is of particular urgency because of opportunities available due to the recent expansion of yogurt plants in adjacent Genesee County. As a result of this strategic expansion into yogurt production, New York State now produces more yogurt than any other state in the United States. This expansion has prompted Governor Cuomo to call for a 15 percent expansion in the dairy industry throughout the state to meet the demand for milk. Wyoming County is well positioned to respond to this expansion, and the creation of **The Center** will facilitate seizing this opportunity for growth.

The impact of a 15 percent expansion in the dairy industry to the state's leading dairy producing county is impressive. Wyoming County currently has approximately 46,000 milking cows producing 1.2 billion pounds of milk. An increase of 15 percent would mean producing another 200 million more pounds or roughly 1.5 billion gallons (using 8.6 pounds/gal. of milk). This can be accomplished by (1) Adding more cows through direct purchase or internal herd growth by keeping more calves (2) Pushing the herd harder to produce more milk (for example, by converting to milking three times per day versus milking two times per day) (3) A combination of the aforementioned.

In terms of labor demands, there are two commonly accepted, industry-based formulas used to calculate the increase in labor demands. Both suggest that a 15 percent increase will require approximately 175 -180 additional people working on Wyoming County dairy farms. The first formula argues that every additional 40 cows require one additional person in the labor force. The second formula argues that for every additional 1 million pounds of milk (10,000 cwt.'s – hundred weights)

produced requires one additional person in the labor force. Thus, adding 15% more cows or about 7,000 animals, equates to approximately 175 workers, using an additional 180 million pounds of milk as a guide line puts the extra workers needed at 180.

Compared with other counties in New York, Wyoming County has a relatively small total land mass, but 57 percent of this land mass is in production agriculture compared to the state average of 25 percent. The high concentration of dairy farms in the Wyoming County has led to the development of a large and productive agribusiness structure that supports the industry. Dairy agriculture is a prudent economic development strategy for Wyoming County because both "input" and "output" dollars go back into the local economy. Wyoming County's herds will generate in the order of \$240 million (using \$20.00/cwt. of milk) direct farm gate sales back to the producers. In addition, using an industry standard multiplier of \$.66 for every \$1.00 generated on farm, this strategic and targeted focus on growing the dairy industry in Wyoming County 15 percent means a \$158 million economic development impact *just from the sale of milk*. Dairy farms will also sell cows, crops and other services to generate income.

Finally, the efficiencies created and savings to Wyoming County will be realized by taxpayers when the county no longer has to maintain additional buildings, pay multiple rental fees, and support overhead costs at four building sites, some of which are extremely energy inefficient and severely in need of restoration. Additionally, administrative efficiencies will be maximized by consolidating, information technology, printing, telephone and receptionist.

END

There was a motion by Mr. Patti, T/Attica, to combine resolutions #26 through #29. A voice vote was taken and all voted aye.

#26

**RESOLUTION NO. 13-404
(December 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
NEW YORK STATE UNIFIED COURT SYSTEM ON BEHALF
OF BUILDINGS & GROUNDS (COUNTY BUILDINGS)**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a

December 10, 2013

contract with New York State Unified Court System, 92 Franklin Street, 3rd Floor, Buffalo, NY 14202 on behalf of Buildings & Grounds (County Buildings). Said contract to provide funding for Court Facility cleaning, minor repairs and maintenance (Contract #C300358) in a maximum amount of \$65,465.00; effective April 1, 2013 through March 31, 2014.

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

**RESOLUTION NO. 13-405
(December 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, A Project for the **High Risk Rural Road Improvement: Intersection #1 – Dale Road, W. Middlebury Road & Capwell Road, Town of Middlebury; Intersection #2 – Curriers Road & Genesee Road, Town of Arcade, Wyoming County**, (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

RESOLVED, That the sum of **\$557,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation

in the above phase of the Project; and it is further

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

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

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

RESOLVED, This Resolution shall take effect immediately.

RESOLVED, This resolution incorporates Resolution No. 11-198 approved 6/14/11, Resolution No. 12-201 approved 6/12/12 and Resolution No. 13-238 approved 7/9/13.

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

#28

**RESOLUTION NO. 13-406
(December 10, 2013)**

By Mr. Patti, Chairman of Public Works Committee:

NEW YORK STATE ROUTE 20A DETOUR APPROVED

WHEREAS, The New York State Department of Transportation proposes to reconstruct Route 20A, West Hill Culvert in the Village of Warsaw, Wyoming County under P.I.N. 4020.59; and

WHEREAS, In conformance with Section 10, Subdivision 19 of the New York State Highway Law, the New York State Department of

December 10, 2013

Transportation proposes to utilize the following roads and streets as detours during the period of construction:

Hermitage Road from Route 20A to Liberty Street
Liberty Street from Hermitage Road to Curtis Road

WHEREAS, The New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned road to make them adequate to handle additional detour traffic; now therefore

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with the Subsection 619 of its Standard Specifications during the period of necessity; and be it

FURTHER RESOLVED, That the County of Wyoming will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control; and be it

FURTHER RESOLVED, That the Clerk of this County is hereby directed to transmit four (4) certified copies of the resolution to New York State Department of Transportation.

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

RESOLUTION NO. 13-407
(December 10, 2013)

By Mr. Patti, Chairman of Public Works Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE TRAFFIC SAFETY BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Traffic Safety Board for a *term of three (3) years; effective November 11, 2013 through November 10, 2016*:

- James Daniel (Town of Orangeville), 4286 Liberty Street, Warsaw, NY 14569
- James Wright (Town of Perry), 2462 Simmons Road, Perry, NY 14569

- David Ricketson (Town of Sheldon), 2011 French Road, Varysburg, NY 14167
- Shirley Humphrey (Town of Warsaw), 3459 Truesdale Road, Warsaw, NY 14569
- John Copeland (Town of Wethersfield), 5888 Sheppard Road, Bliss, NY 14025

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #30 through #47. A voice vote was taken and all voted aye

#30

RESOLUTION NO. 13-408
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

POSITION(S) CREATED/ABOLISHED/EXTENDED APPROVED

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

Highway

- Extend one (1) position of **Bridge Construction Mechanic**, (1.00 FTE) (position code #070.038) CSEA agreement, sch. B grade 9 (\$16.57 - \$18.31); effective December 20, 2013 to December 19, 2014.

Jail

- Abolish one (1) position of **Correction Sergeant (Temp.)**, (position code #062.066) effective December 7, 2013.

Probation

- Create one (1) position of **Clerk (per diem)**, CSEA agreement, sch. A, grade 4 (\$14.67 - \$16.14/hr), with only those benefits mandated by law; effective December 11, 2013 to cover an intermittent medical leave of absence within the department.

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

#31

RESOLUTION NO. 13-409
(December 10, 2013)

December 10, 2013

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-335 AMENDED

WHEREAS, Resolution Number 13-335 entitled, “**POSITION CREATION(S)/ABOLISHED/EXTENSION(S) APPROVED**,” passed by this Board of Supervisors on October 08, 2013 and provides for the creation of a Probation Officer, (Temp.), FT on CSEA agreement, Sch. A Grade 15, (\$18.58-\$21.62) with only those benefits mandated by law, commencing on or about December 2, 2013 for approximately 4 to 6 months, to cover a medical leave of absence within the department; now therefore

BE IT RESOLVED, That Resolution Number 13-335 be hereby amended to correct the title of Probation Officer, (Temp.) FT to Probation Officer Trainee, (Temp.) FT on CSEA agreement, Sch. A Grade 13, (\$18.01-\$20.71). All else remains the same.

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

#32

RESOLUTION NO. 13-410
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES “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 “G”:

District Attorney ~

2013-2014 ATP Stipends plus corresponding fringe as follows:

• First Assistant District Attorney	\$12,000.00
• Second Assistant District Attorney	3,000.00
• Administrative Assistant (District Attorney)	3,000.00
• Crime Victim Assistance Coordinator	1,000.00
• Secretary to the District Attorney	<u>\$1,000.00</u>
	\$20,000.00

Said amount are to be paid after January 1, 2014

Public Defender ~

Indigent Legal Services Stipends / second three-year distribution plus corresponding fringe as follows:

Regular Session

• Public Defender	\$1,759.00
• Assistant Public Defender 1 st	
1,950.00	
• Assistant Public Defender 2 nd	1,031.00
• Assistant Public Defender 3 rd	1,031.00
• Secretary to the Public Defender	424.00
• Secretary I	201.00

Amounts are annualized; effective January 1, 2014 through December 31, 2014

Public Defender ~

Indigent Legal Services Stipends / Counsel at First Appearance plus corresponding fringe as follows:

• Public Defender	\$5,000.00
• Assistant Public Defender 1 st	10,000.00
• Assistant Public Defender 2 nd	10,000.00
• Assistant Public Defender 3 rd	10,000.00
• Secretary to the Public Defender	2,000.00
• Secretary I	1,500.00

Amounts are annualized; effective February 01, 2014 through January 31, 2015

Salary Schedule “D”:

County Attorney

- Set the salary of the County Attorney at \$57,000/annually; effective January 01, 2014.

Salary Schedule “S”:

County Attorney

- Add a stipend for the **County Attorney** for Assigned Counsel responsibilities and set at \$3,079.00/annually; effective January 01, 2014

Sheriff

- Set the salary of **Undersheriff** in the Sheriff’s Office at a salary of \$70,000/annually: effective January 1, 2014

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

#33

RESOLUTION NO. 13-411 (December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING
December 10, 2013

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

BE IT RESOLVED, That the **Annual Organizational Meeting** of the Wyoming County Board of Supervisors will be set for **Thursday, January 2, 2014, at 2:00 PM**, in the Supervisors' Chambers located in the Wyoming County Government Center, 2nd Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

**RESOLUTION NO. 13-412
(December 10, 2013)**

By Mr. Kushner, 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, 2013 through September 30, 2013 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling thirty-two thousand seven hundred ninety dollars and fourteen cents (\$32,790.14) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$4,863.55
Attica	\$2,949.72
Bennington	\$5,154.43
Castile	\$2,191.79
Covington	\$830.75
Eagle	\$741.73
Gainesville	\$1,042.97

Regular Session

Genesee Falls	\$148.28
Java	\$2,166.97
Middlebury	\$1,187.38
Orangeville	\$1,022.80
Perry	\$1,979.67
Pike	\$443.33
Sheldon	\$2,739.92
Warsaw	\$4,307.38
Wethersfield	\$1,019.47
Grand Totals:	\$32,790.14

Let this be your Warrant for Such Payment: **\$32,790.14** (thirty-two thousand seven hundred ninety dollars and fourteen cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 10th day of December, 2013.

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

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

**RESOLUTION NO. 13-413
(December 10, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF
UNDERSTANDING WITH CONTRACT AGENCIES FOR 2014**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Letters of Understanding with the following Contract Agencies for 2014:

<i>Contract Agency</i>	<i>2014 Expenditures</i>
Wyoming County Soil & Water	\$157,900.65
Wyoming County Fair Association	22,500.00
Arts Council for Wyoming County	14,290.00

Erie Wyoming County Soil & Water	2,262.60
Wyoming County Tourist Promotion Agency	51,230.00
Wyoming County Business Education Council	5,400.00
Wyoming County Wildlife Federation	1,130.40
Wyoming County Business Center (LDC)	75,000.00
Totals	\$329,713.65

Contingent upon the availability of funds.

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

#36

**RESOLUTION NO. 13-414
(December 10, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF
AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF
WYOMING COUNTY FOR THE YEAR 2014**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County, 401 N. Main Street, Warsaw, NY 14569 for the payment of County Appropriations in the amount of four hundred fifteen thousand five hundred dollars (\$415,500.00) to be allocated as follows:

- \$157,987.00 to fully fund the Agriculture Department
- \$248,513.00 to fully fund the 4-H Department
\$406,500.00
- and
- **\$9,000.00** to partially fund the Wyoming County Dairy Institute

Effective January 01, 2014 through December 31, 2014;

Contingent upon the availability of funds.

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

#37

RESOLUTION NO. 13-415

Regular Session

(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES “S” AND “D” APPROVED

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

- Salary Schedules “S” and “D” annexed hereto shall be substituted for the existing Schedules “S” and “D.” Commencing January 01, 2014, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the appropriate committee.

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

Regular Session

December 10, 2013

Regular Session

RESOLUTION NO. 13-416
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH
EBS-RMSCO ON BEHALF OF WYOMING COUNTY
INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with EBS-RMSCO, 30 Perinton Hills Mall, Fairport, NY 14450 on behalf of the County Insurance office. Said agreement is to provide the Health Summary Plan Description in the amount of \$850.00 Initial Preparation Fee and \$250.00 Update Fee; effective January 1, 2014 to December 31, 2018.

Contingent upon the availability of funds

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

RESOLUTION NO. 13-417
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2014 DENTAL INSURANCE
RATES ON BEHALF OF COUNTY EMPLOYEES**

BE IT RESOLVED, That the Chairman of the Board with the approval of the County Attorney is hereby authorized and directed to sign Univera Dental Insurance rates for County employees; effective March 1, 2014 to February 28, 2015:

Dental Select / High Option:

- o Single: \$34.34/mo.
- o Employee/Spouse \$62.10/mo.
- o Employee/Child(ren) \$71.34/mo.
- o Family \$98.52/mo.

Dental Select / Low Option:

Regular Session

- o Single: \$22.26/mo.
- o Employee/Spouse \$43.12/mo.
- o Employee/Child(ren) \$50.86/mo.
- o Family \$71.80/mo.

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

#40

**RESOLUTION NO. 13-418
(December 10, 2013)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE "S" AND "D" HANDBOOKS APPROVED

BE IT RESOLVED, That the Salary Schedules "S" and "D" Handbooks are hereby approved; effective January 01, 2014, and annexed hereto.

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

Wyoming County, NY

SCHEDULE S MANAGEMENT SUPPORT

EMPLOYEE BENEFITS



Revised 13-418 (01-01-2014)

Revised 10-06 (01-04-2010)

Revised 09-04 (01-02-2009)

Revised 05-270 (9-14-2004)

Adopted 96-244

Regular Session

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ELIGIBILITY FOR BENEFITS

Part Time (with benefits)

A part time Schedule S employee whose salary is set at **\$12,000** or more per year shall be eligible for health insurance, and a proration of those benefits provided to regular full time Schedule S employees, unless otherwise provided by Resolution.

Part Time (without benefits)

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

Full Time

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

An employee appointed to a Schedule S position who has continuous prior County employment in a full-time or part-time position shall have his/her date of hire or years of service determined for benefits under Schedule S by using his/her first date of hire or permanent appointment in the County to a full-time or part-time position which is continuous to his/her employment in a Schedule S position. In addition, such an employee shall carry over unused sick and vacation accruals earned in such prior County employment. If the amount of sick leave carryover exceeds the maximum for such leave in Schedule S, then the employee shall not receive any additional sick leave accruals under Schedule S until the accruals fall below the maximum. If the amount of vacation carryover exceeds the maximum for such leave in Schedule S, then the employee shall be paid for the excess at his/her rate of pay in his/her prior position in the first payroll following his/her employment in the Schedule S position.

HOURS OF WORK

Schedule S employees are expected to work a minimum of 35 or 40 hours per week and are considered to be exempt employees under the Fair Labor Standards Act.

TIME SHEETS AND PAY DAY

Employees will be paid on a biweekly basis over 26 pay periods per year. Such pay shall be in the form of a payroll check or through direct deposit.

The employee is responsibility to maintain a time sheet that must be reviewed and signed by their Department Head.

OVERTIME PAY AND COMPENSATORY TIME

Schedule S employees are expected to work a minimum of 35 or 40 hours per week and are considered to be exempt employees under the Fair Labor Standards Act.

TIME OFF REQUESTS

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

VACATION TIME

Full time employees in a Schedule S position prior to 1/1/2014 shall accrue annual vacation time biweekly, based on twenty-four (24) days per anniversary year. After having completed ten (10) years of employment, a maximum and total of twenty-five (25) days is granted.

Full time employees hired or appointed on or after 1/1/2014 shall accrue annual vacation time as follows:

<u>Years Worked</u>	<u>Annual Vacation Days</u>
0 – 5	10
6 – 10	15
11 – 15	20

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

In a situation involving a request for time off for 5 or more days, the employee shall make such a request at least two (2) weeks in advance. Any request involving less than 5 days shall be submitted to the Department Head within the time frame designated by the department.

Employees may buy-back their accrued vacation time in increments of five (5) days, up to a maximum of ten (10) days in any calendar year. A request to tender vacation time must be submitted to the Chairman of the Board of Supervisors for approval.

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

PERSONAL DAYS

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

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

SICK TIME

Full-time employees on the active payroll working or on paid leave (excluding Disability and Workers' Compensation) accrue sick time biweekly based on twelve (12) days per anniversary year. Part time employees accrue sick time on a pro-rated basis. A maximum of two hundred ten (210) days may be accrued at any time.

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

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

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

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

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

HOLIDAYS

The following holidays shall be observed as paid holidays:

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

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

The floating holiday is to be used as a full day and cannot be used in hourly increments.

BEREAVEMENT LEAVE

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

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

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

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

JURY DUTY

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

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

LEAVE OF ABSENCE

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

FAMILY MEDICAL LEAVE

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

MILITARY LEAVE

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

HEALTH INSURANCE

Full and part time employees are eligible to participate in the current health plan; ActiveUnivera High Deductible Health Plan with a Health Reimbursement Account (HRA). The county will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited.

The employer will pay 100% of the cost of single or family health insurance coverage for employees hired or appointed prior to 1/1/2014. Employees hired or appointed on or after 1/1/2014 will contribute 10% of the total premium. Premiums will be deducted over 26 pay periods per year on a pre-tax basis.

An employee who is eligible for health insurance and does not participate is eligible for a repudiation payment. Repudiation amounts are \$750 for Single coverage and \$1,000 for Family coverage. Proof of other insurance is required. The repudiation

TUITION REIMBURSEMENT

Full-time employees, with the specific prior permission of their "sponsoring" committee and the finance committee, may be eligible to receive tuition reimbursement up to 50% of the tuition and fees with an annual cap of \$5,000. The degree or specific courses (if not pursuing a degree) MUST be directly work related or lead to advancement opportunities within the county, and funds must be available and budgeted. In order to qualify for such reimbursement the employee must have obtained a grade of B or better. The employee must work for Wyoming County for three (3) years after completion of the degree. If an employee separates employment before the completion of three (3) years, all tuition reimbursement must be repaid to the county.

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

PERFORMANCE EVALUATION

Employees will be evaluated annually by their department head or their supervising designee.

DISCLAIMER

The Schedule S Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule S. Some of the items described in this booklet are covered in detail by County policy and/or procedure documents. You should refer to these documents for specific information, since this booklet only briefly summarizes those benefits. Please also note that a full description of insurance and deferred compensation benefits offered by the County are set forth in written plan documents which are controlling in the event of any inconsistency with what is contained in this booklet.

Nothing in this booklet creates any contractual rights to the benefits described herein, or creates any contractual rights to employment. In that regard, the Board of Supervisors reserves the right to eliminate, modify or deviate from the provisions of this booklet in its sole discretion. Every attempt will be made to inform you of any changes when they occur. If you have questions about the information in this booklet, please contact the Human Resource Department.

APPENDIX A

The following employees listed by position and classification are covered by Schedule S

Position Title	Status	Civil Service Classification	Term	Length of Term
Administrative Assistant (DA)	Full	Competitive	CT	
Administrative Assistant (DSS)	Full	Competitive	CT	
Administrative Assistant (EMS)	Full	Competitive	CT	
Administrative Assistant (Fiscal Ops.)	Full	Competitive	CT	
Administrative Assistant (HR)	Full	Competitive	CT	
Animal Control Assistant	Part	Noncompetitive	CT	
Assessor	Full	Competitive	CT	
Asst County Historian	Part	Noncompetitive	CT	
Asst Director of Veterans Services	Full	Competitive	CT	
Asst. County Attorney (1st)	Part	Exempt	CT	
Asst. District Attorney (1st)	Part	Exempt	CT	
Asst. Public Defender (2nd)	Part	Exempt	CT	
Asst. Public Defender (3 rd)	Part	Exempt	CT	
Building Inspector	Full	Competitive	CT	
County Fire Coordinator	Part	Competitive	CT	
County Planner	Full	Competitive	CT	
Deputy Budget Officer	Part	Noncompetitive	CT	
Deputy Clerk of the Board	Full	Unclassified	F\TOB	1 yr
Deputy County Clerk	Full	Exempt	CT	
Deputy Commissioner of Elections (2)	Full	Unclassified	F\TOB	1 yr
Deputy County Highway Supt.	Full	Exempt	CT	
Deputy Director of Aging	Full	Competitive	CT	
Director of Child Enf & Fraud	Full	Competitive	CT	
Director of Children & Family Svc	Full	Competitive	CT	
Director of Environmental Health	Full	Competitive	CT	
Director of Nursing	Full	Competitive	CT	
Director of Programs	Full	Competitive	CT	
Domestic Violence Coordinator	Full	Competitive	CT	

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Engineering Technician	Full	Competitive	CT	
Finance Clerk I	Full	Competitive	CT	
Fiscal Administrator	Full	Competitive	CT	
Fiscal Director	Full	Competitive	CT	
Fiscal Officer I	Full	Competitive	CT	
Human Resource Assistant (2)	Full	Competitive	CT	
Handicapped Preschool Coordinator	Full	Competitive	CT	
Information Systems Admin. (DSS)	Full	Competitive	CT	
Information Systems Specialist	Full	Competitive	CT	
Information Technology Assistant	Full	Competitive	CT	
Information Technology Specialist	Full	Competitive	CT	
Insurance Program Assistant	Full	Competitive	CT	
Jail Administrator	Full	Competitive	AT	
Position Title	Status	Civil Service Classification	Term	Length of Term
Medical Assistance Coordinator	Part	Competitive	CT	
Network Administrator	Full	Competitive	CT	
Nurse Practitioner	Full	Competitive	CT	
Nutrition Service Coordinator	Full	Competitive	CT	
Real Property Tax Service Coordinator	Full	Competitive	CT	
Secretary I (DSS)	Full	Competitive	CT	
Secretary to the County Attorney	Part	Exempt	CT	
Secretary to the Co. Hwy Supt.	Full	Exempt	CT	
Secretary to the DA	Full	Exempt	CT	
Secretary to the Public Defender	Part	Exempt	CT	
Secretary to the Sheriff	Full	Exempt	CT	
Tax Map Technician	Full	Exempt	CT	
Undersheriff	Full	Exempt	BA	

Term:

AT-Appointment Temporary

BA-By Assignment

CT-Continuous Term

F-Fixed by law

F/TOB- Fixed Term of Board

Wyoming County, NY

SCHEDULE D DEPARTMENT HEAD

EMPLOYEE BENEFITS



REVISED 13-418 (01-01-2014)
REVISED 10-06 (01-04-2010)
REVISED 09-04 (01-02-2009)
REVISED 05-270 (09-13-2005)
REVISED 04-261 (09-14-2004)
ADOPTED 96-244

December 10, 2013

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APPENDIX A9

HOURS OF WORK

Schedule D employees are expected to work a minimum of 35 or 40 hours per week and are considered to be exempt employees under the Fair Labor Standards Act.

TIME SHEETS AND PAY DAY

Employees will be paid on a biweekly basis over 26 pay periods per year. Such pay shall be in the form of a payroll check or through direct deposit. It will be the employee's responsibility to maintain a time sheet.

OVERTIME PAY AND COMPENSATORY TIME

Schedule D employees are expected to work a minimum of 35 or 40 hours per week and are considered to be exempt employees under the Fair Labor Standards Act.

ELIGIBILITY FOR BENEFITS

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

An employee appointed to a Schedule D position who has continuous prior County employment in a full-time or part-time position shall have his/her date of hire or years of service determined for benefits under Schedule D by using his/her first date of hire or permanent appointment in the County to a full-time or part-time position which is continuous to his/her employment in a Schedule D position. In addition, such an employee shall carry over unused sick and vacation accruals earned in such prior County employment. If the amount of sick leave carryover exceeds the maximum for such leave in Schedule D, then the employee shall not receive any additional sick leave accruals under Schedule D until the accruals fall below the maximum. If the amount of vacation carryover exceeds the maximum for such leave in Schedule D, then the employee shall be paid for the excess at his/her rate of pay in his/her prior position in the first payroll following his/her employment in the Schedule D position.

VACATION TIME

Full time employees in a Schedule D position prior to 1/1/2014 shall accrue annual vacation time biweekly, based on twenty-four (24) days per anniversary year. After having completed ten (10) years of employment, a maximum and total of twenty-five (25) days is granted.

Full time employees hired or appointed on or after 1/1/2014 shall accrue annual vacation time as follows:

<u>Years Worked</u>	<u>Annual Vacation Days</u>
0 – 5	10
6 – 10	15
11 – 15	20

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

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

Employees may buy-back their accrued vacation time in increments of five (5) days, up to a maximum of ten (10) days in a calendar year. A request to tender vacation time must be submitted to the Chairman of the Board of Supervisors for approval.

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

PERSONAL DAYS

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

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

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

SICK TIME

Full-time employees on the active payroll working or on paid leave (excluding Disability and Workers' Compensation) accrue sick time biweekly based on twelve (12) days per anniversary year. Part time employees accrue sick time on a pro-rated basis. A maximum of two hundred ten (210) days may be accrued at any time.

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

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

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

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

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

HOLIDAYS

The following holidays shall be observed as paid holidays:

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

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

The floating holiday is to be used as a full day and cannot be used in hourly increments.

BEREAVEMENT LEAVE

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

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

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

JURY DUTY

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

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

LEAVE OF ABSENCE

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

FAMILY MEDICAL LEAVE

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

MILITARY LEAVE

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

HEALTH INSURANCE

Full and part time employees are eligible to participate in the current health plan; ActiveUnivera High Deductible Health Plan with a Health Reimbursement Account (HRA). The county will contribute on an annual basis an amount equal to the plan deductible to the HRA. Any unused amounts in the HRA at the end of the each plan year shall be forfeited.

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

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

DENTAL INSURANCE

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

DISABILITY INSURANCE

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

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

WORKERS' COMPENSATION INSURANCE

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

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

RETIREMENT

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

DEFERRED COMPENSATION RETIREMENT PLAN 457

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

TUITION REIMBURSEMENT

Full-time employees, with the specific prior permission of their "sponsoring" committee and the finance committee, may be eligible to receive tuition reimbursement up to 50% of the tuition and fees with an annual cap of \$5,000. The degree or specific courses (if not pursuing a degree) MUST be directly work related or lead to advancement opportunities within the county, and funds must be available and budgeted. In order to qualify for such reimbursement the employee must have obtained a grade of B or better. The employee must work for Wyoming County for three (3) years after completion of the degree. If an employee separates employment before the completion of three (3) years, all tuition reimbursement must be repaid to the county.

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

PERFORMANCE EVALUATION

Employees will be evaluated on an annual basis by their department head or supervising designee.

DISCLAIMER

The Schedule D Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule D. Some of the items described in this booklet are covered in detail by County policy and/or procedure documents. You should refer to these documents for specific information, since this booklet only briefly summarizes those benefits. Please also note that a full description of insurance and deferred compensation benefits offered by the County are set forth in written plan documents which are controlling in the event of any inconsistency with what is contained in this booklet.

Nothing in this booklet creates any contractual rights to the benefits described herein, or creates any contractual rights to employment. In that regard, the Board of Supervisors reserves the right to eliminate, modify or deviate from the provisions of this booklet in its sole discretion. Every attempt will be made to inform you of any changes when they occur. If you have questions about the information in this booklet, please contact the Human Resource Department.

APPENDIX A

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

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

Term: AT - Appointment Temporary

CT - Continuous Term

F - Fixed by law

F/TOB - Fixed Term of Board

RESOLUTION NO. 13-419
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
MUNICIPAL SOLUTIONS (JEFFREY R. SMITH, PRES.) ON
BEHALF OF THE COUNTY OF WYOMING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Municipal Solutions (Jeffrey R. Smith, Pres.), 83 Myrtle Street, LeRoy, NY 14482, for the provision of New York State Department of State Local Government High Priority Planning Grant Water Agency Implementation deliverables in an amount not to exceed twenty-eight thousand five hundred dollars (\$28,500.00); effective January 01, 2014 through December 31, 2014. Contingent upon the availability of funds.

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

#42

RESOLUTION NO. 13-420
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
THE BRENNAN GROUP CONSULTING (PATRICK BRENNAN)
ON BEHALF OF THE COUNTY OF WYOMING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with The Brennan Group Consulting, 7705 Sally Road, Waterville, NY 13480 on behalf of the County of Wyoming. Said contract is for consulting services relating to public-funding opportunities necessary to implement priorities such as, but not limited to, funding administered by USDA Rural Development, US Department of Energy, New York State Environmental Facilities Corporation, New York State Department of State and New York State Homes and Community Renewal in the amount of \$2,500/mo. not to exceed thirty thousand dollars (\$30,000.00), plus mileage, tolls, and reasonable expense reimbursements; effective January 01, 2014 through December 31, 2014. Contingent upon the availability of funds.

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

RESOLUTION NO. 13-421
(December 10, 2013)

By Mr. Kushner, 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, 2014.

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

RESOLUTION NO. 13-422
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**RPTS DIRECTOR AUTHORIZED TO APPROVE
CORRECTION OF ERRORS**

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL 550-559) by authorizing the Director of Real 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 2014; 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 refund, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL 556 (8) (a)) during the year 2014.

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

#45

RESOLUTION NO. 13-423
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

2013 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 2014 Tax Rolls of the respective towns:

Town	Debit	Credit
Arcade	0	
Attica	0	
Bennington	0	
Castile	0	
Covington	\$89.46	
Eagle	0	
Gainesville	\$2,099.34	
Genesee Falls	\$190.54	
Java	0	
Middlebury	\$65.82	
Orangeville	0	
Perry	0	
Pike	\$372.10	
Sheldon	\$818.86	
Warsaw	\$4,254.28	
Wethersfield	0	
Total	\$7,890.40	0

Dated: November 5, 2013
 Cheryl D. Mayer, Treasurer

Regular Session

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

#46

RESOLUTION NO. 13-424
(December 10, 2013)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 VENESKY & COMPANY ON BEHALF OF THE COUNTY
 TREASURER'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 contract with Venesky & Company, 6114 Route 31, Cicero, NY 13039 on behalf of the County Treasurer's Office. Said contract will provide for an Indirect Cost Report (mandated A87 report) in an amount not to exceed fourteen thousand dollars (\$14,000.00) per year for three (3) years; effective January 1, 2014 through December 31, 2016.

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

#47

RESOLUTION NO. 13-425
(December 10, 2013)

By Mr. Kushner, 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, 2014; 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	\$ 35,767.06	\$ 328,603.70	\$ 364,370.76
ATTICA	\$ -	\$ 249,196.00	\$ 249,196.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 24,580.00	\$ 252,481.00	\$ 277,061.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 9,172.00	\$ 166,937.00	\$ 176,109.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 13,350.00	\$ 245,871.00	\$ 259,221.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 19,883.37	\$ 216,909.58	\$ 236,792.95
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 21,344.00	\$ 306,622.00	\$ 327,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
TOTALS:	\$ 124,096.43	\$ 1,766,620.28	\$ 1,890,716.71

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEIVED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 81,000.00		*** \$ 130,130.24		\$ 211,130.24
ATTICA		\$ 74,000.00				\$ 74,000.00
BENNINGTON		B \$ 92,000.00			* \$ 1,473.83	
		C \$ 75,000.00	\$ 2,000.00	* \$ 44,400.00		
		HC \$ 28,645.04				
		V \$ 8,717.00				\$ 252,235.87
CASTILE		\$ 68,050.00	\$ 5,200.00	** \$ 218,200.00	* \$ 2,844.64	\$ 294,294.64
COVINGTON		PA \$ 74,746.00				
		WY \$ 13,140.00		* \$ 350.00		
		PE \$ 5,400.00				\$ 93,636.00
EAGLE	\$ 170,849.00		\$ 5,000.00	* \$ 6,900.00		\$ 182,749.00
GAINESVILLE		G \$ 45,000.00				
		SS \$ 16,200.00				
		C \$ 1,400.00				\$ 62,600.00
GENESEE FALLS		\$ 15,000.00	\$ 8,000.00			\$ 23,000.00
JAVA	NJ \$ 2,893.78	NJ \$ 30,855.94	NJ \$ 2,500.00	* \$ 12,643.75	* \$ 3,681.44	
		S \$ 62,335.71	JC \$ 300.00			\$ 115,210.62
MIDDLEBURY		F1 \$ 60,050.00				
		F2 \$ 13,100.00				\$ 73,150.00
ORANGEVILLE		V \$ 48,764.00				
		O \$ 15,969.00	L3 \$ 700.00			\$ 65,433.00
PERRY	F3 \$ 860.00	F4 \$ 41,000.00	PC \$ 1,600.00	* \$ 15,580.00		
				** \$ 18,520.00		\$ 77,560.00
PIKE	F1 \$ 39,300.00		L1 \$ 6,800.00		* \$ 1,485.25	\$ 51,205.25
			S1 \$ 3,620.00			
SHELDON	V \$ 9,651.24	ST \$ 35,211.12	L1 \$ 4,600.00	* \$ 28,000.00	* \$ 1,000.05	
		NJ \$ 6,312.36	L2 \$ 2,200.00			
		V \$ 34,296.48	L3 \$ 400.00			
		SH \$ 104,040.00	L9 \$ 1,000.00			
		HC \$ 28,645.04				\$ 255,356.29
WARSAW		\$ 55,349.00		* \$ 5,209.00	* \$ 119.42	\$ 109,482.42
				** \$ 48,805.00		
WETHERSFIELD		G \$ 28,394.00				
		NJ \$ 16,400.00				
		B \$ 16,000.00				\$ 60,794.00
TOTALS:	\$ 223,554.02	\$ 1,195,020.69	\$ 43,920.00	\$ 528,737.99	\$ 10,604.63	\$ 2,001,837.33

* = WATER ** = SEWER *** = RECYCLING

and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$ 179,746.57	\$ 327,073.15	\$ 506,819.72
ATTICA	\$ 188,312.00	\$ 231,075.00	\$ 419,387.00
BENNINGTON	\$ 214,000.00	\$ 605,600.00	\$ 819,600.00
CASTILE	\$ 204,152.00	\$ 186,352.00	\$ 390,504.00
COVINGTON	\$ 130,304.00	\$ 341,072.00	\$ 471,376.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 160,980.00	\$ 138,287.00	\$ 299,267.00
GENESEE FALLS	\$ 133,964.00	\$ 203,684.00	\$ 337,648.00
JAVA	\$ 129,647.00	\$ 310,703.00	\$ 440,350.00
MIDDLEBURY	\$ 143,087.00	\$ 149,000.00	\$ 292,087.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 184,570.02	\$ 258,398.28	\$ 442,968.30
PIKE	\$ 174,099.00	\$ 299,751.00	\$ 473,850.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 344,058.00	\$ 320,923.00	\$ 664,981.00
WETHERSFIELD	\$ 25,331.00	\$ 45,400.00	\$ 70,731.00
TOTALS:	\$ 2,212,250.59	\$ 3,417,318.43	\$ 5,629,569.02

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

Before the roll call vote was taken Supervisor Kushner thanked all of the members of the Compensation Committee for all of the hard work that went into updating the hand books and salary schedules.

Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #48 through #52. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolutions #48 through #52 prior to the roll call vote.

UC#48

RESOLUTION NO. 13-426
(December 10, 2013)

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

**ONE (1) POSITION OF HOSPITAL FINANCE DIRECTOR
 ABOLISHED**

BE IT RESOLVED, That one (1) position of Hospital Finance Director (position code 01.110.135) in the Wyoming County Community Health System be hereby abolished; effective immediately.

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

RESOLUTION NO. 13-427
(December 10, 2013)

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

**ONE (1) POSITION OF DIRECTOR OF
REIMBURSEMENT AND BUDGET ABOLISHED**

BE IT RESOLVED, That one (1) position of Director of Reimbursement and Budget (Position Code 01.155.103) in the Wyoming County Community Health System be hereby abolished effective immediately.

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

RESOLUTION NO. 13-428
(December 10, 2013)

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

**AUTHORIZING ISSUANCE OF AN IRREVOCABLE LETTER OF
CREDIT WITH THE BANK OF CASTILE**

WHEREAS, It has been determined that it is necessary for the County of Wyoming to cause to be issued from the Bank of Castile an Irrevocable Letter of Credit; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized to sign an Irrevocable Letter of Credit with the Bank of Castile in order to establish an account with New York State Electric and Gas (NYSEG) for property located at 4172 Route 98, Java, New York in the amount of one thousand six hundred dollars (\$1,600.00); and be it

FURTHER RESOLVED, That the Chairman of this Board, is hereby designated as the contact person relating to said Letter of Credit.

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

RESOLUTION NO. 13-429
(December 10, 2013)

December 10, 2013

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK
PATTERSON LEE ON BEHALF OF THE WYOMING COUNTY
COMMUNITY HOSPITAL CAPITAL IMPROVEMENT PROJECT
RENOVATIONS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Lee, 205 St. Paul Street, Suite 500, Rochester, NY 14604, for additional services provided in 2013 in the amount of \$30,000.00 and SNF Adult Day Care Construction Services in the amount of \$25,000.00 not to exceed \$55,000.00 total; effective December 10, 2013 through completion of the project.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
UC#52
2/3 Majority Vote (980 minimum)

**RESOLUTION NO. 13-430
(December 10, 2013)**

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

APPROVES PROPERTY SALE BY SEALED BID

WHEREAS, The County has acquired the right to transfer property located at 4172 Route 98, North Java, NY 14113 Tax map #105.3-1-52.2 in the Town of Java, New York pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law; and

WHEREAS, The Wyoming County Board of Supervisors has determined that this property is surplus property based on its location, condition, age and lack of suitability for any public use; and

WHEREAS, The Finance Committee of this Board has obtained offers via sealed bid to purchase said property and recommends the acceptance thereof, namely:

- **Jonathan F. Kersch**, 2170 East Avenue, North Java, NY 14113 bid \$77,000 for property located at 4172 Route 98, North Java, NY 14113 Tax map # 105.3-1-52.2; now therefore

BE IT RESOLVED, Under County Law §215 (5), by the affirmative vote of not less than two-thirds of the total voting strength of the Board of

Regular Session

Supervisors of the County of Wyoming, New York, that the above sale is hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a quit-claim deed to the purchaser, providing payment of said purchase price is received by her on or before December 20, 2013.

Carrie: XXX Ayes: 1471 Noes: Absent: Abstain:

There being no further business to come before this Board, Chairman Berwanger invited attendees to join the Board for cake to celebrate the retirement of Supervisors Patti, Fleischman, and Rogers. Together Supervisors Patti, T/Attica; Fleischman, T/Java and Rogers T/Pike, adjourned the meeting at 3:25 PM with a rap on their desks.

Respectfully submitted,

Cheryl J. Ketchum

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

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