

PROCEEDINGS

OF THE

BOARD OF  
SUPERVISORS

Volume I

WYOMING COUNTY

NEW YORK

2015

## **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 **2015**.

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:** Sandy King (T/ Pike), Vanessa McCormick (T/Java), Susan May (T/Orangeville), Joseph Kushner (T/Eagle), Ellen Grant (T/Bennington), Cheryl Ketchum (Board Clerk)

**Second row:** Michael Vasile (T/Genesee Falls), John Knab (T/Sheldon), David Tallman (T/Gainesville), James Brick (T/Perry), Rebecca Ryan (T/Warsaw ~ Vice Chairman of the Board)

**Third row:** Daniel Leuer (T/Middlebury), Janis Cook (Budget & Reimbursement Officer), Lisa A. Perez (Deputy Board Clerk)

**Fourth row:** John Copeland (T/Wethersfield), Bryan Kehl (T/Attica), James Wujcik (County Attorney), A. Douglas Berwanger (T/Arcade ~ Chairman of the Board), Jerry Davis (T/Covington), Stephen Tarbell (T/Castile)

## *Contents*

### **VOLUME I**

2015 Supervisors for Wyoming County.....	iii
2015 Board of Supervisors Standing Committees.....	v
Officers for Wyoming County.....	vi
January 2, Annual Organizational Meeting.....	1
January 20, Regular Session .....	18
February 10, Regular Session.....	85
March 10, Regular Session.....	132
April 14, Regular Session.....	235
April 15, Special Informational Forum Meeting.....	280
May 7, Special Informational Forum Meeting.....	296
May 12, Regular Session.....	307
May 30, Special Informational Forum Meeting.....	353
June 9, Regular Session.....	363
June 18, Special Informational Forum Meeting.....	397
Index.....	409

### **VOLUME II**

July 14, Regular Session .....	1
August 18, Regular Session.....	39
September 8, Regular Session.....	82
October 13, Regular Session .....	114
November 10, Regular Session .....	210
December 1, Special Session ~ AM.....	253
December 1, Special Session ~ PM.....	272
December 8, Regular Session .....	280
Index.....	325

## 2015 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	BRYAN KEHL 9 Water St., Attica, NY 14011	591-2920
Bennington	ELLEN GRANT 134 Clinton Street, Alden, NY 14004	937-9913 591-2157 Ofc.
Castile	STEPHEN C. 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	DAVID TALLMAN 16 Beardsley Ave., PO Box 177 Silver Springs, NY 14427	492-5800
Genesee Falls	MICHAEL VASILE 6440 Pike. St., PO Box 394, Portageville, NY 14536	468-5968
Java	VANESSA MCCORMICK 2436 McCormick Rd., North Java, NY 14113	457-3233
Middlebury	DANIEL P. LEUER 712 Transit Rd., Wyoming, NY 14591	495-6804
Orangeville	SUSAN MAY 2916 Orangeville Ctr. Rd., Warsaw, NY 14569	786-5508 786-2883 Ofc.
Perry	JAMES R. BRICK 7618 Route 20A, Perry, NY 14530	237-2472 237-2241 Ofc.
Pike	SANDRA KING 4643 Safford Rd., Gainesville, NY 14066	493-5140
Sheldon	JOHN H. 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 F. COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

# **Wyoming County Board of Supervisors 2015 Standing Committees**

**\*Effective January 02, 2015**

## **FINANCE COMMITTEE**

Davis, Rogers, Brick, Gozelski, Knab, Kushner, Meeder, Patti, Totline

## **AGRICULTURE COMMITTEE**

Brick, Knab, Tallman, McCormick May, King, Copeland

## **AUDIT COMMITTEE**

Bush, Davis, Fleischman, Kushner, Ryan, Totline

## **HUMAN RESOURCE COMMITTEE**

Tarbell, Copeland, Kehl, Grant, Kushner, Tallman, Castile, Leuer, King

## **HUMAN SERVICES COMMITTEE**

Grant, Ryan, Kehl, Davis, Kushner, Tallman, Vasile, King, Knab, Copeland

## **PLANNING COMMITTEE**

Leuer, Davis, Kushner, McCormick, Brick, King, Ryan

## **GREEN ENERGY COMMITTEE**

May, Knab, McCormick, Brick, King, Copeland

## **PUBLIC HEALTH COMMITTEE**

Ryan, Grant Tarbell, Kushner, McCormick, May

## **PUBLIC SAFETY COMMITTEE**

Copeland, Tarbell, Grant, Davis, Tallman, Leuer, May, Brick, Ryan

## **PUBLIC WORKS COMMITTEE**

Davis, Grant, Brick, Kehl, Kushner, Tallman, Leuer, May, 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 ~ 2015

US Congressman, 27 <sup>th</sup> District	Chris Collins	Williamsville
NYS Senator, 59 <sup>th</sup> District	Patrick M. Gallivan	Warsaw
NYS Assemblyman, 147 <sup>th</sup> District	David DiPietro	East Aurora
Republican Comm. Chairman	James Schlick	Darien
Democratic Comm. Chairman	Harold Bush	Gainesville
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Vice Chair	Rebecca Ryan	Warsaw
Board of Supervisors, Clerk	Cheryl Ketchum	Eagle
Animal Control Officer	Justa D. Goodell	Castile
Budget Officer/Reimbursements	Janis Cook	Warsaw
Civil Service 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
	Neil Williams	Arcade
	Renee Hill	Attica
	Jennifer Prutsman-Pfeiffer	Darien Center
County Attorney	James Wujcik	Attica
County Clerk	Rhonda Pierce	Wethersfield
County Judge	Michael Mohun	Cowlesville
County Judge	Michael F. Griffith	Warsaw
District Attorney	Donald G. O'Geen	Warsaw
Election Commissioners	James Schlick (R)	Bennington
	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	Cynthia Amrhein	Perry
Hospital Administrator	Donald T. Eichenauer	Rush
Information Technology Dir.	Todd E. MacConnell	Warsaw
Mental Health Director	Nancy Balbick	Middlebury
Office for the Aging Director	Andrea Aldinger	Attica
Planning & Development. Dir.	William Daly	Geneseo
Planning Board Chairman	Dana Grover	Perry
Probation Director	Joan Kibler	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	James Kirsch	Sheldon
Records Retention, Director	Gail Royce	Warsaw
Sheriff	Gregory Rudolph	Attica
Social Services Commissioner	David Rumsey	Stafford
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Treasurer	Cheryl Mayer	Pike
Veterans' Services Director	Richard Perez	Perry
Weights & Measures Director	James Marley	Gainesville
Worker's Comp./Health Ins. Adm.	Dixie Perkins	Warsaw
Youth Bureau Director	Andrea Aldinger	Attica



**ANNUAL ORGANIZATIONAL MEETING  
TUESDAY, JANUARY 2, 2015  
2:00 PM**

The annual organization meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Clerk to the Board, Mrs. Cheryl Ketchum, called the meeting to order at 2:05 pm.

Clerk Ketchum invited Supervisors Kushner, T/Eagle and McCormick, T/Java to escort newly elected Genesee Falls Town Supervisor, Michael Vasile to his seat.

Before being seated Supervisors Kushner, T/Eagle and McCormick, T/Java also escorted newly elected Gainesville Town Supervisor, David Tallman to his seat.

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

**Christ Reynolds**

Mr. Reynolds enlisted in the United States Army in the midst of the war on terror because he felt "compelled to preserve" the freedoms so important to all Americans. He successfully completed basic training at Fort Sill, Oklahoma, before graduating with High Honors as Food Service Specialist from Fort Lee, Virginia; the third largest training site in the Army.

Mr. Reynolds shipped to 172<sup>nd</sup> Stryker Brigade at Fort Richardson, Alaska where his team provided nutrition to over 3,000 troops daily. The base was used briefly as a holding center for several family members of Alaskan ~ Japanese Americans arrested after Pearl Harbor. His unit deployed to Mosul and Baghdad, Iraq for over sixteen months where the team overcame substantial adversity and hardship. Combat missions, prisoner details and tower guard duty were among the list of his responsibilities as a newly promoted Sergeant. He also trained on the Common Remote Operating Weapons System, known as "CROWS"; the first of its kind, high tech .50 caliber machine gun, used in Northern Iraq. Once back in Alaska, Mr. Reynolds concluded his term of service and was honorably discharged.

Mr. Reynolds served our country with distinction earning the:

Army Commendation Medal  
Army Achievement Medal  
Valorous Unit Award  
Army Good Conduct Medal

January 2, 2015

National Defense Medal  
 Global War On Terrorism Service Medal  
 Iraq Campaign Medal  
 Army Service Ribbon  
 Overseas Service Ribbon  
 Expert Marksman M-16 Rifle Badge

Returning stateside, Mr. Reynolds joined American Legion Post 1460 in Machias, NY where he served a term on the Board of Directors and participated in many volunteer activities. He is also a member of the Perry Vets Club. The experience and leadership gained during the wartime tour imparted a sense of thankfulness for the simple things in life. Christ now lives in Genesee Falls with his wife and three children. Together they run a certified organic turkey farm known as “Gobblers Ridge”.

*The pledge was said by all.*

The Reverend Dr. Barbara Therese from the United Church of Warsaw provided the invocation.

*Judge M. Mohun administered the oath of office to the Board of Supervisors.*

The Clerk then called for nominations for Temporary Chairman over today’s proceedings. Supervisor Berwanger, T/Arcade nominated Supervisor Brick, T/Perry. Seconded by Supervisor Ryan, T/Warsaw. As there were no other nominations Supervisor Copeland moved that the nominations be closed, the motion was seconded by Supervisor Tallman, T/Gainesville. A roll call vote was taken with the following results: **Ayes: (1537); Noes: (0); Absent: (62) Middlebury Abstain: (0);** Supervisor Brick was declared Temporary Chairman over today’s proceedings.

*Judge M. Mohun administered the oath of Office to the Temporary Chairman.*

Temporary Chairman Brick welcomed everyone in attendance today and thanked his fellow Supervisors for the honor of presiding over today’s proceedings as Temporary Chair. He then called for nominations for Chairman of the Board for the year 2015. Supervisor Kushner, T/Eagle nominated Supervisor Berwanger, T/Arcade; seconded by Supervisor May, T/Orangeville. As there were no other nominations Supervisor Knab, T/Sheldon 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: (1537); Noes: (0); Absent: (62) Middlebury Abstain: (0);** Temporary Chairman

Brick declared Supervisor Berwanger, T/Arcade as Chairman of the Board for the year 2015.

*Judge M. Mohun administered the oath of Office to the Chairman of the Board.*

Chairman Berwanger thanked his fellow Supervisors for their continued support in electing him to another term as Chairman of the Board.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Davis, T/Covington nominated Supervisor Ryan, T/Warsaw. 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 McCormick, T/Java. A roll call vote was taken with the following results: **Ayes: (1537); Noes: (0); Absent: (62) Middlebury Abstain: (0)**; Supervisor Ryan, T/Warsaw was declared Vice-Chairman of the Board for the year 2015.

*Judge M. Mohun administered the oath of Office to the Vice Chairman of the Board.*

Chairman Berwanger called for nominations for Clerk to the Board for 2015. Supervisor May, T/Orangeville nominated Cheryl J. Ketchum. Seconded by Supervisor King, T/Pike. As there were no other nominations, Supervisor Vasile, T/Genesee Falls moved that nominations be closed. The motion was seconded by Supervisor Grant, T/Bennington. A roll call vote was taken with the following results: **Ayes: (1537); Noes: (0); Absent: (62) Middlebury Abstain: (0)**. Cheryl J. Ketchum was declared Clerk to the Board for the year 2015.

*Judge M. Mohun administered the oath of Office to the Clerk to the Board.*

Chairman Berwanger then invited newly elected Wyoming County District Attorney, Don O'Geen to please come forward and take the oath of office.

*Judge M. Mohun administered the oath of Office to the Wyoming County District Attorney.*

District Attorney O'Geen took a few minutes to recognize his parents and one of his daughters who were able to join him today. As an elected official, he stated, the don't get there by themselves. He thanked each and every one of his supporters who carried petitions in order to get his name even on the ballot. The election of public officials is a task involving many supporters.

January 2, 2015

Chairman Berwanger asked Clerk Ketchum to pass out the Standing Committee assignments for 2015.

Judge Mohun was thanked for attending and issuing the oath of Office to County Officials today, adding that Judge Mohun has a very busy schedule and has to leave in order to get back to court...

Chairman Berwanger called for a short recess for a special meeting of the Finance Committee at 2:23 PM.

At 2:30 PM the meeting resumed with the following results:

**2/3 Majority  
#1**

**RESOLUTION NO. 15-001  
(January 02, 2015)**

By the Chairman of the Finance Committee:

**RULES OF PROCEDURE ADOPTED**

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

**Carried: XXX Ayes: 1416 Noes: Absent: 55 (Middlebury) Abstain:  
#2**

**RESOLUTION NO. 15-002  
(January 02, 2015)**

By the Chairman of the Finance Committee:

**OFFICIAL NEWSPAPERS DESIGNATED**

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

**Carried: XXX Ayes: 1537 Noes: Absent: 62 (Middlebury) 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 2015:

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

***Signed this 2<sup>nd</sup> day of January 2015:***

s/ <u>A.D. Berwanger</u>	s/ <u>Michael Vasile</u>	s/ <u>Susan May</u>
s/ <u>Bryan Kehl</u>	s/ <u>Vanessa McCormick</u>	s/ <u>David Tallman</u>
s/ <u>Ellen Grant</u>	s/ <u>James Brick</u>	s/ <u>Daniel Leuer</u>
s/ <u>Stephen Tarbell</u>	s/ <u>Sandra King</u>	
s/ <u>Jerry Davis</u>	s/ <u>Rebecca Ryan</u>	
s/ <u>Joseph Kushner</u>	s/ <u>John Copeland</u>	

## **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 2015:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election notices	Perry Herald	Perry, New York
Sheriff's Proclamations	Perry Herald	Perry, New York
Local laws, notices and other	Perry Herald	Perry, New York

January 2, 2015

matters required by law to be published and for which NO OTHER specific designation has been made.

Official canvass	Arcade Herald	Arcade, New York
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Arcade Herald	Arcade, New York

*Signed this 2<sup>nd</sup> day of January 2015:*  
s/ John Knab

#3

**RESOLUTION NO. 15-003**  
**(January 02, 2015)**

By the Chairman of the Finance Committee:

**3 COPIES OF ANNUAL REPORTS 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, 2015, 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: 1537   Noes:   Absent: 62 (Middlebury)   Abstain:**  
**#4**

**RESOLUTION NO. 15-004**  
**(January 02, 2015)**

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 Costello Cooney Fearon, PLLC, legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **University of Rochester Medical Center** (a division of the University of Rochester) 601 Elmwood Avenue, P. O. Box 670, Rochester, NY 14642 for an interim consulting agreement in an amount not to exceed two hundred thousand dollars (\$200,000.00); effective January 2, 2015.
- Surgery Specialists at the River, PLLC, 5287 South Highway 95, Fort Mohave, AZ 86426 to provide a physician who is board certified or board eligible in the specialty of general surgery (Ronald Weissenberg, D.O.) to provide general surgery services at the hospital clinics, NYS Department of Corrections and on-call coverage on a 1:2 basis. PLLC will provide professional liability insurance covering all professional services. WCCHS to provide office and support services and maintain all physician revenue in the amount of three hundred one thousand nine hundred thirty-eight dollars (\$301,938.00) per year payable twenty-five thousand one hundred sixty-one dollars and sixteen cents (\$25,161.16) per month for performance of services in accordance with this agreement plus up to five thousand dollars (\$5,000.00) based on properly documented receipts for travel and set-up expenses; effective December 16, 2014 through December 15, 2016.

Contingent upon the availability of funds.

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

*Prior to the roll call vote of resolution number 5 Chairman Berwanger asked Sheriff Rudolph if he would like to comment on the resolution before its passage. Sheriff Rudolph added that the Wyoming County Sheriff's Deputies are providing the citizens of Wyoming County with "Good Daily Work," and that there is rarely a misdeed. In addition, Sheriff Rudolph thanked the Board for their continued support of all Wyoming County Law Enforcement Agencies.*

**#5**

**RESOLUTION NO. 15-005  
(January 02, 2015)**

January 2, 2015

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

**RESOLUTION OF THE WYOMING COUNTY BOARD OF  
SUPERVISORS IN SUPPORT OF NEW YORK STATE AND LOCAL  
LAW ENFORCEMENT AGENCIES**

**WHEREAS**, On December 23, 2014, Chemung County Sheriff Chris Moss, President of the New York State Sheriffs' Association, released the following statement regarding the murder of two NYPD Officers:

*"The New York State Sheriffs Association, and all the Sheriffs of New York State, mourn the tragic loss of two New York City Police Officers, Rafael Ramos and Wenjian Liu, who were assassinated Saturday afternoon for no reason other than the fact that they were police officers. These senseless killings follow closely on the heels of senseless anti-police comments by some politicians and so-called community leaders, and the connection between the two events is inescapable. When our leaders, with their careless words, show disrespect for our police officers it is inevitable that some unsavory segments of society will see that as their cue to take violent action against the dedicated men and women who only seek to serve and protect. The blood of Officer Ramos and Officer Liu should weigh heavily on the consciences of those who, through their demagoguery and irresponsible statements, have recently fueled an anti-police sentiment in our cities, our State and Nation.*

*The Sheriffs of New York call upon Mayor DiBlasio, Attorney General Schneiderman, Governor Cuomo, and President Obama to consider very carefully the words they use in discussing the serious criminal justice issues of our day, and to be aware that what they say can have serious consequences. Words can kill.*

*The Sheriffs of New York call upon all community leaders to consider what kind of a community they will have if there are no police there to protect and serve them, their friends and neighbors. Decry those leaders who would inflame a situation to promote themselves and their personal agendas. Work to bring your community and your police officers closer together, not further apart.*

*The Sheriffs of New York call upon the media to be more cautious in their coverage of serious events when that coverage has the potential of inciting violence. Facts may not be as interesting as fiction, but it is irresponsible to continually repeat wrong or misleading assertions by those with an agenda, contrary to known or easily discoverable facts. Complex legal issues, such as the theory and operation of the Grand Jury, are not easily digested for reporting to the masses, but an attempt should be made. The daily good work of our police officers deserves to be reported as much as the rare misdeed.*



*The Sheriffs of New York call upon all our citizens to give their support to our police officers under siege. As you are putting presents under your tree, some police officer will be putting on his bulletproof vest to go out into the night, to make sure you and your families remain safe. As you are enjoying the company of family and guests, the family of some on-duty police officer will be wondering, "Could this be the day that he does not come home to us?" When you see a police officer this week, thank him or her for all they do for us, and wish the officer a Merry Christmas!" Now therefore*

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors stands united in the support of the Wyoming County Sheriff's Department Deputies, the New York State Police and the four (4) Wyoming County Village Police Departments as they protect the residents of Wyoming County and beyond. Lawlessness and anarchy will not be tolerated here and violators will be brought to justice! And be it

**FURTHER RESOLVED**, That the Clerk of this Board send copies of this resolution to United States President Barack Obama, United States Senators Charles Schumer and Kirsten Gillibrand, United States Congressman Chris Collins, New York State Governor Andrew Cuomo, 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: 1537   Noes:   Absent: 62 (Middlebury)   Abstain:**

Introduction of Guests ~

- *Remarks by Senator Gallivan*

*Senator Gallivan provided attendees with the following update from Albany.*

#### Economic Development ~

- *Agriculture*
  - *\$8 million in increased spending*
  - *\$450K toward the Ag and Business Center*
  - *Agri-Tourism*
  - *Ag Advisory Committee*
  - *Bringing Ag & Markets Commissioner Ball to Wyoming County Fair in 2014*

#### Women's Business Summit ~

- *Partnering with the Wyoming County Chamber of Commerce and Arts Council*
  - *Plan on similar events with similar co-brandings*

Education~

- *Fair funding across the entire state*
  - *Rural and low income school districts*
  - *Gap Elimination Adjustment (GEA)*
    - *stemming from the financial problems of the state in 2009/2010.*
    - *Working to elimination in 2015.*
- *School Resource Officer Funding for the following Districts*
  - *Perry Central*
  - *Letchworth Central*
  - *Warsaw Central*
  - *Attica Central*
- *Ag. in the Classroom*
  - *Working with Cornell Cooperative Extension of Wyoming County.*
  - *Wyoming County is a model for the entire State*
  - *Will continue to work towards the program's expansion*
- *BOCES*

Mandate Relief ~

- *Medicaid*
  - *1 year no increase in the local cost of Medicaid this year.*
  - *Several years ago his office put forth legislation for a complete state takeover of the entire Medicaid program*
  - *Phasing in of the takeover will save Wyoming County \$800K over the next 4 years (\$1.2 million statewide)*
- *NYS Retirement*
  - *Creation of Tier 6*

Veteran Services ~

- *Expansion of the Wyoming County Veterans Memorial Highway*

Crossbow LegislationNY SAFE ActComprehensive Review of the Criminal Justice SystemTransportation

*Senator Gallivan pledged to work for the betterment of his district and on the issues that are most important to everyone...*

**2015 Chairman's  
State of the County Address  
January 02, 2015**

Fellow Supervisors, Judge Mohun, Judge Dadd, Senator Gallivan, District Attorney O'Geen, Sheriff Rudolph, Treasurer Mayer, County Clerk Pierce, Rev. Dr. Barbara Therese, all Department Heads and friends who are

Organizational Meeting

joining us today for the annual organizational meeting of the Wyoming County Board of Supervisors, welcome!!

Congratulations to Senator Gallivan and District Attorney O'Geen upon your re-election. And of course congratulations to the three (3) new Supervisors, Bryan Kehl from Attica, David Tallman from Gainesville and Mike Vasile from Genesee Falls.

This year's state of the county address will focus on some of the successes the county has enjoyed over the past year and the road on which the Board of Supervisors has taken to realize these priorities and the costs associated with that success. We shall also focus on what the Board of Supervisors plans are for the coming year.

First, let's start with a success. The completion of the five (5) year renovation of the Wyoming County Community Hospital and Skilled Nursing Facility was a \$31 million project that was completed on time and on budget. Residents have given excellent feedback on the renovations. This reconstruction will enable health care professionals to address the needs of the Wyoming County community for decades to come.

Another success, County Highway department played a key role in the reconstruction of the Route 20A West Hill by reconstructing Liberty Street from Hermitage Road to Curtis Road in the Village of Warsaw allowing for a more convenient detour for thousands of travelers who pass through the county seat every day!

Agriculture, the largest industry in Wyoming County continues to grow! Our county, in 2014 became the statewide leader in agricultural production at \$185 million, surpassing Suffolk County as the top Ag. producing county in New York State. There are many agencies and departments that serve the agricultural community, such as Wyoming County Soil & Water Conservation District, the Wyoming County Natural Resource Conservation Service Agency and Wyoming County Farm Service Agency. These agencies work closely with producers and offer the assistance and advice on best farming practices and available state and federal programs. Under the leadership of Shawn Tiede, Cooperative Extension features Ag Production assistance, along with Ag Education, Ag in the Classroom with 4 full time Educators serving all Wyoming County schools and schools in southern Erie County. And of course, the best youth program in New York State and possibly nationally, Wyoming County 4-H. The program provides youth members many educational opportunities. The Wyoming County IDA, Wyoming County Business Center, Wyoming County Planning Department, Wyoming County Fire and Building Code Enforcement Department, Wyoming County Chamber of Commerce,

Wyoming County Tourism and Wyoming County Business Education Council have all contributed to the successes Wyoming County Agriculture enjoys today.

Coincidentally, all of these agencies, in addition to the Wyoming County Water Resource Agency and Quality Milk Production Services of Cornell University's College of Veterinary Medicine Diagnostic Laboratory will be relocating to the new Ag. and Business Center located on Center Street in downtown Warsaw. As a public/private partnership working with local developer, Jim Rutowski, the former Brown Knitting Mill is being refurbished to accommodate these agencies in a state of the art, one stop, Ag. Center to better serve our flourishing ag industry. This endeavor is in response to Governor Cuomo's challenge four (4) years ago in anticipation of the yogurt boom to the dairy farmers of New York State to produce 15% more milk to accommodate the demand for product. Also in accordance with the Governor's challenge is for municipalities to become more efficient and to streamline operations, this project fits that challenge, as well as, uniting all of these agencies under one (1) roof.

The anticipated opening of this state of the art facility is to be late spring early summer 2015. I need to thank Bill Maddison who has worked diligently with the developer, the architect and the departments and agencies to determine space requirements and office locations. A very unenviable task! Thanks Bill for your hard work!

I want to take some time to talk about the Wyoming County Community Hospital. The Wyoming County Community Hospital realized a number of milestones and achievements in 2014 ~

- In March, WCCHS hosted a celebration attended by over 500 people marking the completion of a multi-year \$31,000,000 addition and renovation which included a new lobby, registration and emergency department, as well as, completely renovated maternity floor, major renovations to the skilled nursing facility, ambulatory surgery and other areas within the complex.

The project was accomplished with funding that included over \$10 Million of NYS HEAL Grant funding, as well as, approximately \$5 Million in funds donated by community members. The completion of the project provides WCCHS the facility and infrastructure to provide quality healthcare services for many years.

- Throughout the year numerous physicians were added to the staff in specialty areas for which a need was identified including Orthopedic surgeons from Buffalo Orthopedic's and UBMD, urologists from

Western New York Urology and based on our relationship with University of Rochester Medicine additional physicians in areas that included cardiology, Ear Nose and Throat Surgery and Neurosurgery were added.

WCCHS, however, like most rural hospitals in New York we continue to face financial challenges and impacts from the changes in the healthcare industry. Changes in New York State funding, the effects of the federal healthcare programs and the significant increase in NYS pension and benefit costs of our employees over recent years have all had a negative financial impact. Additional expected state funding reductions in 2015 result in the hospital projecting a near \$7 million dollar deficit.

I am sure you have seen recent articles in the press announcing the closing or significant reduction of services at many rural hospitals in our area. We understand the need to be fiscally prudent but also understand the importance, to our residents, of quality healthcare in Wyoming County and the commitment of the community in donating almost \$5 Million in support of the facility's recent renovation.

In order to react to both the need for high quality healthcare for our community, as well as, address the significant financial challenges of the health system we are officially announcing today a number of steps that will be taken over the next few months. Those steps include the following:

- A major expansion of our relationship with University of Rochester Medicine. In early January, we will finalize the terms of a draft management agreement with University of Rochester Medicine whereby the University of Rochester Medicine would assume management of the hospital. This agreement will require Health Department approval before management service can commence. Working with WCCHS CEO, Don Eichenauer, as well as, other senior management provided by University of Rochester Medicine, our management team will be able to take advantage of the expertise, resources and purchasing expertise University of Rochester Medicine has available. In addition, our increased relationship will allow us enhanced access to medical providers.
- The completion of the management agreement and the required NYS Department of Health approval may take a few months (although we will explore with the New York State Health Department whether an expedited approval is available). In early January we will also sign a consulting agreement which will allow University of Rochester Medicine to work with us and provide their administrative expertise

January 2, 2015

immediately. Together we will review the operations of each department to further improve operations and reduce costs and identify services which may not be sustainable at WCCHS. This process has already begun and quantifiable improvements have already been identified.

- We are also in the process of outsourcing certain support departments where we have identified entities who can provide expertise and cost savings that cannot be accomplished as a government entity and over the coming months we will continue to evaluate additional areas for potential outsourcing.
- In addition, over the next six months we will study whether our skilled nursing facility should remain as a county owned facility. Faced with the current financial challenges and expected further changes in New York State funding of County owned nursing homes we will review all aspects of the nursing home and consider further improvements that can be made. We will ultimately determine the best course of action for our nursing home.

We are committed to assuring the residents of Wyoming County to have quality healthcare available. But under the current financial constraints and changes in healthcare reimbursement, changes must be made to remain viable into the future. Given the magnitude of the hospital's projected \$7 million dollar deficit, these changes will not be without some pain. We are hopeful that the University will effectuate many positive improvements. But some cost cutting measures will be necessary and may impact the size of the workforce.

Our goal is to put the hospital on solid financial footing, so that we are able to maintain a strong health care presence in Wyoming County for many years into the future.

Let's talk about the financial condition of Wyoming County over the last 7 years. Wyoming County has spent just over \$12.4 million on the reconstruction of nine (9) county roads. In 2008, the Department of Social Services building was renovated at a cost of \$4.5 million, hospital renovations totaled \$31 million, upgrades to the 911 system at \$1.77 million and renovations to County Highway buildings at \$1.3 million for a total cost of nearly \$51 million invested in the infrastructure of Wyoming County. Debt payment was one of the major increases in the 2015 budget. Out of the \$51 million invested only 70% of that number was borrowed for an annual debt payment of \$2.8 million. The borrowing was largely due to an extremely attractive interest rate of 3.25% - 4.5%, which is very low for 23 year serial bonds. Total county debt is \$34.8 million. The most expensive departments to subsidize are County Highway at \$6.1 million, Highway Machinery fund at \$62,824.00, Hospital

General Operations and IGT equal \$6.8 million, the Sheriff's department including the jail are at \$7.8 million and the Department of Social Services tops the scale at \$10.642 million.

Wyoming County collects \$18,187,214.00 in real property taxes. For the last four years we've talked about nine (9) unfunded state mandates, they consist of the following:

Medicaid (including IGT)	\$7,084,596.00
All Other Mandated DSS Programs	3,557,755.09
NYS Retirement Contribution	6,394,415.72
Special Education/Pre-School (3-5 years)	1,021,747.28
Early Intervention (0-3 years)	233,542.64
Probation	610,075.48
Indigent Defense	281,078.35
Community College Expense	<u>1,650,000.00</u>
<b>Total</b>	<b><u>\$20,833,210.56</u></b>

So, in thinking about those numbers, Wyoming County does not collect enough property tax to pay for those state mandates, in fact, we are \$2.9 million short. The Board of Supervisors continues to maintain county operations based on sales tax projections for 2015 close to \$16 million, along with a variety of federal and state grants and reimbursements to balance the county budget.

Once again, we must look to our Senator, Patrick Gallivan, to continue to work on behalf of Wyoming County and the rest of upstate New York for mandate relief. Your work in support of the Medicaid Cap has been greatly appreciated and, of course, the reduction in state retirement costs was welcome, as well. However, the continued costs of these mandates is simply unsustainable to Wyoming County if we want to continue to support agriculture, maintain our infrastructure and the County Health System and, of course, Law Enforcement. Senator, I know you have been a leader in the fight for mandate relief and we thank you for your work in support of our agencies, departments and issues which have faced the good folks of Wyoming County. We value your statesmanship and friendship!

As we move into 2015 the Board of Supervisors face a tipping point. The situation at the hospital is crucial. Sustaining Agriculture as the number one industry in the county along with manufacturing and all of the small businesses which contribute significantly to the economic health of the county is also critical, as we look for growth and prosperity in the form of expansion and jobs. This year the Board of Supervisors welcomed a new Director of Planning and Development, Bill Daly, who is working closely with Jim Pierce and the Wyoming County IDA and Wyoming County Business Center to promote

economic development. We look to the Wyoming County Chamber of Commerce with Scott Gardner and Wyoming County Tourism Agency with Meghan Nulty to continue to provide marketing and educational programs to enhance the visibility and status of our area developing the county as a “destination.”

We look to our Human Services Agencies and Public Health Department to serve those in need and to protect the health and welfare of our residents. The Wyoming County Water Resource Agency, under the leadership of Steve Perkins, has continued to grow and expand the services offered to municipalities who own water systems and continue to work on development opportunities to provide better water service to underserved areas of the county.

Before I close I have been asked by the Public Safety Committee, which met this past Monday morning, to create a statement in regard to the disrespect and lawlessness which seems to be pervasive around the nation against law enforcement. Based upon the resolution passed by the Board of Supervisors which calls upon County Leaders to consider what kind of communities they would have if there were no police there to protect them, their friends and neighbors! This Board of Supervisors whole heartedly supports the Wyoming County Sheriff’s Department Deputies, the New York State Police and the four (4) Village Police Departments of Wyoming County as they protect the residents of Wyoming County. Lawlessness and anarchy will not be tolerated here and offenders will be brought to justice!

Is county government perfect? Far from it, but it is here today, it was here yesterday and will be here tomorrow! Our goal is simple, to serve the needs of the people of Wyoming County! Senator Gallivan, thank you for joining us today. Fellow Supervisors, thank you for your trust in me as you have elected me Chairman of the Wyoming County Board of Supervisors. I view this as an honor and a privilege to serve and I appreciate your support and trust! Thank you all for your attention and attendance today and God Bless Wyoming County.

In closing, Chairman Berwanger announced that this year the New York State Association of Counties’ Blue Ribbon Task Force on the Future of Agriculture in NYS will officially become a Standing Committee of the Association, known as the Agriculture Committee.

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:04 PM with a rap on his desk.*

\*\*\*\*\*



Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

January 2, 2015

**REGULAR SESSION**  
**(January 20, 2015)**  
**Tuesday**  
**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:40 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Thomas Dutton, John Dutton and David Dutton**

In a period from March 1959 through February 1965, **three** brothers from Bliss, New York joined the military on **three** separate dates and became part of **three** different historical world events. Their names are Thomas, John and David Dutton.

**Middle brother John**, was the first to enter the United States Navy in spring of 1959 to become an Underwater Demolition Specialist. He was assigned to Naval Station Norfolk, the largest Navy base in the world. There he served on the Destroyer USS Wallace-Lind and the USS Shenandoah AD 26, a "Tender" designed to provide maintenance support to other ships. Global tensions were high when on his last assignment; he was shipped to the Caribbean Sea aboard the Destroyer USS Norfolk to participate in a blockade of Cuba following the Bay of Pigs Invasion. Mr. Dutton later became a "Torpedo man 3<sup>rd</sup> Class" and was honorably discharged in March of 1963.

**Youngest brother David** also joined the United States Navy becoming qualified as a Parachute Rigger assigned to the VA 195<sup>th</sup> Attack Squadron in Lemoore, California. He served two tours in the Pacific aboard the USS Bonhomme Richard led by Rear Admiral George Stephen Morrison (father of Jim Morrison of the band "the Doors"). The ship steamed toward North Vietnam where Mr. Dutton participated in the "Gulf of Tonkin Conflict" which sparked an escalation of American involvement in the Vietnam War. He returned home safely with an honorable discharge in February 1965.

**Oldest brother Tom** joined the United States Army in November of 1961 and qualified as a Heavy Truck Driver at Fort Leonard Wood, Missouri assigned to

Regular Meeting

the 67<sup>th</sup> Armored Unit 4<sup>th</sup> Armored Division. Mr. Dutton was later transferred to the 26<sup>th</sup> Infantry in Berlin Germany. There, he witnessed the building of the “Berlin Wall” separating East and West Germany. The wide area between the walls became known as the “Death Strip” because some died trying to escape from East to West in search of freedom. Mr. Dutton received an honorable discharge at Fort Riley, Kansas in November 1963.

Together, these young men were awarded:

The Navy Good Conduct Medal  
 Armed Forces Expeditionary Medal for Vietnam  
 Armed Forces Expeditionary Medal for Germany  
 Army of Occupation Medal Berlin  
 Army Good Conduct Medal  
 Marksmanship Badge for M-14 and Pistol

**Mr. Thomas Dutton** worked for 30-years at Motorola and another 10-years at Prestolite in Arcade. He is happily married to Laura, his wife of 50-years. Mr. Dutton is still active in the community as Fire Commissioner for the Town of Eagle. He is a 29-year member of American Legion Eagle Memorial Post 1720 in Bliss and 15-year member of VFW Post 374 in Arcade. He enjoys playing golf and gardening.

**Mr. John Dutton** worked at Bethlehem Steel for 40-years as an electric crane repairman and has been happily married to his wife Diane for over 50-years. He has been a member of the American Legion in Bliss for nearly twenty years. Mr. Dutton is a part-time pig farmer who takes pleasure in golfing, hunting and watching football.

**Mr. David Dutton** worked as an Ironworker for Local 6 in Buffalo for 35-years before retiring. He is a 15-year member of the Wyoming County Planning Board. He resides in Arcade with his wife Sandra who he has been happily married to for over 42-years. He is a 48-year American Legion member at the post in Bliss and was the past commander and Chaplain for the VFW Post 374 in Arcade.

Together this “Band of Brothers” served their country proudly during these historical periods and they continue to be an asset to their family, friends and communities.

*The pledge was said by all.*

Chairman Berwanger invited Town of Eagle Supervisor, J. Kushner to join him in

January 20, 2015

## Communications ~

- Open Public Hearing ~

# #1

By Mr. Kushner, Chairman of the Finance Committee:

**BE IT RESOLVED**, That funds are hereby transferred to the various 2015 accounts as follows:

**Carried:** XXX    **Ayes:** 1459    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** 38 (Wethersfield)  
140 Total

## #2

By Mr. Kushner, Chairman of the Finance Committee:

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2014 accounts as follows:

Regular Meeting





## #5

By Mr. Tarbell, Chairman of Human Resource Committee:

**BE IT RESOLVED**, That the Salary Schedules “S” and “D” Handbooks are hereby approved; effective January 01, 2015, and annexed hereto.

January 20, 2015

## Wyoming County, NY

---

### SCHEDULE S MANAGEMENT SUPPORT

---

#### EMPLOYEE BENEFITS



Revised (01-01-2015)  
Revised 13-418 (01-01-2014)  
Revised 10-06 (01-04-2010)  
Revised 09-04 (01-02-2008)  
Revised 05-270 (9-14-2004)  
Adopted 95-244



## TABLE OF CONTENTS

### GENERAL INFORMATION

- Eligibility For Benefits 3
- Hours of Work 3
- Overtime Pay and Compensatory Time 3
- Time Sheets and Pay Day 3
- Time Off Requests 4

### PAID TIME OFF

- Vacation Time 4
- Personal Days 4
- Sick Time 5
- Holidays 5

### LEAVES

- Bereavement Leave 5
- Jury Duty 6
- Leave of Absence 6
- Family Medical Leave 6
- Military Leave 6

### INSURANCE

- Health Insurance 6
- Dental Insurance 7
- Disability Insurance 7
- Worker's Compensation Insurance 7

### RETIREMENT

- Retirement 8
- Deferred Compensation Retirement Plan 457 8

### OTHER

- Tuition Reimbursement 8
- Performance Evaluation 8
- Disclaimer 8

### APPENDIX A9

## **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 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 OVERTIME PAY AND COMPENSATORY TIME**

Full time Schedule S employees are expected to work a minimum of 35 or 40 hours per week.

### **TIME SHEETS AND PAY DAY**

Employees will be paid on a biweekly basis. Such pay shall be in the form of a payroll check or through direct deposit.

The employee is responsible to maintain a time sheet that must be reviewed and signed by their Department Head.

## **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:

Years Worked	Annual Vacation Days
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 employee's Department Head 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 Department Head 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:

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

Time off must be taken in consecutive workdays starting with the first day following the death. Such leave shall be deducted from the employee's 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 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 entitled 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.

Employees who suffer a work related injury or illness must immediately notify their supervisor, and assist such supervisor in the completion of 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 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	Part	Competitive	CT	
Asst. County Attorney (1st)	Part	Exempt	AW	
Asst. County Attorney (2 <sup>nd</sup> )	Full	Exempt	AW	
Asst. County Attorney (Supervisor)	Part	Exempt	AW	
Asst. District Attorney (1st)	Full	Exempt	AW	
Asst. District Attorney (2 <sup>nd</sup> )	Full	Exempt	AW	
Asst. Public Defender (2nd)	Part	Exempt	CT	
Asst. Public Defender (3 <sup>rd</sup> )	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	AW	
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	
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	



Position Title	Status	Civil Service Classification	Term	Length of Term
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	
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	AW	
Secretary to the Co. Hwy Supt.	Full	Exempt	AW	
Secretary to the DA	Full	Exempt	AW	
Secretary to the Public Defender	Part	Exempt	AW	
Secretary to the Sheriff	Full	Exempt	AW	
Tax Map Technician	Full	Exempt	AW	
Undersheriff	Full	Exempt	BA	

Term:

AT-Appointment Temporary  
 AW-At Will  
 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 (01-01-2015)  
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

**TABLE OF CONTENTS****GENERAL INFORMATION**

Hours of Work 3  
Overtime Pay and Compensatory Time 3  
Time Sheets and Pay Day 3  
Eligibility for Benefits 3

**PAID TIME OFF**

Vacation Time 3  
Personal Days 4  
Sick Time 4  
Holidays 5

**LEAVES**

Bereavement Leave 5  
Jury Duty 5  
Leave of Absence 5  
Family Medical Leave 6  
Military Leave 6

**INSURANCE**

Health Insurance 6  
Dental Insurance 6  
Disability Insurance 6  
Worker's Compensation Insurance 7

**RETIREMENT**

Retirement 7  
Deferred Compensation Retirement Plan 457 7

**OTHER**

Tuition Reimbursement 7  
Performance Evaluation 7  
Disclaimer 8

**APPENDIX A**

**HOURS OF WORK  
OVERTIME PAY AND COMPENSATORY TIME**

Full 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.

**TIME SHEETS AND PAY DAY**

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

**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:

Years Worked	Annual Vacation Days
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
2. President's Day
3. Memorial Day
4. Veteran's Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Thanksgiving Day
9. Christmas 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 Committee Chair or designee.



**DISCLAIMER**

The Schedule D Benefits Booklet contains general summaries and information regarding benefits for employees covered by Schedule D. Some of the items described in this booklet are covered in detail by County policy and/or procedure documents. You should refer to these documents for specific information, since this booklet only briefly summarizes those benefits. Please also note that a full description of insurance and deferred compensation benefits offered by the County are set forth in written plan documents which are controlling in the event of any inconsistency with what is contained in this booklet.

Nothing in this booklet creates any contractual rights to the benefits described herein, or creates any contractual rights to employment. In that regard, the Board of Supervisors reserves the right to eliminate, modify or deviate from the provisions of this booklet in its sole discretion. Every attempt will be made to inform you of any changes when they occur. If you have questions about the information in this booklet, please contact the Human Resource Department.

## APPENDIX A

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

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

Term: AT - Appointment Temporary

AW – At Will

CT - Continuous Term

F - Fixed by law

F/TOB - Fixed Term of Board

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #6 and #7. A voice vote was taken and all voted aye.*

#6

**RESOLUTION NO. 15-011**  
**(January 20, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
PEERPLACE NETWORKS, LLC ON BEHALF OF THE  
OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with PeerPlace Networks, LLC, 300 Main Street, Suite 4-214, East Rochester, NY 14445 on behalf of the Wyoming County Office for the Aging. Said contract is for user subscription fees for data management software in an amount not to exceed five thousand six hundred sixty-eight dollars and forty cents (\$5,668.40); effective March 1, 2015 through February 28, 2016. Contingent upon the availability of funds.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
				<u>38</u> (Wethersfield)
			Total	140

#7

**RESOLUTION NO. 15-012**  
**(January 20, 2015)**

By Ms. Grant, 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 the following contracts on behalf of the Department of Social Services:

- **Kelly's Imagination Station, Inc.**, 80 Union Street, Batavia, NY 14020 to provide day care services in a variable amount depending

January 20, 2015

- **Sandra Lucier, dba Creative Play Learning Center**, Apple Tree Business Park, 2875 Union Road, Cheektowaga, NY 14227 to provide day care services in a variable amount depending upon services provided, not to exceed budgeted amount; effective November 17, 2014 through December 31, 2015.

Contingent upon the availability of funds.

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
		<b>Total</b>	<b>140</b>	

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #8 through #12. A voice vote was taken and all voted aye.*

## #8

**RESOLUTION NO. 15-013**  
**(January 20, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

## MEMBERS APPOINTED/REAPPOINTED TO THE VARIOUS MENTAL HEALTH BOARDS AND SUBCOMMITTEES

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the following Mental Health Boards and Subcommittees:

**Community Services Board**

***Four (4) year term effective January 1, 2015 through December 31, 2018***

- Andrea Aldinger, Director Office for the Aging & Youth Bureau, 8 Perry Avenue, Warsaw, NY 14569 (*replacing Robert Kelley*)
- Gretchen Jackson, 181 West Buffalo Street, Warsaw, NY 14569 (*replacing Kay Kilburn*)

*Alcohol & Substance Abuse Subcommittee*

***Four (4) year term effective January 1, 2015 through December 31, 2018***

- Andrea Aldinger, Director of Office for the Aging & Youth Bureau, 8 Perry Avenue, Warsaw, NY 14569 (*replacing Robert Kelly*)
- Jim Messe, 147 North Main Street, Warsaw, NY 14569 (*filling vacancy created by Sue Firestine*)

## Regular Meeting

- Vincent Hemming, Asst. District Attorney, 147 North Main Street, Warsaw, NY 14569

**Mental Health Subcommittee**

***One (1) year term effective January 1, 2015 through December 31, 2015***

- Richard Perez, Director of Veterans Services, 26 Linwood Avenue, Warsaw, NY 14569 (*replacing Pam Wilkie*)

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
		Total	140	

## #9

**RESOLUTION NO. 15-014**  
**(January 20, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 14-371 AMENDED**

**WHEREAS**, Resolution Number 14-371 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2015 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November 12, 2014 and provides for various contracts and agreements for the year 2015 on behalf of Mental Health; now therefore,

**BE IT RESOLVED**, That Resolution Number 14-371 be hereby amended to reflect the following changes:

- A. **Livingston/Wyoming Arc**, 18 Main Street, Mount Morris, NY 14510 to increase the original contract amount from forty-four thousand four hundred forty-seven dollars (\$44,447.00) by five thousand two hundred twenty-four dollars (\$5,224.00) for a total contract amount of forty nine thousand six hundred seventy-one dollars (\$49,671.00).
- F. **Spectrum Human Services, Inc.**, 227 Thorn Avenue, Orchard Park, NY 14127 to increase the original contract amount from five hundred seventy-one thousand two hundred sixteen dollars (\$571,216.00) by eleven thousand six hundred twenty-four dollars (\$11,624.00) for a total contract amount of five hundred eighty-two thousand eight hundred forty dollars (\$582,840.00):
- o **PROS** increased from forty-eight thousand two hundred eighty-eight dollars (\$48,288.00) to fifty-nine thousand nine hundred twelve dollars (\$59,912.00).

January 20, 2015

- G. **Living Opportunities of DePaul**, 2240 Old Union Road, Cheektowaga, NY 14227-2728 to increase the original contract amount from three hundred five thousand one hundred ninety-seven dollars (\$305,197.00) by four hundred eighty-four dollars (\$484.00) for a total contract amount of three hundred five thousand six hundred eighty-one dollars (\$305,681.00):
- o **Supported Housing Slots** (20 slots) increased from one hundred eighty-five thousand three hundred seventy-six dollars (\$185,376.00) to one hundred eighty five thousand eight hundred sixty dollars (\$185,860.00).

All else remains the same.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
				<u>38</u> (Wethersfield)
			Total	140

#10

**RESOLUTION NO. 15-015**  
**(January 20, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 14-295 AMENDED**

**WHEREAS**, Resolution Number 14-295 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE MENTAL HEALTH ASSOCIATION OF NEW YORK STATE (MHANYS) ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on September 9, 2014 to sign a grant acceptance award with the Mental Health Association of New York State (MHANYS), 194 Washington Avenue, Suite 415, Albany, New York 12210 on behalf of Wyoming County Mental Health. Said grant is for the 2014 Suicide Prevention Initiative in a minimum amount of five thousand dollars (\$5,000.00); effective July 1, 2014 through December 31, 2014; now therefore

**BE IT RESOLVED**, That Resolution Number 14-295 be hereby amended to reflect a revised effective date through March 31, 2015. All else remains the same.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
				<u>38</u> (Wethersfield)
			Total	140

**RESOLUTION NO. 15-016**  
**(January 20, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE  
HEALTH DEPARTMENT FOR THE YEAR 2015**

**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 2015 on behalf of the Health Department. All amounts reflect amounts not to exceed:

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

**PAS Outreach Technical Laboratory**

(formerly Clearpath Diagnostics)

Per Price List

Clinical Laboratory Testing Services (MWHS)

TBD based on usage

January 1, 2015 through December 31, 2015

Not to exceed amount budgeted

**ACM Laboratories**

Per Price List

Clinical Laboratory Testing Services (MWHS)

TBD based on usage

January 1, 2015 through December 31, 2015

Not to exceed amount budgeted

**Microbac Laboratories**

Per Price List

Environmental Laboratory (Water Testing Services)

TBD based on usage

January 1, 2015 through December 31, 2015

Not to exceed amount budgeted

**Erie County Public Health Laboratory**

Per Price List

Environmental Laboratory (Water Testing Services)

TBD based on usage

January 1, 2015 through December 31, 2015

Not to exceed amount budgeted

**Susan Schell, RD**

\$45.00/hr. PH

Registered Dietician Services

TBD based on usage

January 1, 2015 through December 31, 2015

Not to exceed amount budgeted

**Scott Treutlein, MD**

\$ 6,000/year

Medical Director Services MWHS

January 1, 2015 through December 31, 2015

January 20, 2015





information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

**WHEREAS,** The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**County Employees:**

Human Resource Director  
338 North Main Street  
Warsaw, New York 14569

**Other than County Employees:**

County Attorney  
143 North Main Street  
Warsaw, New York 14569

**WHEREAS,** Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County of Wyoming and offer options for substantive resolution of the complaint.

**WHEREAS,** If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or his/her designee.

**WHEREAS,** Within 15 calendar days after receipt of the appeal, the agency head or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further response is indicated, the complainant will be contacted within 15 calendar days.

**WHEREAS,** All written complaints received by the ADA Coordinator or his/her designee, appeals to the agency head or his/her designee, and responses from these two offices will be retained by the County of Wyoming for at least three (3) years.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
		<b>Total</b>	140	

January 20, 2015

*There was a motion by Mr. Tarbell, T/Castile, to combine resolutions #14 through #17. A voice vote was taken and all voted aye.*

#14

**RESOLUTION NO. 15-019**  
**(January 20, 2015)**

By Mr. Tarbell, Vice Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE  
AWARD WITH THE DEPARTMENT OF CRIMINAL JUSTICE  
SERVICES ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant acceptance award with Department of Criminal Justice Services, 80 South Swan Street, Albany, NY 12210 on behalf of the District Attorney's Office. Said grant funding is to provide an advocate for domestic violence victims in a minimum amount of thirty-two thousand six hundred twenty-three dollars and eighty-four cents (\$32,623.84); effective January 1, 2015 through December 31, 2015.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
				<u>38</u> (Wethersfield)
			Total	140

#15

**RESOLUTION NO. 15-020**  
**(January 20, 2015)**

By Mr. Tarbell, Vice Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EM  
SYSTEMS, INC. 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 EM Systems Inc., 4043 Maple Road, Suite 211, Amherst NY 14226. Said contract is to provide Record Management System (RMS) and Sex Offender Program software, updates and support service in an amount not to exceed twelve thousand dollars (\$12,000.00); effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

Regular Meeting

## #16

**RESOLUTION NO. 15-021**  
**(January 20, 2015)**

By Mr. Tarbell, Vice Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A 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 the Town of Covington, 7083 Court Road, P.O. Box 128, Pavilion, NY 14525 on behalf of the Sheriff's Department. Said contract to provide the Town of Covington with additional enforcement of the Vehicle and Traffic Laws for Route 63 in the Town of Covington in the amount of \$29.84 ~ \$44.90 dollars per hour plus fringes and any bargaining unit negotiated salary increases; effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
		Total	140	

## #17

**RESOLUTION NO. 15-022**  
**(January 20, 2015)**

By Mr. Tarbell, Vice Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
EM SYSTEMS, INC. ON BEHALF OF THE COUNTY JAIL**

**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 EM Systems Inc., 4043 Maple Road, Suite 211, Amherst NY 14226 on behalf of the County Jail. Said contract is to provide JMS software, updates and support service in an amount not to exceed eight thousand five hundred dollars (\$8,500.00); effective April 1, 2015 through March 31, 2016.

January 20, 2015

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #18 through #20. A voice vote was taken and all voted aye.*

**RESOLUTION NO. 15-023**  
**(January 20, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**WHEREAS**, Resolution Number 14-280 entitled, “**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS ON BEHALF OF BUILDING & GROUNDS (CO. BLDGS.)**” passed by this Board of Supervisors on August 12, 2014 and provides cleaning services for county buildings as follows:

- now therefore

**BE IT RESOLVED,** That Resolution Number 14-280 be hereby amended to incorporate the cleaning of previously unused space at the Wyoming County Mental Health Department at an additional cost of four hundred dollars (\$400.00) by T.C.C.T., Inc. 46 North Maple Street, Warsaw, NY 14569. This

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
		Total	140	
				<b>#19</b>

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
		Total	140	
				<b>#20</b>

## January 20, 2015

**BE IT RESOLVED**, That Resolution Number 14-165 be hereby amended to extend 2014 pavement marking bid pricing with Seneca Pavement Marking Inc., 3526 Watkins Road, Horseheads, NY 14845 through the 2015 construction season as per the contract extension clause in the 2014 bid award. All else remains the same.

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
		<b>Total</b>	<b>140</b>	

## #21

By Mr. Kushner, Chairman of the Finance Committee:

**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 Lifetime Benefit Solution, Inc. 70 Metro Park, Rochester, NY 14623 on behalf of the County Insurance Office. This contract provides for administration of health reimbursement accounts for eligible Wyoming County employees as specified in the contract language and in the amount of four dollars (\$4.00) per participant per month along with other fees for various services as outlined in Appendix A of the contract; effective January 01, 2015.

#22

## Regular Meeting

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH DAVID A.  
HOOVER, ATTORNEY AT LAW ON BEHALF OF 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 David A. Hoover, Attorney at Law, 8303 West Point Drive, East Amherst, NY 14051 on behalf of County Insurance. Said contract provides for hearing officer services, when needed, on Workers' Compensation and Civil Service issues in the amount of one thousand two hundred dollars (\$1,200.00) per day plus travel expenses and other expenses as outlined in the contract; effective January 06, 2015.

Contingent upon the availability of funds.

**Carried:** XXX    **Ayes:** 1459    **Noes:**    **Absent:** 102 (Sheldon)    **Abstain:** 38 (Wethersfield)  
Total 140

## #23

**RESOLUTION NO. 15-028**  
**(January 20, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2015 DENTAL INSURANCE  
RATES ON BEHALF OF THE COUNTY INSURANCE OFFICE**

**BE IT RESOLVED,** That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign dental insurance rates with Univera Healthcare, 205 Park Club Lane, Buffalo, NY 14221 for County employees; effective March 1, 2015 to February 28, 2016:

- **Dental Select / High Option:**
  - Single ~ \$33.64
  - Employee/Spouse ~ \$60.86
  - Employee/Child(ren) ~ \$69.90
  - Family ~ \$96.54
- **Dental Select / Low Option:**
  - Single ~ \$21.80
  - Employee/Spouse ~ \$42.26
  - Employee/Child(ren) ~ \$49.84
  - Family ~ \$70.36

January 20, 2015





#### **IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wyoming to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived.

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

#### **V. DIVERSIFICATION**

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

#### **VI. INTERNAL CONTROLS**

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

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

#### **VII. DESIGNATION OF DEPOSITARIES**

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

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
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**

January 20, 2015

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 and 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 govern-mental 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.

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
		Total	140	

**#25**

**RESOLUTION NO. 15-030**  
**(January 20, 2015)**

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 Costello Cooney Fearon, PLLC, legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **GEHealthcare**, 3000 North Grandview Boulevard, Waukesha, WI 53188 to purchase a Gold Seal Optima XR220AMX digital portable x-ray machine to replace a 1989 analog portable x-ray machine in an amount not to exceed one hundred three thousand dollars (\$103,000.00).
- **Fujifilm Medical System USA, Inc.**, 419 West Avenue, Stamford, CT 06902 to provide Synapse PACS software and hardware, including technical assistance center remote on line diagnostics 24/7, in an amount not to exceed fifty-five thousand eight hundred nine dollars

(\$55,809.00) per year; effective January 1, 2015 through December 31, 2015.

- **Medical Staffing Network**, 2050 South Clinton Avenue, Rochester, NY 14618 to provide per diem and/or local contract healthcare staffing services, per the agreed upon rate schedule, in an amount not to exceed three hundred twenty-one thousand dollars (\$321,000.00); effective May 17, 2012 through May 16, 2015.
- **AMN Healthcare Company (including Nursefinders, LLC)**, 1900 S. Clinton Avenue, Rochester, NY 14618 to provide temporary staffing in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective January 1, 2015 through December 31, 2015.
- **Favorite Healthcare Staffing, Inc.**, 7255 W. 98<sup>th</sup> Terrace, Building 5, Suite 150, Overland Park, KS 66112-2215 to provide temporary staffing in an amount not to exceed one hundred thousand dollars (\$100,000.00) per year; effective January 1, 2015 through December 31, 2015.
- **Western New York Physicians, PLLC**, 2261 Route 19 North, Warsaw, NY 14569 to provide hospitalist medical services, SNF medical director services, adult day health care medical director services and clinical services needed to cover patient needs who are unassigned to any primary care physician regardless of insurance in an amount not to exceed four hundred thirty-eight thousand six hundred sixty dollars (\$438,660.00) annually; effective February 1, 2015 through January 31, 2018.
- **Siemens Medical Solutions, Inc.**, 170 Wood Avenue South, Iselin, NJ 08830 to provide a warranty plus 5-year service agreement. Year 1 is covered under the warranty at no cost. Years 2, 3, 4, and 5 are at a cost of sixty thousand eight hundred forty-two dollars (\$60,842.00) annually; effective February 1, 2015 through January 31, 2021.
- **University of Rochester (UR Medicine)**, 601 Elmwood Avenue, Rochester, NY 14642 to provide anesthesiology services in an amount not to exceed one hundred thousand dollars (\$100,000.00); effective November 11, 2014 through November 30, 2015. This agreement will automatically renew for periods of one year.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
				<u>38</u> (Wethersfield)
			<b>Total</b>	140

January 20, 2015

**RESOLUTION NO. 15-031  
(January 20, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING  
COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS**

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the Wyoming County Community Hospital Board of Managers:

**Medical Staff Member**

***Five (5) year term effective January 01, 2015 through December 31, 2019***

- Dr. Ahmed M. Bayoumi, 2261 Route 19 North, P.O. Box 230,  
Warsaw, NY 14569

**Supervisor Member**

***One (1) year term effective January 1, 2015 through December 31, 2015***

- Joseph Kushner (T/Eagle) 3468 East Main Street, Bliss, NY 14024

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			38 (Wethersfield)	
			Total	140

#27

**RESOLUTION NO. 15-032  
(January 20, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION RECOGNIZING NYSAC'S 90 YEARS OF  
DEDICATED SERVICE TO NEW YORK STATE COUNTIES**

**WHEREAS**, The New York State Association of Counties (NYSAC) was organized in 1925 and dedicated to the improvement of all county governments in the Empire State; and

**WHEREAS**, NYSAC is the only statewide association representing the elected and appointed interests of New York State's 62 counties, including the 5 boroughs of New York City; and



**WHEREAS**, NYSAC's major objectives are to strengthen New York's system of local government and to make county government an efficient, economic and dynamic part of that system; and

**WHEREAS**, That in order to achieve this aim, NYSAC represents New York counties before Federal, State, and Local officials on matters germane to county government; and informs its membership and the public at large on issues of importance to county government; and

**WHEREAS**, NYSAC further strives to educate, train and provide research on public policies affecting counties; and

**WHEREAS**, NYSAC has consistently represented the best interests of all of its members, rural, urban or suburban and their respective priorities; and

**WHEREAS**, 2015 will mark NYSAC's ninetieth (90<sup>th</sup>) year as the counties' official voice in Albany; and

**WHEREAS**, That it is the intention of the Wyoming County Board of Supervisors to recognize NYSAC's 90-years of continuous and dedicated service on behalf of the counties of the Empire State and to applaud the organization's expertise, spirit of cooperation and commitment to good government; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors pause in its deliberations to commemorate the Ninetieth Anniversary of the New York State Association of Counties.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
			Total	140

#28

**RESOLUTION NO. 15-033**  
**(January 20, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

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

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

January 20, 2015

- Jerry Davis, (T/Covington) (2014 Assoc. Pres.), 7414 Court Road, PO Box 445, Pavilion, NY 14525
- John Knab, (T/Sheldon), 2246 Thomas Road, Varysburg, NY 14167
- Ellen Grant, (T/Bennington), 905 Old Alleghany Road, Attica, NY 14011

- Cheryl Ketchum, (2014 Assoc. Secretary), 6578 Pearl Street, Bliss, NY 14024
- Joseph Kushner, (T/Eagle), 3468 East Main Street, P.O. Box 69, Bliss, NY 14024

**RESOLUTION NO. 15-034**  
**(January 20, 2015)**

## A. DOUGLAS BERWANGER REAPPOINTED COUNTY PURCHASING AGENT

**RESOLUTION NO. 15-035**  
**(January 20, 2015)**

## SALARY SCHEDULE "G" AND "S" AMENDED

January 20, 2015

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:

**Veterans' Services:**

- Create one (1) position of *Assistant Director of Veterans' Services, PT (Temp.)* 21 hrs. per week on Salary Schedule S at \$23,690.00 annually with benefits to place Gary Cousins for up to three months and upon completion of American Legion Accreditation Training of the permanent Director and Assistant Director.

**Building & Grounds (CIP):**

- Extend one (1) position of *Laborer FT (Temp.)* (6 months) (position code #025.144) to July 11, 2015 at a rate of \$12.00/hr. with only those benefits mandated by law; to assist on capital improvement project.

**RPTS:**

- Create one (1) position of *Assessor (Temp.) (Per Diem)* on Salary Schedule S at \$21.97/hr. not to exceed \$4,000.00; effective January 14, 2015 through June 12, 2015 to provide training for the new Assessor.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			38 (Wethersfield)	
		<b>Total</b>	140	

**#32**

**RESOLUTION NO. 15-037  
(January 20, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION NUMBER 14-445 AMENDED**

**WHEREAS**, Resolution Number 14-445 entitled, “**POSITION(S) CREATED / ABOLISHED / EXTENDED APPROVED**” passed by this Board of Supervisors on December 9, 2014 and provides for the creation of one (1) position of Laborer, PT (Temp.) in Animal Control at the rate of \$10.00/hr. for ten hours per week, with only those benefits mandated by law; effective December 10, 2014 for up to six months to cover for an intermittent FMLA; now therefore

- **Public Comment ~**
  - None heard

*In the interest of transparency Chairman Berwanger implemented a new protocol for presenting Salary Local Laws. From this point forward the Local Law will provide the increase and the new salary amount.*

- Commissioner of Elections shall be increased by \$291.00.
  - Total Annual Salary \$14,817.00
- County Attorney shall be increased by \$1,710.00.
  - Total Annual Salary \$58,710.00
- County Highway Superintendent shall be increased by \$2,527.00.
  - Total Annual Salary \$86,767.00
- Public Defender shall be increased by \$1,657.00.
  - Total Annual Salary \$56,893.00
- Commissioner of Public Health shall be increased by \$2,215.00.
  - Total Annual Salary \$76,039.00
- Real Property Tax Services Director shall be increased by \$1,500.00.
  - Total Annual Salary \$51,500.00
    - Plus stipends for managing the County's Assessment program of \$12,000.00 and \$5,058.00 annually
- Commissioner of Social Services shall be increased by \$2,116.00.
  - Total Annual Salary \$72,633.00
- Director of Community Services shall be increased by \$600.00.
  - Total Annual Salary \$60,600.00

January 20, 2015

*Motion to close the Public Hearing was made by Supervisor Brick, T/Perry.  
Seconded by Supervisor McCormick, T/Java. Carried.*

**Local Law  
#33**

**RESOLUTION NO. 15-038  
(January 20, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**LOCAL LAW NO. 3 (INTRODUCTORY E, YEAR 2014) - YEAR 2015,  
“County of Wyoming, Providing Salaries for Certain County Officers for the  
year 2015,” ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 9<sup>th</sup> day of December, 2014, a proposed local law of the County, designated as Local Law Introductory No. E, for the year 2014, entitled, *“County of Wyoming, Providing Salaries for Certain County Officers for the year 2015;”* and

**WHEREAS**, In accordance with the provisions of Resolution No. 14-447, there was a public hearing held by this Board of Supervisors on this 20<sup>th</sup> day of January, 2015, 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 2015, County of Wyoming, New York, as presented to this Board on the 9<sup>th</sup> day of December 2014, is hereby adopted as amended to include the Director of Community Services, as advertised, enacted and passed by this Board in its amended form as follows:

**LOCAL LAW NO. 3 - YEAR 2015**

**County of Wyoming, Providing Salaries for Certain County Officers for the  
year 2015**

**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 **Commissioner of Elections** shall be increased by \$291.00.

Section 2. Effective as hereafter provided, the annual salary of the **County Attorney** shall be increased by \$1,710.00.

Section 3. Effective as hereafter provided, the annual salary of the **County Highway Superintendent** shall be increased by \$2,527.00.

Section 4. Effective as hereafter provided, the annual salary of the **Public Defender** shall be increased by \$1,657.00.

Section 5. Effective as hereafter provided, the annual salary of the **Commissioner of Public Health** shall be increased by \$2,215.00.

Section 6. Effective as hereafter provided, the annual salary of the **Real Property Tax Services Director** shall be increased by \$1,500.00.

Section 7. Effective as hereafter provided, the annual salary of the **Commissioner of Social Services** shall be increased by \$2,116.00.

Section 8. Effective as hereafter provided, the annual salary of the **Director of Community Services** shall be increased by \$600.00.

Section 9. All salaries set forth above shall be effective as of January 01, 2015.

Section 10. 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 11. This Local Law is subject to permissive referendum.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
			Total	140

*Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #34 through #36. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #34 prior to the roll call vote separately.*

**RESOLUTION NO. 15-039**  
**(January 20, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole (December 09, 2014 meeting):

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. A**  
**YEAR 2015**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 20<sup>th</sup> day of January, 2015, a proposed local law entitled, “Local Law Introductory No. A, Year 2015, **“A LOCAL LAW REGULATING PUBLIC ASSEMBLIES,”** 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 **10<sup>th</sup> day of February, 2015 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
			Total	140

**Introductory Local Law A, year 2015**

This Local Law shall be entitled “***A Local Law Regulating Public Assemblies***”.

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

**SECTION 1.                      PURPOSE**

The purpose of this Local Law is to repeal Local Law No. 11, Year 1996, entitled “A Local Law Repealing Local Law No. 14 of 1987 and Regulating Outdoor Public Musical Entertainments, Amusements and Assemblies” **and** further repeal Local Law No. 3, Year 2011, entitled “A Local Law Amending Local Law No. 11, Year 1996, entitled “A Local Law Repealing Local Law No. 14 of 1987 and Regulating Outdoor Public Musical Entertainments,

Regular Meeting



Amusements and Assemblies” and to establish a new Local Law entitled “A Local Law Regulating Public Assemblies”.

## **SECTION 2. DEFINITIONS**

a. “Application” shall mean the form, a sample of which is appended to this Local Law and as may be amended, used by the Chairman of the Board of the Wyoming County Board of Supervisors to determine the advisability of issuance of a Public Assembly Permit in light of the safety, health, welfare and well-being of persons and/or property of Wyoming County and to ensure compliance with all State and local statutes, rules, regulations and requirements and provide for review and written approval of:

1. Wyoming County Health Department.
2. Wyoming County Sheriff’s Department.
3. Wyoming County Office of Emergency Services.
4. Wyoming County Fire and Building Codes.
5. Wyoming County Insurance Agent.
6. Bureau of Pyrotechnics, if applicable.

b. “Chairman” shall mean Chairman of the Board of the Wyoming County Board of Supervisors.

c. “Permit” shall mean Public Assembly Permit.

d. “Public Assembly” shall mean a non-private gathering or event of 5,000 people or more (including all participants if a multi-day event or gathering) organized for social, recreational, cultural, educational, commercial or entertainment purposes.

## **SECTION 3. FILING OF APPLICATION**

The Application, as appended and as it may be amended by the Chairman, must be fully completed and submitted with the appropriate fee to the Chairman no less than ninety (90) days prior to the Public Assembly. The Chairman, in his discretion upon a showing of good cause, may consider a late application upon payment of the late fee set forth in Section V of the Application. The Chairman, upon a finding of undue hardship, may reduce or waive any late fee.

## **SECTION 4. NECESSARY APPROVALS**

As required by the Application, the following County agencies or departments must provide their written consent.

1. Wyoming County Health Department.
2. Wyoming County Sheriff’s Department.
3. Wyoming County Office of Emergency Services.
4. Wyoming County Fire and Building Codes.

January 20, 2015

5. Wyoming County Insurance Agent.
6. Bureau of Pyrotechnics, if applicable.

The applicant shall consent and permit the above agencies to perform, inspect and conduct inquiries in their sole discretion as deemed necessary.

#### **SECTION 5. DENIAL OF PERMIT**

The Permit shall not be granted if any of the items set forth in said Application are determined by the Chairman to be insufficient to properly ensure the safety, health, welfare and well-being of persons and/or property.

#### **SECTION 6. ACTUAL ISSUANCE OF PERMIT**

The Permit, if approved, shall be issued in writing by the Chairman no fewer than thirty (30) days prior to the event.

#### **SECTION 7. NON-COMPLIANCE WITH PERMIT**

If after a Permit is issued, the County of Wyoming, through its lawful agents, determines that any of the items required as a condition of the Permit are not adhered to and accomplished within the required time limits in any of the contracts, lease or other arrangements for provision of services and facilities or any insurance or surety bond shall become terminated prior to the completion of the event, then this Permit may immediately thereupon be terminated by the action of the Chairman, unless breach or failure is promptly remedied within such time limits as may be reasonably imposed by the Chairman. Notice of termination of the Permit shall be in writing, Certified Mail Return Receipt Requested, addressed to the applicant at the address set forth in the application, or by personal service.

All physical facilities, including but not limited to food concessions and water and sewage facilities, must be in operable condition in a timeframe that will allow for their inspection by lawful agents of the County of Wyoming, before the general public will be allowed on the site.

#### **SECTION 8. ENFORCEMENT AND PENALTIES**

Any person, persons, corporation, organization, land owner, or lessee who shall organize, promote, conduct, or cause to be conducted a Public Assembly or an assembly of persons within the County of Wyoming catering to the general public for which said person, persons, corporation, organization, land owner or lessee believes or has reason to believe will attract 5,000 or more persons, without having a written Permit in accordance with the provisions of this Local Law shall be deemed to have violated this Local Law. Any person who commits or permits any act in violation of any of the provisions of this local law shall be deemed to have committed a misdemeanor against such Local Law and shall be liable for the penalties provided. A separate offense against this Local

Law shall be deemed committed on each day during which the violation occurs or continues. A separate penalty may be imposed for each separate offense.

Each violation of a provision of this Local Law shall be a Class A misdemeanor and the person violating the same shall be subject to a fine of not more than \$1,000.00 or imprisonment not to exceed one year or to both such fine and imprisonment. Any person violating this Local Law shall be subject to a civil penalty enforceable and collectable by the County of Wyoming in the amount of \$1,000.00 for each offense.

In addition to the above provided penalties, the Wyoming County Board of Supervisors may also maintain an action or proceeding in the name of the County in a Court of competent jurisdiction to compel compliance with, or to restrain by injunction, the violation of such local law.

#### **SECTION 9.**

This local law shall not apply to the area of any Village or Town if such Village or Town has issued a permit to protect life and property, and the promoter has met his/her/its requirements and State Health regulations.

#### **SECTION 10. SEPARABILITY**

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

#### **SECTION 11. MISCELLANEOUS**

The Application may be amended in the discretion of the Chairman without further amendment of this Local Law.

#### **SECTION 12. EFFECTIVE DATE**

This local law shall become effective upon the filing with the New York State Secretary of State.



**APPLICATION FOR  
PUBLIC ASSEMBLY PERMIT**

Wyoming County Government Center  
143 North Main Street, Warsaw, NY 14569

Phone ~ (585) 786-8800

Fax ~ (585) 786-8802

*Pursuant to the provisions of Wyoming County  
Local Law No. 2 of 2015, this Public Assembly*

*Permit is submitted no less than 90-days prior to the public assembly. No permits shall be granted unless the applicant complies with all requirements of this Application.*

[Use additional sheets of paper as necessary]

**SECTION I ~ IDENTIFICATION**

Names of individual, corporations, partnerships or other organized groups,  
addresses, names of directors and officers.

	<b>Name</b>	<b>Address</b>	<b>DOB (if individual)</b>
<input type="checkbox"/> Individual Applicant			
<input type="checkbox"/> Corporate Applicant			N/A
			N/A
			N/A
<input type="checkbox"/> Partnership/Org. Group			N/A
			N/A
			N/A

**SECTION II ~ FINANCING**

List of all names and addresses of person, corporations, partnerships or other entities to provide financing for the event.

	<b>Name</b>	<b>Address</b>
<input type="checkbox"/> Person		
<input type="checkbox"/> Corporation		
<input type="checkbox"/> Partnership		
<input type="checkbox"/> Other Entity:		

### SECTION III ~ EVENT LOCATION

Name and address of the recorded property owner where the event will occur.

\*Include a notarized letter of permission from the owner to use such property if applicant is not the property owner

Name	Address

☐ *Notarized letter of permission attached:* ☐ Yes ☐ No ☐ N/A

### SECTION IV ~ DATES AND HOURS

Proposed dates and hours of the event.

Dates	Hours

### SECTION V ~ NUMBER OF PERSONS AND FEES

Expected maximum number of persons intended to use the property at any one time during the event.

☐ **0 - 4999 PERSONS ~ No Permit / No Fee**

- A promoter must comply with all regulations as required by County or State Health Departments. In addition, the promoter must contact the Wyoming County Sheriff and Office of Emergency Services to ensure safety issues are adequately addressed.

☐ **5000 - 9999 PERSONS ~ Permit Required**

- A non-refundable application fee of \$200.00.

A promoter will be required to meet the necessary requirements of the permit application and provide Proof of Insurance.

☐ **10,000 - 24,999 PERSONS ~ Permit and Fee Required**

- A non-refundable application fee of \$400.00.
- A promoter will be required to meet the necessary requirements of the Permit Application and provide Proof of Insurance.

☐ **OVER 25,000 PERSONS ~ Permit & Fee Required**

- A non-refundable application fee of \$600.00.
- A promoter will be required to meet the necessary requirements of the Permit Application and provide Proof of Insurance and Cash Bond Surety.

**Late Charge.** In the event the Application is not filed within ninety (90) days of the date of the event, a late fee, in addition to the Application Fee and in an amount equal to four (4) times thereof, shall be assessed. Upon a showing of good cause, at the discretion of the Chairman, said Late Charge may be reduced or waived.

**SECTION VI ~ PARKING**

The number of automobiles expected to use the property at one time as well as a plan for the provisions for parking such vehicle.

A. Number of automobiles expected to use property and plan for provision of parking said vehicles.

B. Plan for provisions of parking said vehicles.

**Parking Plan Attached:** ☐Yes ☐No

**SECTION VII ~ PURPOSE OF FUNCTION**

Include the nature of the activities and admission fees to be charged, if any.

<b>Nature of Activities</b>	<b>Fee to be Charged</b>
	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount: \$
	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount: \$
	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount: \$

**Copy of Lease/Contract(s) Attached:** ☐Yes ☐No

**Copy to WCHD:** ☐Yes ☐No

--	--

**Copy of Lease/Contract(s) Attached:** ☐Yes ☐No

**Copy to WCHD:** ☐Yes ☐No

--	--

**Copy of Lease/Contract(s) Attached:** ☐Yes ☐No

**Copy to WCHD:** ☐Yes ☐No

**SECTION VIII ~ CONCESSIONARIES, SERVICES OR FACILITIES**

List names and addresses of all persons providing contract, lease or other arrangements for the event together with such contracts, leases or other arrangements. Information called for in this paragraph shall be supplied no later than seven (7) days prior to the event and submitted to the Wyoming County Health Department (WCHD).

<b>Name</b>	<b>Address</b>

**SECTION IX ~ DIAGRAMS OR SIMILAR GRAPHIC DOCUMENTS**

A. The size and location of any existing or proposed building, structure or other facilities to be used for the purpose of the assembly.

**Diagram Attached:** ☐Yes ☐No ☐N/A

B. The placement of the proposed distribution system for water, including supply, storage, treatment and distribution sites, if required by local or state health codes.

**Diagram Attached:** ☐Yes ☐No ☐N/A

C. The facilities for the preparation, storage, sale, and distribution of food, if required, by local and state health codes.

**Diagram Attached:** ☐Yes ☐No ☐N/A

D. The location of and access to any parking areas and the means that will be used to monitor and control this local traffic flow.

**Diagram Attached:** ☐Yes ☐No ☐N/A

E. All services and other roads serving the public assembly area, food services, toilet facilities and entertainment and performance area.

**Diagram Attached:** ☐Yes ☐No ☐N/A

#### **SECTION X ~ HEALTH DEPARTMENT**

A. Completion of Wyoming County Health Department Attachment/Checklist. All aspects of the camping area must meet the New York State Sanitary Code, Subpart 7-3 (Campgrounds), requirements.

**Attachment/Checklist Attached:** ☐Yes ☐No ☐N/A

#### **SECTION XI ~ SECURITY/PUBLIC SAFETY**

A. A detailed plan and statement fully describing any private security personnel who will be engaged by the applicant to serve on or about the site.

**Plan Attached:** ☐Yes ☐No ☐N/A

B. A detailed plan and statement providing for fire protection, specifying the location of fire lanes, water supply and equipment or apparatus to be available for such purposes is necessary. This will include a statement from the Officer in Charge of the Fire Department providing this service that arrangements will be made to adequately protect the residents of their district while they are committed to this event.

**Plan Attached:** ☐Yes ☐No ☐N/A

C. A detailed plan and statement specifying the all facilities must be made available to Emergency Medical Services at the public assembly. This will include location of crews, ambulances that will be available at the location, preparations to bring additional ambulances to the scene if needed, name and address of the doctor that will be in attendance, if any. This will include a statement from the Officer in Charge of the Emergency Medical Services Agency that arrangements will be made to adequately protect the residents of their district while they are committed to this event. All Emergency Medical Service Agencies involved will hold a valid Certificate of Need that would allow them to provide service within Wyoming County and transport to and receive Medical Control from Wyoming County Community Hospital.

**Plan Attached:** ☐Yes ☐No ☐N/A

D. All permit approvals from Wyoming County Code Enforcement Officer as required under Chapter 24 of the New York State Fire Code and Title 19 NYCRR including, but not limited to, tents; canopies; membrane structures; stages; platforms and pyrotechnics.

**Approvals Attached:** ☐Yes ☐No ☐N/A

### SECTION XII ~ ADVERTISING

A. The applicant will specify in all advertising and promotional endeavors the limitation on the number of tickets to be sold or otherwise issued as specified in the permit.

**Agreed:** ☐Yes ☐No ☐N/A

B. The applicant also agrees that all tickets will be numbered, and that no other means will be used to grant admission to the site.

**Agreed:** ☐Yes ☐No ☐N/A

C. Methods of entering the area, number and location of ticket booths and entrances, and provision for keeping persons without tickets from the area.

**Plan/Map Attached:** ☐Yes ☐No ☐N/A

### SECTION XIII ~ NOTIFICATION TO COUNTY

The information required of an applicant for a permit under this Application is for the sole purpose of providing notification to the County of Wyoming and to any other municipal subdivision impacted by the permitted event of the arrangements made by the sponsor or promoter for financing, sanitation, security, parking and the other information required in this Application so as to inform the County of Wyoming regarding the character and nature of the permitted event. Issuance of a permit under this Application does not constitute the County of Wyoming's assumption of responsibility for maintaining the services for which information is required as part of the Application.

### SECTION XIV ~ INSURANCE AND BOND REQUIREMENTS

***For events involving more than 5,000 persons but less than 7,500 persons,*** no permit shall be issued unless the applicant can furnish to the Chairman of the Board of the Wyoming County Board of Supervisors a Certificate of Insurance showing evidence of insurance coverage as follows and a copy of the policy endorsement showing the County of Wyoming and the Town or Village in which the event is held, named as an additional insured.

#### **Bodily Injury and Property Damage Combined**

Each Occurrence (not to exceed)

\$1,000,000.00

Aggregate (not to exceed)

\$2,000,000.00

- The Certificate of Insurance shall provide no less than thirty (30)



days notice of cancellation or non-renewal of the insurance coverage.

- All Insurance and Bonds shall be written with an Insurance Carrier licensed by the State of New York Insurance Department to conduct business in the State of New York and have an A.M. Best Company rating of A or better.
- The County of Wyoming and Town and/or Village in which the event is to be held shall be named as an Additional Insured on a primary and noncontributory basis on all policies.
- Waiver of Subrogation is required on all policies.
- All Certificates of Insurance must be signed by a licensed agent or authorized representative of the insurance carrier. A broker signature is not acceptable.

**For events involving 7,500 or more persons,** the limits of insurance shall be established by the Chairman of the Board of the Wyoming County Board of Supervisors and shall not exceed the following limits. No permit shall be issued unless the applicant can furnish to the Chairman of the Board of the Wyoming County Board of Supervisors a Certificate of Insurance showing evidence of insurance coverage as follows and a copy of the policy endorsement showing the County of Wyoming and the Town or Village in which the event is held, named as an additional insured.

### **Bodily Injury and Property Damage Combined**

#### **Each Occurrence (not to exceed)**

\$5,000,000.00

#### **Aggregate (not to exceed)**

\$10,000,000.00

- The Certificate of Insurance shall provide no less than thirty (30) days' notice of cancellation or non-renewal of the insurance coverage.
- All Insurance and Bonds shall be written with an Insurance Carrier licensed by the State of New York Insurance Department to conduct business in the State of New York and have an A.M. Best Company rating of A or better.
- The County of Wyoming and Town and/or Village in which the event is to be held shall be named as an Additional Insured on a primary and noncontributory basis on all policies.
- Waiver of Subrogation is required on all policies.
- All Certificates of Insurance must be signed by a licensed agent or authorized representative of the insurance carrier. A broker signature is not acceptable.
- For events involving 7,500 or more persons, no permit shall be

issued unless the applicant shall deposit with the Chairman of the Board of the Wyoming County Board of Supervisors cash or good surety company bond in a sum not less than \$10,000.00. The Chairman of the Board of the Wyoming County Board of Supervisors may reasonably require and condition that all requirements of an issued permit be fully performed by the applicant, that no damage will be done to any public or private property and that the applicant will not permit any litter, debris or other refuse.

- Provided further that should the licensed event necessitate the employment of additional county or town personnel and equipment, such added expense shall be recoverable from the principal and/or its surety. The deposit or its balance is to be returned when the Chairman of the Board of the Wyoming County Board of Supervisors has determined that no such damage has been done and that the County did not incur such additional expense due to a said event or that the cost of the above has been paid by the applicant.

**Attached:** ☐Yes ☐No ☐N/A

#### **SECTION XV ~ RELEASE OF CLAIMS AND AGREEMENT TO INDEMNIFY AND HOLD HARMLESS**

To the extent permitted by law, the applicant agrees to defend, indemnify and hold harmless the County of Wyoming, its officers, directors, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses including reasonable legal fees and costs arising in whole or in part and in any manner from acts, omissions, breach or default, in connection with the performance of the stated event, by the applicant, its officers, directors, agents, employees and subcontractors.

#### **CERTIFICATION OF APPLICANT**

All information provided in the above application is hereby true and correct and all statements contained herein are true to the best of my knowledge and belief. I further certify that the event will be performed in the manner set forth in this application and in the plans and specifications filed herewith.

Dated: \_\_\_\_-\_\_\_\_-\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\*\*\*\*\* **For Office Use Only** \*\*\*\*\*

**Permit Fee Received:** ☐Yes ☐No Amount \$\_\_\_\_\_

**Date Received:** \_\_\_\_-\_\_\_\_-\_\_\_\_

Regular Meeting

Wyoming County Approvals Received:

- ☐ Health Department      ☐ Emergency Services      ☐ Insurance Agent  
☐ Sheriff's Department      ☐ Fire & Building Codes  
☐ Optional Pyrotechnic Permit Issued

*Chairman Berwanger explained that the following resolution is being offered as a result of the structural failure of the Skilled Nursing Facility.*

UC#35

**RESOLUTION NO. 15-040**  
**(January 20, 2015)**

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 HEALTH SYSTEM**

**BE IT RESOLVED,** In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal council 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 Health System. Said contract is for architectural and engineering services for the emergency repair to the Wyoming County Skilled Nursing Facility Dining Room Column in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 14, 2015 through completion of the project.

Contingent upon the availability of funds.

<b>Carried: XXX</b>	<b>Ayes: 1459</b>	<b>Noes:</b>	<b>Absent: 102 (Sheldon)</b>	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
		<b>Total</b>	<b>140</b>	

UC#36

**RESOLUTION NO. 15-041**  
**(January 20, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEND  
LEASE (US) CONSTRUCTION, INC. ON BEHALF OF THE WYOMING  
COUNTY COMMUNITY HEALTH SYSTEM**

January 20, 2015

**BE IT RESOLVED,** In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, **“AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,”** the Chairman of this Board with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal council 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. Said contract is for construction management services for the emergency repair to the Wyoming County Skilled Nursing Facility Dining Room Column in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 14, 2015 through completion of the project.

Contingent upon the availability of funds.

<b>Carried:</b> XXX	<b>Ayes:</b> 1459	<b>Noes:</b>	<b>Absent:</b> 102 (Sheldon)	<b>Abstain:</b>
			<u>38</u> (Wethersfield)	
			Total	140

*In closing, Chairman Berwanger stated that some may have read various letters to the editor in the Batavia Daily and other publications regarding a lack of transparency by the Board of Supervisors and perhaps some poor financial management. Supervisor Kushner and Chairman Berwanger are working out the details of a series of public meetings to garner input from the community about the 2016 county budget. Supervisor Kushner asked that all Supervisors be present for the meetings.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:33 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

**REGULAR SESSION**  
**(February 10, 2015)**  
**Tuesday**  
**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:26 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Gary A. Cousins**

Gary A. Cousins left the Town of Warsaw and entered United States Army basic training at Ft. Dix New Jersey when only nineteen years old. His advanced training as a Heavy Equipment Operator was held at Fort Leonard Wood Missouri, which during WWII, was used to house Italian and German prisoners of war.

Mr. Cousins deployed to Vietnam and was responsible for operation and maintenance of construction equipment. It was during the Tet Offensives, when the North Vietnamese breached the perimeter at Long Binh that he experienced a profound sense of faith and camaraderie. Gary later served, as the Chaplain's assistant in Vietnam and in Munich, Germany where he visited Adolf Hitler's "Eagle's Nest" headquarters.

After returning home safely, Mr. Cousins joined the Army National Guard where he served as a "Heavy Weapons Expert". He joined the US Army Reserve serving as a Drill Instructor; Retention NCO, Training NCO and 1<sup>st</sup> Sergeant of Battalion Operations before eventually retiring in 1996.

Mr. Cousins served our country with distinction earning the:

National Defense Service Ribbon  
 Army Service Ribbon  
 CO Professional Development Ribbon  
 Armed Forces Reserve Ribbon  
 Reserve Component Achievement Medal

February 10, 2015

Army Achievement Medal  
 Vietnam Service Medal  
 Vietnam Campaign Medal with two Stars  
 Overseas Service Ribbon  
 Army Good Conduct Medal with two Oak Leaf Clusters  
 Army Commendation Medal with two Oak Leaf Clusters  
 Meritorious Service Medal  
 NYS Conspicuous Service Cross

Mr. Cousins worked at Zeches, Incorporated as an appliance technician nearly four years before pursuing a career in the New York State Department of Corrections. He was responsible for the care, custody and control of inmates at Attica and Groveland Correctional facilities for twenty years before retiring.

Since then, Mr. Cousins served as the Director of Veteran Services for Wyoming County. He is an active member of the American Legion for twenty-eight years having held a variety of positions including; County Commander, Post Commander and Adjutant. He is also a member of the Warsaw VFW tirelessly attending to funerals of fallen veterans and leading firings squads in their honor.

Gary is very much looking forward to retiring in order to spend more time with his wife of many decades, Ann. He enjoys gardening, singing and helping watch the grandchildren.

***The pledge was said by all.***

Chairman Berwanger invited Town of Warsaw Supervisor, B. Ryan to join him in the presentation of the customary certificate of appreciation to Mr. Cousins and an opportunity to address the Board. At which time, Mr. Cousins thanked the Board and challenged the Board to remember what the words to the pledge to the flag means. He added that he is very proud to serve his country under one God. He presented his wife, Ann, with a certificate of recognition from the Board of Supervisors for her 45 years of public service to Wyoming County...

A moment of silence was offered in memory of former Town of Warsaw Supervisor, Howard Miller.

Veteran's Legion Services for Mr. Miller is planned for this evening. 6:30 pm. Volunteers are requested.

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

**Communications ~**

**Regular Meeting**

- **New York Senator Gallivan** letter to Deputy Clerk to the Board L. Perez received on January 29, 2015 relating to Wyoming County Board of Supervisors Resolution #15-005 regarding Support of New York State and Local Enforcement.
- **New York State Association of Counties** ~ Letter dated January 30, 2015 regarding receipt of Resolution #15-005.

*Chairman Berwanger introduced the NYSAC 90<sup>th</sup> Anniversary celebration video.*

- *Video played*

Open Public Hearing ~

Local Law No. 2 Year 2015 (Introductory A, Year 2015) Entitled, “**A Local Law Regulating Public Assemblies**”

#1

**RESOLUTION NO. 15-042**  
**(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2015 accounts as follows:

<b>Real Property Tax Services</b>			
<b>From:</b> 01.33.1355.4.40301 Professional Services	\$4,000.00		
<b>To:</b> 01.33.1355.1.10202 Temporary		\$3,716.00	
01.33.1355.8.83001 FICA		230.00	
01.33.1355.8.85001 Medicare		54.00	
<b>Reason:</b> Transfer funds to cover the cost of Temp. Per-Diem Assessor.			
<b>Real Property Tax Services Total</b>			<b>\$4,000.00</b>

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

#2

**RESOLUTION NO. 15-043**  
**(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2014 ACCOUNTS**

February 10, 2015

**BE IT RESOLVED,** That funds are hereby appropriated to the various 2014 accounts as follows:

<b>Solid Waste</b>			
<b>To:</b> 01.48.8030.4.40915 Contractual Solid Waste w/ 01.08.8030.2620 Forfeiture of Deposits <b>Reason:</b> To cover the additional funding necessary regarding the change in Refuse Contract	\$51,960.64	\$51,960.64	
<b>Solid Waste Total</b>			<b>\$51,960.64</b>

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

**#3**

**RESOLUTION NO. 15-044  
(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED,** That funds are hereby appropriated to the various 2015 accounts as follows:

<b>Veterans' Services</b>			
<b>To:</b> 01.43.6510.1.10001 S/D/I Salaries 01.43.6510.1.10601 Unused Benefits 01.43.6510.4.40402 Conferences 01.43.6510.8.83001 FICA 01.43.6510.8.85001 FICA – Medicare 01.43.6510.8.89001 Health Insurance 01.43.6510.8.89002 HRA Expense 01.43.6510.8.89003 HRA Admin. <i>w/ any funds available</i> <b>Reason:</b> Funds needed for costs associated with newly hired staff and outgoing employee salary and unused benefits.	\$2,955.00 9,055.00 1,650.00 744.62 174.15 11,706.00 5,200.00 53.00	\$31,537.77	
<b>Veterans Services' Total</b>			<b>\$31,537.77</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4323.4.42306 Misc. Other w/ 01.03.4323.1289 Other Dept. Income <b>Reason:</b> MHANYS Suicide Prevention grant extended to 03/31/15. Balance of grant brought forward into 2015 rather than ending 12/31/14.	\$1,609.00	\$1,609.00	
<b>Mental Health Total</b>			<b>\$1,609.00</b>
<b>Emergency Services</b>			
<b>To:</b> 01.37.3645.2.20401E Misc. Equipment 01.37.3645.4.41410F Software w/ 01.12.3645.43890E Federal Aid HSG2013 01.12.3645.43890F Federal Aid HSG2014 <b>Reason:</b> To rollover unspent grant funds from 2014 budget year.	\$44,495.73 22,500.00	\$44,495.73 22,500.00	
<b>Emergency Services Total</b>			<b>\$66,995.73</b>



<b>Sheriff</b>			
<b>To:</b> 01.37.3110.4.42101 Law Enforcement Supplies <i>w/any funds available</i> <b>Reason:</b> Carry over money from Y2014 PO 44142 for ammunition that was ordered has not been received yet; no estimated delivery date.	\$692.20	\$692.20	
<b>Sheriff Total</b>			<b>\$692.20</b>
<b>Stop DWI</b>			
<b>To:</b> 01.37.3315.4.41313 DWI Patrols w/01.12.3315.4389 Crackdown Grant <b>Reason:</b> Rollover unspent Crackdown Grant funds for 2015 budget year.	\$9,839.71	\$9,839.71	
<b>Stop DWI Total</b>			<b>\$9,839.71</b>
<b>Fire &amp; Building Codes</b>			
<b>To:</b> 01.37.3620.4.41202 Printing w/01.06.3620.2590 Permit Revenue <b>Reason:</b> DOS Rule Change in NYS Code unbudgeted line items.	\$550.00	\$550.00	
<b>Fire &amp; Building Codes Total</b>			<b>\$550.00</b>

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$4,158,117.82** for the month of **January 2015**.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.*

**#4**

**RESOLUTION NO. 15-045**  
**(February 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A CONTRACT WITH SANDY GEERCKEN 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 Sandy Geercken, 3519 Truesdell Road, Warsaw, NY 14569 on behalf of the Wyoming County Department of Social Services. Said contract is to provide day care services that will be paid through the State WMS System and have variable amounts depending on services provided; effective December 16, 2014 through December 31, 2015.

February 10, 2015

Contingent upon the availability of funds.

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

#5

**RESOLUTION NO. 15-046  
(February 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A CONTRACT WITH RESTORE SEXUAL ASSAULT  
SERVICES 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 RESTORE Sexual Assault Services, 114 University Avenue, Rochester, NY 14605 on behalf of the Department of Social Services. Said contract provides RESTORE Sexual Assault Services to be the Administrator of the Wyoming County Domestic Violence Project in an amount not to exceed forty thousand five hundred dollars (\$40,500.00); effective February 20, 2015 through December 31, 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 #6 through #12. A voice vote was taken and all voted aye.*

#6

**RESOLUTION NO. 15-047  
(February 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH THE NEW YORK COUNCIL ON  
PROBLEM GAMBLING/2015 YOU(TH) DECIDE PROJECT 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

Regular Meeting

grant application and acceptance award with the New York Council on Problem Gambling/2015 YOU(th) Decide Project, 100 Great Oaks Boulevard, Albany, NY 12203 on behalf of Mental Health. Said grant funding is designed to be a multi-dimensional prevention effort aimed at reducing underage gambling in New York including a number of activities intended to empower youth to make educated decisions regarding their gambling behaviors and prepare communities to work together to prevent underage gambling, in a minimum amount of fifteen thousand dollars (\$15,000.00); effective February 1, 2015 through October 31, 2015.

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

**#7**

**RESOLUTION NO. 15-048  
(February 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 14-371 AMENDED**

**WHEREAS**, Resolution Number 14-371 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2015 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November 12, 2014 and provides for various contracts and agreements for the year 2015 on behalf of Mental Health; and

**WHEREAS**, That Resolution Number 14-371 was amended by the Board of Supervisors on January 20, 2015 by Resolution Number 15-014 to reflect amendments to the following contracts:

- Livingston/Wyoming Arc
- Spectrum Human Services, Inc.
  - PROS
- Living Opportunities of DePaul
  - Supported Housing Slots; now therefore

**BE IT RESOLVED**, That Resolution Number 14-371 as amended by Resolution Number 15-014 be further amended to include the following service:

- H. Coordinated Care Services, Inc. of Rochester, 1099 Jay Street, Building J, Rochester, NY 14611-1153, contract renewal for the period of January 1, 2015 through December 31, 2015 for three hundred seventy nine thousand three hundred eighty-eight dollars (\$379,388.00):

February 10, 2015

- Adding the provision of student intern for the 2015 YOU(th) Decide Project grant through New York Council on Problem Gambling with Partners For Prevention in an amount of six thousand three hundred dollars (\$6,300.00); increasing the contract from three hundred seventy-nine thousand three hundred eighty-eight dollars (\$379,388.00) to three hundred eighty-five thousand six hundred eighty-eight dollars (\$385,688.00).

All else remains the same.

Contingent upon the availability of funds.

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

**#8**

**RESOLUTION NO. 15-049  
(February 10, 2015)**

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, DIVISION OF  
FAMILY HEALTH, ON BEHALF OF THE PUBLIC  
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, Division of Family Health, ESP Corning Tower, Albany, NY on behalf the Public Health Department. Said grant funding is for early intervention services in a minimum amount of twenty thousand three hundred forty-five dollars (\$20,345.00); effective October 1, 2014 through September 30, 2015.

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

**#9**

**RESOLUTION NO. 15-050  
(February 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE  
WYOMING COUNTY BOARD OF HEALTH**

**BE IT RESOLVED**, That the following member is hereby appointed/reappointed to the Wyoming County Board of Health:

**Physician Member**

*Six (6) year term effective February 10, 2015 through December 31, 2016* (to complete the unexpired vacant term of Dr. Gary Nicholson)

- Thomas Wakefield, DVM, 1925 Blackhouse Road, Warsaw, New York 14569

**Supervisor Member**

*One (1) year term effective January 1, 2015 through December 31, 2015*

- Becky Ryan (T/Warsaw), 172 West Buffalo Street, Warsaw, New York 14569

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

**#10**

**RESOLUTION NO. 15-051  
(February 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A CONTRACT WITH THE COUNTY OF MONROE 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 the County of Monroe, County Office Building, 39 West Main Street, Rochester, NY 14614 on behalf of the County Health Department. Said contract is for medical examiner services, according to the negotiated fee schedule, in an amount not to exceed budgeted amounts; effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

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

**#11**

**RESOLUTION NO. 15-052  
(February 10, 2015)**

February 10, 2015

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; and

**WHEREAS**, Resolution Number 13-23 was amended by the Board of Supervisors on January 14, 2013 by Resolution Number 13-45 to reflect the actual contract terms for Wyoming Properties, LLC and the Building Use Agreement for the WIC Program effective January 1, 2013 through December 31, 2014; now therefore

**BE IT RESOLVED**, That Resolution Number 13-23 as amended by Resolution Number 13-45 be further amended to extend the term of the Wyoming Properties, LLC contract through December 31, 2019. All else remains the same.

Contingent upon the availability of funds.

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

**#12**

**RESOLUTION NO. 15-053  
(February 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

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

**BE IT RESOLVED**, That Gregory J. Collins, DO, MPH, 4820 Darby Road, Avon, NY 14414 be hereby reappointed as Medical Director, PT; effective January 1, 2015 through December 31, 2015.

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

*There was a motion by Mr. Leuer T/Middlebury, to combine resolutions #13 through #17. A voice vote was taken and all voted aye.*

Regular Meeting

**RESOLUTION NO. 15-054  
(February 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RECOGNIZING SOLAR LIBERTY, INC. AS AN ENDORSED  
PROVIDER OF RENEWABLE SOLAR POWER IN  
WYOMING COUNTY**

**WHEREAS**, Wyoming County has been at the forefront of renewable energy in New York State with over 200 Megawatts of local wind farms; and

**WHEREAS**, Solar photovoltaic technology is an additional, viable clean-energy resource that can more directly benefit Wyoming County, its towns, villages, businesses, farms and constituents; and

**WHEREAS**, There exists generous local, state and federal incentives designed to make solar energy more affordable for communities, farms and businesses from which the constituents of Wyoming County can be immediately enriched; and

**WHEREAS**, It is desirous to align with an experienced organization proficient in generating greater public awareness of solar photovoltaic technology, its benefits and available financial incentives; and

**WHEREAS**, Solar Liberty Energy Systems, Inc is a local, leading proponent of solar photovoltaic technology in the State of New York and within Wyoming County with expertise in educating, promoting, engineering, financing and developing photovoltaic systems for utilities, communities, universities, schools, municipalities, businesses farms and homes; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors in consultation with Solar Liberty Energy Systems, Inc. shall:

- Identify and develop specific municipal solar photovoltaic projects in the County of Wyoming; and
- Promote cost-effective solar to the community, businesses and farms through Solar Liberty's BRIGHTER WYOMING campaign by hosting a series of jointly sponsored educational seminars and events.

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

February 10, 2015

**RESOLUTION NO. 15-055  
(February 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**SANDY PIRDY APPOINTED TO THE  
INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

**BE IT RESOLVED**, That Sandy Pirdy (Creekside Fabrics & Quilts), 237 Main Street, Arcade, NY 14009 be hereby appointed as a Member of the Industrial Development Agency Board of Directors to fill the unexpired three (3) year term of Bruce Camp; effective February 10, 2015 through February 7, 2016.

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

#15

**RESOLUTION NO. 15-056  
(February 10, 2015)**

By Mr. Leuer, 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 2015 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

Regular Meeting



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:**

#16

**RESOLUTION NO. 15-057  
(February 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RESOLUTION NUMBER 12-335 AMENDED**

**WHEREAS**, Resolution Number 12-335 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF STATE ON BEHALF OF THE WYOMING COUNTY COUNTYWIDE WATER AGENCY**,” passed by this Board of Supervisors on November 13, 2012 and provides for Local Government Efficiency Grant funding for implementation of a newly formed agency, equipment and supplies in a minimum amount of two hundred twelve thousand dollars (\$212,000.00); effective April 1, 2011 through March 31, 2014; and

**WHEREAS**, That Resolution Number 12-335 was amended by the Board of Supervisors on March 11, 2014 by Resolution Number 14-123 to extend the expiration date through December 31, 2014; now therefore

**BE IT RESOLVED**, That Resolution Number 12-335 as amended by Resolution Number 14-123 be further amended to extend the expiration date through March 31, 2015.  
All else remains the same.

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

#17

**RESOLUTION NO. 15-058  
(February 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE**

February 10, 2015

## GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the Genesee/Finger Lakes Regional Planning Council for a term of one (1) year; effective January 1, 2015 through December 31, 2015:

**Chairman Member**

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

**Chairman Member / Alternate**

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

**Supervisor Member**

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

**Executive Committee**

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

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #18 through #23. A voice vote was taken and all voted aye.*

**#18**

### RESOLUTION NO. 15-059 (February 10, 2015)

By Mr. Copeland, Chairman of Public Safety Committee:

#### CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UNITED UNIFORM CO., INC. 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 United Uniform Co Inc., 495 North French Road, Buffalo, NY 14228 on behalf of the Sheriff's Department. Said contract is for the provision of uniforms for Sheriff and Jail personnel in amounts not to exceed bid list; effective March 1, 2015 through February 29, 2016, the first of two extensions of the contract;

Contingent upon the availability of funds.

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

Regular Meeting

**RESOLUTION NO. 15-060  
(February 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD A BID AND SIGN A  
CONTRACT WITH UPSTATE CHEVROLET 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 award a bid and sign a contract with Upstate Chevrolet, 36 Main Street, Attica NY 14011 on behalf of the Sheriff's Department. Said bid award is for a 2013 used Chevrolet Equinox AWD in an amount not to exceed nineteen thousand seven hundred dollars (\$19,700.00); effective December 29, 2014.

Contingent upon the availability of funds.

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

**#20**

**RESOLUTION NO. 15-061  
(February 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS  
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 various contracts on behalf of the County Jail as follows:

- **Allegany County Sheriff**, 4884 State Route 19 South, Belmont NY 14813 for the provision of prisoner housing in an amount not to exceed ninety dollars (\$90.00) a day per prisoner; effective January 1, 2015 through December 31, 2015.
- **Simplex Grinnell LP**, 90 Goodway Drive, Rochester NY 14623 for the provision of fire alarm maintenance in amounts not to exceed five thousand one hundred thirty-five dollars (\$5,135.00); effective January 1, 2015 through December 31, 2015.

February 10, 2015

- **Sinclair Pharmacy**, 75 North Main Street, Warsaw NY 14569 to provide inmate pharmaceuticals; effective April 1, 2015 through March 31, 2017.

Contingent upon the availability of funds.

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

**#21**

**RESOLUTION NO. 15-062  
(February 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**2015 STOP DWI PLAN APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a Stop DWI Plan with the Governors Traffic Safety Committee, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County's Stop DWI Program. This is for the 2015 STOP-DWI Plan Agreement for continued work to address the problem of impaired driving in a minimum amount of one hundred two thousand three hundred seventy-five dollars (\$102,375.00); effective January 1, 2015 through December 31, 2015.

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

**#22**

**RESOLUTION NO. 15-063  
(February 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**DEPARTMENTAL TRAINING/EVACUATION PLAN APPROVED**

**BE IT RESOLVED**, That the Department Training/Evacuation Plan is hereby approved as presented and annexed hereto.

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

**Wyoming County Government Center  
143 N. Main St.  
Warsaw, NY 14569**

## DEPARTMENTAL TRAINING/EVACUATION PLAN

*The Office(s) of Public Health, Emergency Services and Fire & Building Codes in conjunction with members from your department, have developed a minimal training & evacuation plan for employees to use during alarm/emergency situations. Each employee is requested to maintain an updated copy of the plan and be prepared to properly respond in the event of an emergency situation.*

An alert and educated staff is the most valuable resource for fire protection. Fire hazards arise from unsafe conditions and practices. Every employee has a responsibility and vested interest in making a concerted effort to correct and improve their work conditions and practices. Fire hazards include, but are not limited to:

**SMOKING:** This activity is permitted only in specifically designated areas.

**STAIRWAYS:** Never block stairway entrances, even temporarily. No obstructions should be left on steps or landings. Fire doors should always remain closed. No storage of combustibles or flammables should be stored within any stairwell or stairway.

**CORRIDORS:** Corridors, hallways, and aisles must be kept clear of all obstructions (e.g., office furniture, bicycles, compressed gas cylinders, etc.) which might present a fire hazard and impede escape routes.

**STORAGE AREAS:** Areas used for storage should be kept clean and orderly. Accumulation of trash, rags, or debris of any type is a hazard and an unsafe condition.

### **EQUIPMENT:**

- a. Electrical cords should be placed away from aisles or other pedestrian walkways.
- b. Never use electrical cords that are frayed or have exposed wiring.
- c. Do not overload electrical outlets by using multiple extension cords, etc.
- d. Perform regular maintenance on all equipment. Promptly remove/repair defective equipment.
- e. Understand and use all pertinent safety precautions when using electrical appliances and equipment.

**LOADING DOCKS:** In many facilities, exits are located near loading dock areas. These areas must be kept clear of all obstructions (e.g., pallets, trash, debris, etc.) that may present a fire hazard and impede escape routes.

**ELEVATOR GUIDELINES:** Do not use the elevator in case of a fire or other emergency. The elevator will cease operation and move to the first floor. All evacuation movement will be via the stairwells, away from the source of the fire. If you are stranded on the elevator push the button that looks like a bell or pick phone handset if available. This will activate a local alarm or dial(s) 911, that allows staff to know that someone is in the elevator and summon help. This push button should be used for emergencies only.

**AREA OF RESCUE ASSISTANCE:** In facilities where stairway doors are secure, the area may serve as an area of rescue assistance. Some facilities may have a button marked “Push for Help”. When this button is pushed for emergency assistance, the “Help Requested” light will turn on and an alarm will be activated at the fire alarm panel. The alarm panel will inform responding emergency personnel what assistance is needed and allow them to communicate with the individual in need of assistance. This push button should be used for emergencies only.

### **Alarms**

The vast majority of County facilities are equipped with sprinkler systems and automated alarm devices. While extremely efficient, these systems do not ensure all emergency/fire situations will be suppressed. To ensure the safety of employees, Office(s) of the” Fire Safety Team” encourages the complete evacuation of a facility during an alarm situation.

Failure to see fire or smell smoke does not mean a threat to your safety is not present. Alarm situations could be the result of:

- Fire
- Natural Disasters
- Threats of Violence
- Gas Leaks
- Hazardous Materials Incidents
- Etc.

In the event of an alarm/fire employees should practice the procedures associated with the acronym “**RACE**”.

- R.....** **Remain calm**, do not panic. Rescue persons in immediate danger.
- A.....** **Alarm...** Activate the nearest MANUAL PULL STATION **and** notify the fire department by dialing 9-911 (“I want to report a fire at...”); Inform other occupants.
- C.....** **Contain** fire at point of origin by closing all doors and windows.
- E.....** **Evacuate** the facility using established procedures. **Extinguish** fire by using a portable fire extinguisher. (**Unless you have been properly trained, never attempt to use a fire extinguisher**) Report fire/pull

alarm first; extinguish after. Never attempt to extinguish a fire unless you can do so safely.

## **EVACUATION GUIDELINES**

### **Employees**

1. Prepare and evacuate the building by way of the nearest emergency exit. Walk; do not run. Do not use elevators.
2. Close but do not lock all doors as you leave.
3. Before exiting through any closed door, check for heat and the presence of fire behind the door by feeling the door with the back of your hand. If the door feels very warm or hot to the touch, advise everyone to proceed to another exit.
4. In the event you are unable to exit the building:
  - a. Remain calm; do not panic.
  - b. Remain low; crawl if necessary.
  - c. Place a cloth, wet if possible, over your mouth to serve as a filter.
  - d. Signal for help from a window. Use a towel, clothing, sign etc.
5. Upon exiting the building and proceeding to the assembly area, remain at least 20 feet away from the building walls and overhangs. Do not block any driveways, as Fire Department personnel will need access to these areas. Employees are requested to report to their assigned assembly areas as defined by your Fire Monitor/Evacuation Plan.
6. The cessation of an alarm/departure of the fire department is not an "all clear" to re-enter the building as corrective measures may still be in progress. Stay clear of the building until your appointed fire monitor has advised you to re-enter the building/area.
7. Assist visitors during alarm/emergency situations. Visitors may not be aware of exits/alternative exits and the procedures that should be taken during alarm situations. Employees should calmly inform visitors of the proper actions to be taken and assist them with the evacuation.

### **Fire Monitor**

1. Collects information or verbal reports for occupants as to the cause of the emergency. Proceeds to the predetermined assembly area to meet the fire department.
2. Meets the Fire Department personnel. Inform fire personnel of any known facts pertaining to the alarm situation. If requested, assists fire department personnel with a walk-through of the facility.

3. Informs Assistant Fire Monitor if further measures are needed and/or other pertinent facts.

### **Assistant Fire Monitor**

1. Notifies others of evacuation
2. Ensures the safe and orderly evacuation of the building. If applicable, ensure handicapped evacuation plan is properly implemented. Make quick assessments during evacuation.
3. Knocks on any closed doors in your area after checking for warmth or smoke; and then open the door to ensure proper evacuation of all personnel. Check bathrooms, lunch, mail, and copy rooms last, and advise occupant in these areas to leave immediately.
4. Notes any individuals who do not evacuate and report them to the Fire Monitor. If a problem arises when an area is evacuated, contact the Fire Department responders and advise them of the situation. Evacuate the area and hold all persons out until a representative from the Fire Department/Fire Safety Team has given the all clear to reenter the building. (NOTE: Individuals, in teaching facilities faculty members, should be assigned to exit areas to ensure individuals do not reenter the facility until the appropriate officials have given the all clear to reenter the facility. Individuals assigned to monitor the exit areas should remain at a safe distance from the facility.

### **Discovering a Fire**

At all times, when following any fire procedures, ensure that you are out of danger before trying to complete any emergency tasks. Fire monitors and building occupants are requested to put life safety before any other goal during fire emergencies.

If a fire or other emergency is identified:

1. Pull the nearest fire alarm immediately
2. Move to a phone away from any fire, smoke or emergency.
3. Call 911 - advise the operator that there is a fire/emergency (of approximate) size and location; building, floor, room #, etc.
4. Exercise the appropriate evacuation plan



If the fire is trash can size or smaller, contained (not spreading) and you have been **properly trained in the use of a fire extinguisher**:

1. Call to the nearest office neighbor to retrieve the nearest charged fire extinguisher. Do not leave the fire unattended. If the size of the fire grows beyond containment, follow the appropriate evacuation procedure.
2. Upon receiving the fire extinguisher, use the procedures associated with acronym “**PASS**”:

**PULL** pin from extinguisher and hold extinguisher 6 to 8 feet from the fire  
**AIM** the nozzle at the base of the fire

**SQUEEZE** the trigger

**SWEEP** the extinguisher hose back and forth until the spray puts the fire out completely, with no smoke left or until the extinguisher is empty.

(Extinguisher lasts approx. 8 seconds)

3. If the fire fails to extinguish:
  - a. Exercise the appropriate evacuation plan
  - b. If the fire is extinguished, notify Floor Monitor to request Fire Department and the “Fire Safety Team” to investigate the cause/extent of the situation. Remember you must report all fires!

### **Fire Monitor - Additional Responsibilities**

Makes decision to call for an evacuation of the building by activating a manual pull station alarm when an emergency occurs and no other alarm is sounded. Requests Fire Department to respond and assess the situation if unsure of the nature of the emergency or the need for an evacuation. Reports all incidents to the “Fire Safety Team”.

Coordinates appropriate education and training programs for all employees. Orients temporary staff to evacuation procedures.

Ensures employees have a fire and emergency evacuation plan accessible to them and/or a plan are posted in an established and readily accessible area.

Establishes and notifies all employees of assembly areas to be used during evacuations.

Maintains a current listing of the names and contact numbers for all Fire Monitors, Assistant Fire Monitors, etc.

Maintains updated copies of the evacuation plan. Contacts “Fire Safety Team” if there are any needed changes to the evacuation plan: building modifications, staff, etc.

Assists “Fire Safety Team” with yearly review of evacuation plan and safety inspections.

Ensures the evacuation plan is easily accessible to all employees, reviewed annually with all employees, reviewed annually and amended as needed, and the plan provides for evacuation of handicapped occupants.

Informs and ensures each instructor, for both day and evening classes, will review the exit plan at the first meeting of every class each quarter, semester or session.

**NOTE: The State Fire Marshall recommends that each facility appoint a safety director or establish a safety committee.**

### **Summary**

#### **In the event of an emergency situation:**

1. Remain calm. Rescue persons in immediate danger.
2. Alarm: Activate manual pull station *and* call 9-911 (“I want to report a fire at ...”)
3. Contain the fire at point of origin. Close all doors and windows.
4. Evacuate the building using the established guidelines. Report to your designated assembly area.

### **Pertinent Information**

#### **Fire Monitors – Please list your Fire Monitor(s) information below**

<u>Name(s)</u>	<u>Ph #</u>	<u>Fax #</u>	<u>E-Mail Address</u>
<hr/>			
<hr/>			

#### **Exits (Evacuation Routes)**

It is the responsibility of employees to know the location of each exit. Identify your primary exit along with secondary exits in the event your primary exit is unavailable.

#### **Assembly Area(s) in the Event of an evacuation (please note locations below):**

1. 

---

2. \_\_\_\_\_
3. \_\_\_\_\_

**Note:** During inclement weather please assemble: \_\_\_\_\_

**Manual (Pull) Alarm Stations:**

Employees should be familiar with all of the “Pull Station” locations. These are normally located near exits.

**Fire Extinguisher Locations:**

Employees are encouraged to know all fire extinguisher locations.

**Approximate # of Employees/Students: (please list below)**

**Special Need (Handicapped) Individual(s): (please list below)**

Name:

Location:

Evacuation Plan:

**Fire Safety Team Contact Information**

Employees are encouraged to address any fire safety concerns/requests with members of the Fire Safety Team:

Daryl Rogers ~ Supt. (Co. Bldgs.)	Tony Santoro ~ Emergency Services
585-786-8958	585-786-8867
Donald J. Roberts ~ CEO	Brian Meyers ~ Health Department
585-786-8820	585-786-8890

Using e-mail: [drogers@wyomingco.net](mailto:drogers@wyomingco.net) will ensure each member of this group receives messages sent via e-mail.

**Review Date(s)**

Annual Review Date: January 2015

Date Revised: None at this time

Date revised edition reviewed/posted for employees: Upon 2015 review

**Included: Record keeping information requirements as covered under the NYS Fire Code Section 405.5.**

Please complete the attached form and keep with your records and make available during “Fire Safety Inspections” and or as specific Agencies request. Copies of your drills may be requested for review by the “Fire Safety Team”.

**Record Keeping**

Person conducting drill: \_\_\_\_\_

Date / Time of drill: \_\_\_\_\_

Notification method used: \_\_\_\_\_

Staff members on duty participating: \_\_\_\_\_

\_\_\_\_\_

Number of occupants evacuated: \_\_\_\_\_ Time required: \_\_\_\_\_

Weather conditions: \_\_\_\_\_

Problems encountered: \_\_\_\_\_

Special conditions simulated: \_\_\_\_\_

**Record Keeping**

Person conducting drill: \_\_\_\_\_

Date / Time of drill: \_\_\_\_\_

Notification method used: \_\_\_\_\_

Staff members on duty participating: \_\_\_\_\_

\_\_\_\_\_

Number of occupants evacuated: \_\_\_\_\_ Time required: \_\_\_\_\_

Weather conditions: \_\_\_\_\_

Problems encountered: \_\_\_\_\_

Special conditions simulated: \_\_\_\_\_

**#23**

**RESOLUTION NO. 15-064  
(February 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

Regular Meeting

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON  
BEHALF OF THE DISTRICT ATTORNEY**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign various contracts on behalf of the District Attorney as follows:

- **Tracy Moore**, 147 North Main Street, Warsaw, NY 14569 for the provision of transcription services in an amount not to exceed ten thousand dollars (\$10,000.00); effective January 1, 2015 through December 31, 2015.
- **Edith Forbes**, 21 Woodcrest Drive, Batavia, NY 14020 for the provision of transcription services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #24 and #25. A voice vote was taken and all voted aye.*

**#24**

**RESOLUTION NO. 15-065  
(February 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH WASTE  
MANAGEMENT OF NEW YORK, LLC 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 contracts on behalf of Buildings and Grounds (Co. Bldgs.) as follows:

- **Waste Management of New York, LLC**, 10860 Olean Road, Chaffee, NY 14030
  - Waste removal at the Public Safety Building in an amount not to exceed twelve thousand dollars (\$12,000.00); effective February 1, 2015 through January 31, 2018

February 10, 2015

- Waste removal at Public Health Building in an amount not to exceed eight thousand dollars (\$8,000.00); effective January 30, 2015 through January 29, 2018.

Contingent upon the availability of funds.

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

**#25**

**RESOLUTION NO. 15-066  
(February 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH THE PUMP DOCTOR, 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 The Pump Doctor, Inc., 2706 Hemlock Road, Eden, NY 14057 on behalf of County Highway. Said award is for fueling system improvements in an amount not to exceed eighty-eight thousand dollars (\$88,000.00); effective February 10, 2015 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 #26 through #32. A voice vote was taken and all voted aye.*

**#26**

**RESOLUTION NO. 15-067  
(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PHILLIPS  
LYTLE, LLP (RICHARD M. BEERS, JR., PARTNER), ON BEHALF OF  
THE TREASURER**

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

Regular Meeting

contract with Phillips Lytle, LLP (Richard M. Beers, Jr., Partner), 28 East Main Street, Suite 1400, Rochester, NY 14614-1935 on behalf of the Treasurer's Office. Approval is based on years of experience with Article 11 Tax Foreclosures in an amount of four hundred twenty-five dollars (\$425.00) per parcel not to exceed ninety thousand dollars (\$90,000.00), offset fully by tax fees and revenues as well as auction proceeds; effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

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

**#27**

**RESOLUTION NO. 15-068  
(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**HOME RULE REQUEST TO EXTEND SALES TAX INCREASE  
APPROVED**

**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. 13-278, passed August 13, 2013, now therefore

**BE IT RESOLVED**, That the County of Wyoming hereby requests the New York State Legislature to create 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 (3%) through November 30, 2017; and be it

**FURTHER RESOLVED**, That the Chairman of this Board and the Clerk to the Board are hereby authorized and directed to file the necessary Home Rule Request upon its introduction to the New York State Assembly and Senate.

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

**#28**

**RESOLUTION NO. 15-069  
(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

February 10, 2015

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. B  
YEAR 2015**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 10<sup>th</sup> day of February, 2015, a proposed local law entitled, “Local Law Introductory No. B, Year 2015, **“THE WYOMING COUNTY BEST VALUE CONTRACT AWARD LAW,”** 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 **10<sup>th</sup> day of March, 2015 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

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

**Introductory Local Law B, year 2015**

A Local Law authorizing the use of a Best Value Award methodology for purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of public works contracts pursuant to Article eight of the labor law) may be awarded on the basis of best value, as authorized in Section one hundred three (103) of the General Municipal Law and as defined in Section one hundred sixty-three (163) of the State Finance Law.

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

**Section 1.                      Name of Local Law**

This local law shall be known as *“The Wyoming County Best Value Contract Award Law.”*

**Section 2.                      Findings and Intent**

The State Legislature and Governor amended General Municipal Law, Section 103 (A08692/S6117) on January 27, 2012 to provide local government’s greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. The state legislation requires Counties with a population of less than one million to pass a local law authorizing use of the best value award process.



(From Assembly Bill Memo A08692) – Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The “best value” standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors. The federal government, approximately one half of the states, and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served when a public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality’s performance requirements, incorporating selection factors such as useful lifespan, quality, and options and incentives for more timely performance and/or additional services.

Even if the initial expenditures is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition, ensures that bidders will continue to strive for excellence in identifying and meeting municipalities needs, including such important goals as the participation of small, minority and women-owned businesses, and the development of environmentally-preferable goods and service delivery methods. Best value procurement will provide much-needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services.

### **Section 3. Definitions**

“Best Value” means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offeres. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivision one, seven, fifteen and twenty of Section three hundred ten (310) of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

### **Section 4. Requirements**

February 10, 2015

- A. Where the basis for award is the best value offer, the Purchasing Officer, in conjunction with the related Department Head when applicable, shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- B. The Purchasing Officer shall select a formal competitive procurement process in accordance with guidelines established by the County Procurement Policy and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerers to submit responsive offers; and a balanced and fair method of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
- C. The solicitation shall prescribe the minimum specification or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.
- D. The Purchasing Officer shall develop procedures that will govern the award of contracts on the basis of best value. These procedures shall be included in the Wyoming County Procurement Policy and reviewed annually by the County Board of Supervisors in conjunction with its annual review and approval of the County's Procurement Policy.

## **Section 5. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation

to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

#### **Section 6. Effective Date**

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

DATED at Warsaw, New York  
February 10, 2015 (Introduced)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Board Clerk

#29

### **RESOLUTION NO. 15-070 (February 10, 2015)**

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 Costello Cooney Fearon, PLLC, legal council is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Morrison Management Specialists, Inc.**, 5801 Peachtree Dunwoody Road, Atlanta, Georgia 30342
  - 5-year Agreement to operate and manage food and food services operations, in an amount not to exceed two million two hundred thousand dollars (\$2,200,000.00) annually; effective April 1, 2015.
    - This agreement will automatically renew for successive one (1) year periods, unless earlier terminated.

February 10, 2015

- **UR Medicine Labs, a Division of the University of Rochester, Department of Pathology and Laboratory Medicine**, 601 Elmwood Avenue, Rochester, New York 14642
  - 3-year Laboratory Services Pricing Agreement, in an amount not to exceed two million dollars (\$2,000,000.00) annually; effective from the first day of the month after WCCHS goes live with the new Laboratory Information System (LIS).
  - This agreement is for reference laboratory and laboratory medical director services.

Contingent upon the availability of funds.

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

**#30**

**RESOLUTION NO. 15-071  
(February 10, 2015)**

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 **Jail Administrator, FT**, (position code #063.497) and place on Schedule S at \$63,000.00 annually; effective January 1, 2015.

**Sheriff's Office:**

- Promotional reclassification of one (1) **Deputy Sheriff Captain, FT** from a **Deputy Sheriff Sergeant/Investigator** (position code #075.365) on the Wyoming Cty. Deputy Sheriff's Assoc. grade 8 at \$ 29.93/hr. effective February 16, 2015.

**County Clerk:**

- Extend one (1) position of **Index Clerk, PT** (Temp.) (Position Code #020.137) at a rate of \$15.49 hr. with only those benefits mandated by law; effective February 11, 2015 through August 11, 2015.

**Human Resource:**

- Create three (3) positions of **Civil Service Commissioner**, (unclassified), currently serving six year staggered terms, to be placed on Salary Schedule S at \$125.00 per monthly Civil Service Commission meeting.

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

#31

**RESOLUTION NO. 15-072  
(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**SALARY SCHEDULES “D” 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”:*****Fire and Building Code Enforcement***

- Extend Code Enforcement Officer’s stipend to provide administrative oversight of the Planning Department; effective January 1, 2015 through December 31, 2015 at \$17,171.00 annually.

**Salary Schedule “S”:*****Highway***

- Set the salary of the Engineering Technician to \$50,000.00 annually; effective February 23, 2015.

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

#32

**RESOLUTION NO. 15-073  
(February 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION NUMBER 12-293 AMENDED**

**WHEREAS**, Resolution Number 12-293 entitled, **“POSITION CREATIONS APPROVED”** passed by this Board of Supervisors on September 11, 2012 and provides for the extension, reclassification and/or creation of Wyoming County positions; now therefore

February 10, 2015

**BE IT RESOLVED**, That Resolution Number 12-293 be hereby amended to set the hourly wage of the Carpenter (Per Diem) (position code #038.037 in Cost Center 1620) at \$12.50 ~ \$25.00/hr. based on experience with only those benefits mandated by law and reassign the positions to Cost Center 1621; effective January 5, 2015.

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

**\*Public Comment (Local Law Introductory A, Year 2015)**

Chairman Berwanger called on Mark Dadd, who is employed by the county as an Assistant County Attorney. Judge Dadd remarked that this is the 5<sup>th</sup> Local Law revision. The original local law dates back to 1974 and Woodstock. The latest update was to make it easier for promoters to apply through a consolidated on line application and make it easier for public officials to process applications.

S. Perkins, Director of Env. Health spoke to the difficulties with the former law and in the process of applying.

D. Roberts, County Code Enforcement Officer spoke in favor of the changes

Sheriff Rudolph spoke in favor of the changes and thanked Judge Dadd for his involvement.

Judge Dadd thanked the Clerk and Deputy Clerk for their participation.

**Close Public Hearing**

*Motion to close the Public Hearing was made by Supervisor McCormick, T/Java. Seconded by Supervisor Brick, T/Perry. Carried.*

**Local Law  
UC#33**

**RESOLUTION NO. 15-074  
(February 10, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**LOCAL LAW NO. 2 (INTRODUCTORY A, YEAR 2015) ~ YEAR 2015,  
“A Local Law Regulating Public Assemblies,” ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 20<sup>th</sup> day of January, 2015, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2015, entitled, “**A Local Law Regulating Public Assemblies;**” and

Regular Meeting

**WHEREAS,** In accordance with the provisions of Resolution No. 15-039, there was a public hearing held by this Board of Supervisors on this 10<sup>th</sup> day of February, 2015, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

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

**BE IT ENACTED,** That Local Law 2, Year 2015, County of Wyoming, New York, as presented to this Board on the 20<sup>th</sup> day of January 2015, is hereby adopted, as advertised, enacted and passed by this Board in its form as follows:

### **LOCAL LAW NO. 2 ~ YEAR 2015**

#### **A Local Law Regulating Public Assemblies**

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

#### **SECTION 1. PURPOSE**

The purpose of this Local Law is to repeal Local Law No. 11, Year 1996, entitled “A Local Law Repealing Local Law No. 14 of 1987 and Regulating Outdoor Public Musical Entertainments, Amusements and Assemblies” and further repeal Local Law No. 3, Year 2011, entitled “A Local Law Amending Local Law No. 11, Year 1996, entitled “A Local Law Repealing Local Law No. 14 of 1987 and Regulating Outdoor Public Musical Entertainments, Amusements and Assemblies” and to establish a new Local Law entitled “A Local Law Regulating Public Assemblies”.

#### **SECTION 2. DEFINITIONS**

a. “Application” shall mean the form, a sample of which is appended to this Local Law and as may be amended, used by the Chairman of the Board of the Wyoming County Board of Supervisors to determine the advisability of issuance of a Public Assembly Permit in light of the safety, health, welfare and well-being of persons and/or property of Wyoming County and to ensure compliance with all State and local statutes, rules, regulations and requirements and provide for review and written approval of:

Wyoming County Health Department.  
Wyoming County Sheriff’s Department.

February 10, 2015

Wyoming County Office of Emergency Services.  
Wyoming County Fire and Building Codes.  
Wyoming County Insurance Agent.  
Bureau of Pyrotechnics, if applicable.

b. “Chairman” shall mean Chairman of the Board of the Wyoming County Board of Supervisors.

c. “Permit” shall mean Public Assembly Permit.

d. “Public Assembly” shall mean a non-private gathering or event of 5,000 people or more (including all participants if a multi-day event or gathering) organized for social, recreational, cultural, educational, commercial or entertainment purposes.

### **SECTION 3. FILING OF APPLICATION**

The Application, as appended and as it may be amended by the Chairman, must be fully completed and submitted with the appropriate fee to the Chairman no less than ninety (90) days prior to the Public Assembly. The Chairman, in his discretion upon a showing of good cause, may consider a late application upon payment of the late fee set forth in Section V of the Application. The Chairman, upon a finding of undue hardship, may reduce or waive any late fee.

### **SECTION 4. NECESSARY APPROVALS**

As required by the Application, the following County agencies or departments must provide their written consent.

Wyoming County Health Department.  
Wyoming County Sheriff’s Department.  
Wyoming County Office of Emergency Services.  
Wyoming County Fire and Building Codes.  
Wyoming County Insurance Agent.  
Bureau of Pyrotechnics, if applicable.

The applicant shall consent and permit the above agencies to perform, inspect and conduct inquiries in their sole discretion as deemed necessary.

### **SECTION 5. DENIAL OF PERMIT**

The Permit shall not be granted if any of the items set forth in said Application are determined by the Chairman to be insufficient to properly ensure the safety, health, welfare and well-being of persons and/or property.



**SECTION 6. ACTUAL ISSUANCE OF PERMIT**

The Permit, if approved, shall be issued in writing by the Chairman no fewer than thirty (30) days prior to the event.

**SECTION 7. NON-COMPLIANCE WITH PERMIT**

If after a Permit is issued, the County of Wyoming, through its lawful agents, determines that any of the items required as a condition of the Permit are not adhered to and accomplished within the required time limits in any of the contracts, lease or other arrangements for provision of services and facilities or any insurance or surety bond shall become terminated prior to the completion of the event, then this Permit may immediately thereupon be terminated by the action of the Chairman, unless breach or failure is promptly remedied within such time limits as may be reasonably imposed by the Chairman. Notice of termination of the Permit shall be in writing, Certified Mail Return Receipt Requested, addressed to the applicant at the address set forth in the application, or by personal service.

All physical facilities, including but not limited to food concessions and water and sewage facilities, must be in operable condition in a timeframe that will allow for their inspection by lawful agents of the County of Wyoming, before the general public will be allowed on the site.

**SECTION 8. ENFORCEMENT AND PENALTIES**

Any person, persons, corporation, organization, land owner, or lessee who shall organize, promote, conduct, or cause to be conducted a Public Assembly or an assembly of persons within the County of Wyoming catering to the general public for which said person, persons, corporation, organization, land owner or lessee believes or has reason to believe will attract 5,000 or more persons, without having a written Permit in accordance with the provisions of this Local Law shall be deemed to have violated this Local Law. Any person who commits or permits any act in violation of any of the provisions of this local law shall be deemed to have committed a misdemeanor against such Local Law and shall be liable for the penalties provided. A separate offense against this Local Law shall be deemed committed on each day during which the violation occurs or continues. A separate penalty may be imposed for each separate offense.

Each violation of a provision of this Local Law shall be a Class A misdemeanor and the person violating the same shall be subject to a fine of not more than \$1,000.00 or imprisonment not to exceed one year or to both such fine and imprisonment.

February 10, 2015

Any person violating this Local Law shall be subject to a civil penalty enforceable and collectable by the County of Wyoming in the amount of \$1,000.00 for each offense.

In addition to the above provided penalties, the Wyoming County Board of Supervisors may also maintain an action or proceeding in the name of the County in a Court of competent jurisdiction to compel compliance with, or to restrain by injunction, the violation of such local law.

#### **SECTION 9.**

This local law shall not apply to the area of any Village or Town if such Village or Town has issued a permit to protect life and property, and the promoter has met his/her/its requirements and State Health regulations.

#### **SECTION 10.           SEPARABILITY**

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

#### **SECTION 11.           MISCELLANEOUS**

The Application may be amended in the discretion of the Chairman without further amendment of this Local Law.

#### **SECTION 12.           EFFECTIVE DATE**

This local law shall become effective upon the filing with the New York State Secretary of State.



**APPLICATION FOR  
PUBLIC ASSEMBLY PERMIT**  
Wyoming County Government Center  
143 North Main Street, Warsaw, NY 14569  
Phone ~ (585) 786-8800  
Fax ~ (585) 786-8802

*Pursuant to the provisions of Wyoming County  
Local Law No. 2 of 2015, this Public Assembly  
Permit is submitted no less than 90-days prior to the public assembly. No  
permits shall be granted unless the applicant complies with all requirements of  
this Application.*

[Use additional sheets of paper as necessary]

### SECTION I ~ IDENTIFICATION

Names of individual, corporations, partnerships or other organized groups,  
addresses, names of directors and officers.

	Name	Address	DOB (if individual)
<input type="checkbox"/> Individual Applicant			
<input type="checkbox"/> Corporate Applicant			N/A
			N/A
			N/A
<input type="checkbox"/> Partnership/Org. Group			N/A
			N/A
			N/A

### SECTION II ~ FINANCING

List of all names and addresses of person, corporations, partnerships or other  
entities to provide financing for the event.

	Name	Address
<input type="checkbox"/> Person		
<input type="checkbox"/> Corporation		
<input type="checkbox"/> Partnership		
<input type="checkbox"/> Other Entity:		

### SECTION III ~ EVENT LOCATION

Name and address of the recorded property owner where the event will occur.

\*Include a notarized letter of permission from the owner to use such property  
if applicant is not the property owner

February 10, 2015

<b>Name</b>	<b>Address</b>

☐ *Notarized letter of permission attached:* ☐ Yes ☐ No ☐ N/A

### **SECTION V ~ NUMBER OF PERSONS AND FEES**

Expected maximum number of persons intended to use the property at any one time during the event.

### **SECTION IV ~ DATES AND HOURS**

Proposed dates and hours of the event.

<b>Dates</b>	<b>Hours</b>

☐ **0 - 4999 PERSONS ~ No Permit / No Fee**

- A promoter must comply with all regulations as required by County or State Health Departments. In addition, the promoter must contact the Wyoming County Sheriff and Office of Emergency Services to ensure safety issues are adequately addressed.

☐ **5000 - 9999 PERSONS ~ Permit Required**

- A non-refundable application fee of \$200.00.
- A promoter will be required to meet the necessary requirements of the permit application and provide Proof of Insurance.

☐ **10,000 - 24,999 PERSONS ~ Permit and Fee Required**

- A non-refundable application fee of \$400.00.
- A promoter will be required to meet the necessary requirements of the Permit Application and provide Proof of Insurance.

☐ **OVER 25,000 PERSONS ~ Permit & Fee Required**

- A non-refundable application fee of \$600.00.
- A promoter will be required to meet the necessary requirements of the Permit Application and provide Proof of Insurance and Cash Bond Surety.

**Late Charge.** In the event the Application is not filed within ninety (90) days of the date of the event, a late fee, in addition to the Application Fee and in an amount equal to four (4) times thereof, shall be assessed. Upon a showing of good cause, at the discretion of the Chairman, said Late Charge may be reduced or waived.

### **SECTION VI ~ PARKING**

The number of automobiles expected to use the property at one time as well as a plan for the provisions for parking such vehicle.

A. Number of automobiles expected to use property and plan for provision of parking said vehicles.

B. Plan for provisions of parking said vehicles.

**Parking Plan Attached:** ☐Yes ☐No

### SECTION VII ~ PURPOSE OF FUNCTION

Include the nature of the activities and admission fees to be charged, if any.

<b>Nature of Activities</b>	<b>Fee to be Charged</b>
	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount: \$
	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount: \$
	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount: \$

**Copy of Lease/Contract(s) Attached:** ☐Yes ☐No

**Copy to WCHD:** ☐Yes ☐No

--	--

**Copy of Lease/Contract(s) Attached:** ☐Yes ☐No

**Copy to WCHD:** ☐Yes ☐No

--	--

**Copy of Lease/Contract(s) Attached:** ☐Yes ☐No

**Copy to WCHD:** ☐Yes ☐No

### SECTION IX ~ DIAGRAMS OR SIMILAR GRAPHIC DOCUMENTS

A. The size and location of any existing or proposed building, structure or other facilities to be used for the purpose of the assembly.

**Diagram Attached:** ☐Yes ☐No ☐N/A

### SECTION VIII ~ CONCESSIONARIES, SERVICES OR FACILITIES

List names and addresses of all persons providing contract, lease or other arrangements for the event together with such contracts, leases or other arrangements. Information called for in this paragraph shall be supplied no later than seven (7) days prior to the event and submitted to the Wyoming County Health Department (WCHD).

<b>Name</b>	<b>Address</b>

B. The placement of the proposed distribution system for water, including supply, storage, treatment and distribution sites, if required by local or state health codes.

**Diagram Attached:** ☐Yes ☐No ☐N/A

C. The facilities for the preparation, storage, sale, and distribution of food, if required, by local and state health codes.

**Diagram Attached:** ☐Yes ☐No ☐N/A

D. The location of and access to any parking areas and the means that will be

used to monitor and control this local traffic flow.

**Diagram Attached:** ☐Yes ☐No ☐N/A

E. All services and other roads serving the public assembly area, food services, toilet facilities and entertainment and performance area.

**Diagram Attached:** ☐Yes ☐No ☐N/A

#### **SECTION X ~ HEALTH DEPARTMENT**

A. Completion of Wyoming County Health Department Attachment/Checklist. All aspects of the camping area must meet the New York State Sanitary Code, Subpart 7-3 (Campgrounds), requirements.

**Attachment/Checklist Attached:** ☐Yes ☐No ☐N/A

#### **SECTION XI ~ SECURITY/PUBLIC SAFETY**

A. A detailed plan and statement fully describing any private security personnel who will be engaged by the applicant to serve on or about the site.

**Plan Attached:** ☐Yes ☐No ☐N/A

B. A detailed plan and statement providing for fire protection, specifying the location of fire lanes, water supply and equipment or apparatus to be available for such purposes is necessary. This will include a statement from the Officer in Charge of the Fire Department providing this service that arrangements will be made to adequately protect the residents of their district while they are committed to this event.

**Plan Attached:** ☐Yes ☐No ☐N/A

C. A detailed plan and statement specifying the all facilities must be made available to Emergency Medical Services at the public assembly. This will include location of crews, ambulances that will be available at the location, preparations to bring additional ambulances to the scene if needed, name and address of the doctor that will be in attendance, if any. This will include a statement from the Officer in Charge of the Emergency Medical Services Agency that arrangements will be made to adequately protect the residents of their district while they are committed to this event. All Emergency Medical Service Agencies involved will hold a valid Certificate of Need that would allow them to provide service within Wyoming County and transport to and receive Medical Control from Wyoming County Community Hospital.

**Plan Attached:** ☐Yes ☐No ☐N/A

D. All permit approvals from Wyoming County Code Enforcement Officer as required under Chapter 24 of the New York State Fire Code and Title 19 NYCRR including, but not limited to, tents; canopies; membrane structures; stages; platforms and pyrotechnics.

**Approvals Attached:** ☐Yes ☐No ☐N/A

### SECTION XII ~ ADVERTISING

A. The applicant will specify in all advertising and promotional endeavors the limitation on the number of tickets to be sold or otherwise issued as specified in the permit.

**Agreed:** ☐Yes ☐No ☐N/A

B. The applicant also agrees that all tickets will be numbered, and that no other means will be used to grant admission to the site.

**Agreed:** ☐Yes ☐No ☐N/A

C. Methods of entering the area, number and location of ticket booths and entrances, and provision for keeping persons without tickets from the area.

**Plan/Map Attached:** ☐Yes ☐No ☐N/A

### SECTION XIII ~ NOTIFICATION TO COUNTY

The information required of an applicant for a permit under this Application is for the sole purpose of providing notification to the County of Wyoming and to any other municipal subdivision impacted by the permitted event of the arrangements made by the sponsor or promoter for financing, sanitation, security, parking and the other information required in this Application so as to inform the County of Wyoming regarding the character and nature of the permitted event. Issuance of a permit under this Application does not constitute the County of Wyoming's assumption of responsibility for maintaining the services for which information is required as part of the Application.

### SECTION XIV ~ INSURANCE AND BOND REQUIREMENTS

**For events involving more than 5,000 persons but less than 7,500 persons,** no permit shall be issued unless the applicant can furnish to the Chairman of the Board of the Wyoming County Board of Supervisors a Certificate of Insurance showing evidence of insurance coverage as follows and a copy of the policy endorsement showing the County of Wyoming and the Town or Village in which the event is held, named as an additional insured.

#### Bodily Injury and Property Damage Combined

Each Occurrence (not to exceed)

\$1,000,000.00

Aggregate (not to exceed)

\$2,000,000.00

- The Certificate of Insurance shall provide no less than thirty (30) days' notice of cancellation or non-renewal of the insurance coverage.
- All Insurance and Bonds shall be written with an Insurance Carrier licensed by the State of New York Insurance Department to conduct

business in the State of New York and have an A.M. Best Company rating of A or better.

- The County of Wyoming and Town and/or Village in which the event is to be held shall be named as an Additional Insured on a primary and noncontributory basis on all policies.
- Waiver of Subrogation is required on all policies.
- All Certificates of Insurance must be signed by a licensed agent or authorized representative of the insurance carrier. A broker signature is not acceptable.

**For events involving 7,500 or more persons,** the limits of insurance shall be established by the Chairman of the Board of the Wyoming County Board of Supervisors and shall not exceed the following limits. No permit shall be issued unless the applicant can furnish to the Chairman of the Board of the Wyoming County Board of Supervisors a Certificate of Insurance showing evidence of insurance coverage as follows and a copy of the policy endorsement showing the County of Wyoming and the Town or Village in which the event is held, named as an additional insured.

**Bodily Injury and Property Damage Combined**

Each Occurrence (not to exceed)

\$5,000,000.00

Aggregate (not to exceed)

\$10,000,000.00

- The Certificate of Insurance shall provide no less than thirty (30) days' notice of cancellation or non-renewal of the insurance coverage.
- All Insurance and Bonds shall be written with an Insurance Carrier licensed by the State of New York Insurance Department to conduct business in the State of New York and have an A.M. Best Company rating of A or better.
- The County of Wyoming and Town and/or Village in which the event is to be held shall be named as an Additional Insured on a primary and noncontributory basis on all policies.
- Waiver of Subrogation is required on all policies.
- All Certificates of Insurance must be signed by a licensed agent or authorized representative of the insurance carrier. A broker signature is not acceptable.
- For events involving 7,500 or more persons, no permit shall be issued unless the applicant shall deposit with the Chairman of the Board of the Wyoming County Board of Supervisors cash or good surety company bond in a sum not less than \$10,000.00. The Chairman of the Board of the Wyoming County Board of Supervisors may reasonably require and condition that all requirements of an issued permit be fully performed by the



applicant, that no damage will be done to any public or private property and that the applicant will not permit any litter, debris or other refuse.

- Provided further that should the licensed event necessitate the employment of additional county or town personnel and equipment, such added expense shall be recoverable from the principal and/or its surety. The deposit or its balance is to be returned when the Chairman of the Board of the Wyoming County Board of Supervisors has determined that no such damage has been done and that the County did not incur such additional expense due to a said event or that the cost of the above has been paid by the applicant.

**Attached:** ☐Yes ☐No ☐N/A

### **SECTION XV ~ RELEASE OF CLAIMS AND AGREEMENT TO INDEMNIFY AND HOLD HARMLESS**

To the extent permitted by law, the applicant agrees to defend, indemnify and hold harmless the County of Wyoming, its officers, directors, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses including reasonable legal fees and costs arising in whole or in part and in any manner from acts, omissions, breach or default, in connection with the performance of the stated event, by the applicant, its officers, directors, agents, employees and subcontractors.

### **CERTIFICATION OF APPLICANT**

All information provided in the above application is hereby true and correct and all statements contained herein are true to the best of my knowledge and belief. I further certify that the event will be performed in the manner set forth in this application and in the plans and specifications filed herewith.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

Dated: \_\_\_\_-\_\_\_\_-\_\_\_\_

\*\*\*\*\* ***For Office Use Only*** \*\*\*\*\*

**Permit Fee Received:** ☐Yes ☐No \$ \_\_\_\_\_ **Date Received:** \_\_\_\_-\_\_\_\_-\_\_\_\_

**Wyoming County Approvals Received:**

- ☐ Health Department      ☐ Emergency Services      ☐ Insurance Agent  
☐ Sheriff's Department      ☐ Fire & Building Codes  
☐ Optional Pyrotechnic Permit Issued

*Chairman Berwanger asked Deputy Clerk Perez to share news of former Supervisor Rogers, T/Pike and his wife Wendy. The Deputy Clerk was pleased to share that Mrs. Rogers was looking very well and that they were planning a trip to Florida...*

February 10, 2015

Chairman Berwanger introduced Wyoming County Chamber of Commerce President, Scott Gardner to announce the \$25K Shop Wyoming & Win Holiday Sweepstakes Drawing Winners.



**“SHOP WYOMING & WIN” 2015 RESULTS**

**“A Win for Wyoming County”**

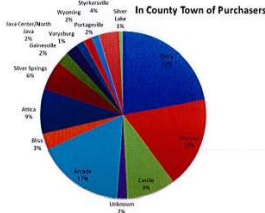
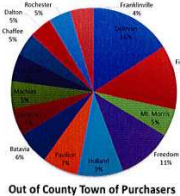
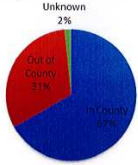
**Total Contest Participants: 435**

**Total Purchases: \$251,256**

**Increased 2014 contest shopping by: \$7,808**

**Total Sales Tax Generated: \$20,100**

**In County vs Out of County Purchasers**



Out of County Town of Purchasers



**Special Thanks to these businesses for their support and prize donations.**



*Town Supervisors were randomly chosen to draw from the squirrel cage...*

*Television (Phil's TV in Arcade) ~ Tara Herman of Delevan Lane Recliner (Attica Furniture in Attica) ~ Joe & Amy Kirsch of Strykersville \$100 Wyoming County gift card ~ Charles Canterbury of Attica*  
Chairman Berwanger announced a special power point presentation by Sam Hoyt, Former NY State Assemblyman currently serving as a State Commissioner on Governor Cuomo's Opportunity Agenda. Presentations are being made at counties across the state. The presentation will be made after this meeting is adjourned and the Governor's representatives arrive at the Government Center.

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

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

February 10, 2015

**REGULAR SESSION**  
**(March 10, 2015)**  
**Tuesday**  
**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Deputy Budget Officer, Beth Pond; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

**Gerald "Bud" Hoffmeister**

Gerald "Bud" Hoffmeister was born on this day in 1941. He spent much of his young life enjoying baseball, fishing and other outdoor activities. In January 1966, while working hard at a manufacturing facility in Batavia, he felt inspired to enlist in the United States Army. Like many patriots of the era, Mr. Hoffmeister faced the sacrifice of leaving a young family behind to support the continuing war effort in Vietnam.

Mr. Hoffmeister completed basic combat and advanced training in General Vehicle Repair and Maintenance at Fort Dix, New Jersey. It is the same base where later, the "Weather Underground" planned to detonate a bomb at an NCO club function. However, the plot failed the morning of the dance when a device exploded prematurely killing three members of the organization.

After a short leave home, Mr. Hoffmeister deployed to "Will Kaserne Post" in Munich Germany where he was assigned to the motor pool. A robust work ethic and adept knowledge of mechanics quickly propelled him to the rank of Sergeant. Soon Mr. Hoffmeister was responsible for maintenance and operation of all military vehicles assigned to the hectic facility. To serve the remaining obligation of enlistment, he was sent to Headquarters at Fort Riley, Kansas where 100-years earlier General George A. Custer took charge of the 7<sup>th</sup> Calvary Regiment.

Mr. Hoffmeister served our country proudly, just as his Great-Great Grandfather Elijah Pratt who served in the Revolutionary War did. Along with an Honorable discharge, he was awarded the:

Regular Meeting

National Defense Service Medal  
 Presidential Unit Citation  
 Army Air Defense Artillery Ribbon  
 Good Conduct Medal

In the early 70's, Mr. Hoffmeister worked as a machinist at Alcron Manufacturing while his wife Sandra worked at the Genesee County nursing home. The energetic young couple pooled their resources to purchase a building in Castile. Eventually they became the proud owners of the landmark "Bud and Sandy's" Restaurant, which ran successfully from 1981 through 2003. Mr. Hoffmeister is a three time past Commander of American Legion Wallace-Jeffers 753 and is very active in the Oakland Masonic Lodge for over 31-years. He was also instrumental in the effort to restore the "Dough Boy" monument in Castile.

These days Mr. Hoffmeister finds solitude riding a Harley Sportster on trips throughout the County. He and his wife live in the town of Warsaw.

***The pledge was said by all.***

Chairman Berwanger invited Town of Castile Supervisor, S. Tarbell to join him in the presentation of the customary certificate of appreciation to Mr. Hoffmeister and an opportunity to address the Board. At which time, Mr. Hoffmeister thanked the Board for their hard work and in being asked to lead the pledge...

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

*Director Perez awarded the Army Good Conduct medal to Mr. Hoffmeister. Mr. Hoffmeister was discharged before the opportunity to be awarded took place.*

*Mr. Hoffmeister thanked the Board for the invitation to lead in the pledge and in being presented with the Army Good Conduct Medal.*

**Communications ~**

- ***Phantom Fireworks/Youngstown, Ohio*** ~ Letter dated March 9, 2015 thanking the Board for taking the time to so diligently debate and consider the effects of the proposed local law allowing for the sale of sparklers and sparkling devices.

**Open Public Hearing ~**

Local Law No. 4 Year 2015 (Introductory B, Year 2015) Entitled, "**Wyoming County Best Value Contract Award Law**"

**#1**

March 10, 2015

**RESOLUTION NO. 15-075**  
**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2015 accounts as follows:

<b>Human Resource</b>			
<b>From:</b> 01.34.1431.4.41216 Bd. of Comm.	\$3,600.00		
01.34.1431.4.41206 Other	550.00		
01.34.1431.4.41204 Advertising	561.00		
<b>To:</b> 01.34.1431.1.10001 Salaries		\$4,375.00	
01.34.1431.8.83001 FICA		272.00	
01.34.1431.8.85001 Medicare		64.00	
<b>Reason:</b> To cover the wages and payroll taxes for the three (3) Civil Service Commissioners who will be paid through payroll in 2015.			
<b>Human Resource Total</b>			<b>\$4,711.00</b>

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

*Chairman Berwanger welcomed the additional attendees and explained that today's meeting contains a record 80 plus resolutions and that these first three are just a few of the resolutions to be voted on separately. Most of them are voted on in blocks...*

#2

**RESOLUTION NO. 15-076**  
**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2014 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2014 accounts as follows:

<b>Wyoming County Community Hospital</b>			
<b>To:</b> 02.56.4510.1.10101 FT CSEA Contract w/02.03.4510.163501 Hospital Income IGT	\$446,063.61	\$446,063.61	
<b>Reason:</b> To cover the overdraft.			
<b>Wyoming County Community Hospital Total</b>			<b>\$446,063.61</b>

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

#3

**RESOLUTION NO. 15-077**  
**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2015 accounts as follows:

<b>Treasurer</b>			
<b>To:</b> 01.50.9089.8.89999 Prior Year Fringe w/ <i>any funds available</i> <b>Reason:</b> To cover IRS penalty for 2009-2011 filing of 941 adjustments.	\$10,502.42	\$10,502.42	
<b>Treasurer Total</b>			<b>\$10,502.42</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4220.4.40932 MH Youth Contract w/ 01.03.4220.1289 Narcotic Addiction Control <b>Reason:</b> Partners For Prevention was awarded the 2015 YOU(th) Decide Project Grant.	\$15,000.00	\$15,000.00	
<b>Mental Health Total</b>			<b>\$15,000.00</b>
<b>Water Resource Agency</b>			
<b>To:</b> 01.48.8310.4.40301 Prof. Svc Contract w/01.11.8310.3089 Other State Aid <b>Reason:</b> To cover expenses related to the grant extension.	\$2,000.00	\$2,000.00	
<b>Water Resource Agency Total</b>			<b>\$2,000.00</b>
<b>Jail</b>			
<b>To:</b> 01.37.3150.2.20501 Comp Equip 01.37.3150.4.41410 Software w/ <i>any funds available</i> <b>Reason:</b> Live Scan equipment upgrade; 2014 PO #44206 to Morpho USA Inc. was liquidated; connection to the State is now ready.	\$14,399.00 2,699.00	\$17,098.00	
<b>Jail Total</b>			<b>\$17,098.00</b>

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,347,111.57** for the month of **February 2015**.

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

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

**#4**

**RESOLUTION NO. 15-078**

March 10, 2015

(March 10, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

**RESOLUTION REQUIRING UPDATED DRIVER'S LICENSE PHOTOS  
OVER A REASONABLE PERIOD OF TIME**

**WHEREAS**, Currently New York State law and regulations require that all New York driver's licenses are renewed and updated at a minimum of every eight years; and

**WHEREAS**, This requirement for updated license information is for safety precautions and the required updates include listing changes in height, residential address and listing eye examination results; and

**WHEREAS**, Under current State law and regulations there is the requirement to obtain an eye exam every eight years which can be achieved at County and State operated DMV's; and

**WHEREAS**, New York State and Nevada are the only two states in the Country that lack the requirement to update photos on driver's licenses; and

**WHEREAS**, Due to this inconsistency with all other states, many New York driver's license photos are decades old; and

**WHEREAS**, The intent of requiring a picture on a driver's license is to help verify identity, prevent fraud and identity theft and increase safety; and

**WHEREAS**, Allowing license holders to have photos that are decades old may work against the goals identified above; and

**WHEREAS**, The requirement to get an updated photo on a driver's license would not have to include an additional cost to the State resident license holder; and

**WHEREAS**, The requirement to get an updated photo on a driver's license should not be an inconvenience for the license holder as they can get the updated photo in the same DMV and at the same time as taking the State law required eye exam; and

**WHEREAS**, In New York and throughout the Country, a driver's license is the leading document provided to safety officials, government workers and private businesses when picture verification is needed; and



**WHEREAS**, An updated photo is necessary to prevent fraud, provide accurate information to police officers in the field and strengthen homeland security efforts; now therefore

**BE IT RESOLVED**, The Wyoming County Board of Supervisors calls on Governor Cuomo and members of the State Legislature to require an updated photo on all drivers' licenses in keeping with the other forty-eight states in our nation; and be it

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

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

**#5**

**RESOLUTION NO. 15-079**  
**(March 10, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

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

**WHEREAS**, Fifty-one of the sixty-two New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

**WHEREAS**, This local DMV operation is one of many examples of shared services that Counties provide for the State; and

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

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

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

**WHEREAS**, Increasing the County DMV revenue sharing rate with the

March 10, 2015

State will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

**WHEREAS,** There is a clear inequity present when a County DMV provides all the services, including overhead and staffing needs to fulfill these DMV needs for State residents, yet the State takes 87.3% of the revenue generated from providing said service; now therefore

**BE IT RESOLVED,** The Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the State Legislature to require a substantial increase of the County DMV revenue share with the State; and be it

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

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

**#6**

**RESOLUTION NO. 15-080  
(March 10, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**RESOLUTION NUMBER 14-393 AMENDED**

**WHEREAS,** Resolution Number 14-393 entitled, “**POSITION CREATION(S)/ABOLISHED/EXTENSION(S) APPROVED**” passed by this Board of Supervisors on November 12, 2014 creating and amending several county positions including the extension of one (1) position of *Jail Administrator*, FT (Temp.) on Salary Schedule “S” at \$53,830.00 annually; effective November 15, 2014 for four months while waiting on New York State Civil Service reclassification decision; now therefore

**BE IT RESOLVED,** That Resolution Number 14-393 be hereby amended to reflect an effective date for *Jail Administrator*, FT (Temp.) of November 14, 2014.

All else remains the same.

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

Regular Meeting

*There was a motion by Ms. Grant, T/Bennington, to withdraw resolution office number 10 and refer it back to Committee for further consideration and to combine resolutions #7 through #9 and #11 through #18. A voice vote was taken and all voted aye.*

#7

**RESOLUTION NO. 15-081**  
**(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION CALLING ON THE STATE TO PROVIDE PENSION  
SUPPORT FOR VETERANS WHILE PROTECTING ALREADY  
OVERBURDENED LOCAL TAXPAYERS**

**WHEREAS**, The Wyoming County Board of Supervisors and its membership strongly support veterans that have served our country; and

**WHEREAS**, In addition, County officials strongly support providing veterans with benefits that encompass their time serving our country in military service; and

**WHEREAS**, The State enacted pension system reforms two years ago ~ *referred to as Tier VI* ~ that included a provision stating that any expansion of state/local pension benefits would be paid for by the State; not local property taxpayers; and

**WHEREAS**, Pension reform has long been a priority for county officials looking to reduce the property tax burden on homeowners and businesses; and

**WHEREAS**, County pension contributions increased from \$47 million in 2000 to more than \$1.1 billion in 2014; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby calls on State lawmakers to amend this legislation in a way that provides proper support for our veterans consistent with existing law; and be it

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

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

March 10, 2015

**RESOLUTION NO. 15-082**  
**(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO ENACT REFORMS TO THE EARLY  
INTERVENTION PROGRAM THAT REQUIRES THE STATE TO  
STRENGTHEN PROVIDER CAPACITY IN ALL REGIONS OF THE  
STATE TO ENSURE ELIGIBLE CHILDREN RECEIVE SERVICES  
AVAILABLE TO THEM UNDER STATE LAW AND REGULATIONS**

**WHEREAS**, Recent reforms to the Early Intervention Program (EIP), including the establishment of the statewide fiscal agent, were to provide administrative and contracting efficiencies. This initiative is in need of important refinements in order to address significant provider capacity shortfalls that have occurred in many communities since the transition to State administered provider agreements in April 2013; and

**WHEREAS**, Counties are responsible for ensuring that services developed in an Individualized Family Service Plan (IFSP) begin in a timely fashion ~ namely thirty days from the date of the authorization; and

**WHEREAS**, Service coordinators are required to assign providers to a child's IFSP that have current provider agreements with the State Department of Health and are listed by county in the New York Early Intervention System (NYEIS) database; and

**WHEREAS**, Providers listed in the NYEIS database are frequently unavailable to provide services to a child due to several factors, including the area in which the child resides, only accepting referrals for one or two children enrolled in the Early Intervention Program (EIP) due to other commitments, the provider's case load is full, or a provider is no longer participating with the Early Intervention Program but is still listed as a participating provider; and

**WHEREAS**, Some providers left the Early Intervention Program solely due to implementation and payment delay issues related to the rollout of the statewide fiscal agent model; and

**WHEREAS**, Because of the decline of participating and available providers, many counties cannot provide, in a timely manner, all of the types of

early intervention services required under the law to already enrolled eligible children, sometimes leading to placement on waiting lists; and

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

**BE IT RESOLVED,** The Wyoming County Board of Supervisors calls upon the Governor and New York State Legislature to implement reforms to the Early Intervention Program which holds the State responsible for ensuring there is sufficient provider capacities in all service types across the State by region to serve identified children in all types of early intervention services; and be it

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

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

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

**#9**

**RESOLUTION NO. 15-083  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO IMPLEMENT REFORMS TO THE EARLY  
INTERVENTION PROGRAM SO THAT IT IS MORE ACCOUNTABLE  
TO THE CHILDREN IT SERVES AND TO THE TAXPAYERS OF THE  
STATE WHO FUND IT**

**WHEREAS,** Since April 2013 counties no longer contract with, or make payments to, early intervention providers as the State-contracted fiscal agent has taken over these responsibilities; and

March 10, 2015

**WHEREAS,** Counties appreciate the State's attempt to provide mandate relief through the centralization of some administrative functions, but confusion, implementation delays and a lack of information to providers has caused a considerable increase in needed assistance so counties can retain provider services; and

**WHEREAS,** The New York State Early Intervention System (NYEIS) continues to suffer from implementation issues after several years, including the inability to provide accurate reports that would allow counties to effectively and efficiently monitor and control program and fiscal problems; and

**WHEREAS,** Since the state fiscal agent does not review or audit documentation for compliance, nor does the Department of Health require providers to attest upon submission of claims that all documentation exists and is on file, this task has fallen to the counties to review *post facto* at the time of programmatic monitoring and/or fiscal auditing; and

**WHEREAS,** Counties are directed by the Department of Health to limit the documentation they regularly request of providers strike; and

**WHEREAS,** At this time it does not appear that the Department of Health has a comprehensive mechanism in place to audit providers, which include fiscal reviews set standardized protocols on how municipalities should report findings whether programmatic or fiscal, to act on findings of provider misconduct, or provide a mechanism to recoup inappropriate payments to providers; and

**WHEREAS,** The Office of the State Comptroller has uncovered significant program integrity problems with the closely aligned Preschool Special Education Program that is served by many of the same early intervention providers and accessed by many of the children and families utilizing early intervention services; now therefore

**BE IT RESOLVED,** The Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo, the State Legislature and the New York State Department of Health to establish, in conjunction with New York State Association of Counties and New York State Association of County Health Officials, strong audit and program integrity mechanisms in order to provide necessary protections to children, families and taxpayers to ensure only the highest quality, appropriate and most effective services are provided to children with special needs; and be it

**FURTHER RESOLVED,** these integrity efforts should:

Regular Meeting

- establish strong New York State Bureau of Early Intervention protocols of early intervention providers and support county efforts in this regard;
- protocols;
- standardized reporting procedures for County and State fiscal and programmatic findings;
- clearly delineate County, State and provider responsibilities;
- ensure that third party and Medicaid reimbursements are maximized;
- provide clear and actionable guidelines on recouping inappropriately or incorrectly claimed services;
- provide clear and actionable guidelines to address provider misconduct; and
- continue to improve the current data systems that capture fiscal and programmatic data to facilitate accurate reporting and monitoring; and be it

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

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

**#10**

**RESOLUTION NO. 15-  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO GRADUALLY ELIMINATE THE COUNTY  
FISCAL RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION  
AND SUMMER SCHOOL SPECIAL EDUCATION PROGRAMS**

**WHEREAS**, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as Section 4410 of the Education Law; and

**WHEREAS**, The original law included a provision to limit the county fiscal responsibility to 25 percent by the 1993~1994 school year; and

**March 10, 2015**

**WHEREAS,** The Wyoming County Board of Supervisors commends the Governor and New York State Legislature for the reform to the 2014~2015 New York State Budget; and

**WHEREAS,** The Wyoming County Board of Supervisors commends the Governor for his proposal for establishing regional; and

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

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

**WHEREAS,** The State also requires counties to support 10 percent of summer school special education 4,408 program costs for all children; and

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

**WHEREAS,** Over the last decade the failure of the State to fund these costs has shifted more than \$1.5 billion to county property taxpayers, exceeding \$250 million annually today, raising costs for homeowners and small businesses throughout New York State; and

**WHEREAS,** The tuition setting methodology for special classes and Special Education Itinerant Teachers (SEIT) is outdated and inequitable and not in the best interest of children; and

**WHEREAS,** The State will require the implementation of a new SEIT reimbursement methodology beginning July 1, 2015 that will ensure the State and counties only pay for services actually delivered; now therefore

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

**FURTHER RESOLVED,** The first phase should include capping county fiscal liability for preschool special education at no more than what each county paid in 2013 and then implementing a three-year plan to incrementally reduce the county



fiscal liability for this program to no more than 25 percent as intended at the inception of the program to help reduce pressure on property taxes; and be it

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

**FURTHER RESOLVED,** That the State Education Department continue to work with counties and providers to promptly reform the entire preschool rate setting process so that it is fair to providers, accountable to taxpayers, families and children and cost-effective for the State and counties; and be it

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

**Carried:      Ayes:      Noes:      Absent:      Abstain:**

**#11**

**RESOLUTION NO. 15-084  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO REVERSE THE TREND OF SHIFTING THE  
FISCAL RESPONSIBILITY OF MEETING ITS CONSTITUTIONAL  
REQUIREMENT TO CARE FOR THE NEEDY TO COUNTY  
PROPERTY TAXPAYERS BY GRADUALLY RESTORING HISTORIC  
COST SHARING ARRANGEMENTS BEGINNING WITH THE STATE  
MANDATED SAFETY NET PROGRAM**

**WHEREAS,** The 2011~2012 State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent County / 29 percent State, severing the historic 50 percent State / 50 percent County partnership; and

**WHEREAS,** This action continues a long line of State legislative actions that has shifted more fiscal responsibility for social service programs to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

March 10, 2015

**WHEREAS,** The Safety Net Program funding shift also builds upon recent trends where the State has leveraged significant savings from maximizing available federal resources largely for state financial plan purposes only, at the expense of local property taxpayers; and

**WHEREAS,** The State's pattern of not sharing savings equally with counties and New York City from maximizing federal social services resources (just as we historically shared program costs equally) minimizes the value of other prominent mandate relief initiatives such as the Medicaid zero growth cap; and

**WHEREAS,** The net effect of this practice requires local property taxes to remain higher than they should be because available savings are being spent by the State rather than providing relief for local property taxpayers; and

**WHEREAS,** The steady pullback of State funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, safety net, child support enforcement, juvenile justice and programs designed to help recently released State incarcerated offenders return to the community creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, forcing this State constitutional responsibility on county government and local property taxpayers; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the State to reverse the past cost shifts in all of these social services programs by first restoring, on a gradual basis, the historic 50/50 State/County cost sharing for the Safety Net Program in order to help lower the local property tax burden on homeowners and small businesses; and be it

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

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

**#12**

**RESOLUTION NO. 15-085  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO IMPLEMENT FINANCING REFORMS THAT**

Regular Meeting

**REDUCE THE IMPACT OF RETROACTIVE CHARGE BACKS TO  
COUNTIES FOR YOUTH PLACED IN STATE FACILITIES  
OPERATED BY THE OFFICE FOR CHILDREN AND FAMILY  
SERVICES WHILE ALSO DECREASING VOLATILITY AND  
PROVIDING MORE CERTAINTY IN ESTIMATING PROSPECTIVE  
COSTS PER PLACEMENT**

**WHEREAS**, Governor Cuomo proposed and the State Legislature supported significant reforms to the Juvenile Justice System in New York through the "Close to Home" initiative; and

**WHEREAS**, The goals of these reforms are to reduce recidivism, provide much needed services to children at risk and their families in local communities, reduce excess capacity in the Office for Children and Family Services facilities that house these youth, and also to reduce costs for the State and counties by eliminating the expenses associated with operating empty or underutilized facilities targeted for closure or consolidation; and

**WHEREAS**, These reforms are moving forward but the reduction in costs for counties has not been realized and the cost of placements in State facilities continues to increase unabated; and

**WHEREAS**, Due to the increasing costs per placement the State Office for Children and Family Services (OCFS) continues to struggle with finalizing rates with interim rates remaining in place for several years; and

**WHEREAS**, When rates are finalized years later it results in significant fiscal challenges for counties to pay the lump sum of multiple years of retroactive claims; and

**WHEREAS**, These lump sum payments alone can easily exceed the entire allowable growth in a county's property tax levy in a given year; and

**WHEREAS**, The Governor's 2015/2016 budget proposes to cap prospective County costs in this system, as well as, waiving excessive retroactive billings to counties; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby applaud the Governor's budget proposal that caps counties fiscal liabilities and provides important stability and predictability for county budgets; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of  
March 10, 2015

Supervisors strongly urges the State Legislature to support the Governor's budget proposal; and be it

**FURTHER RESOLVED**, These reforms should also provide a prospective solution that reduces volatility in the per placement costs in future years while also providing more predictability to help counties manage costs and meet the goals of the State imposed property tax cap and tax freeze; and be it

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

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

**#13**

**RESOLUTION NO. 15-086**

**(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO TAKE EXTRAORDINARY MEASURES TO  
MAINTAIN THE HISTORIC LOCAL MEDICAID  
ZERO GROWTH CAP**

**WHEREAS**, The enactment of the zero growth cap on local Medicaid cost sharing is one of the top mandate and property tax relief initiatives ever implemented by the State; and

**WHEREAS**, Even with these efforts, Medicaid remains the single largest State mandated expense incurred by nearly every county; and

**WHEREAS**, As decided in a recent lower court decision (*Konstantinov v. DaMes*) an individual who, upon application for Medicaid Assistance, has an immediate need for personal care services will be presumed eligible for immediate temporary personal care services; and

**WHEREAS**, The State has mistakenly interpreted this lower court decision in draft regulations as a mandated expense for counties, not the State, creating an exception to the Medicaid "cap" statute, therefore, forcing counties and New York City to pay the cost of such services over and above current law statutory Medicaid local "cap" contributions; and

Regular Meeting

**WHEREAS,** The State Department of Health estimates the potential annual costs to counties and New York City could be as much as \$35 million in the first year if the rule is finalized; and

**WHEREAS,** Counties believe these new costs would grow substantially over time; and

**WHEREAS,** This exception to the Medicaid cap and the lower court decision and State interpretation that counties and New York City are solely responsible for costs associated with emergency and presumptive care is a dangerous precedent and completely undermines the goal of the Governor and State Legislature to reduce mandates on local governments in an effort to help control property taxes; and

**WHEREAS,** This decision, if allowed to remain and be applied statewide, essentially exempts State Government from the New York State Constitutional requirement and long-standing practice that it must provide care for the needy and places this responsibility solely on the backs of local property taxpayers; and

**WHEREAS,** The Governor's 2015-2016 Budget includes a statutory fix designed to mitigate the Lower court decision; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to maintain the zero growth Medicaid local share cap by enacting into law the Governor's proposed statutory remedy for this ill-conceived court-ruling that rewrites and redefines 70 years of State social services law precedent, reverses State law in relation to the State Medicaid local share cap enacted three years ago, severely compromises the ability of counties to conform to the goals of the State imposed property tax cap and will likely cost local property taxpayers hundreds of millions of dollars in the coming years if the State does not maintain the local cap on Medicaid shares; and be it

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

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

**#14**

**RESOLUTION NO. 15-087  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

March 10, 2015

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO RECOGNIZE THE IMPORTANCE OF LOCAL  
PUBLIC TRANSIT SYSTEMS AS THE STATE CENTRALIZES AND  
RENEWS REGIONAL MEDICAID TRANSPORTATION PROGRAMS**

**WHEREAS,** Counties support the efficient and effective delivery of Medicaid transportation services; and

**WHEREAS,** Medicaid funding for the transportation of people to medical appointments has constituted a substantial portion of revenues for demand response public transportation services in many rural upstate areas; and

**WHEREAS,** Current demand response public transportation services Medicaid reimbursement rates are generally equal to or lower than taxi rates, with some systems being far less costly than taxi and other alternative providers being used under the new centralized contracts; and

**WHEREAS,** As the State Department of Health has worked to centralize scheduling of Medicaid transportation services, some rural upstate transit systems have seen a sharp decline in revenues and some have ceased operations which negatively affects broad regions of the State; and

**WHEREAS,** The State has recognized the unintended, adverse impacts of this change on many rural public transportation systems; and

**WHEREAS,** The New York State Departments of Health and Transportation, representatives of affected counties, transportation service providers, and members of the State Legislature are working to address negative impacts and improve State programs supporting community transportation services; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby call on the Governor and the State Legislature to require the New York State Department of Health to consider the involvement of public local demand response transportation and transit systems as they centralize and renew regional Medicaid transportation contracts; and be it

**FURTHER RESOLVED,** This analysis should weigh the considerable public benefits that existing demand response transportation services provide to Medicaid recipients, people with disabilities and seniors as they access health care and other community resources that can improve quality of life outcomes for residents in these communities; and be it

**FURTHER RESOLVED,** The State should evaluate and employ

national best practices to provide Medicaid transportation as part of an integrated community transportation system that provides not only medical transportation services but provides access for all aspects of a person's life in their community; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors support a continuation and increased appropriation of State financial support to local transit systems negatively impacted by regional Medicaid transportation contracts; and be it

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

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

**#15**

**RESOLUTION NO. 15-088  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**JAKE KRAPELL APPOINTED TO THE  
WYOMING COUNTY YOUTH BOARD**

**BE IT RESOLVED**, That Jake Kramell, 6590 Cowie Road, Wyoming, NY 14591 be hereby appointed to the Wyoming County Youth Board for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

**#16**

**RESOLUTION NO. 15-089  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
EASY EXPRESSIONS SPEECH THERAPY ON BEHALF OF THE  
YOUTH BUREAU**

March 10, 2015

**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 Easy Expressions Speech Therapy, 870 Underhill Road, East Aurora, NY 14052 on behalf of the Youth Bureau. Said contract is for pre-school related services in an amount not to exceed 2015 ~ 2018 budget; effective March 2, 2015 through June 30, 2018.

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

**#17**

**RESOLUTION NO. 15-090  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION NUMBER 15-046 AMENDED**

**WHEREAS**, Resolution Number 15-046 entitled, **“CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A CONTRACT WITH RESTORE SEXUAL ASSAULT SERVICES ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES”** passed by this Board of Supervisors on February 10, 2015 to identify RESTORE Sexual Assault Services as the Administrator of the Wyoming County Domestic Violence Project in an amount not to exceed forty thousand five hundred dollars (\$40,500.00); effective February 20, 2015 through December 31, 2015; now therefore

**BE IT RESOLVED**, That Resolution Number 15-046 be hereby amended to reflect Planned Parenthood/RESTORE Sexual Assault Services as the Administrator of the Wyoming County Domestic Violence Project.

All else remains the same.

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

**#18**

**RESOLUTION NO. 15-091  
(March 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED  
TO SIGN A CONTRACT WITH THE ARC OF**



**LIVINGSTON/WYOMING, DBA KIDSTART 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 The ARC of Livingston/Wyoming, dba KidStart, 5871 Groveland Station Road, Mount Morris, NY 14510 on behalf of the Department of Social Services. Said contract provides subsidized child care for temporary assistance families and eligible families not on temporary assistance in an amount not to exceed budgeted amounts depending on services provided.; effective January 1, 2015 through December 31, 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 #19 through #28. A voice vote was taken and all voted aye.*

**#19**

**RESOLUTION NO. 15-092  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION OPPOSING THE ELIMINATION OR FURTHER  
REDUCTION OF REVENUE OFFSET FOR ARTICLE 6 STATE AID  
REIMBURSEMENT ALONG WITH SUPPORTING AN INCREASE IN  
THE STATE REIMBURSEMENT RATE FOR GENERAL PUBLIC  
HEALTH WORK UNDERTAKEN BY LOCAL HEALTH  
DEPARTMENTS TO SUPPORT STATEWIDE POPULATION  
HEALTH GOALS**

**WHEREAS**, Stable and timely funding to support core public health services under Article 6 of the Public Health law is essential for the protection of all communities within New York State; and

**WHEREAS**, Article 6 of the Public Health Law currently provides a base grant, then State reimbursement for 36 percent of local health department costs for mandated core public health services; and

**WHEREAS**, The State has reduced its annual appropriations for Article 6 public health spending by 40 percent over the last several years,

March 10, 2015

including more reductions in the 2015/2016 proposed budget; and

**WHEREAS,** Claims for Article 6 public health spending have declined dramatically as a result, with New York City claims alone dropping by \$85 million and State aid payments to New York City declining by \$120 million; and

**WHEREAS,** The State has implemented administrative actions that will reduce revenues for local health departments even further; and

**WHEREAS,** The administrative action to eliminate or reduce revenue offset claims for Article 6 State aid reimbursement will have a negative impact on the ability of local health departments to protect the public including:

- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases such as Ebola;
- responding to current heroin and opioid epidemic; ensuring the safety of the food we eat, the water we drink, and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues
- preventing major causes of death and disease such as heart disease, diabetes, asthma and cancer
- monitoring and control of insect borne diseases such as Lyme disease, West Nile Virus, Eastern Equine Encephalitis (EEE);
- monitoring the influx of unaccompanied minors into the United States;
- monitoring and responding to international health threats and emergencies; among other public health needs; and

**WHEREAS,** Local health departments are key partners of the New York State Department of Health in population health efforts, working to achieve important outcomes established as statewide goals in the New York State Prevention Agenda; and

**WHEREAS,** Administrative actions that would eliminate or reduce revenue offset will have a cascading immediate and long term financial impact because it will reduce the number of revenue-producing services that not only result in a cleaner, safer and healthier New York but also generate fee and penalty revenue; and

**WHEREAS,** Lower fee and penalty revenue will increase the need for more extensive local budget cuts, including staff reductions that will compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public's health; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor to fully reinstate revenue offset as a reimbursable expense to allow local health departments to continue to provide core public health services and respond to emerging and ongoing public health threats such as the World Health Organization declaration of two separate international public health emergencies since May 2014; and be it

**FURTHER RESOLVED**, To compensate for significant State funding cuts in recent years, the Wyoming County Board of Supervisors and NYSACHO supports an increase of two percent, from 36 percent to 38 percent, in the Article 6 State Aid for General Public Health Work reimbursement rate; and be it

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

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

**#20**

**RESOLUTION NO. 15-093  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH  
AND THE GOVERNOR TO ENSURE THE LONG TERM VIABILITY  
OF THE STATE FUNDED HOUSING PROGRAM BY DESIGNING AN  
ADEQUATE FUNDING FORMULA FOR THE PROGRAM THAT IS  
BASED ON ACTUAL COSTS**

**WHEREAS**, The Supported Housing Program was created by the State Office of Mental Health in 1990 to increase permanent housing options for people with serious mental illness while providing individual-specific support services designed to assist them in succeeding in their housing; and

**WHEREAS**, Safe, decent, and affordable housing with supports is an essential component of recovery for many people with serious mental illness; and

**WHEREAS**, Supported housing provides a rent subsidy for an apartment and support services provided by a case manager which includes assistance with setting up a household, budgeting, meeting tenant responsibilities, linking to community resources, managing behavioral health

March 10, 2015

and medical needs and any other tasks needed by the resident to stay in the community; and

**WHEREAS,** The State is committed to the downsizing of the State-operated psychiatric centers, implementing the U.S. Supreme Court's Olmstead Decision and reducing Medicaid costs through Health Homes, the Delivery System Reform Incentive Payment (DSRIP) Program and other Medicaid Redesign Team (MRT) initiatives; and

**WHEREAS,** There is increasing pressure from the State to house people in supported housing with very complex needs who are being discharged directly from institutional settings, such as psychiatric centers, other hospitals, nursing homes, jails and prisons; and

**WHEREAS,** The supported housing model was originally funded and designed to serve people who could live independently with minimal support services and who were not in need of complex medication management and intensive rehabilitation services; and

**WHEREAS,** Today the population living in supported housing need a higher level of behavioral and rehabilitation supports to successfully transition into the community from an institutional setting and have complex physical health care needs which require intensive medication management, primary and specialty care visits and other supports; and

**WHEREAS,** Individuals with serious mental illness obtain supported housing through the Single Point of Access (SPOA) process which is administered by the Local Governmental Unit (LGU) and is intended to ensure those individuals with serious and expedited process; and

**WHEREAS,** LGUs are finding that Supported Housing providers do not have the funding needed to hire the staff necessary to serve high need residents and sometimes are unable to accept these residents into their programs leaving the SPOAs and LGUs with fewer options for housing placement and forcing them to rely on the shelters and other less stable types of housing, which take resources away from other county departments also in need of stable housing; and

**WHEREAS,** The viability and long-term sustainability of supported housing in New York is in jeopardy due to the outdated reimbursement rate which was not designed to address the complex service needs of the program's current recipients and has failed to keep pace with the increasing costs of rent, staffing and overall operations; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Office of Mental Health to adopt a reasonable funding formula for the Supported Housing Program that reflects actual program costs and will ensure the long-term viability of the program; and be it

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

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

**#21**

**RESOLUTION NO. 15-094  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION REQUESTING THAT THE GOVERNOR AND STATE  
LEGISLATURE REVIEW ITS INTERPRETATION OF THE  
OLMSTEAD DECISION AS IT RELATES TO CHOICE OF  
EMPLOYMENT FOR PERSONS WITH INTELLECTUAL AND  
DEVELOPMENTAL DISABILITIES**

**WHEREAS**, The United States Department of Justice and the Centers for Medicare and Medicaid Services have been working with the various states to ensure that the terms of the 1999 Supreme Court decision *Olmstead vs. L.C.*, which requires that persons with disabilities must be placed in the most integrated settings appropriate to their needs are enforced, and

**WHEREAS**, New York State believes that sheltered workshops are segregated settings and not appropriate for implementing the Olmstead decision, and

**WHEREAS**, The State of New York has promulgated rules wherein no new individuals may be placed in sheltered workshops and all sheltered workshops will be closed within six years, and

**WHEREAS**, Some 8,000 individuals with disabilities are currently employed in sheltered workshops in New York State, and

**WHEREAS**, The State's plan is to move approximately half of those individuals into minimum wage jobs and the other half into day programs

March 10, 2015

with no employment, and

**WHEREAS,** The individuals in the workshops currently earn less than the minimum wage based on their production capacity under the terms of an exemption in the Fair Labor Standards Act, and

**WHEREAS,** The State does not support paying less than the minimum wage under said exemption, and

**WHEREAS,** The sheltered workshops provide employment to individuals who otherwise could not be employed and who want to continue to work there, and

**WHEREAS,** The State and Federal government, by these rules, do not support the choice of these individuals to continue working, even though the Olmstead decision specifically states that depending on the abilities and needs of the individual, such settings are legally acceptable, and

**WHEREAS,** Wyoming County strongly supports and advocates for the choices of said individuals and their families to work in sheltered workshops as a way to feel as and be productive citizens, regardless of abilities, and

**WHEREAS,** Wyoming County believes the elimination of sheltered workshops would be a discriminatory and harmful action against disabled individuals; now therefore,

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and the New York State legislature to consider that either workshops be allowed as a choice of employment or a model be created that promotes integration in the workshops with the support and resources necessary to make it successful and provides choice for people with disabilities as required by Olmstead, and be it

**FURTHER RESOLVED,** That the Clerk to this Board shall forward certified copies of this resolution to United States Senators Kirsten Gillibrand and Charles Schumer, United States Congressman Chris Collins, New York State Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman David DiPietro, the New York State Office of Mental Health, New York State Association of Counties and all others deemed necessary and proper.

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

**#22**

**RESOLUTION NO. 15-095**  
**(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 13-351 AMENDED**

**WHEREAS**, Resolution Number 13-351 entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2014 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH**” passed by this Board of Supervisors on November 12, 2013 to provide for various FY 2014 contracts for Mental Health; now therefore

**BE IT RESOLVED**, That Resolution Number 13-351 be hereby amended to reflect the following changes:

8. **Coordinated Care Services, Inc. of Rochester**, 1099 Jay Street, Building J, Rochester, NY 14611-1153 to increase the original contract amount from four hundred four thousand five hundred ninety-four dollars (\$404,594.00) by thirty-two thousand two hundred twenty-three dollars and thirty-one cents (\$32,223.31) for a total contract amount of four hundred thirty-six thousand eight hundred seventeen dollars and thirty-one cents (\$436,817.31):
- D. **Substance Abuse Prevention** increased from one hundred ninety-three thousand thirty-one dollars (\$193,031.00) to two hundred twenty-five thousand two hundred fifty-four dollars and thirty-one cents (\$225,254.31).

Contingent upon the availability of funds.

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

**#23**

**RESOLUTION NO. 15-096**  
**(March 10, 2015)**

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

March 10, 2015

**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 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 proclaim March 2015 to be **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** in Wyoming County and urges all 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: 1599      Noes:      Absent:      Abstain:**

**#24**

**RESOLUTION NO. 15-097  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AND COMMISSIONER OF HEALTH AUTHORIZED TO  
SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH  
NEW YORK STATE DEPARTMENT OF HEALTH / 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 New York State Department of Health / Health Research, Inc., Albany, NY 12204 on behalf of the County Health Department. Said Grant application and acceptance award is for the provision of funding for Public Health Emergency Preparedness (PHEP) Ebola Preparedness and Response Activities in a

Regular Meeting



minimum amount of thirty-eight thousand dollars (\$38,000.00); effective April 1, 2015 through September 30, 2016.

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

#25

**RESOLUTION NO. 15-098  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH TO ACCEPT THE  
“Cortland County Bid award for Fleet Leasing Services” AND EXERCISE  
THE RIGHT TO “PIGGYBACK” AS AN ELIGIBLE POLITICAL  
SUBDIVISION UNDER GML §103 (16)**

**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 accept the “*Cortland County Bid Award for Fleet Leasing Services*” and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16). Bid awarded to Enterprise Fleet Management, 248 Buell Road, Rochester, NY 14624; and be it

**FURTHER 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 Lease Agreement with Enterprise Fleet Management, 248 Buell Road, Rochester, NY 14624 for lease of one (1) 2015 Ford Fusion, total cost not to exceed \$21,062.59 including buyout. Funds budgeted and expense fully reimbursed by NYS Department of Health approved Adolescent Tobacco Use Prevention Act grant and NYSDOH Article 6 State Aid. Vehicle must be received by the Wyoming County Health Department no later than March 31, 2015.

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

#26

**RESOLUTION NO. 15-099  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
GRANT APPLICATIONS AND ACCEPTANCE AWARDS WITH NEW  
YORK STATE DEPARTMENT OF HEALTH, CENTER FOR**

March 10, 2015

**COMMUNITY HEALTH, DIVISION OF CHRONIC DISEASE  
PREVENTION 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 for the Livingston/Wyoming Cancer Services Program with New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention, ESP Corning Tower, Room 1025, Albany, NY 12237 as follows:

- **Clinical Services Provider Payments** in a minimum amount of not to exceed forty-four thousand eighty-seven dollars (\$44,087.00); effective April 1, 2015 through March 31, 2016.
- **Infrastructure Expense for the Livingston Wyoming Cancer Services Partnership** in a minimum amount of one hundred ten thousand dollars (\$110,000.00); effective April 1, 2015 through March 31, 2016.

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

**#27**

**RESOLUTION NO. 15-100  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
SUB AGREEMENT WITH LIVINGSTON COUNTY HEALTH  
DEPARTMENT 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 Sub-Agreement with the Livingston County Health Department, 2 Murray Hill Drive, Mount Morris, NY 14510 on behalf of the County Health Department. Said Sub Agreement is for reimbursement of Livingston Wyoming Cancer Services Program activities in a *maximum* amount of thirty-five thousand six hundred eighty-four dollars (\$35,684.00); effective April 1, 2015 through March 31, 2016. Expense is fully reimbursed by the Cancer Services Program Infrastructure Grant from New York State Department of Health as required by the approved New York State Department of Health work plan.

Contingent upon the availability of funds.

Regular Meeting

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

**#28**

**RESOLUTION NO. 15-101  
(March 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
SUB AGREEMENT WITH NEW YORK STATE DEPARTMENT OF  
HEALTH 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 Sub-Agreements for reimbursement of Navigator Grant activities, as required by the New York State Department of Health work plan; effective October 1, 2014 through September 30, 2015 as follows:

- Wyoming County Chamber of Commerce ~ \$10,000.00
- Wyoming County Community Action ~ \$49,150.00

fully reimbursed by the New York State Department of Health In Person Assistors and Navigator Grant.

Contingent upon the availability of funds.

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

*After the roll call vote and passage of resolutions #19 through #28 Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to make a presentation.*

*Supervisor Ryan, T/Warsaw invited Supervisor Kushner, T/Eagle to explain Resolution Number 21. Supervisor Kushner introduced his friends Ed and Marcy Van Zandt and shared information about their daughter, Casey, who was born with Down Syndrome. Supervisor Ryan asked that Karen Dubois join them at the podium, as well...*

*Mrs. Van Zandt came forward and shared Casey's story. In doing so, she asked Deputy Budget Officer Beth Pond to hold a picture of Casey so that everyone could see who Casey was... She explained that recently four (4) bills were introduced and passed unanimously by both the Senate and Assembly, only to be vetoed by the Governor. By vetoing these bills Governor Cuomo took away funding and choices for the developmentally disabled.*

March 10, 2015

*Lisa Erwin, President of the Self Advocacy group was invited by Mrs. Van Zandt to speak next. Ms. Erwin invited attendees to the Disabilities Awareness Month celebration on March 23<sup>rd</sup> at 10:00 AM at the Livingston/Wyoming ARC in Mt. Morris. Interested persons were encouraged to contact Jeff Thomas for details.*

*Karen Dubois came forward to tell her son, Matthew's, story, she too spoke in favor of providing choices for people with disabilities and relayed her frustration over the Governor's decision to take away their choices through a series of vetoed legislation last year.*

*Supervisor Ryan, T/Warsaw advocated for the importance of the workshops remaining open and just how very important these services are. She shared that this morning, she was reassured that legislation will again be introduced by Senator Gallivan and hopefully, this time, the Governor will sign it into law...*

*Supervisor Ryan invited Chris Peterson of the Livingston/Wyoming ARC to join her at the podium for the presentation of the Developmental Disabilities Month Awareness Month proclamation.*

*Mr. Peterson accepted the proclamation and offered his thanks on behalf of the Livingston/Wyoming ARC.*

*Chairman Berwanger added that the Board of Supervisors admires everything they do...*

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #29 through #32. A voice vote was taken and all voted aye.*

**#29**

**RESOLUTION NO. 15-102  
(March 10, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**JOHN COPELAND AND JOHN KNAB REAPPOINTED TO THE  
SENECA TRAIL RESOURCE CONSERVATION  
AND DEVELOPMENT COUNCIL**

**BE IT RESOLVED**, That John Copeland, 5888 Sheppard Road, Bliss, NY 14024 be hereby reappointed to the Seneca Trail Resource Conservation and Development Council as the Member at Large/Alternate member for a term of one (1) year; effective January 1, 2015 through December 31, 2015; and be it

**FURTHER RESOLVED**, That John Knab, 2246 Thomas Road, Varysburg, NY 14167 be hereby reappointed as a Regular Member to the

Regular Meeting

Seneca Trail Resource Conservation and Development Council; for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

#30

**RESOLUTION NO. 15-103  
(March 10, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

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

**BE IT RESOLVED**, That James Brick, 7618 Route 20A, Perry, NY 14530 and John Knab, 2246 Thomas Road, Varysburg, NY 14167 are hereby reappointed to the Wyoming County Soil & Water Conservation Board as the Supervisor Members for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

#31

**RESOLUTION NO. 15-104  
(March 10, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**JAMES BRICK AND JOHN COPELAND APPOINTED TO THE  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION ADVISORY COMMITTEE**

**BE IT RESOLVED**, That John Copeland, 5888 Sheppard Road, Bliss, NY 14024 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as a Supervisor Member for a term of one (1) year; effective January 1, 2015 through December 31, 2015; and be it

**FURTHER RESOLVED**, That James Brick, 7618 Route 20A, Perry, NY 14530 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as the Supervisor Member/Alternate for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

March 10, 2015

**RESOLUTION NO. 15-105**  
**(March 10, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO INCREASE FUNDS IN ORDER TO ENSURE THE  
SAFETY OF LOCAL COMMUNITIES AGAINST THE IMPACTS  
ASSOCIATED WITH A CRUDE OIL SPILL**

**WHEREAS**, The nationwide volume of crude oil transported by rail has increased to more than 832,000 carloads in 2014 compared to 9,500 carloads in 2008; and

**WHEREAS**, Crude oil is increasingly being transported along railways from production fields in the mid-western United States and Canada to ports including Albany, New York for transfer to barges and ships to be transported on the Hudson River to East Coast refineries; and

**WHEREAS**, As much as 25% of the highly volatile crude oil extracted from the Bakken formation is transported through New York State communities; and

**WHEREAS**, Crude oil from the Bakken shale deposits has been proven to be more explosive and more corrosive than typical crude oils, and heavy, sinking oils from tar sands formations have been found to be much more viscous than typical crude oils, making the protection of public safety and environmental health from these particular types of oils, as well as, spill response and remediation, more difficult and more dangerous; and

**WHEREAS**, The New York State Attorney General has concluded that tar sands oil has a carbon pollution intensity that is 17% greater than typical oil; and

**WHEREAS**, There have been a series of crude oil train derailments in the United States and Canada that have led to loss of life, loss of property, and significant economic and environmental damage, including the loss of 47 lives in Lac-Megantic, Quebec, in July 2013; and

**WHEREAS**, There have been multiple oil train derailments in New York State since December 2013, including those in West Nyack, Town of Ulster, Selkirk, and Cheektowaga; and

**WHEREAS**, Joint State/Federal “inspection blitzes” have identified

dozens of train and rail car safety defects requiring corrective action in rail yards and along the railways of New York, highlighting the chronic, widespread and acute risks facing our communities and environment; and

**WHEREAS,** Numerous crude oil unit trains per day currently travel through New York communities including on the railways between Buffalo and Albany, the Canadian border through the Adirondack Park and Albany to New Jersey along the western shores of the Hudson River near critical public infrastructure including hospitals, municipal buildings, water and sewer treatment plants, public education; and

**WHEREAS,** The Wyoming County Board of Supervisors finds the transport of crude oil, especially that from the Bakken shale and heavy crudes like tar sands, by rail and marine vessel through our communities presents the potential for an immediate, significant risk for the people, environment, and economy of the State; and

**WHEREAS,** The Governor's State Budget proposal increases the State surcharge on oil moving through or being stored in New York to pay for the increased investments in oil spill response; now therefore,

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors commends Governor Cuomo's recognition of the risk posed by oil transportation through New York State by proposing to increase investments in the State's oil spill fund; and be it

**FURTHER RESOLVED,** That Wyoming County Board of Supervisors urges the State Legislature to support the Governor's proposed increase of resources to the State's oil spill fund, and keep that fund under the control of the State Comptroller for the sole and express purpose of oil spill cleanup; and be it

**FURTHER RESOLVED,** That the Clerk of 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, New York State Association of Counties and all others deemed necessary and proper.

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

#### **4-H Presentations ~**

*Chairman Berwanger introduced 4-H Educator, Roxanne Dueppengiesser to make the introductions.*

March 10, 2015

- **Nathan Warriner** ~ 10-year old son of Andrew & Kelly Warriner ~ Town of Perry
  - County Cousins and Friends 4~H Club
    - Presentation Title: “4-Cycle Engine”
- **Rebekah Spicer** ~ 16-year old daughter of Brian & Sue Spicer ~ Town of Covington
  - A. C. Citizens, Shooting Sports and Hootin’ Caprines 4~H Clubs
    - Presentation Title: “Violin out of the Box”

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #33 through #42. A voice vote was taken and all voted aye.*

**#33**

**RESOLUTION NO. 15-106  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RESOLUTION SUPPORTING EFFORTS TO INCREASE ACCESS TO  
BROADBAND IN UNSERVED AND UNDERSERVED COMMUNITIES  
IN NEW YORK STATE**

**WHEREAS**, Individuals, businesses and other entities in New York that lack high speed Internet access have become largely disenfranchised as full and active participants in today’s economy and have reduced access to educational and government services than their counterparts with access to broadband; and

**WHEREAS**, While access to both cable and digital subscriber line (DSL) service is available in nearly every urban and suburban community, rural sections of the State have been cut out of this type of access due to the economies of scale that impact the placement of the updated phone and cable lines in areas of lower population; and

**WHEREAS**, As web access to all kinds of services, including those provided by every level of government, employment listings and web-based business expansion continues to grow, it is imperative that rural New York be provided with quality high-speed internet access; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the Governor’s 2015/2016 budget proposal that allocates \$500 million for the “New NY Broadband Program” to incentivize the private sector to



expand quality high-speed Internet services in unserved and underserved areas; and be it

**FURTHER RESOLVED**, That the Clerk of 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, New York State Association of Counties and all others deemed necessary and proper.

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

**#34**

**RESOLUTION NO. 15-107  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO INVEST IN PROGRAMS THAT PROMOTE  
URBAN DEVELOPMENT AND PROMOTE THE REVITALIZATION  
OF DOWNTOWNS AND NEIGHBORHOOD BUSINESS DISTRICTS**

**WHEREAS**, In communities across New York State, private investments and public incentives have worked together to revitalize downtowns and neighborhood business districts; and

**WHEREAS**, Many efforts have been made at the State level to incentivize economic revitalization, including the START-UP NY program, Regional Economic Development Councils, the Buffalo Billion, new casino gaming resort destinations and investing in targeted industries like nanotechnology and clean energy; and

**WHEREAS**, New York State needs a long-term strategy to build on this momentum and continue to attract and grow private investment in our urban centers; and

**WHEREAS**, An urban corridor revitalization strategy should leverage historic buildings and existing infrastructure, create walkable and safe urban corridors, encourage market rate residential and mixed use development, adequate parking facilities, and maximize public transit; and

**WHEREAS**, Such a strategy will attract seniors, millennials, entrepreneurs, STEM workers, and young married couples back to our city centers; now therefore

March 10, 2015

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls for the creation of a Division of Urban Revitalization within Empire State Development to administer, coordinate and promote programs that support urban revitalization; and be it

**FURTHER RESOLVED,** This new emphasis on urban revitalization should also include proper funding to help local governments develop plans, fund infrastructure redevelopment projects, mobilize newly created land banks to enable loans to stabilize blighted properties; and be it

**FURTHER RESOLVED,** That Wyoming County Board of Supervisors calls on the Governor and State Legislature to establish a funding stream for land banks to offer "loans" to help municipalities acquire and stabilize properties as well as grants to install, develop and support the highest-speed broadband in downtowns; and be it

**FURTHER RESOLVED,** That the Clerk of 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, New York State Association of Counties and all others deemed necessary and proper.

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

**#35**

## **RESOLUTION NO. 15-108**

**(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

### **RESOLUTION RECOGNIZING THE VITAL ROLE THAT INDUSTRIAL DEVELOPMENT AGENCIES PLAY IN NEW YORK STATE AND APPLAUDING THE IMPORTANT WORK THAT INDUSTRIAL DEVELOPMENT AGENCIES DO TO CREATE JOBS AND ENCOURAGE ECONOMIC GROWTH**

**WHEREAS,** Industrial Development Agencies (IDAs) are local government's most important economic development tools; and

**WHEREAS,** IDA board members and staff serve at the pleasure of the governing body of the municipality and cooperate with local officials, State agencies, and businesses to focus on job retention, job creation and grant inducements for local economic benefit; and

Regular Meeting

**WHEREAS**, According to the Office of the State Comptroller in 2012 there were 4,521 active IDA-assisted projects in the State with total investment exceeding \$72.9 billion and projects that created 214,102 new jobs with a net value cost per job created of \$2,588, which, by any measure, is modest and efficient; and

**WHEREAS**, IDAs are playing an increasingly important role in revitalizing the downtowns of cities and towns and villages throughout the State; and

**WHEREAS**, IDAs are the nexus between the public and private sectors for economic development services; and

**WHEREAS**, IDAs work closely with existing employers in the community to help retain and expand their operations including a new emphasis on assisting with local and regional workforce issues; and

**WHEREAS**, IDAs work with colleges and universities to help implement the STARTUP NY program and facilitate tech-based economic development opportunities; and

**WHEREAS**, IDAs lead the development and implementation of economic development strategic plans for the municipalities they serve; and

**WHEREAS**, IDAs are usually the "local partner" involved in supporting private sector projects also supported by the State; and

**WHEREAS**, In his 2015/2016 Budget, Governor Cuomo introduced a proposal that would undermine local IDA authority by requiring Empire State Development to approve all state sales tax benefits offered, authorizing the Tax Commissioner to perform IDA audits, and requiring more extensive recordkeeping, reporting and clearances from the Tax Department; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors recognizes the important role that IDAs play in local, regional and statewide economic improvement and their essential function in creating jobs and revitalizing communities; and be it

**FURTHER RESOLVED**, That Wyoming County Board of Supervisors calls on the Governor and State Legislature to take steps to strengthen the important role that IDAs play without enacting new laws and regulations that undermine IDA authority or inhibit the important work they perform; and be it

March 10, 2015

**FURTHER RESOLVED**, That in order to ensure increased transparency and accuracy of IDA information, the Wyoming County Board of Supervisors calls for the current system of accountability and reporting to be overhauled to improve accuracy of information submitted to the Authorities Budget Office through the Public Authorities Reporting Information System (PARIS); and be it

**FURTHER RESOLVED**, That Wyoming County Board of Supervisors opposes the Governor's proposal in his 2015/2016 Executive Budget that infringes on local IDA authority, undermines the incentives IDAs can offer to businesses, and creates additional burdensome recording and reporting requirements; and be it

**FURTHER RESOLVED**, That the Clerk of 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, New York State Comptroller, New York State Association of Counties and all others deemed necessary and proper.

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

**#36**

**RESOLUTION NO. 15-109  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

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

**BE IT RESOLVED**, That the following members are hereby reappointed to the Wyoming County Water Resource Agency Board of Directors:

Members

***Three (3) year term effective January 1, 2015 through December 31, 2017***

- Mark Merrill, 2367 Route 19A, Warsaw, NY 14569
- Sandy King, 4643 Safford Road, Gainesville, NY 14066

***One (1) year term effective January 1, 2015 through December 31, 2015***

- James Brick, 7618 Route 20A, Perry, NY 14530
- Daniel Leuer, 712 Transit Road, Wyoming, NY 14591
- Cheryl Ketchum, 6578 Pearl Street, Bliss, NY 14024

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

Regular Meeting

**RESOLUTION NO. 15-110  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**JOSEPH KUSHNER REAPPOINTED TO THE  
ARTS COUNCIL BOARD OF DIRECTORS**

**BE IT RESOLVED**, That Joseph Kushner, 3468 East Main Street, Bliss, NY 14024 be hereby reappointed to the Arts Council Board of Directors as the Supervisor Member for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

**#38**

**RESOLUTION NO. 15-111  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**VANESSA McCORMICK AND STEPHEN TARBELL REAPPOINTED  
TO THE BUSINESS EDUCATION COUNCIL**

**BE IT RESOLVED**, That Stephen Tarbell, 3795 Club Road, POB 215, Silver Lake, NY 14549 be hereby reappointed to the Business Education Council as the Supervisor Member for a term of one (1) year; effective January 1, 2015 through December 31, 2015; and be it

**FURTHER RESOLVED**, That Vanessa McCormick, 2436 McCormick Road, North Java, NY 14113 be hereby reappointed to the Business Education Council as the Supervisor Member/Alternate for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

**#39**

**RESOLUTION NO. 15-112  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

March 10, 2015

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

**BE IT RESOLVED**, That James Brick, 7618 Route 20A, Perry, NY 14530 is hereby reappointed to the Cornell Cooperative Extension of Wyoming County Board of Directors as the Supervisor Member for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

#40

**RESOLUTION NO. 15-113  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

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

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

Supervisor Member

***One (1) year term effective January 1, 2015 through December 31, 2015***

- Stephen Tarbell, 3795 Club Road, POB 215, Silver Lake, NY 14549
- Jerry Davis, 7414 Court Road, POB 445, Pavilion, NY 14525

Alternate

***One (1) year term effective January 1, 2015 through December 31, 2015***

- Sandra King, 4643 Safford Road, Gainesville, NY 14066

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

#41

**RESOLUTION NO. 15-114  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT PARTICIPATION  
AGREEMENT WITH THE GENESEE FINGER LAKES REGIONAL  
PLANNING COUNCIL ON BEHALF OF THE  
PLANNING DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant participation agreement with the Genesee Finger Lakes Regional Planning Council (GFLRPC), 50 West Main St, Suite 8107, Rochester, NY 14614 on behalf of the Planning Department. Said participation agreement will allow the GFLRPC to apply for a Local Government Records Management Improvement Funds grant to provide electronic records management of each participating municipality's records and assistance with digitizing archived, current paper records and GIS in the amount of \$150,000.00, with no cost to municipalities; effective for the years 2015 and 2016.

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

**#42**

**RESOLUTION NO. 15-115  
(March 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
WILLIAM MADDISON ON BEHALF OF THE  
BOARD OF SUPERVISORS**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with William Maddison, 144 Highview Drive, Rochester, NY 14609 on behalf of the Board of Supervisors. Said contract is for the creation and coordination of the Ag. and Business Center, Center Street, Warsaw NY in the amount of twenty-five dollars (\$25.00) per hour not to exceed six thousand dollars (\$6,000.00) plus mileage, tolls and reasonable reimbursement; effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #43 through #50. A voice vote was taken and all voted aye.*

**#43**

**RESOLUTION NO. 15-116  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

March 10, 2015

**SUE MAY APPOINTED TO THE MERCY FLIGHT CITIZENS  
ADVISORY COMMITTEE**

**BE IT RESOLVED**, That Susan May, 2916 Orangeville Center Road, Warsaw, NY 14569 be hereby appointed to the Mercy Flight Citizens Advisory Committee to serve as the Supervisor Member for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

**#44**

**RESOLUTION NO. 15-117  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE  
LEGISLATURE TO DIRECT MUCH NEEDED FUNDING TO  
PROBATION AND ALTERNATIVES TO INCARCERATION**

**WHEREAS**, County probation departments are an integral part of the criminal justice system and operate within the legal framework of the New York State 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 2014 from a 46.5 percent State share in 1990 to less than 12 percent in 2014, putting a huge strain on counties and cost to county property taxpayers; and

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

**WHEREAS**, In some cases, probation officers are required to complete a Pre-Sentence Investigation (PSI) report for individuals who may have already arranged a plea deal, already been classified and housed in jail, and the PSI is largely disregarded by the court and the corrections officials; and

**WHEREAS**, Other State policy decisions, such as recent action to close State-run psychiatric centers, will impact probation by releasing more



people with mental illness into the community where they will potentially receive probation sentences to keep them in the community; and

**WHEREAS,** Raising the age of criminal responsibility in New York State will have a serious impact on probation by increasing caseloads, requiring more juveniles to be supervised and connected with services in the community, as well as transported by local law enforcement to detention facilities; and

**WHEREAS,** The Governor included in his 2015/2016 Executive Budget a proposal to raise the age that is intended to cover all local costs by reimbursing probation for added expenses, but this proposal does not fully contemplate all of the costs that could be incurred and would require probation departments to initially cover all costs, including increased staffing; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors supports an increase of dedicated State funding streams to provide financial support to probation departments in order to fairly fund the important work that probation departments perform including dedicated funding for work related to raise the age; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and the State Legislature to enact statutory changes that eliminate the mandate that PSIs be conducted when a sentence of up to one year in jail has been negotiated; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls on State policymakers to carefully consider the impact to probation with any decision to close State-run psychiatric centers, and ensure that probation departments are adequately funded in order to enable the proper supervision of mentally ill clientele; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to refine the proposal to raise the age, as included in the 2015/2016 proposed budget, to ensure explicit language is used to ensure all costs are covered up front, by the State; and be it

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

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

March 10, 2015

**RESOLUTION NO. 15-118  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE  
LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NEW  
YORK STATE AND CREATE A NEW YORK STATE 911  
DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY  
ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY  
DISPATCH SERVICES**

**WHEREAS**, Counties are the actual providers of 911 services in New York State, operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire and police assistance; and

**WHEREAS**, Counties continue to incur substantial costs to upgrade and maintain communications systems, as well as, keep up to date with technological changes; and

**WHEREAS**, These changes are a fundamental shift toward an IP based 911 system that is commonly referred to as Next Generation 911 (NG 911); and

**WHEREAS**, NG 911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

**WHEREAS**, The majority of states across the country have aggressively begun preparing for NG 911 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG 911 system; and

**WHEREAS**, New York State has done comparatively little to prepare for NG 911 and is facing significant risk in becoming a straggler in the deployment of NG 911 technologies; and

**WHEREAS**, A lag in planning and investment in NG 911 places New York's citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete; and

**WHEREAS**, The New York State Public Service Commission (PSC)

Regular Meeting

is undertaking a telecommunications study on 911 that requires the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions; and

**WHEREAS,** A New York State effort to provide coordinated leadership in the area of 911 would be most appropriately empowered to both support the mission of the PSAPs in the State as well as transition the current State's 911 legacy system to a Next Generation 911 system that will better serve its citizens for years to come; and

**WHEREAS,** Leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 911 network in New York State; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 911 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of New York City to receive emergency 9-14 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and be it

**FURTHER RESOLVED,** That Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to enable a State 911 Department to serve the following roles:

- Provide funding;
- Issue RFPs and award contracts as necessary to support 911;
- Establish standards for 911;
- Apply for and distribute Federal Grant Funds;
- Coordinate and provide training for 911 Directors, Supervisors and Call Takers;
- Provide public education;
- Provide necessary networks to support 911 both in a legacy and NG 911 environment;
- Provide a statewide ESInet to support interoperability within and outside of New York State;
- Create, maintain and distribute GIS databases;
- Create and maintain NG 911 and other appropriate databases to support 911 efforts;
- Provide and propose appropriate regulation / legislation / tariffs to support 911;

- Represent New York State in efforts to support and advance 911 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC;
- Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques, and standards;
- Help manage Civil Service exams;
- Manage the TERT program;
- Provide legal expertise in 911 related matters;
- Serve as the liaison to 911 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.);
- Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field; and be it

**FURTHER RESOLVED,** That Wyoming County Board of Supervisors supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices; and be it

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

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

**#46**

**RESOLUTION NO. 15-119  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO FULLY FUND ALL COSTS RELATED TO  
RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS  
OF AGE IN ORDER TO AVOID A NEW UNFUNDED MANDATE ON  
COUNTIES AND NEW YORK CITY**

**WHEREAS,** As part of the State budget for 2014/2015, Governor Cuomo appointed a Commission on Youth, Public Safety, and Justice to develop a plan to raise the age of criminal responsibility in New York State and make

other recommendations as to how the juvenile and criminal justice systems can improve outcomes for youth and promote community safety; and

**WHEREAS,** The Governor's 2015/2016 Budget proposes to raise the age of criminal responsibility from 16 to 18 over two years; and

**WHEREAS,** The Budget proposal also calls for the State to be fully financially responsible for 100 percent of the cost of this new public policy; and

**WHEREAS,** The Governor's proposal requires counties to administer and coordinate all services for youth and families affected by this new public policy; and

**WHEREAS,** According to the Department of Criminal Justice Services, the number of arrests among 16 and 17 year olds statewide from January to December 2013 was 33,347; and

**WHEREAS,** Services based on a child welfare model are more costly than the adult criminal justice system and changing the age of criminal responsibility will produce the need for job-training skills, high school equivalency education, transportation, drug and alcohol treatment, counseling, case management, and other interventions resulting in higher expenses; and

**WHEREAS,** The State estimates that their costs related to this public policy charge could reach \$400 million annually, in several years; and

**WHEREAS,** If counties are expected to pay for these new costs in the first instance and wait for reimbursement from the State it could cause many counties to breach their allowable property tax cap if reimbursement is not timely; and

**WHEREAS,** The State currently caps funding for foster care and youth detention, and also limits reimbursement for other child welfare and probation costs, resulting in a significant unfunded mandate on counties which will grow worse if the State changes the age of criminal responsibility while not also providing full funding to alleviate these new costs, across all program areas that may be impacted from raising the age of criminal responsibility; now therefore

**BE IT RESOLVED,** The Wyoming County Board of Supervisors calls on the State Legislature to support the Governor's proposal to use State resources to fully cover all new costs associated with changing the age of criminal responsibility to avoid the imposition of a new unfunded mandate on counties; and be it

**FURTHER RESOLVED,** That the State should establish a 100 percent State funded escrow account from which counties can draw funds to implement this new public policy to ensure no new cost are placed on county property tax payers and county property tax caps can be attained; and be it

**FURTHER RESOLVED,** Fiscal caps must be removed for foster care and youth detention as part of this criminal age of responsibility reform and State funding must be provided to build capacity including for infrastructure and services under child welfare and probation services; and be it

**FURTHER RESOLVED,** State planning for community safety is needed as well as assessments to determine whether children are a risk to public safety and to identify mental health and drug and alcohol issues and strategies to minimize absences without leave; and be it

**FURTHER RESOLVED,** There will need to be flexibility in recognition of the differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate in some counties depending on local conditions and service capacity; and

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

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

**#47**

**RESOLUTION NO. 15-120  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**RESOLUTION CALLING ON THE GOVERNOR AND STATE  
LEGISLATURE TO INCREASE INDIGENT DEFENSE  
SYSTEM FUNDING**

**WHEREAS,** The United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with a crime is fundamental and that it is the State's responsibility to supply lawyers for those unable to afford them; and

**WHEREAS**, In 1965 the State of New York delegated this State responsibility to counties; and

**WHEREAS**, The decision to entrench responsibility at the county level in the State of New York has resulted in a system by which the county and local property tax payers are burdened with the vast majority of cost for this State responsibility; and

**WHEREAS**, The shift of costs for this State mandated service has become so imbalanced that the counties of New York now cover over 80% of the cost burden; and

**WHEREAS**, Implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

**WHEREAS**, The State and multiple counties were sued in a case, *Hurrell/Harring, et. al v. State of New York*, which sought to transform the indigent defense system and calling for more government funding to be driven towards the system; and

**WHEREAS**, Hurrell/Harring was recently settled and the resulting settlement requires the parties involved in the suit to provide additional indigent defense services and costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

**WHEREAS**, The settlement does require the State place specified amounts in their budget to help cover the increased system changes, but there is no guarantee this funding will cover all new costs; and

**WHEREAS**, The proposed 2015~2016 Executive Budget only allocates increased funding to the five counties involved in the Hurrell/Harring lawsuit for expanding indigent defense; and

**WHEREAS**, The remaining 52 counties need increased funding so that expanded indigent defense services are uniform throughout the State; and

**WHEREAS**, the Governor has stated recently that the entire New York State justice system needs to be examined to insure the State's justice system provides the most equitable and fair treatment possible; and

**WHEREAS**, The State can improve the public defense system by, incrementally increasing State funding, designing a cost-effective way to finance

the system over time, and relieving counties of a responsibility delegated to them since 1965; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors supports increased State funding to the indigent defense system and for the State to ensure counties will not be forced to pay for the additional requirements resulting from the Hurrell/Harring settlement; and be it

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

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

**#48**

**RESOLUTION NO. 15-121  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

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

- **Indigent Parolee Program** in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 1, 2015 through December 31, 2015.
- **Alternatives to Incarceration Program** in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00), effective January 1, 2015 through December 31, 2015.
- **Part-Time Secretary to the Wyoming County Public Defender's Office** in an amount not to exceed fifteen thousand dollars (\$15,000.00) a year, plus an additional Stipend from the Indigent Legal Services contract in the amount of one thousand two hundred eighty-six dollars (\$1,286.00) for a total amount not to exceed sixteen thousand two hundred eighty-six dollars and fifty cents (\$16,286.00); effective January 1, 2015 through December 31, 2015.

Regular Meeting



Contingent upon the availability of funds.

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

**#49**

**RESOLUTION NO. 15-122  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**DAVID LINDER REAPPOINTED AS THE  
STOP-DWI COORDINATOR, PT**

**BE IT RESOLVED**, That David Linder, 563 Perry Rd., Strykersville, NY 14145 be hereby reappointed as the STOP-DWI Coordinator, PT for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

**#50**

**RESOLUTION NO. 15-123  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF  
SUPERVISORS IN SUPPORT OF NEW YORK STATE SENATE BILL  
S.00069 TO AMEND PUBLIC OFFICERS LAW IN RELATION TO THE  
QUALIFICATIONS FOR HOLDING OFFICE OF ASSISTANT  
DISTRICT ATTORNEY IN THE COUNTY OF WYOMING**

**WHEREAS**, Existing Law requires Assistant District Attorneys to reside in the counties that they serve; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby requests that New York State Governor Cuomo and the New York State Legislature support and pass Senate bill S.00069, entitled, *“AN ACT to amend the Public Officers Law, in relation to the qualifications for holding the office of Assistant District Attorney in the County of Wyoming,”* and that a bill of the same language be introduced and sponsored by the New York State Assembly which would amend residency qualifications for holding the Office of Assistant District Attorney in the County of Wyoming. Said amendment will permit Assistant District Attorneys to reside in an adjoining county of Wyoming County. The new provisions shall not apply to the office of First Assistant District Attorney, the holder of which would assume the duties of

March 10, 2015

the District Attorney upon the District Attorney's absence from the County or upon the District Attorney's inability to perform his or her duties; and be it

**FURTHER RESOLVED**, That the Clerk to this Board shall forward certified 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:**

*Prior to the roll call vote Supervisor Tarbell, T/Castile spoke in opposition to the passage of the following local law citing that children have been burnt badly with these types of sparkler devices.*

*Supervisor Davis, T/Covington added that he will be supporting today's resolution to set the resolution however he felt that he would not support the local law next month when voted on...*

**Non-Consent  
#51**

**RESOLUTION NO. 15-124  
(March 10, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. C,  
YEAR 2015**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 10<sup>th</sup> day of March, 2015, a proposed local law entitled, "Local Law Introductory No. C, Year 2015, **"A LOCAL LAW TO AUTHORIZE THE SALE AND USE OF SPARKLER DEVICES,"** and

**WHEREAS**, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

**BE IT RESOLVED**, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **14<sup>th</sup> day of April, 2015 at 2:30 PM in the Supervisors' Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

This Local Law shall be entitled “*A Local Law to Authorize the Sale and Use of Sparkler Devices*”

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

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A1041) which allows for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action, and
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to is strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405(B), this Board of Supervisors further finds and determines that “sparkler devices” are neither “fireworks” nor “dangerous fireworks” as defined in Section 270 of the New York State Penal Law, and may be sold and enjoyed, only in the manner described below, within Wyoming County.
- E. This Board of Supervisors finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- G. Whereas this local law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124, 2006 edition.

March 10, 2015

H. This Board of Supervisors further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:

1. Sales will only be permitted on or between June 1<sup>st</sup> through July 5<sup>th</sup> and December 26<sup>th</sup> and January 2<sup>nd</sup> of each calendar year.
2. All distributors’ manufacturers and retailers must be licensed through the New York Department of State.
3. Only those 18 years of age or older may purchase said products.
4. Comply with Part 1228 of Title NYCRR Section 1228.3 of the New York State Uniform Fire Prevention and Building Code

## **SECTION 2. DEFINITIONS:**

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

1. Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
2. Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as in outlined in this subparagraph.
3. Wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the

tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.

4. Novelties which do not require approval from the United State department of transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
  - a. Party Popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
  - b. Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

### **SECTION 3. SEPARABILITY**

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in this operation to the part or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

### **SECTION 4. EFFECTIVE DATE**

This law shall take effect immediately upon filing with the Secretary of state.

DATED at Warsaw, New York

March 10, 2015 (Introduced)

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

Board Clerk

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #52 through #57. A voice vote was taken and all voted aye.*

March 10, 2015

**RESOLUTION NO. 15-125**  
**(March 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO ADVANCE FUNDING AND EXPEDITING  
COMPLETION OF THE INTERSTATE 86 PROJECTS IN BROOME,  
DELAWARE, SULLIVAN AND ORANGE COUNTIES**

**WHEREAS**, Governor Pataki committed to a ten-to-twelve year construction program to complete the Route 17 conversion to I-86 beginning with the first designation (177 miles Chemung County West to Pennsylvania) on December 3, 1999; and

**WHEREAS**, The designation of New York State Route 17 to I-86 provides a highway network with connection to every Interstate Highway located within New York State and Interstate Highways leading into Pennsylvania; and

**WHEREAS**, The upgrade and designation of Route 17 as I-86 will make the region more competitive and able to attract substantial growth in business, industry, and tourism, as well as, improve the safety of the traveling public; and

**WHEREAS**, The New York I-86 Economic Development Benefit Study, issued in January 2000, which was widely accepted and quoted at all levels of government, called for an aggressive eight-year construction period that would result in a \$3.2 billion direct economic benefit to communities along the I-86 Highway Corridor once the conversion has been completed; and

**WHEREAS**, With proper funding and resources (Fast Track/Design Build) for the remaining projects in Broome, Delaware, Sullivan, and Orange Counties, the conversion of Route 17 to I-86 could be completed many years sooner than on the present schedule providing vast economic benefits to the Hudson Valley, Southern Tier, and Western New York regions and would yield significant economic benefits for the nation by facilitating national freight flows, reducing travel times, improving safety, and enhancing access to markets, completion would create new jobs and greater value-added activity; and

**WHEREAS,** The New York State Department of Transportation in the latest update to its capital program proposes to delay to 2017, the first stage of the two stages, Exit 131 reconstruction project which was to have begun in 2013; and

**WHEREAS,** The Exit 131 reconstruction project will address critical traffic control and safety needs in the region due to the expected reductions in severe traffic delays and congestion arising near this connection to the New York State Thruway (I-87/Harriman) and New York State Route 17 (future I-86); and

**WHEREAS,** The New York State Department of Transportation has also proposed to delay construction to Exit 122 (State Route 3 westbound ramps) to 2017; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby request Governor Andrew Cuomo and the New York State Legislature advance funding (Fast Track/Design Build) expediting completion of the projects in Broome, Delaware, Sullivan, and Orange Counties on New York State Route 17 so that the same may be converted to Interstate Route 86; and be it

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

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

**#53**

**RESOLUTION NO. 15-126  
(March 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO SUBSTANTIALLY INCREASE STATE  
INVESTMENT IN THE LOCALLY OWNED ROADS, BRIDGES AND  
CULVERTS IN THE 5-YEAR TRANSPORTATION  
CAPITAL PLAN**

**WHEREAS,** The State plans to develop a new 5 Year Transportation Capital Plan designed to assess current conditions and determine investments

March 10, 2015

needed to provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

**WHEREAS,** The Consolidated Highway Improvement Program (CHIPS) and Marchiselli program funds are vital to county and local highway departments in order to maintain and upgrade important components of the local transportation system, including acquiring necessary highway equipment and materials; and

**WHEREAS,** The CHIPS funding level for 2014/2015 State Fiscal Year Budget is \$438 million, Marchiselli (the State matching funds available for federally-aided local road and bridge projects) has remained flat for nearly a decade at \$39.1 million and there is no dedicated funding for a badly needed State Aid to Local Bridge and Culvert Program; and

**WHEREAS,** New York counties greatly appreciate the enhancement in CHIPS enacted in the 2013/2014 budget as well as the one-time boost of \$40 million in the 2014/2015 budget to help local governments better maintain and improve local transportation infrastructure; and

**WHEREAS,** The proposed 2015/2016 Executive Budget does not include the prior State budget \$40 million increase which was allocated due to severe weather conditions; and

**WHEREAS,** This winter has similar or worse severe weather conditions causing damage to our local roads and bridges; and

**WHEREAS,** Although State leaders have uniformly called for the \$5.4 billion in State settlement funding to be allocated to infrastructure, virtually none of this funding has been dedicated to local roads and bridges; and

**WHEREAS,** This State support helps address the needs of locally owned roads and bridges, which account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges; and

**WHEREAS,** A safe and efficient highway infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public; and

**WHEREAS,** Despite recent funding increases, local infrastructure maintenance needs are still great, and further increases in CHIPS funds are necessary for bridge and pavement preservation and resurfacing work to extend the life of local highway and bridge infrastructure; and



**WHEREAS,** Roughly one-third of the 8,535 bridges maintained by New York's local governments are structurally deficient or functionally obsolete, which has been fueled by chronic underfunding creating systemic risks; and

**WHEREAS,** The State Department of Transportation (DOT) capital plans have proposed the establishment of a \$250 million State Aid to Local Bridge Program, but this initiative has not been included in the State's capital plans despite the fact that the number of deficient bridges is expected to increase by another 1,500 in the next few years under stagnant funding levels; and

**WHEREAS,** A State Aid to Local Bridge and Culvert Program is a proven method of funding improvements to local bridge and culvert infrastructure in a way that will help further stimulate the economy of the State and help secure the safety of the traveling public; and

**WHEREAS,** The State's ability to invest in vital infrastructure needs are significantly improved due in part to the State receiving over \$5.1 billion in legal settlements in the past year; now therefore,

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon the State of New York to recognize the ongoing funding needs of the local transportation system and ensure that local programs like CHIPS and Marchiselli are funded at adequate levels to address the state of disrepair; and be it

**FURTHER RESOLVED,** That in addition to the current CHIPS and Marchiselli funding the State should allocate up to 50 percent of the \$5.1 billion in legal settlement funds to local transportation infrastructure plus public works needs and support a multiyear program that can address unmet local transportation infrastructure needs on a pay-as-you-go basis; and be it

**FURTHER RESOLVED,** That the next 5 Year Transportation Capital Plan should include a multi-year State Aid to Local Bridge and Culvert Program to direct the necessary State investment in locally-owned bridges and culverts to improve the safety and functionality of the local transportation system that is vitally important to the State's economy and the millions of citizens who rely on local roads every day to get them to and from work, home and school; and be it

**FURTHER RESOLVED,** That the Clerk to this Board shall forward certified copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan, New York State Assemblyman

March 10, 2015

David DiPietro, New York State Association of Counties and all others deemed necessary and proper.

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

**#54**

**RESOLUTION NO. 15-127  
(March 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**RESOLUTION CALLING FOR A MULTI-YEAR TRANSIT CAPITAL  
PROGRAM FOR VITAL INFRASTRUCTURE AND TRANSIT  
SYSTEM NEEDS**

**WHEREAS**, New York State benefits in many ways from the over 100 public transit systems throughout the State, which provide mobility for all segments of our population and allow more people to participate in the economy; and

**WHEREAS**, Demand for transit service is growing and our residents are increasingly reliant on transit service as is evident by the consistent ridership growth in communities across the State; and

**WHEREAS**, All transit systems, from the largest MTA, to the smallest, Watertown, have vital infrastructure that requires maintenance and routine replacement to reach and maintain a state-of-good-repair while continuing to provide safe, reliable service; and

**WHEREAS**, The lack of funding for capital investment has led to worsening conditions of transit infrastructure and unnecessary maintenance expenses; and

**WHEREAS**, Our systems have identified approximately \$1 billion in infrastructure investment needed over the next five years; and

**WHEREAS**, The first priority of investment is to preserve existing core infrastructure, including replacing buses at the end of their useful life, repairing maintenance and fueling facilities and updating other equipment; and

**WHEREAS**, There is increasing need for a Multi-year Statewide Transit Capital Program; now therefore

**BE IT RESOLVED**, The Wyoming County Board of Supervisors

Regular Meeting

urges the State to take a leadership role in identifying new resources for transit infrastructure investment for all transit systems in order to preserve these vital assets and allow them to continue to support the State's economic growth; and be it

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

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

**#55**

**RESOLUTION NO. 15-128  
(March 10, 2015)**

By Mr. Davis, 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 contract with NOMAD Enterprises, Inc., 6270 Abbott Road, Silver Springs, NY 14550 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract provides for lawn maintenance services for the following locations:

- Animal Control
- Public Health
- Department of Social Services
- Fire Training Center
- Cornell Cooperative Extension
- Radio Tower (Gainesville)
- Records Retention Center
- Pioneer Cabin (new this year).

in an amount not to exceed eight thousand six hundred forty dollars (\$8,640.00); effective April 1, 2015 through November 30, 2015.

Contingent upon the availability of funds.

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

**#56**

March 10, 2015

**RESOLUTION NO. 15-129  
(March 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN  
CONTRACTS WITH FLEET MAINTENANCE, INC. AND VALLEY  
FAB & EQUIPMENT, 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 bids and sign contracts with Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, NY 14224 for a 2016 Freightliner M2~106 Truck in an amount not to exceed sixty-three thousand five hundred seventy-six dollars (\$63,576.00) and with Valley Fab & Equipment, Inc., 9776 Trevett Road, Boston, NY 14025 for a Galion 130USD 10' truck body in an amount not to exceed fourteen thousand eight hundred thirty-five dollars (\$14,835.00) for a total truck cost of seventy-eight thousand four hundred eleven dollars (\$78,411.00).

Contingent upon the availability of funds.

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

**#57**

**RESOLUTION NO. 15-130  
(March 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH METRO  
ENVIRONMENTAL ON BEHALF OF BUILDINGS AND GROUNDS  
(CIP)**

**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 Metro Environmental, 2939 Lockport Road, Niagara Falls, NY 14305 on behalf of Buildings and Grounds (CIP). Said contract provides for asbestos abatement at the Highway Offices in an amount not to exceed twenty-nine thousand nine hundred fifty dollars (\$29,950.00); effective March 4, 2015 through completion of project.

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:**  
**2/3 Majority**  
**#58**

**RESOLUTION NO. 15-131**  
**(March 10, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**RESOLUTION NUMBER 14-143 AMENDED**

**WHEREAS**, Resolution Number 14-143 entitled, “**A RESOLUTION AUTHORIZING THE RECONSTRUCTION OF LIBERTY STREET, LOCATED IN THE TOWN OF WARSAW AND ORANGEVILLE AND THE PREPARING FOR RECONSTRUCTION OF WEST PARK ROAD LOCATED IN THE TOWN OF CASTILE, EXCHANGE STREET LOCATED IN THE TOWNS OF ATTICA AND ORANGEVILLE, AND PERRY ROAD LOCATED IN THE TOWNS OF JAVA AND SHELDON IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,272,136.00, AND AUTHORIZING THE ISSUANCE OF \$2,272,136.00 BONDS OF SAID COUNTY TO PAY THE COST THEREOF,**” passed by this Board of Supervisors on March 11, 2014 to provide authorization for the issuance of \$2,272,136.00 in borrowing; and

**WHEREAS**, That Resolution Number 14-143 was previously amended by the Board of Supervisors on July 8, 2014 by Resolution Number 14-260 to include Orangeville Center Road in the Town of Orangeville; now therefore

**BE IT RESOLVED**, That Resolution Number 14-143 be further amended to include the reconstruction of West Park Road in the Town of Castile to the scope of work to be completed.  
 All else remains the same.

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

*There was a motion by Mr. Kushner, T/Eagle, to withdraw resolution #71 and to combine resolutions #59 through #73. A voice vote was taken and all voted aye.*  
**#59**

**RESOLUTION NO. 15-132**  
**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

March 10, 2015

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO AMEND STATE INSURANCE LAW TO ALLOW  
SHARED MUNICIPAL HEALTH INSURANCE CONSORTIUMS**

**WHEREAS,** Health insurance costs are among the fastest growing costs for local governments across the State; and

**WHEREAS,** To address this challenge, counties would like the option to create municipal health insurance consortiums to jointly self-fund their health plans at significantly lower cost for taxpayers; and

**WHEREAS,** These plans would reduce costs and increase flexibility while insuring quality coverage for counties, municipalities, and local government employees; and

**WHEREAS,** Many towns would like to become part of a county's self-insured plan; and

**WHEREAS,** In order to lower health insurance costs for property taxpayers, these consortiums need to be allowed to purchase stop-loss insurance to cover the most serious and costly injuries and sicknesses; and

**WHEREAS,** Governor Andrew M. Cuomo is strongly encouraging local governments to pool resources, share services and consolidate operations to improve efficiency and reduce costs to taxpayers; and

**WHEREAS,** Whenever two or more local governments want to join forces to provide employee health insurance, Article 47 of the Insurance Law is triggered requiring difficult reserves to be established; and

**WHEREAS,** The onerous regulations of Article 47 have allowed only one consortium to form since 1991; and

**WHEREAS,** State Insurance Law §4237-a and §3231 prohibited local governments with fewer than 50 employees (beginning this year 100 employees) from purchasing stop-loss insurance policies; and

**WHEREAS,** These State laws represent significant barriers to local government efficiency, shared services and cost savings for property taxpayers; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby urge Governor Andrew M. Cuomo and the State Legislature to amend State Insurance Law to allow municipalities to join county self-insured programs with adequate and appropriate actuarial safeguards, without triggering

Article 47, and also allow county self-insured plans to buy stop-loss coverage for all municipalities within their plan, even those under 50 employees (rising to 100 employees this year); and be it

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

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

**#60**

**RESOLUTION NO. 15-133  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO REFRAIN FROM ENACTING NEW PUBLIC  
EMPLOYEE BENEFIT MANDATES**

**WHEREAS**, New York State has the highest state and local tax burden in the nation; and

**WHEREAS**, Rising local property taxes contribute to New York's unenviable status in regards to tax burden; and

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

**WHEREAS**, Recent pension reforms and a cap on local Medicaid costs will generate significant savings many years from now, counties are still struggling with historically high pension costs; and

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

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

March 10, 2015

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

**BE IT RESOLVED,** The State's Taylor Law reforms should include:

- providing for effective remedies when public employers and unions are found to have refused to negotiate a collective bargaining agreement in good faith;
- restrictions on the appointments to the three-member PERB to those persons who have not been employer or union advocates for three years before their appointment;
- simplifying the grounds for injunctive relief in improper practice proceedings;
- amending the Triborough Amendment; and be it

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

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls upon the Legislature and the Governor to enact meaningful mandate relief and reforms of compulsory interest arbitration, municipal compensation benefits, and other existing personnel cost mandates that have increased personnel budget costs and added to the burden of local property taxpayers; and be it

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

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

**#61**

**RESOLUTION NO. 15-134**  
**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION SUPPORTING NECESSARY REFORMS TO NEW  
YORK LABOR LAW § 240 AND § 241; THE SCAFFOLD LAW**

Regular Meeting



**WHEREAS**, New York Labor Law §240 and § 241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

**WHEREAS**, The laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

**WHEREAS**, The law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

**WHEREAS**, The Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

**WHEREAS**, The Scaffold Law is a boon to personal injury lawyers as half of the 30 largest lawsuits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims have increased 500 percent; and

**WHEREAS**, New York is the only the State in the country to propose a construction law like the Scaffold law that imposes strict liability on the employer; further it is one of very few laws that mandate strict liability in the State of New York; and

**WHEREAS**, The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in other states; and

**WHEREAS**, Not only does the law drive away out-of-state investment in infrastructure, but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment; and

**WHEREAS**, Comparative negligence standards would help maintain worker safety while decreasing some of the insurance costs related to implementation of the current Scaffold Law; and

**WHEREAS**, The negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

**WHEREAS**, Federal regulations have been enacted that attempt to

March 10, 2015

protect workers from injury to falls by requiring certain precautions to be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance for these regulations; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors is in support of Scaffold Law reform as well as meaningful protection of construction workers; and

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and

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

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

**#62**

**RESOLUTION NO. 15-135  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO IMPLEMENT FISCAL REFORMS THAT WILL  
LEAD TO PERMANENT AND HISTORIC PROPERTY TAX  
REDUCTIONS BY ASSUMING THE COST OF STATE MANDATES  
RATHER THAN THROUGH AN INCOME TAX CREDIT**

**WHEREAS**, The Governor and State Legislature have enacted several laws over the last couple of decades designed to address New York's highest in the nation property taxes, including the creation of STAR school tax relief, a property tax cap and recently a temporary two-year property tax freeze program; and

**WHEREAS**, The Governor's 2015/2016 Budget proposes a personal income tax credit against a small percentage of property taxes paid that will eventually reach \$1.7 billion annually; and

**WHEREAS**, Counties maintain that income tax credits do not lower actual property tax burdens for homeowners and small businesses; and

**WHEREAS**, Mandate relief for counties can lower property taxes permanently on a recurring basis even in extraordinary economic times when it may be inappropriate for local government to maintain an arbitrary property tax cap; and

**WHEREAS**, County elected leaders have strongly advocated in support of ways to lower the property tax burden for homeowners and businesses across the State for nearly 50 years when the largest State mandate, Medicaid, was first imposed on counties, growing from \$100 million then to over \$7.5 billion today; and

**WHEREAS**, Since that time the State has required county taxpayers to finance with local tax dollars dozens of other State programs that, for the most part, counties in other states are not required to finance; and

**WHEREAS**, State elected officials do recognize that mandating local governments to finance state designed and controlled programs does lead to higher property taxes and as result they have enacted important mandate relief for county property taxpayers including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and

**WHEREAS**, Since the enactment of the Medicaid mandate relief initiatives the growth rate in aggregate county property taxes has slowed dramatically, generally averaging under 2.2 percent per year over the last decade, less than the rate of inflation over that time frame; and

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

**WHEREAS**, Permanent and historic reductions in property taxes can only be achieved through fundamental reforms of the major State mandates that drive up local property taxes, in conjunction with realigning how and what level of government pays for these State mandated services; and

**WHEREAS**, Recognizing the need for property tax relief and following on the Governor's call for governments to be fiscally accountable to taxpayers; and

**WHEREAS**, Counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in a historic and sustainable reduction in county property taxes

and a more appropriate and equitable distribution of the cost of the State's human services programs; and

**WHEREAS,** The cost of paying for the State Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy and totals just over \$2.1 billion annually; and

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

**WHEREAS,** New York City taxpayers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program; now therefore

**BE IT RESOLVED,** the Wyoming County Board of Supervisors calls on the Governor and State Legislature, as an alternative to financing personal income tax reductions to enact a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent and measurable property tax reduction helping to narrow the negative tax gap with our competitor states; and be it

**FURTHER RESOLVED,** The State should also provide fiscal relief to New York City for a portion of the local taxes they commit to State mandated programs; and be it

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

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

**#63**

### **RESOLUTION NO. 15-136**

**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO HONOR HOME RULE REVENUE REQUESTS IN  
A TIMELY AND ORDERLY FASHION BY ENACTING AN OMNIBUS**

## **SALES TAX BILL THAT RENEWS ALL COUNTY SALES TAX RATES AT CURRENT LEVELS**

**WHEREAS,** Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap and property tax freeze; and

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

**WHEREAS,** Many local revenue options must be approved by the State Legislature including local sales tax rates above three percent subject to State approvals every two years; and

**WHEREAS,** In 2013 one county was denied an extension of their local sales tax rate above three percent creating a shortfall exceeding \$5 million; and

**WHEREAS,** Counties' ability to raise revenues from the property tax are limited by the state imposed property tax cap; and

**WHEREAS,** Locally raised revenues are necessary to implement and deliver State mandated programs as well as local public health and safety, economic development and "quality of life" services demanded and expected in our communities; and

**WHEREAS,** Counties often share these locally raised revenues with other local governments, particularly the sales tax, where more than one out of every four local sales tax dollars collected are shared with cities, towns, villages and some local school districts to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

**WHEREAS,** The pass through of local sales tax revenue from counties to cities, towns, villages and school districts will be about \$2 billion in 2014; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the State and local level that is currently required under State law, and allows county elected officials, in conjunction with residents in their respective

March 10, 2015

communities, to determine the mix of locally raised revenues they deem least burdensome; and be it

**FURTHER RESOLVED,** The State should renew current local sales tax rates in a single omnibus bill to streamline the process and improve government efficiency; and be it

**FURTHER RESOLVED,** That counties strongly encourage the State Assembly to support recent efforts by the Governor and the Senate to allow counties to renew their existing local sales tax rates every two years without State legislative approval; and be it

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

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

**#64**

**RESOLUTION NO. 15-137  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE  
LEGISLATURE TO STUDY AND ADDRESS ISSUES RELATED TO  
GROWTH IN SHORT TERM ONLINE LODGING RENTAL  
PLATFORMS SUCH AS AIRBNB**

**WHEREAS,** Use of short-term online rental platforms such as Airbnb, VRBO, HomeAway, FlipKey and similar websites by individual homeowners and renters to host paying guests for short-term overnight stays has grown significantly in the past several years; and

**WHEREAS,** Online rental platforms, along with their hosts and guests, are major new players in the lodging economy; and

**WHEREAS,** Nearly every county and New York City have enacted local laws requiring any person or business renting room(s) for a short-term stay to collect and pay room-occupancy taxes to the county, as well as, meet public health and safety standards; and

**WHEREAS,** The use of online lodging rental platforms as described can offer new options for travelers and even expand tourism activity; and

**WHEREAS,** Established lodging enterprises and responsible Airbnb hosts have asked government to establish a level playing field through the enforcement of all applicable State and local laws and regulations related to the lodging market to ensure equal treatment within that market; and

**WHEREAS,** The growth in use of online rental platforms also creates challenges for local governments to enforce local building and zoning codes as well as health and safety regulations; and

**WHEREAS,** County hotel room occupancy taxes are generally dedicated to support and promote local and regional tourism and uncollected occupancy taxes due to informal lodging properties hosting visitors through online rental platforms can diminish this important source of funding; and

**WHEREAS,** Local governments, the State and local taxpayers have a vested interest in maintaining public health and safety and ensuring that the availability of local hotel and room occupancy tax funds is not diminished by online platforms, which could harm local tourism efforts that can benefit all players in the lodging market; and

**WHEREAS,** The New York State Attorney General has taken action against Airbnb to ensure compliance with State and local laws, and Airbnb policies require all of their hosts to abide by local laws and in certain markets in the United States, Airbnb has begun collecting taxes directly through its online platform on behalf of hosts and submit them to government taxing authorities; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby call on the Governor, the Attorney General and the New York State Legislature to address this issue in depth and explore possible State legal and regulatory remedies to support compliance with local laws related to room occupancy taxes, and ensure existing zonings health and safety regulations are satisfied; and be it

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

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

March 10, 2015

**RESOLUTION NO. 15-138  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**WYOMING COUNTY GRANTS ADMINISTRATION GUIDELINES  
APPROVED**

**BE IT RESOLVED**, That the Wyoming County Grants Administration Guidelines as presented to the Finance Committee on March 3, 2015 are hereby approved and annexed hereto.

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

**Wyoming County Grants Administration Guidelines**

**I. Purpose and Authority**

The purpose of this guideline is to establish procedures for the administration of grants in the Wyoming County.

**II. Persons and Areas Affected**

This is a County-wide guideline affecting all departments that apply for and administer grants.

**III. Procedure**

**A. Authority to Apply for Grant Funding**

Only the Chairman of the Board of Supervisors or an authorized designee may sign and submit grant applications on behalf of Wyoming County.

**B. Coordination of Grant Procedures and Grant Operations**

Wyoming County must be able to track and manage grants at all stages of the grant process from funding opportunities through project closeout. To accomplish this procedure requirement, the Reimbursement and Budget Office shall be responsible for:

1. Developing, revising and distributing the official grants guidelines of Wyoming County.
2. Coordinating the tracking of grant applications, awards and major project management decisions associated with awarded grants.
3. Assisting departments with the interpretation and application of County grant guidelines.

Regular Meeting



4. Assisting with the resolution of disputes between the Wyoming County and funding sources.
5. Offering grants training and technical assistance services.

### **C. Acceptance of Grants**

All approved grants must be accepted by resolution. Department heads must verify if grant funds are already included in their budget or if an appropriation is necessary. Prompt acceptance of grant awards either by regular or emergency adoption is essential in order to expedite the execution of awarded grants by the Chairman of the Board of Supervisors or an authorized designee. To ensure that grants are promptly accepted by the County the following shall be observed by all departments:

1. Grant acceptances shall be accomplished through a resolution which formally accepts the grant and appropriates funding at the same time if necessary. Appropriation language must clearly indicate that the funding is Grant Revenue Funding by source (Local, State, Federal).
2. In cases where a local or other match is required, the resolution shall specify the source of funding by account name, project code, title, or other identifying characteristics.
3. In circumstances where a funding source demands that a grant be accepted within 30 days or less, and a waiver from the funding source is unlikely, the grant acceptance shall be accomplished by obtaining the Chairman to the Board's signature prior to presentation to their home committee and Full Board.
4. In those circumstances where local or other match appropriations are committed but not yet firmly in hand, the grant shall be accepted by a resolution and followed by an appropriations resolution as soon as possible.

### **D. Departmental Responsibility for Grants**

Department heads and key technical staff are responsible for generating funding ideas, helping to identify funding opportunities, participating in program planning and proposal writing, and managing the day-to-day functions associated with a successful grant award.

The Department head of every department is accountable for all grants within his or her

departmental jurisdiction. In cases where more than one department is responsible for a grant, a lead department shall be designated for accountability. Each Department head shall:

1. Appoint a grants liaison for the department.
2. Designate a project manager for every grant awarded to the department.
3. Implement awarded grant projects according to the terms and conditions of each grant award and consistent with Wyoming County Purchasing Policies.
4. Ensure that the designated grant liaison for the department tracks grant awards and consults with the Reimbursement & Budget Office on a regular basis.
5. Ensure that the designated grants liaison and all project managers know how to designate project expense codes, complete grant vouchers and fiscal cost reports, and monitor project funding.
6. Ensure that requests for grant funds are promptly submitted to minimize the advance use of County funds. All draw down of grant funding must conform to funding source and County guidelines pertaining to the receipt of grant funds.
7. Ensure that project reporting requirements and deadlines for submission are observed.
8. Prepare and maintain a file for each grant that will be available for inspection by internal and independent auditors, and any state and federal auditors. This file should contain copies of grant reports including any additional necessary back-up information (verbal and written quotes, inventory logs, etc.)

#### **E. Budget Office Grant Functions and Responsibilities**

The Reimbursement & Budget Officer shall:

1. Monitor deposits of all grant funding received into the appropriate accounts designated by Budget Office personnel.
2. Assist departments in establishing appropriate account code assignments for charging costs to grants. (Account code assignments must not conflict with the items of cost contained in the approved grant budget.)
3. Record revenues based on expenditures associated with approved grants.

4. Ensure that the accounting system of the County is capable of tracking revenue and expenditures associated with every grant award regardless of how grant funding is appropriated.
5. Review the status of grant-funded projects on a regular basis and address any issues that have been identified with Department heads as well as the members of the Finance Committee.
6. Sign grant Vouchers, Fiscal Cost Reports and Draw Down Requests, whether on an advance or reimbursement basis.

#### **F. Treasurer's Office Grant Functions and Responsibilities**

The County Treasurer shall:

1. Have exclusive authority to deposit all grant funds received by the County into the appropriate budget accounts.
2. Maintain the official copy of grant reporting documents.

#### **G. Administration of CDBG and Employment Grant Funding**

Overall coordination and administration of Community Development Block Grant (CDBG) funding shall remain within the Agency or Department awarded the funding. However, that Agency or Department shall participate in the County grant tracking system established by this guideline. The Reimbursement & Budget Office shall ensure that the system of grant administration maintained within the Agency or Department is comparable to that prescribed for other County departments and complies with applicable funding source rules concerning program management, grant administration and other provisions of law and policy that raise compliance issues.

#### **IV. Policy Implementation**

The Reimbursement & Budget Office shall be responsible for implementing these guidelines on Grant Administrations.

#### **V. Status of Previous Guidelines and Procedures**

This Guideline supersedes all previous guidelines on grant administration endorsed by Wyoming County. Any existing guidelines shall be amended to conform to this Guideline Statement.

**#66**

**RESOLUTION NO. 15-139  
(March 10, 2015)**

March 10, 2015

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION 15-070 AMENDED**

**WHEREAS**, Resolution Number 15-070 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**” passed by this Board of Supervisors on February 10, 2015 to provide for a 3-year Laboratory Services Pricing Agreement with UR Medicine Labs, a Division of the University of Rochester, Department of Pathology and Laboratory Medicine, 601 Elmwood Avenue, Rochester, New York 14642, in an amount not to exceed two million dollars (\$2,000,000.00) annually; effective from the first day of the month after WCCHS goes live with the new Laboratory Information System (LIS). This agreement is for Reference Laboratory and Laboratory Medical Director Services; now therefore

**BE IT RESOLVED**, That Resolution Number 15-070 be hereby amended to remove the Laboratory Medical Director Services from said agreement.

All else remains the same.

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

**#67**

**RESOLUTION NO. 15-140  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
ANGELICA TEXTILE SERVICES ON BEHALF OF THE WYOMING  
COUNTY COMMUNITY HEALTH SYSTEM**

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

- **Angelica Textile Services**, 1-3 Apollo Drive, Batavia, NY 14020 to provide linen products and laundry services to WCCCH using Angelica Textile Services owned linens, sheets, blankets, scrubs, etc. in an amount not to exceed two hundred seventy-five dollars (\$275,000.00) annually; effective March 1, 2015 through February 28, 2020.

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

#68

**RESOLUTION NO. 15-141  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT  
ACCEPTANCE AWARDS ON BEHALF OF WYOMING COUNTY  
COMMUNITY HEALTH SYSTEM**

**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 grant acceptance awards on behalf of the Wyoming County Community Health System:

- **New York Office of Rural Health**, ESP Corning Tower 1839 Albany, NY 12237 to fund equipment purchases as well as to improve operational efficiencies in a minimum amount of two hundred eleven thousand seven hundred ninety-seven dollars (\$211,797.00); effective January 1, 2015 through December 31, 2015. Contract number C-030057.
- **The Community Foundation of Greater Buffalo, William F. Thiel Trust, Community Foundation of Greater Buffalo**, 726 Exchange Street, Suite 525, Buffalo, NY 14210 towards the purchase of a 64-slice Computerized Tomography Scanner (CT) and accessories in a minimum amount of one hundred thirty-four thousand dollars (\$134,000.00).

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

#69

**RESOLUTION NO. 15-142  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

March 10, 2015

## **TRANSFER OF REAL PROPERTY APPROVED**

**WHEREAS,** The Wyoming County Board of Supervisors, by Local Law No. 4 of 2014, has authorized the transfer of certain surplus real property located at 140 South Main Street in the Town of Castile, Village of Perry, New York (Tax Map #100.11-5-56) for the agreed consideration of five hundred dollars (\$500.00) plus closing costs to **Creative Foods**, 1 Lincoln Avenue, Perry, NY 14530 with the approval of the County Attorney; now therefore

**BE IT RESOLVED,** That the Chairman of this Board of Supervisors is authorized to execute all documents in connection with the transfer of said property.

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

**#70**

### **RESOLUTION NO. 15-143 (March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

### **RESOLUTION NUMBER 14-441 AMENDED**

**WHEREAS,** Resolution Number 14-441 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE BRENNAN GROUP CONSULTING (PATRICK BRENNAN) ON BEHALF OF THE COUNTY OF WYOMING**” passed by this Board of Supervisors on December 9, 2014 to provide 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 two thousand five hundred dollars (\$2,500.00) per month, in an amount not to exceed thirty-six thousand dollars (\$36,000.00), including mileage, tolls, and reasonable expense reimbursements; effective January 1, 2015 through December 31, 2015; now therefore

**BE IT RESOLVED,** That Resolution Number 14-441 be hereby amended to reflect an expiration date of March 2, 2015.

All else remains the same.

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

Regular Meeting

**RESOLUTION NO. 15-  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION NUMBER 14-356 AMENDED**

**WHEREAS**, Resolution Number 14-356, entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MARK H. DADD LAW OFFICE, PLLC ON BEHALF OF THE COUNTY ATTORNEY**” passed by this Board of Supervisors on November 10, 2014 to provide for legal services in an amount not to exceed forty thousand dollars (\$40,000.00); effective January 1, 2015 through December 31, 2015; now therefore

**BE IT RESOLVED**, That Resolution Number 14-356 be hereby amended to reflect an expiration date of April 1, 2015.

All else remains the same.

**Carried:      Ayes:      Noes:      Absent:      Abstain:**

**#72**

**RESOLUTION NO. 15-144  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**SUSAN MAY APPOINTED TO THE WESTERN REGION  
OFF TRACK BETTING CORPORATION BOARD OF DIRECTORS**

**BE IT RESOLVED**, That Susan May, 2916 Orangeville Center Road, Warsaw, NY 14569 is hereby appointed to the Western Region Off Track Betting Corporation Board of Directors; effective through May 1, 2015 through December 31, 2016 to fill the unexpired vacant term of James Foley.

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

**#73**

**RESOLUTION NO. 15-145  
(March 10, 2015)**

March 10, 2015

By Mr. Kushner, Chairman of the Finance Committee:

**BUY BACK OF ACCRUED VACATION TIME FOR  
SALARY SCHEDULE “S” AND “D” EMPLOYEES SUSPENDED**

**WHEREAS,** The Wyoming County Board of Supervisors have begun the process of formulating the 2016 County Budget; and

**WHEREAS,** As a result of beginning the process early in 2015, it is the recommendation of the Finance Committee to suspend the option to buy back accrued vacation time for Salary Schedule “S” and “D” employees; now therefore;

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors do hereby suspend the provision to buy back accrued vacation time according Salary Schedule “S” and “D” Handbooks, as adopted on January 20, 2015, by Resolution Number 15-010; effective April 1, 2015 until further notice.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:    Non-Consent  
#74**

**RESOLUTION NO. 15-146  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION SUPPORTING FEDERAL LEGISLATION TO ADDRESS  
NEW YORK COUNTIES’ INABILITY TO COLLECT REAL  
PROPERTY TAXES FROM INDIAN TRIBES ON  
NON SOVEREIGN INDIAN PROPERTY**

**WHEREAS,** The United State Supreme Court has affirmed in its decision in *City of Sherill v. Oneida Indian Nation*, 544 U.S. 197, that real property taxes imposed on property owned by Indian Tribes but over which they may not exercise sovereign control are justly and lawfully due and owing; and

**WHEREAS,** This ruling has been held to be applicable in New York to both the Oneida Indian Tribe in the City of Sherrill decision and to the Cayuga tribe in *Cayuga Indian Nation v. Village of Union Springs*, 390 F. Supp. 2d 203; and

**WHEREAS,** Despite these rulings, the Second Circuit Court of Appeals has determined that although these taxes are justly and lawfully due by the tribe,



municipalities are prohibited from collecting such taxes by tribal sovereign immunity; and

**WHEREAS,** These rulings were originally held to be applicable to properties in Madison County owned by the Oneida Indian tribe in *Oneida Indian Nation v. Madison County*, 605 F3d 149 and now to properties owned by the Cayuga Indian tribe in *Seneca County in Cayuga Indian Nation v. Seneca County*, (decided July 31, 2014, Docket No. 12 3723); and

**WHEREAS,** The injustice and incongruity of these decisions prompted Hon. Jose Cabrenas to comment in his concurring opinion in *Oneida v. Madison Co.*: "The holding in this case comes down to this: and Indian tribe can purchase land (including land that was never part of a reservation); refuse to pay lawfully owed taxes; and suffer no consequences because the taxing authority cannot sue to collect the taxes owed. This rule of decision defies common sense. But absent action by our highest Court, or by Congress, it is the law." (Id, at 163); and

**WHEREAS,** The decisions in City of Sherill and Madison County and Seneca County cases decisions result in a right on the part of the municipalities of New York, to impose real property taxes on non-sovereign Indian tribal holdings while denying any remedy upon the refusal of those tribes to pay the lawfully due tax; and

**WHEREAS,** As stated by eminent jurist Hon. John Marshall, Chief Justice of the United State Supreme Court, "The Government of the United States has been emphatically termed a government of laws and not of men. It will certainly cease to deserve this appellation if the laws furnish no remedy for the for the violation of a vested legal right" *Marbury v. Madison*, 5 U.S. 137 at 163, and

**WHEREAS,** In the past, counties have called upon their elected Federal representatives to introduce legislation to authorize collection by the County of justly and lawfully due taxes from Indian tribes on non-sovereign tribal property; now therefore

**BE IT RESOLVED,** The Wyoming County Board of Supervisors calls upon United States Senators Kirsten Gillibrand and Charles Schumer together with all of New York's Congressional delegation to introduce and/or support Federal legislation designed to permit the collection of lawfully due municipal taxes on Indian owned real property; and be it

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

**Carried:** XXX    **Ayes:** 1476    **Noes:** 123 (Castile)    **Absent:**    **Abstain:**

March 10, 2015

**RESOLUTION NO. 15-147  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE DEPARTMENT OF INTERIOR,  
THE BUREAU OF INDIAN AFFAIRS, UNITED STATES HOUSE OF  
REPRESENTATIVES, AND ANY ENTITY HAVING ANY  
JURISDICTION TO IDENTIFY TO MUNICIPALITIES THE  
LEADERSHIP WITHIN NATIVE AMERICAN TRIBES WHEN  
REQUESTED BY SUCH MUNICIPALITY**

**WHEREAS,** Within New York State there are from time to time factions within Native American tribes which make multiple leadership claims as a sovereign nation by the State or the Federal Government; and

**WHEREAS,** The lack of recognition of formal tribal leadership by the United States, has, at times, led to unrest that impacts municipalities throughout the State; and

**WHEREAS,** Some of the Native American factions have stated to counties that they would make contributions to assist the county in maintaining infrastructure that their businesses enjoy, but without U.S. government recognized leadership status, the counties themselves do not have a clear indication of which faction can speak on behalf of the tribe; now therefore

**BE IT RESOLVED,** The Wyoming County Board of Supervisors requests that the Federal Bureau of Indian Affairs, United States House of Representatives, Department of Interior, and any entity having jurisdiction to do so, clarify the leadership status of Native American factions when local governments such as Wyoming County requests such clarification to assist local governments in their discussions with these entities; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors forward a copy of this resolution to United States Senators Kirsten Gillibrand and Charles Schumer and to United States Congressman Chris Collins; the New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX    Ayes: 1476    Noes: 123 (Castile)    Absent:    Abstain:**

**RESOLUTION NO. 15-148  
(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF  
SUPERVISORS PETITIONING THE GOVERNOR AND STATE  
LEGISLATURE TO DELAY PROPOSED LEGISLATION WHICH  
WOULD MOVE THE STAR EXEMPTION FROM A REAL PROPERTY  
TAX EXEMPTION TO A PERSONAL INCOME TAX CREDIT**

**WHEREAS**, Included in the 2015/2016 New York State Budget is a proposal to convert the STAR real property tax exemption to a Personal Income Tax (PIT) credit; and

**WHEREAS**, This transition is supported by both the New York State Assessors Association and the New York State Association of County Directors of Real Property Tax Services as New York State is better equipped to ensure the accuracy of this exemption; and

**WHEREAS**, This transition to a PIT credit would start with any STAR exemption that was granted for property owners that were not eligible as of March 3, 2014; and

**WHEREAS**, This transition would result in much confusion to the local property owner who has been under the assumption that they would be eligible for the exemption since they applied with their local Assessor; and

**WHEREAS**, When additional confusion is added to an already complicated property tax system taxpayers become more frustrated with the whole tax system; and

**WHEREAS**, This transition will require the Assessors' offices in Wyoming County to send out approximately 275 denial letters for this exemption which will increase the amount of phone calls, letters, and foot traffic to explain why the denial has to occur when an approval was already sent out; and

**WHEREAS**, This transition will result in either a shortage in their escrow account which would then have to be made up in double for the next escrow payment year or their anticipated tax bill will be approximately \$600

March 10, 2015

more with Basic STAR and \$1,400 more with Enhanced STAR than they budgeted on their own; and

**WHEREAS,** This additional tax amount might disqualify potential buyers of real property as it will put them over the 43% Debt to Income ratio established in the provisions of Dodd-Frank that became effective January 2014; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors on recommendation of the Finance Committee petitions New York State to delay this transition to any STAR exemption that was granted after the 2015 Assessment Roll to more adequately inform the public of this important change in their taxes; and be it

**FURTHER RESOLVED,** That the Clerk of 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, New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:**  
**2/3 Majority**  
**#77**

**RESOLUTION NO. 15-149**  
**(March 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

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

**WHEREAS,** The County of Wyoming, New York (hereinafter, the “County”) heretofore issued \$1,500,000 Medical Building (Serial) Bonds, 2010 Series A, pursuant to a bond resolution dated May 13, 2008 to pay the cost of the acquisition and renovation of property located at 408 North Main Street in Warsaw, as further described in the bond determinations certificate of the County Treasurer dated December 29, 2010 (hereinafter referred to as the “2010A Bond Determinations Certificate”), such Medical Building (Serial) Bonds, 2010 Series A, being dated December 29, 2010 with remaining

maturities on December 15 in the years 2015 through 2035, both inclusive, as more fully described in the 2010A Bond Determinations Certificate (the “2010A Refunded Bonds”); and

**WHEREAS,** The County also heretofore issued \$2,975,000 Social Services Building (Serial) Bonds, 2010 Series B, pursuant to a bond resolution dated July 14, 2009 to pay the cost of the reconstruction and construction of an addition to the Municipal Building and a demolition project, as further described in the bond determinations certificate of the County Treasurer dated December 29, 2010 (hereinafter referred to as the “2010B Bond Determinations Certificate”), such Social Services Building (Serial) Bonds, 2010 Series B, being dated December 29, 2010 with remaining maturities on September 15 in the years 2015 through 2034, both inclusive, as more fully described in the 2010B Bond Determinations Certificate (the “2010B Refunded Bonds”); and

**WHEREAS,** It would be in the public interest to refund all or a portion of the outstanding principal balance of the 2010A Refunded Bonds and the 2010B Refunded Bonds (collectively, the “Refunded Bonds”) by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

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

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

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

other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$4,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$3,760,000, as provided in Section 4 hereof. The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-15 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the County Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

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

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said

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

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

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

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

The County Treasurer, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act,

March 10, 2015

in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the County Treasurer is also hereby authorized to name the County Treasurer as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

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

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

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each object or purpose for which such Refunded Bonds were issued is as specified in the 2010A and 2010B Bond Determinations Certificates which are incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable



usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This Board of Supervisors recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The County Treasurer is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the County Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County Treasurer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the Board of Supervisors not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

March 10, 2015

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

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

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

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

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

Section 10. The Refunding Bonds shall be sold at private sale to Roosevelt & Cross Inc. or such other underwriter as may be selected by the County Treasurer (the "Underwriter") for purchase prices to be determined by the County Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds, subject to approval by the terms and conditions of such private sale the State Comptroller as required by Section 90.10 of the Local Finance Law, the County Treasurer, is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer to the Underwriter in accordance with said purchase contract upon the receipt by the County of said purchase price, including accrued interest.

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

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

March 10, 2015

Section 13. The validity of the Refunding Bonds 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 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspaper of said County, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

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

**\*Public Comment (Local Law Introductory B, Year 2015)**

None

**Close Public Hearing ~**

*Motion to close the Public Hearing was made by Supervisor May T/Orangeville. Seconded by Supervisor Davis, T/Covington. Carried.*

**Local Law  
UC#78**

**RESOLUTION NO. 15-150  
(March 10, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

LOCAL LAW NO. 4 (INTRODUCTORY B) - YEAR 2015,  
***“The Wyoming County Best Value Contract Award Law,”*** ADOPTED

**WHEREAS,** There was duly presented and introduced at a meeting of this Board, held on the 10th day of February, 2015, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2015, entitled, ***“The Wyoming County Best Value Contract Award Law;”*** and

**WHEREAS,** In accordance with the provisions of Resolution No. 15-069, there was a public hearing held by this Board of Supervisors on this 10<sup>th</sup>

day of March, 2015, 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 2015, County of Wyoming, New York, as presented to this Board on the 10th day of March 2015, is hereby adopted in its original form as follows:

### **Local Law 4, year 2015**

A Local Law authorizing the use of a Best Value Award methodology for purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of public works contracts pursuant to Article eight of the labor law) may be awarded on the basis of best value, as authorized in Section one hundred three (103) of the General Municipal Law and as defined in Section one hundred sixty-three (163) of the State Finance Law.

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

#### **Section 1. Name of Local Law**

This local law shall be known as *“The Wyoming County Best Value Contract Award Law.”*

#### **Section 2. Findings and Intent**

The State Legislature and Governor amended General Municipal Law, Section 103 (A08692/S6117) on January 27, 2012 to provide local government’s greater flexibility in awarding contracts by authorizing the award of purchase contracts, including contracts for service work on the basis of best value. The state legislation requires Counties with a population of less than one million to pass a local law authorizing use of the best value award process.

(From Assembly Bill Memo A08692) – Enactment of this legislation provides additional procurement options to localities in ways that may expedite the procurement process and result in cost savings. The “best value” standard for selecting goods and services vendors, including janitorial and security contracts, is critical to efforts to use strategic sourcing principles to modernize the supply chain and ensure that taxpayers obtain the highest quality goods and services at the lowest potential cost, while also ensuring fairness to all competitors.

March 10, 2015

The federal government, approximately one half of the states, and many localities have added best value selection processes to their procurement options, in recognition of these advantages. With the increased complexity of the goods and services that municipalities must obtain in order to serve taxpayers, it is critical to consider selection and evaluation criteria that measure factors other than cost in the strictest sense.

Taxpayers are not well served when a public procurement results in low unit costs at the outset, but ultimately engenders cost escalations due to factors such as inferior quality, poor reliability and difficulty of maintenance. Best value procurement links the procurement process directly to the municipality's performance requirements, incorporating selection factors such as useful lifespan, quality, and options and incentives for more timely performance and/or additional services.

Even if the initial expenditures is higher, considering the total value over the life of the procurement may result in a better value and long-term investment of public funds. Best value procurement also encourages competition, ensures that bidders will continue to strive for excellence in identifying and meeting municipalities needs, including such important goals as the participation of small, minority and women-owned businesses, and the development of environmentally-preferable goods and service delivery methods. Best value procurement will provide much-needed flexibility in obtaining important goods and services at favorable prices, and will reduce the time to procure such goods and services.

### **Section 3. Definitions**

"Best Value" means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offeres. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivision one, seven, fifteen and twenty of Section three hundred ten (310) of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

### **Section 4. Requirements**

Where the basis for award is the best value offer, the Purchasing Officer, in conjunction with the related Department Head when applicable, shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.

- A. The Purchasing Officer shall select a formal competitive procurement process in accordance with guidelines established by the County Procurement Policy and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerors to submit responsive offers; and a balanced and fair method of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results, or, where not practicable, such other justification which demonstrates that best value will be achieved.
- B. The solicitation shall prescribe the minimum specification or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the County in its determination of best value.
- C. The Purchasing Officer shall develop procedures that will govern the award of contracts on the basis of best value. These procedures shall be included in the Wyoming County Procurement Policy and reviewed annually by the County Board of Supervisors in conjunction with its annual review and approval of the County's Procurement Policy.

## **Section 5. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

## **Section 6. Effective Date**

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

232

DATED at Warsaw, New York  
February 10, 2015 (Introduced)  
March 10, 2015 (Adopted)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Board Clerk

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

*Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #79 and #80. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #79 and #80 prior to the roll call vote.*

*Prior to the roll call vote, Chairman Berwanger briefly explained the resolutions...*

**UC#79**

**RESOLUTION NO. 15-151  
(March 10, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**RESOLUTION OPPOSING PART W OF GOVERNOR CUOMO'S  
PROPOSED NEW YORK STATE 2015~2016 BUDGET**

**WHEREAS**, Governor Cuomo has submitted a budget for New York State Fiscal Year 2015~2016 for the Legislature's consideration; and

**WHEREAS**, Part W of this budget severely restricts the ability of Industrial Development Agencies to respond to the needs of businesses by removing home rule decisions and placing certain incentive decisions with the Regional Economic Development Council and Empire State Development; and

**WHEREAS**, Part W of this budget also grants the Authorities Budget Office greater power over local Industrial Development Agencies, inhibits County's ability to build industry clusters, and significantly slows Industrial Development Agencies ability to respond "at the speed of business"; now therefore

**BE IT RESOLVED**, That the Clerk to this Board shall forward certified copies of the certified resolution to New York State Assembly Minority Leader Brian Kolb, New York State Assemblyman David DiPietro, New York State Senator Patrick Gallivan with copies to:

Regular Meeting



Senate Majority Leader Dean Skelos  
NYS Senate Room 330 Capitol  
Albany, NY 12247

Mr. Brian McMahon, Executive Director  
NYS Economic Development Council  
111 Washington Avenue  
Albany, NY 12210

Honorable Joseph Morelle  
NYS Assembly Room 926 LOB  
Albany, NY 12248

Mr. James Pierce, Executive Director  
Wyoming County IDA  
6470 Route 20A, Suite 4  
Perry, NY 14530

Mr. Howard Zemsky, President & CEO  
Empire State Development Corporation  
633 Third Avenue ~ 36<sup>th</sup> Floor  
New York, NY 10017

Mr. William Daly, Dir. of Pln. & Dev.  
Wyoming County Planning Dept.  
6470 Route 20A, Suite 4  
Perry, NY 14530

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

**UC#80**

**RESOLUTION NO. 15-152**  
**(March 10, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**DATE, TIME AND LOCATION OF SPECIAL PUBLIC FORUM  
MEETINGS SET**

**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 Wyoming County Board of Supervisors will hold several Special Public Forum Informational meetings regarding an exchange of information by Wyoming County Tax Payers, the Wyoming County Board of Supervisors, Wyoming County Departments and Wyoming County Contract Agencies as it relates to the impact of services and the formulation of the 2016 County Budget as described below:

- **Wednesday, April 15, 2015 at 7:30 PM**
  - at the Rita George Memorial Recreation Hall
    - East Main Street, Town of Eagle
- **Thursday, May 7, 2015 at 7:30 PM**
  - at the Attica Central School Auditorium
    - 3338 East Main Street, Town of Attica

March 10, 2015

- **Saturday, May 30, 2015 at 11:00 AM**
  - at the Castile Town Hall
    - Route 39, Town of Castile
- **Thursday, June 18, 2015 at 7:30 PM**
  - at the Wyoming County Government Center, Supervisors' Chambers
    - 143 North Main Street, Town of Warsaw

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

*In closing, Chairman Berwanger introduced Mike Nolan, Vice President of the Western Region Off Track Betting Association and member of the Town of Elma Town Board and former Supervisor of the Town of Elma.*

*Mr. Nolan was in attendance today to update the Board of Supervisors on their partnership in Casino Gaming in Batavia. Wyoming County received \$37,000.00 last year.*

*There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 4:10 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

**REGULAR SESSION**  
**(April 14, 2015)**  
**Tuesday**  
**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except for M. Vasile, T/Genesee Falls. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; 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 for this month's meeting is:

**Leo L. Pelton**

Mr. Pelton was drafted into the United States Army in February 1942 about ten weeks after the bombing of Pearl Harbor. He was inducted at Ft Niagara NY, which has been continuously run as a military base from 1726 to present day. After months of grueling preparation at Camp Croft South Carolina, Mr. Pelton went to Infantry Intelligence School. Eventually he was assigned to the 4<sup>th</sup> Division 12<sup>th</sup> Infantry Regiment. This historic regiment, whose motto is "Led by Love of Country", first participated in combat during the American Civil War.

It took seventeen days in rough seas before Pelton's unit landed at Utah Beach near Monte Bourg France, on D-Day June 6<sup>th</sup>, 1944. Among them was a young man named J. D. Salinger, who carried with him the first six chapters of the now famous book "The Catcher in the Rye". Not far from shore, among a barrage of shelling and gunfire, was where many of Leo's friends and comrades made the ultimate sacrifice. Over the next days and weeks those who survived the onslaught continued to gain ground. By then, only thirty-five of one hundred eighty-nine men in his unit were alive. They advanced through flooded orchards, taking cover behinds mounds of dirt wherever possible. While moving forward during an assault, Mr. Pelton was struck by shrapnel from exploding ordinance. The field medics fixed him up "the best they could" before transporting Leo to a hospital in England. A piece of steel was too close to his spine to be removed and would remain in his body for fifty-nine years.

After a brief rehab, Mr. Pelton was sent to the notorious Hurtgen Forest. In the battle 24,000 Americans were killed, missing, captured and wounded, plus

April 14, 2015

another 9,000 succumbed to trench foot, respiratory diseases and combat fatigue. From there Leo rode two hundred miles to Ardennes in Belgium where he fought in what came to be known as “The Battle of the Bulge”. He was once again wounded, became ill and eventually sent stateside. He was honorably discharged on Veteran’s Day 1945.

For his courage and valor during that seven month period of World War II Mr. Pelton earned:

The Combat Infantryman Badge  
 Presidential Unit Citation  
 Bronze Star  
 European-African-Middle Eastern Campaign Medal  
 Two (2) Purple Hearts  
 American Service Medal  
 WW II Victory Medal  
 Three Bronze Service Stars for campaigns in Normandy, Ardennes and Rhineland  
 Army Commendation Medal  
 French Liberation Medal  
 Good Conduct Medal  
 Marksman Badge for Automatic Rifle and Machine Gun

These days Mr. Pelton enjoys riding his tractor and spending time with family. He now keeps in a jar the shrapnel that was removed from his body a few years ago. He and his wife, Pauline, of over 60 years live in the Town of Attica.

***The pledge was said by all.***

Chairman Berwanger invited Town of Attica Supervisor, B. Kehl to join him in the presentation of the customary certificate of appreciation to Mr. Pelton. Mr. Pelton received a standing ovation.

At which time, Mr. Pelton thanked the Board and added that it seems like a great day!! Director Perez presented Mr. Pelton with a special key to the County and explained the significance of the key.

According to Wikipedia, “*In some countries, such as the United States, an ornamental key – the “Key to the City” – is presented to esteemed visitors, residents, or others whom the city wishes to honor. This practice is a variation on the Freedom of the City tradition, and has a similar symbolic meaning; evoking medieval walled cities, the gates of which would be guarded during the day and locked at night, the key symbolizes the freedom of the recipient to enter and leave the city at will, as a trusted friend of city residents.*”

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

*Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #35. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #35 prior to the roll call vote.*

**UC#35**

**RESOLUTION NO. 15-153  
(April 14, 2015)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

***In Recognition of Their 55<sup>th</sup> Anniversary  
The Eight Counties of Western New York  
Proclaim the Week of Sunday, May 3<sup>rd</sup> through Saturday, May 9<sup>th</sup>, 2015***

**WESTERN NEW YORK ARMED FORCES WEEK**

**WHEREAS**, Today we pause and give special recognition to the Gold Star Mothers of Our Eight Western New York Counties and Honor the Memories of their Sons and Daughters of Our Armed Forces “Who Gave Their Last Full Measure to Sustain Our Way of Life;” and

**WHEREAS**, We hold a deep and solemn respect for these Mothers, who in their sorrow, joined the Gold Star Mothers Organization in their community to reach out to Our Wounded Warriors, giving them their Love, Comfort and Compassion as they recover from their wounds, just as they would have done for their own; and

**WHEREAS**, We hold a solemn and deep respect for all serving in The Armed Forces of the United States and all Veterans who protect and defend the Constitution, Our Flag and “Our Freedom”

**WHEREAS**, We thank the Men and Women of Our Armed Forces – Army, Marines, Navy, Air Force and Coast Guard for Our Way of Life and the continued guarantee to all of us by their ongoing service, sacrifices and dedication to duty. We will honor them and “Never Forget Them;” now therefore

**BE IT RESOLVED**, We the County Executives and Supervisors of the 8 Great Western New York Counties, Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans, and Wyoming – Set Forth Our Hands to Proclaim and Recognize

April 14, 2015

***The 55<sup>th</sup> Anniversary of Western New York Armed Forces Week  
Sunday, May 3<sup>rd</sup> through Saturday, May 9<sup>th</sup> 2015  
To remember Our Veterans for their Sacrifices for the  
“Freedom We Enjoy Today”***

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*Chairman Berwanger explained the visit he received last week from a gentleman by the name of Bill Callahan representing the above resolution and the eight counties that joined together to encourage its passage. Director Perez graciously agreed to read the proclamation.*

**Communications ~**

- Senator Patrick Gallivan
  - Letter dated March 27, 2015 acknowledging receipt of several resolutions from the March 10, 2015 Board of Supervisors' meeting.

THE SENATE  
STATE OF NEW YORK  
SENATOR PATRICK M. GALLIVAN  
59TH DISTRICT

March 27, 2015


Ms. Lisa A. Perez  
Deputy Clerk  
Wyoming County Board of Supervisors  
Government Center  
143 N. Main Street  
Second Floor – Suite 220  
Warsaw, NY 14569

Dear Ms. Perez:

I am in receipt of your recent mailing of Resolutions 4, 5, 7, 8, 9, 11, 12, 13, 14, 19, 20, 21, 32, 33, 34, 35, 44, 45, 46, 47, 50, 52, 53, 54, 59, 60, 61, 62, 63, 64, 74, 75, and 76 that were recently adopted by the Wyoming County Board of Supervisors.

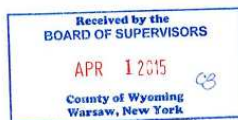
I have reviewed the Resolutions and will keep your thoughts in mind during this Legislative Session.

Sincerely,



Patrick M. Gallivan  
Senator, 59<sup>th</sup> District

PMG:ccr



- Assemblyman David DiPietro
  - Letter dated March 30, 2015 acknowledging receipt of several resolutions from the March 10, 2015 Board of Supervisors' meeting.

April 14, 2015



DAVID DIPETRO  
Assemblyman 147<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

RANKING MINORITY MEMBER  
Small Business Committee

COMMITTEES  
Alcoholism and Drug Abuse  
Economic Development, Job Creation,  
Commerce and Industry  
Labor  
Transportation

March 30, 2015

Cheryl Ketchum, Clerk of the Board  
Wyoming County Board of Supervisors  
143 North Main Street  
Warsaw, NY 14569



Dear Mrs. Ketchum;

This letter acknowledges the receipt, of the following Wyoming County Board of Supervisors certified resolutions passed by the Board of Supervisors on Tuesday, March 10, 2015 received in the Assembly District Office on March 18, 2015:

Res.#s	15-79	15-081	15-092	15-123	15-146
	15-148				

**Note:** Res. # 15-123 – requesting introduction of a companion bill (same as) with Senate Bill S.69- was referred to the assembly governmental operations committee as bill No. A.06408 on March 24, 2015.

The remaining resolutions (25+) received appear to be identical to NYSAC (New York State Assoc. of Counties) resolutions from the winter conference and have been previously received from them:

15-078; 082; 083; 084; 085; 086; 087; 093; 094; 105;  
106;107;108;117;118;119;120;125;126;127;132;133;134;135;136;137;146 and 147  
and many have been resent by your office to NYSAC.

I appreciate being informed about each of these important issues as they have an effect on my Wyoming County constituency, and I value your provision of this information as I continue to represent the 147<sup>th</sup> Assembly District. Please let me know if I may be of additional assistance. Thank you.

Sincerely,

David DiPietro, Assemblyman  
147<sup>th</sup> District of the State of New York

□ ALBANY OFFICE: Room 543, Legislative Office Building, Albany, New York 12248 • 518-455-5314, FAX: 518-455-5691  
□ DISTRICT OFFICE: 411 Main Street, East Aurora, New York 14052 • 716-655-0951, FAX: 716-655-0970

- New York State Association of Counties, Exec. Director Stephen Acquario
  - Letter dated April 2, 2015 acknowledging receipt of several resolutions from the March 10, 2015 Board of Supervisors' meeting.

Regular Meeting





**NYSAC**  
NEW YORK STATE  
ASSOCIATION OF COUNTIES



540 Broadway, 5th Floor, Albany, New York 12207 | Phone: (518) 465-1473 | Fax: (518) 465-0506 | www.nysac.org

President: Hon. Anthony J. Picente, Jr., Oneida County | Executive Director: Stephen J. Acquario, Esq.

April 2, 2015

Ms. Lisa Perez  
Deputy Clerk of the  
Wyoming County Board of Supervisors  
Government Center  
143 N. Main St.  
Warsaw, NY 14569

Dear Ms. Perez:

On behalf of the New York State Association of Counties (NYSAC), thank you for forwarding a copy of Wyoming County Resolutions Nos. 15-078, 15-079, 15-081-15-092-15-094, 15-105-15-108, 15-117-15-120, 15-123, 15-125-15-27, 15-132-15-133-15-134-15-135-15-136-15-137-15-138-15-139-15-140-15-141-15-142-15-143-15-144-15-145-15-146-15-147-15-148. Please be assured that these resolutions will be reviewed by the appropriate staff member assigned to the program area and referred to the appropriate standing Committee.

Should you have further questions or concerns, please feel free to contact Dave Lippert or me at (518) 465-1473.

Sincerely,

Stephen J. Acquario  
Executive Director

MAILED 2015  
APR 14 10:00 AM  
124-13-147  
088-13-147  
100-13-147

Committed to counties since 1925

Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauque, Chemung, Cheroke, Chautauque, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Putnam, Rensselaer, Queens, Richmond, Rockland, St. Lawrence, Saratoga, Schoharie, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

## Open Public Hearing ~

- Local Law No. 5, Year 2015 (Introductory C, Year 2015) Entitled, “A Local Law to Authorize the Sale and Use of Sparkler Devices”

April 14, 2015

**RESOLUTION NO. 15-154  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2015 accounts as follows:

<b>Stop DWI</b>			
<b>From:</b> 01.37.3315.2.20501 Law Enf Equip <b>To:</b> 01.37.3315.4.42101 Law Enf Supplies <b>Reason:</b> money should have been in .4 during the budget process	\$3,100.00	\$3,100.00	
<b>Stop DWI Total</b>			<b>\$3,100.00</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#2

**RESOLUTION NO. 15-155  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2015 accounts as follows:

<b>Wyoming County Community Hospital</b>			
<b>To:</b> 01.52.9950.9.99002 Transfer to Hospital <i>w/any funds available</i> Reason: To offset physician recruitment and IT roll-over funds from 2014	\$101,796.00	\$101,796.00	
<b>To:</b> 02.56.4510.4.42501 Hospital Contractual <b>w/</b> 02.13.4510.5031 Interfund Revenue Reason: To offset physician recruitment and IT roll-over funds from 2014.	\$101,796.00	\$101,796.00	
<b>Wyoming County Community Hospital Total</b>			<b>\$101,796.00</b>
<b>Office for the Aging</b>			
<b>To:</b> 01.44.6772.2.20201 Computer Equipment w/01.12.6772.477211 Federal Aid – OFA HICAP <b>Reason:</b> Increase in final 2014/2015 allocation for the purchase of a laptop for the OFA conference room for insurance presentations.	\$1,139.00	1,139.00	
<b>Office for the Aging Total</b>			<b>\$1,139.00</b>

Highway			
<b>To:</b> 03.54.5130.4.40507 Highway Dept Repair w/03.08.5130.2680 Insurance Recovery	\$2,329.24	\$2,329.24	
<b>Reason:</b> In order to pay for deer accident repairs in which the money was paid directly to the highway from the insurance company.			
<b>Highway Total</b>			<b>\$2,329.24</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,383,476.00** for the month of **March 2015**.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There was a motion by Mr. Tarbell, T/Castile, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.*

**#3**

**RESOLUTION NO. 15-156  
(April 14, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**CINDY AMRHEIN APPOINTED COUNTY HISTORIAN**

**BE IT RESOLVED**, That Cindy Amrhein, 10 Traver Place, Perry, NY 14530 be hereby appointed provisionally as County Historian; effective May 30, 2015.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**#4**

**RESOLUTION NO. 15-157  
(April 14, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN ENGAGEMENT LETTER  
WITH HANCOCK AND ESTABROOK LLP (JOHN F. CORCORAN,  
ESQ) ON BEHALF OF THE HUMAN RESOURCE DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an engagement letter and agreement with Hancock and Estabrook, LLP (John F. Corcoran, Esq.) on behalf of the Human Resource Department. Said

April 14, 2015

engagement letter and agreement to provide legal services in connection with collective bargaining units for successive labor agreements, consulting services in connection with other labor and employment law matters and issues on an “as needed” basis according to the negotiated fee schedule; effective July 1, 2015.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#5

**RESOLUTION NO. 15-158  
(April 14, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**2015 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 2015 campaign goal of one hundred seventy-five thousand dollars (\$175,000.00) 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 2015 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the issues we face and no single solution. But, when we “**LIVE UNITED**” we can make a real difference.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#6

**RESOLUTION NO. 15-159  
(April 14, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**RESOLUTION NUMBER 14-365 AMENDED**

**WHEREAS**, Resolution Number 14-365 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MARK H. DADD LAW**

Regular Meeting

**OFFICE, PLLC ON BEHALF OF THE COUNTY ATTORNEY,”** passed by this Board of Supervisors on November 12, 2014 to provide for legal services in an amount not to exceed forty thousand dollars (\$40,000.00); effective January 1, 2015 through December 31, 2015; Contingent upon the availability of funds; now therefore

**BE IT RESOLVED,** That Resolution Number 14-365 be hereby amended to reduce this contractual agreement by half in an amount not to exceed twenty thousand dollars (\$20,000.00) annually, in response to Finance Committee Chairman Kushner’s call for a 3% expenditure reduction in all county departments and contract agencies; effective April 01, 2015 through December 31, 2015. All else remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*After the passage of resolutions #3 through #6 Chairman Berwanger invited Supervisor Tarbell to the podium to present the United Way Campaign proclamation. Supervisor Tarbell invited Linda Nash to join him to receive the proclamation. Ms. Nash shared several of the fund raising events and a special event to be held during Father’s Day Weekend.*

*Ms. Nash asked for permission to introduce Andrea Aldinger to provide an overview of the entire United Way Campaign. Director Aldinger shared a personal experience and why the United Way means so much to her and the community.*

*Director Aldinger explained that employees will be receiving the pledge forms and encouraged those who have never donated to please consider a donation and to those who have donated in the past to consider increasing their donations.*

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #7 through #9. A voice vote was taken and all voted aye.*

**#7**

### **RESOLUTION NO. 15-160 (April 14, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

### **CHILD ABUSE/NEGLECT PREVENTION MONTH PROCLAIMED**

**WHEREAS,** Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

April 14, 2015

**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;

**BE IT RESOLVED,** That the Board of Supervisors do hereby proclaim the Month of April 2015 as **CHILD ABUSE AND NEGLECT PREVENTION MONTH** in Wyoming County, and commend this observance to the citizens of this County.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #8**

**RESOLUTION NO. 15-161  
(April 14, 2015)**

By Ms. Grant, 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 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 funding is for Balanced Inceptive Program Caregiver Support which will increase offerings and access to non-institutional Long Term Care Services and Supports for Caregivers and their Medicaid-eligible loved ones in a minimum amount of twenty thousand dollars (\$20,000.00); effective April 1, 2015 through March 31, 2016.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #9**

**RESOLUTION NO. 15-162  
(April 14, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND THE NEW YORK  
STATE LEGISLATURE TO GRADUALLY ELIMINATE THE COUNTY  
FISCAL RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION  
AND SUMMER SCHOOL SPECIAL EDUCATION PROGRAMS**

**WHEREAS**, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as Section 4410 of the Education Law; and

**WHEREAS**, The original law included a provision to limit the county fiscal responsibility to 25 percent by the 1993~1994 school year; and

**WHEREAS**, The Wyoming County Board of Supervisors commends the Governor and New York State Legislature for the reform to the 2014~2015 New York State Budget; and

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

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

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

April 14, 2015

**WHEREAS,** Over the last decade the failure of the State to fund these costs has shifted more than \$1.5 billion to county property taxpayers, exceeding \$250 million annually today, raising costs for homeowners and small businesses throughout New York State; and

**WHEREAS,** The tuition setting methodology for special classes and Special Education Itinerant Teachers (SEIT) is outdated and inequitable, reimbursement methodology does not impact service delivery to kids; and

**WHEREAS,** The State will require the implementation of a new SEIT reimbursement methodology to ensure the State and counties only pay for services actually delivered; now therefore

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

**FURTHER RESOLVED,** The first phase should include capping county fiscal liability for preschool and summer school special education at no more than what each county paid in 2013 and then implementing a three-year plan to incrementally reduce the county fiscal liability for this program to no more than 25 percent as intended at the inception of the program to help reduce pressure on property taxes; and be it

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

**FURTHER RESOLVED,** That the State Education Department continue to work with counties and providers to promptly reform the entire preschool rate setting process so that it is fair to providers, accountable to taxpayers, families and children and cost-effective for the State and counties; and be it

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

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*After the passage of resolutions #7 through #9 Chairman Berwanger invited*

Regular Meeting



*Supervisor Grant to the podium to present the Child Abuse and Neglect Prevention Month Proclamation. She also invited Commissioner Dave Rumsey to join her and read the proclamation.*

*The Commissioner thanked the Board for their continued support of Child Protective Services.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #10 and #11. A voice vote was taken and all voted aye.*

#10

**RESOLUTION NO. 15-163  
(April 14, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE VARIOUS  
MENTAL HEALTH COMMITTEES AND SUBCOMMITTEES**

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the various Mental Health Committees and Subcommittees:

**MR/DD Subcommittee**

Community Member

***Four (4) year term effective April 14, 2015 through December 31, 2018***

- Vanessa McCormick, 2436 McCormick Road, North Java, NY 14113  
(replacing Renee Gilmore Messecar)

**Community Services Board**

*Supervisor Member*

***One year term effective January 1, 2015 through December 31, 2015***

- Rebecca Ryan, 172 West Buffalo St., Warsaw, NY 14569

**Mental Health Subcommittee**

*Supervisor Member*

***One (1) year term effective January 1, 2015 through December 31, 2015.***

- Rebecca Ryan, 172 West Buffalo Street, Warsaw, NY 14569

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

#11

**RESOLUTION NO. 15-164  
(April 14, 2015)**

April 14, 2015

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 13-265 AMENDED**

**WHEREAS**, Resolution Number 13-265 entitled, **“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,”** passed by this Board of Supervisors on August 13, 2013 to authorize 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 to fund 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; and

**WHEREAS**, Resolution Number 14-115 amended Resolution Number 13-265 to extend the contract as follows:

- 4/1/2014-3/31/2015                      \$29,539
- 4/1/2015-3/31/2016                      \$31,539
- 4/1/2016-3/31/2017                      \$33,539
- 4/1/2017-3/31/2018                      \$35,539

Making the grant term from April 1, 2013 through March 31, 2018 in the maximum amount of one hundred fifty-seven thousand six hundred ninety-five dollars (\$157,695.00) with all other terms and conditions remaining the same; now therefore

**BE IT RESOLVED**, That Resolution Number 13-265 as amended by Resolution Number 14-115 be hereby further amended to reflect the following reductions in annual funding:

- 4/1/2014-3/31/2015    \$29,539.00 reduced by \$3,986.00 to \$25,553.00
- 4/1/2015-3/31/2016    \$31,539.00 reduced by \$4,303.00 to \$27,236.00

All else remains the same.

**Carried: XXX    Ayes: 1580    Noes:    Absent: 19 (Genesee Falls)    Abstain:**

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #12*

Regular Meeting

*through #15. A voice vote was taken and all voted aye.*

*Supervisor Leuer also requested the Resolution Number #16 be withdrawn.*

**#12**

**RESOLUTION NO. 15-165  
(April 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH  
ENVIRONMENTAL ENTERPRISES FOR GLOW REGION 2015  
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 2015 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 09, 2015 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 Enterprises Inc. for the 2015 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: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#13**

**RESOLUTION NO. 15-166  
(April 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RESOLUTION NUMBER 13-193 AMENDED**

**WHEREAS**, Resolution Number 13-193 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN INTER-MUNICIPAL COOPERATIVE**

April 14, 2015

**AGREEMENT WITH GLOW SOLID WASTE MANAGEMENT COMMITTEE ON BEHALF OF WYOMING COUNTY,”** passed by this Board of Supervisors on June 11, 2013 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; now therefore

**BE IT RESOLVED,** That Resolution Number 13-193 be hereby amended to clarify that the contract is in the amount of eighteen thousand one hundred seven dollars (\$18,107.00) annually in an amount not to exceed thirty-six thousand two hundred fourteen dollars (\$36,214.00); All else remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #14**

**RESOLUTION NO. 15-167  
(April 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RICHARD FISH AND MARK MERRILL REAPPOINTED TO THE  
WYOMING COUNTY BUSINESS CENTER BOARD OF DIRECTORS**

**BE IT RESOLVED,** That Richard Fish, 7488 Route 39, Perry, NY 14530 and Mark Merrill, 5442 Sheppard Road, Bliss, NY 14024 be hereby reappointed to the Wyoming County Business Center Board of Directors for a term of Three (3) years; effective May 9, 2015 through May 8, 2018.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #15**

**RESOLUTION NO. 15-168  
(April 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**TRAVEL AND TOURISM WEEK PROCLAIMED**

**WHEREAS,** National Travel and Tourism Week is May 2-10, 2015. It is an annual tradition that was established by a Congressional Resolution in 1983 and first celebrated the following year. This nationwide week of events serves to champion the power of the travel and tourism industry; and

**WHEREAS,** Travel and tourism is one of America's largest industries, generating \$2.1 trillion in economic output, with \$887.9 billion spent directly by domestic and international travelers that spur an additional \$1.2 trillion in other industries; and

**WHEREAS,** According to the US Travel Association, tourism directly generated \$134 billion in tax revenue for local, state and federal governments in 2013. Travel and tourism is America's largest services export industry and is one of America's largest employers. Travel is among the top 10 industries and supported 14.9 million jobs, including 7.9 million directly in the travel industry and 7 million in other industries. One out of every 9 jobs in the U.S. depends on travel and tourism. Each U.S. household would pay \$1,093 more in taxes without the tax revenue generated by the travel and tourism industry; and

**WHEREAS,** Tourism is critical to the economic health of Wyoming County. There are almost two-hundred tourism related businesses in Wyoming County. Travelers spend \$37 million annually in Wyoming County which generates \$17 million in labor income. Wyoming County sees a return of \$4.3 million in state and local sales tax, and the average savings per Wyoming County household from tourism generated taxes is \$527; and

**WHEREAS,** From the natural beauty of Letchworth State Park to the historic landmarks, rural character and agriculture, family friendly attractions, restaurants and lodging, Wyoming County is a true four season destination for outdoor adventure and family fun; and

**WHEREAS,** To recognize "Travel and Tourism Week" from May 2-10<sup>th</sup>, 2015 a week to celebrate and support the almost two-hundred tourism related attractions and businesses that create jobs, boost the economy, and bring visitors to Wyoming County; and

**WHEREAS,** The Wyoming County Board of Supervisors wishes to recognize the importance of tourism as a critical industry in Wyoming County and urges all our citizens to join with us in this observance; now therefore

**BE IT RESOLVED,** That May 2-10<sup>th</sup>, 2015 is hereby designated as

**TRAVEL AND TOURISM WEEK  
in Wyoming County**

in conjunction with the Wyoming County Chamber & Tourism, the State of New York, and the United States who have declared this as an important week in celebration and recognition of Travel and Tourism.

April 14, 2015

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**Non-Consent  
#16**

**RESOLUTION NO. 15-  
(April 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

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

**BE IT RESOLVED**, That James Morey, 1161 Lower Rd, Wyoming,  
NY be hereby reappointed to the Industrial Development Agency Board of  
Directors for a term of three (3) years; effective April 11, 2015 through April 10,  
2018.

**Carried: Ayes: Noes: Absent: Abstain:**

*Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to present the Travel and Tourism Week in Wyoming County proclamation. Supervisor Leuer invited Scott Gardner, President and CEO of the Wyoming County Chamber of Commerce and Meghan Nulty Director of Wyoming County Tourism a division of the Chamber.*

*Ms. Nulty thanked that Board for the passage of the resolution and for supporting and participating in the promotion of Wyoming County Tourism activities. She announced the recent USA Today contest awarding Letchworth State Park as the #1 State Park in the entire US!!*

*Be on the lookout for a multi-faceted campaign to promote Wyoming County Tourism!!*

**Pioneer Central School FFA Ag-Issues Team ~**

Introduced by Linda Lablond of the Wyoming County Business Education Council

Accompanied by their Advisor, Mary Lou Genaway

- Presentation in preparation for the national competition. This year's topic is **"Should the national school lunch program offer additional milk options to school age children?"**

*Supervisors were asked to complete a survey providing feedback on how the*

*students did with their presentation.*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #17 through #22. A voice vote was taken and all voted aye.*

**#17**

**RESOLUTION NO. 15-169**  
**(April 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CRIME VICTIMS' RIGHTS WEEK PROCLAIMED**

**WHEREAS**, Americans are the victims of more than 26 million crimes each year, and crime can touch the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status; and

**WHEREAS**, Many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, deaf and hard of hearing victims, LGBTQ victims, tribal victims, elder victims, victims with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others. The entire community has a role to play; and

**WHEREAS**, Involving survivors helps victim service providers and criminal justice professionals understand the culture, values, and expectations of under and unserved victims who seek assistance and justice. Engaging victims' communities and learning from leaders about their unique needs helps service providers foster a supportive and culturally relevant atmosphere in which victims seek help and healing; and

**WHEREAS**, Incorporating communities' existing experts and trusted sources of support into efforts to fully serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime. Victims know best how to direct and manage their own lives, and true recovery from crime will incorporate a victim's cultural, religious, economic, social, and personal interests;

**WHEREAS**, With the full weight of their community and victim service providers behind them, survivors will feel empowered to face their grief, loss, fear, anger, and shame, without fear of judgment and will feel understood and worthy of support; and

April 14, 2015

**WHEREAS**, Wyoming County is hereby dedicated to building partnerships with trusted sources of support, including community leaders, religious groups, schools, and other agencies to better reach and serve all victims of crime, no matter their community; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim the week of April 19-25, 2015, as **CRIME VICTIMS' RIGHTS WEEK** in Wyoming County.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #18**

**RESOLUTION NO. 15-170  
(April 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH STATEWIDE MACHINERY, INC. 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 to award a bid and sign contracts with Statewide Machinery Inc, 60 Pixley Industrial Parkway, Rochester, NY 14624 on behalf of the County Jail. Said bid is for two (2) washers and two (2) dryers in an amount not to exceed \$39,738.00; effective March 9, 2015.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #19**

**RESOLUTION NO. 15-171  
(April 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
THE LIVINGSTON 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

Regular Meeting



contract with Livingston County Sheriff, 4 Court Street, Geneseo, NY 14454 on behalf of the County Jail. Said contract is for prisoner housing in an amount not to exceed \$85.00 a day per prisoner; effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #20**

**RESOLUTION NO. 15-172  
(April 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. D,  
YEAR 2015**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14<sup>th</sup> day of April, 2015, a proposed local law entitled, "Local Law Introductory No. D, Year 2015, **"A LOCAL LAW REGULATING ANIMAL SHELTERS,"** and

**WHEREAS**, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

**BE IT RESOLVED**, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **12<sup>th</sup> day of May, 2015 at 2:30 PM in the Supervisors' Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**Introductory Local Law D, Year 2015  
This Local Law shall be entitled "A Local Law  
Regulating Animal Shelters"**

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

**WHEREAS**, the residents of Wyoming County have had a long-standing tradition of sound ethical care for domesticated companion animals, as

April 14, 2015

well as sound animal husbandry skills in the agricultural community that places a priority on the health, safety, and welfare of the animal;

**WHEREAS**, most Towns and Villages within the County have kennel laws that require the permitting and regulation of those facilities, none have laws regulating rescue animal shelters;

**WHEREAS**, recent conditions noted at animal shelter facilities within the county endangered the welfare of the animals being cared for, as well as the public visiting those facilities. These concerns have led to emergency interventions by Wyoming County officials, placing an unnecessary burden on the Wyoming County Animal Control Officer, Wyoming County Building and Fire Codes Department, Wyoming County Health Department, State and Local Law Enforcement, Wyoming County District Attorney's office, Wyoming County Court system and Wyoming County taxpayers.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

### **SECTION 1. PURPOSE**

The purpose of this Local Law is to regulate animal shelters by requiring these facilities to be permitted by the County of Wyoming. Once enacted, all new and existing Animal Shelters must obtain an Animal Shelter Permit from the County of Wyoming.

### **SECTION 2. DEFINITIONS**

a. "Animal Shelter" shall mean any facility maintained or operated in Wyoming County that is sustained by public or private funds, for profit and/or non-profit, and serves as a temporary location for holding lost, stray, surrendered or abandoned domesticated companion and/or farm animals until disposition by adoption or euthanasia is made.

b. "Application" shall mean the form, a sample of which is appended to this Local Law and as may be amended, used by the Chairman of the Wyoming County Board of Supervisors to determine the advisability of issuance of an Animal Shelter Permit to ensure compliance with all State and local statutes, rules, regulations and requirements and provide for review and written approval of:

1. Wyoming County Fire and Building Codes
2. Wyoming County Health Department

c. "Chairman" shall mean Chairman of the Wyoming County Board of Supervisors

d. "Permit" shall mean Animal Shelter Permit.

### **SECTION 3. FILING OF PERMIT APPLICATION**

The application, as appended and as may be amended by the Chairman, must be fully completed and submitted, with the appropriate fee, to the Chairman no less than 60 days prior to the proposed opening of a new facility. All existing Animal Shelters must apply for an Animal Shelter Permit within 90 days of the filing of this Local Law.

### **SECTION 4. NECESSARY APPROVALS**

As required by the Application, the following County Departments must provide their written consent:

1. Wyoming County Fire and Building Codes
2. Wyoming County Health Department

The Applicant shall consent and allow the above Departments to perform, inspect and conduct inquiries at their sole discretion as deemed necessary. Any change to the facility or its operation as set forth in the Application must be reported to and approved in advance by the Chairman.

In addition, the Animal Shelter must be inspected and/or reviewed by a NYS Licensed Veterinarian, at a minimum, on an annual basis to ensure the health, safety and adequate housing of the animals. Documentation of these visits MUST be maintained on site and available upon request.

### **SECTION 5. DENIAL OF PERMIT**

The Permit shall not be granted if any of the items set forth in said Application are determined by the Chairman to be insufficient to properly ensure the safety, health, welfare and well-being of the animals, public visiting the facility and/or the property.

### **SECTION 6. ACTUAL ISSUANCE OF THE PERMIT**

The Permit, if approved, shall be issued in writing by the Chairman no greater than forty-five (45) days after receipt of the Application.

### **SECTION 7. NON-COMPLIANCE WITH THE PERMIT**

If after a Permit is issued, the County of Wyoming, through its lawful agents, determines that any of the items required as a condition of the Permit are not adhered to and accomplished within the time limits allowed, then this Permit may be revoked by the Chairman, unless the item of violation is promptly remedied within such time limits as may be reasonably imposed by the Chairman. Notice of the Permit revocation shall be in writing, Certified Mail Return Receipt Requested, addressed to the applicant at the address set forth in the application, or by personal service.

### **SECTION 8. ENFORCEMENT AND PENALTIES**

April 14, 2015

Each violation of a provision of this Local Law shall be a Class A Misdemeanor and the person violating the same shall be subject to a fine of not more than \$1,000.00 or imprisonment not to exceed one year, or to both such fine and imprisonment.

Any person violating this Local Law shall be subject to a civil penalty enforceable and collectable by the County of Wyoming in the amount of \$1,000.00 for each offense.

In addition to the above provided penalties, the Wyoming County Board of Supervisors may also maintain an action or proceeding in the name of the County, in a Court of competent jurisdiction, to compel compliance with, or to restrain by injunction, the violation of such local law.

## **SECTION 9. SEPARABILITY**

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

## **SECTION 10. MISCELLANEOUS**

The Application may be amended at the discretion of the Chairman without further amendment of this Local Law.

## **SECTION 11. EFFECTIVE DATE**

This Local Law shall become effective upon filing with the New York State Secretary of State.

DATED at Warsaw, New York

April 14, 2015 (Introduced)

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

Board Clerk



## APPLICATION FOR ANIMAL SHELTER PERMIT

Wyoming County Government Center  
143 North Main Street, Warsaw, NY 14569  
Phone: (585) 786-8800  
Fax: (585) 786-8802

*Pursuant to the provisions of Wyoming County Local Law No. \_\_\_\_\_ of 2015, this Animal Shelter Permit Application must be submitted no less than 60 days prior to the proposed opening of a new facility. All existing Animal Shelters must apply for an Animal Shelter Permit within 90 Days of the filing of this law.*

APPLICANT INFORMATION		
(Names of Individual Corporations, Partnerships or Other Groups Addresses, Names of Directors and Officers)		
	NAME	ADDRESS
<input type="checkbox"/> Individual Applicant		
<input type="checkbox"/> Partnership/Group <span style="font-size: x-small;">(List Partners or Officers)</span>		
<input type="checkbox"/> Non-Profit Organization <span style="font-size: x-small;">(List Officers or Board of Directors)</span>		
CONTACT INFORMATION		
Phone #'s: (Applicant) _____ (Shelter) _____		
Emergency Contact: (Name) _____ Phone#: _____		
Email: _____		
TYPE OF ANIMAL SHELTER		
<input type="checkbox"/> Dog <input type="checkbox"/> Cat <input type="checkbox"/> Dog & Cat <input type="checkbox"/> Other _____		
Proposed Number of Animals: Dogs _____ Cats _____ Other _____		
ADDRESS OF ANIMAL SHELTER BUILDING		
Street: _____ Town or Village: _____		
Town or Village Approval: <input type="checkbox"/> YES <b>**Copy of Approval Must Be Attached</b>		
BUILDING FLOOR PLAN		
(*Include all floor levels, label each room and indicate what the room will be used for)		
Copy of Floor Plan Attached: <input type="checkbox"/> YES		
<b>(Certificate of Compliance to be issued by Wyoming County Building Department)</b>		
WATER AND SEWAGE SERVING THE ANIMAL SHELTER		
Water Supply: <input type="checkbox"/> Public <input type="checkbox"/> Private – <b>(Must Comply with Appendix 5-B NYS Sanitary Code)</b>		
Sewage Disposal: <input type="checkbox"/> Public <input type="checkbox"/> Private – <b>(Must be approved by Wyoming County Health Dept.)</b>		

April 14, 2015

<b>STORAGE AND/OR DISPOSAL OF ANIMAL WASTE</b>	
Animal Waste Storage On Site: <input type="checkbox"/> YES <input type="checkbox"/> NO (Describe)	
Animal Waste Disposal On Site: <input type="checkbox"/> YES <input type="checkbox"/> NO (Describe)	
<b>VETERINARIAN REQUIREMENTS</b>	
The Animal Shelter facility must be inspected and/or reviewed by a NYS Licensed Veterinarian, at a minimum, on an annual basis to ensure the health, safety and adequate housing of the animals. Documentation of these visits <b>MUST</b> be maintained on site and available upon request. Failure to comply with this requirement may result in the revocation of your permit.	
<input type="checkbox"/> I agree to have the veterinarian inspections as indicated above and understand that if conditions warrant, veterinarian consultations and/or site visits will occur more often.	
<b>RELEASE OF CLAIMS AND AGREEMENT TO INDEMNIFY AND HOLD HARMLESS</b>	
To the extent permitted by law, the applicant agrees to defend, indemnify and hold harmless the County of Wyoming, its officers, directors, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses including reasonable legal fees and costs arising in whole or in part with the aforementioned Animal Shelter, by the applicant, its officers, directors, employees and subcontractors.	
<b>ONE-TIME ANIMAL SHELTER PERMIT FEE TO BE SUBMITTED WITH APPLICATION</b>	
<input type="checkbox"/> 0-50 Animals (\$100) <input type="checkbox"/> 50-200 Animals (\$150) <input type="checkbox"/> 200 + Animals (\$200)	
<b>CERTIFICATION OF APPLICANT</b>	
All information provided in the above application is hereby true and correct and all statements contained herein are true to the best of my knowledge.	
Date: ____/____/____	Signature: _____
	Print Name: _____
	Title: _____
*****For Office Use Only*****	
Permit Fee Received: <input type="checkbox"/> Yes <input type="checkbox"/> No	Amount \$ _____ Date Received: ____/____/____
Approvals Received: <input type="checkbox"/> WC Fire & Building Codes <input type="checkbox"/> WC Health Department	

**RESOLUTION NO. 15-173  
(April 14, 2015)**

By Mr. Copeland, 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 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 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 Wyoming County Probation, as follows:

- Alternatives to Incarceration Programs; effective July 01, 2015 through June 30, 2016:
  - Community Service ~ five thousand five hundred thirty-one dollars (\$5,531.00);
  - Pre-Trial Release ~ five thousand five hundred thirty-one dollars (\$5,531.00)
  - Data Day Program ~ six thousand seven hundred seventy-seven dollars (\$6,777.00).

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #22**

**RESOLUTION NO. 15-174  
(April 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

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

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign grant applications and acceptance awards with the New York State Office of Indigent

April 14, 2015

Legal Services, State Capitol, Room 128, Albany, New York 12224 on behalf of the Public Defender's office as follows:

- **2015 ILSF Distribution** Contract Number C000756 in a minimum amount of one hundred two thousand one hundred twenty dollars (\$102,120.00) (\$34,040.00 per year); effective January 01, 2015 to December 31, 2017. ***Distribution #5.***

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*Supervisor Copeland, T/Wethersfield was invited by Chairman Berwanger to present the Crime Victims' Rights Week in Wyoming County Proclamation at the podium. Supervisor Copeland invited the Sheriff and the District Attorney to join him for the presentation. DA O'Geen agreed to read the proclamation...*

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #23 through #25. A voice vote was taken and all voted aye.*

*Chairman Berwanger commented that the contract with Building Innovation Group is for the emergency repair of the structural failure at the Skilled Nursing Facility.*

**#23**

**RESOLUTION NO. 15-175  
(April 14, 2015)**

By Mr. Davis, 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 14, 2015 through April 13, 2016, all ties were awarded by lot at the April 02, 2015 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: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**#24**

**RESOLUTION NO. 15-176**

Regular Meeting



(April 14, 2015)

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN  
CONTRACTS WITH DONEGAL CONSTRUCTION CORPORATION  
AND KILLIAN CONSTRUCTION, LLC 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 the following bids and sign contracts for the purchase of the following services on behalf of County Highway:

- **Donegal Construction Corporation**, 1235 Marguerite Lake Rd., Greensburg, PA 15601 for county roadside shoulder removal in an amount not to exceed six thousand five hundred dollars (\$6,500.00); effective April 14, 2015 through completion of project.
- **Killian Construction LLC**, 1007 Chili Ave., Rochester, NY 14611 for the daily rental of 7'- 3" mill in an amount not to exceed six thousand dollars (\$6,000.00); effective April 14, 2015 through completion of project.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#25**

**RESOLUTION NO. 15-177  
(April 14, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH BUILDING  
INNOVATION GROUP, LLC ON BEHALF OF BUILDINGS AND  
GROUNDS (CIP)**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Emergency Reconstruction contracts with Building Innovation Group, Inc., 107 Lincoln Parkway, PO Box 29, Rochester, NY 14445 on behalf of the Wyoming County Community Skilled Nursing Facility. Said Emergency Procurement is for emergency repair of the structural failure at the facility occurring the morning of January 14, 2015 in an amount not to exceed \$500,000.00 (option #1

April 14, 2015

as presented by Clark Patterson Lee & Lend Lease, see attached); effective January 14, 2015 through completion of the project.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) 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. 15-178  
(April 14, 2015)**

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 St. Redlands, CA 92373 on behalf of Wyoming County Information Technology. Said contract is for Annual Support of the GIS Software in an amount not to exceed five thousand eight hundred twenty-two dollars (\$5,822.00); effective June 15, 2015 through June 14, 2016. (NYS Contract #PT63832)

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#27**

**RESOLUTION NO. 15-179  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL 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 *Renewal* Agreement with Applied Business Systems, Inc.

Regular Meeting

(ABS), 26 Harvester Avenue, Batavia, NY 14020 on behalf of Real Property Tax Services in an amount not to exceed thirteen thousand dollars (\$13,000.00) (slightly lower rates as previous year's agreement; effective March 30, 2015 through March 30, 2016.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #28**

**RESOLUTION NO. 15-180  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATIONS AND  
ACCEPTANCE AWARDS ON BEHALF OF THE WYOMING COUNTY  
AG AND BUSINESS CENTER**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the following on behalf of the Wyoming County Ag. and Business Center:

- **Empire State Development**, 633 Third Avenue, New York, NY 10017, for funding of the Wyoming County Ag. and Business Center in a minimum amount of four hundred fifty thousand dollars (\$450,000.00); effective January 1, 2015 through the completion of the project.
- **Dormitory Authority State of New York**, 515 Broadway, Albany, NY 12207-2964, for funding of the Wyoming County Ag. and Business Center in a minimum amount of one hundred fifty thousand dollars (\$150,000.00); effective January 1, 2015 through the completion of the project.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #29**

**RESOLUTION NO. 15-181  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

April 14, 2015

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

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

- **CECILIA LYONS**, Pediatric Nurse Practitioner PLLC, 311 Ortnor Road, Darien Center, NY 14040 to provide an Independent Contractor Agreement for pediatric patient care and practice management services in the amount of \$104,040.00/Year 1, \$106,120.00/Year 2; effective March 01, 2015 through February 28, 2017 (auto renewal with no changes).
- **MALINI RAO, MD, C/O Mr. Karthik Rao**, 444 Washington Blvd, Apt. 2435, Jersey City, NJ 07310 to provide an Independent Contractor Agreement for professional anesthesiology services on an “as needed” basis at the rate of \$5,677.55 per week, pro-rated for any partial weeks. A week is defined as requiring a minimum 40 hours during such week plus 24 hour call coverage on the days worked. WCCHS to retain all professional revenue generated by the provider, effective March 29, 2015 through March 29, 2016 with automatic 1 year renewals, not to exceed \$150,000.00 annually.
- **XTEND HEALTHCARE, LLC**, 500 West Main Street, Suite 14, Hendersonville, TN 37075, for remote accounts receivable services related to collection of accounts receivable in excess of 60 days from the date of service. Fee is 11.9% of collections which is estimated not to exceed \$150,000.00; effective April 01, 2015 through March 31, 2016.
- **INSIGHT IMAGING**, 5775 Wayzata Blvd. Suite 400, Minneapolis MN 55416
  - Mobile MRI Equipment Lease Agreement. MRI services to be provided at the rate of \$222.60 per month up to 85 scans, \$112 per monthly for 86th scan and above. One-time payment of \$5,000.00 to be made by Insight Imaging to WCCHS to enhance the unit’s entrance; effective date first patient is scanned with MRI unit for three (3) years, with 1-year annual

extensions thereafter.

- Facilitation and staff operation of the leased MRI unit at the rate of \$87.40 per monthly scan 1 – 85, \$60.00 per monthly 86th scan and above. Plus physician and radiologist education one day per month in the amount of seven thousand six hundred eighty dollars (\$7,680.00) annually; effective date first patient is scanned with MRI unit for three years with annual 1-year extensions.
- **STRONG MEMORIAL HOSPITAL, A DIVISION OF THE UNIVERSITY OF ROCHESTER, AN EDUCATIONAL INSTITUTION CHARTERED BY THE STATE OF NEW YORK, ON BEHALF OF UR MEDICINE LABS OF THE DEPARTMENT OF PATHOLOGY AND LABORATORY MEDICINE** with offices at 601 Elmwood Avenue, Rochester, New York, 14642 for services of a physician to serve as laboratory medical director and provide pathology services at WCCHS in the amount of \$1,750.00 per day, with a minimum of two days per month, additional days as needed, effective from the first day of the month after WCCHS's current contract has ended based on WCCHS giving appropriate notice to current service provider of termination of contract for three (3) years. Cost neutral with current contract.

Contingent upon the availability of funding.

**Carried:** XXX   **Ayes:** 1580   **Noes:**   **Absent:** 19 (Genesee Falls)   **Abstain:** #30

### **RESOLUTION NO. 15-182 (April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

### **HOME RULE REQUEST TO EXTEND SALES TAX INCREASE APPROVED**

**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. 13-278, passed by this Board of Supervisors on August 13, 2013; now therefore

**BE IT RESOLVED**, That the County of Wyoming hereby requests that the New York State Legislature support and pass Senate bill S.03955 and Assembly bill, A.05806, which is the legislation necessary to amend Section

April 14, 2015

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, 2017; 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: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #31**

**RESOLUTION NO. 15-183  
(April 14, 2015)**

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:

**Highway:**

- Extend one (1) position of **Sign Maintenance Supervisor, FT**, (position code #009.276); effective April 3, 2015 through April 2, 2016.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #32**

**RESOLUTION NO. 15-184  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**SALARY SCHEDULE “G” AMENDED**

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

**Salary Schedule “G”:**

***Health Department***

- Student Aid (Seasonal) (Temp.) (Position code 117.319) is \$8.75/hr with an additional \$0.25 for each previous season worked. Increase

Regular Meeting

hourly rate to \$9.00 per hour with an additional \$0.25 for each previous season worked based on an increase in the minimum wage as of 12/31/14.

- All salary & fringe expenses associated with this position are reimbursed by the NYSDOH Drinking Water Enhancement Grant.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*Supervisor Kushner, T/Eagle explained that this resolution is a continuation of a borrowing plan. A previous more expensive borrowing will be paid off this year and therefore replaced with the following less expensive necessary elevator repair.*

**2/3 Majority  
#33**

**RESOLUTION NO. 15-185  
(April 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**A RESOLUTION AUTHORIZING THE COST OF  
ELEVATOR REPAIRS AT THE WYOMING COUNTY  
COMMUNITY HOSPITAL IN AND FOR THE COUNTY  
OF WYOMING, NEW YORK, AT A MAXIMUM  
ESTIMATED COST OF \$415,000, AND AUTHORIZING  
THE ISSUANCE OF \$415,000 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 elevator repairs in and for the County of Wyoming, New York, Wyoming County Community Hospital are hereby authorized at a maximum estimated cost of \$415,000.00.

April 14, 2015

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 \$415,000.00 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 13 of paragraph 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 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: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

April 14, 2015

**Public Hearing ~**

- **Comment Period ~**

- ***Fred C. Kremer, RJ Alan/Phantom Fireworks***, 555 Martin Luther King Jr. Blvd. Youngstown OH 44502
  - Mr. Kremer spoke in favor of the passage of the proposed local law. Noting that his company provides all kinds of safety training for the safe usage of Sparkler Devices manufactured by his company.
- ***Supervisor J. Brick, T/Perry*** commented on two meetings he attended recently. The County Fire Chiefs Association and the Fire Advisory Board. He indicated that both boards provided no real reaction. He did say that many equated this law to the NY SAFE Act where people are limited in what they can do in their own homes.
- ***Supervisor Leuer, T/Middlebury*** commented on too many Nanny Laws already on the books. He also commented on the County's inability to enforce the local law if enforced.
- ***Supervisor Tarbell, T/Castile*** explained that reports indicate sparklers are responsible for far more injuries to children than regular fireworks. Building and Codes will be responsible for additional inspections. In a time where the Supervisors are asking departments to cut back it is not reasonable to expect more.
- ***Supervisor Copeland, T/Wethersfield*** reiterated comments made about the county's inability to enforce the proposed local law. Sheriff Rudolph nodded his head in the affirmative to Supervisor Copeland's comments.

**Close the Hearing ~**

*Motion to close the Public Hearing was made by Supervisor Davis, T/Covington. Seconded by Supervisor Ryan, T/Warsaw. Carried.*

**Local Law  
#34**

**RESOLUTION NO. 15-186  
(April 14, 2015)**

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

Regular Meeting

LOCAL LAW NO. 5 (INTRODUCTORY C) - YEAR 2015, *“A Local Law to Authorize the Sale and Use of Sparkler Devices,”* ADOPTED

**WHEREAS,** There was duly presented and introduced at a meeting of this Board, held on the 10th day of March, 2015, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2015, entitled, *“A Local Law to Authorize the Sale and Use of Sparkler Devices;”* and

**WHEREAS,** In accordance with the provisions of Resolution No. 15-124, there was a public hearing held by this Board of Supervisors on this 14<sup>th</sup> day of April, 2015, 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 5, Year 2015, County of Wyoming, New York, as presented to this Board on the 14th day of April 2015, is hereby enacted in its original form as follows:

**Local Law 5, year 2015**

This Local Law shall be entitled *“A Local Law to Authorize the Sale and Use of Sparkler Devices”*

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

**SECTION 1. LEGISLATIVE INTENT AND ENACTMENT**

- I. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.788/A1041) which allows for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action, and
- J. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- K. Whereas the Governor signed this version of the bill into law in part due to is strong home rule authority, only allowing for certain

April 14, 2015

fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.

- L. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405(B), this Board of Supervisors further finds and determines that “sparkler devices” are neither “fireworks” nor “dangerous fireworks” as defined in Section 270 of the New York State Penal Law, and may be sold and enjoyed, only in the manner described below, within Wyoming County.
- M. This Board of Supervisors finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- N. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- O. Whereas this local law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124, 2006 edition.
- P. This Board of Supervisors further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
  - 5. Sales will only be permitted on or between June 1<sup>st</sup> through July 5<sup>th</sup> and December 26<sup>th</sup> and January 2<sup>nd</sup> of each calendar year.
  - 6. All distributors’ manufacturers and retailers must be licensed through the New York Department of State.
  - 7. Only those 18 years of age or older may purchase said products.
  - 8. Comply with Part 1228 of Title NYCRR Section 1228.3 of the New York State Uniform Fire Prevention and Building Code

## **SECTION 2. DEFINITIONS:**

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- 1) Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained

in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

- 2) Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as in outlined in this subparagraph.
- 3) Wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
- 4) Novelties which do not require approval from the United State Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
  - A) Party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
  - B) Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty

devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

### SECTION 3. SEPARABILITY

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in this operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

### SECTION 4. EFFECTIVE DATE.

This law shall take effect immediately upon filing with the Secretary of state.

DATED at Warsaw, New York

March 10, 2015 (Introduced)

April 14, 2015 (Adopted)

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

Board Clerk

**Defeated:** XXX **Ayes:** 578 **Noes:** 172 (Arcade) **Absent:** 19 (Genesee Falls) **Abstain:**

164 (Attica)

123 (Castile)

53 (Covington)

51 (Eagle)

88 (Java)

48 (Pike)

102 (Sheldon)

201 (Warsaw)

1002

*Before the meeting was adjourned, Chairman Berwanger shared the photo of the signs lining Perry Rd. in the Town of Java regarding Perry Road's restoration.*

*He added that he will let the sharing of this picture serves as a prelude to the first of the four scheduled public informational meetings beginning tomorrow night at the Rita George Memorial Recreation Hall in Bliss and encouraged all to attend!!*



*There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 3:54 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

April 14, 2015

**SPECIAL SESSION**  
**(April 15, 2015)**  
**Wednesday**  
**7:30 PM**

The special session of the Wyoming County Board of Supervisors was held at the Rita George Memorial Rec. Hall located on East Main Street, Eagle, New York with all Supervisors present except Supervisor Tarbell, T/Castile. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and several Wyoming County Residents and Department Heads.

At 7:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Greg Rudolph**  
Navy Veteran ~Wyoming County Sheriff

Chairman Berwanger invited attendees to get up and look at the informational boards around the back of the room at any point during the meeting and introduced the Supervisors and Department Heads present (see sign in sheet in meeting file).

After introductions were made Chairman Berwanger turned the meeting over to Budget Officer Cook to review the County Budget and the following Power Point presentation.



The poster features the Wyoming County seal at the top center, flanked by red and orange horizontal bars. Below the seal, the text "Wyoming County" is written in a serif font, followed by "SPECIAL PUBLIC FORUM MEETINGS" in large, bold, orange capital letters. At the bottom, there is a grid of four colored boxes (red, dark blue, orange, and dark blue) each containing details for a specific meeting.

APRIL 15, 2015	MAY 7, 2015	MAY 30, 2015	JUNE 18, 2015
7:30PM	7:30PM	11:00AM	7:30PM
Rita George Memorial Recreation Hall	Attica Central School Auditorium	Castile Community Center	Wyoming County Government Center
East Main Street, Eagle, NY	3336 East Main Street, Attica, NY	State Route 39, Castile, NY	143 North Main Street, Warsaw, NY

Special Meeting



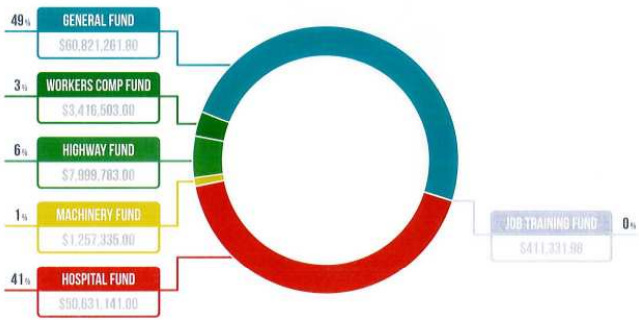
SUMMARY OF 2015 BUDGET - ALL FUNDS

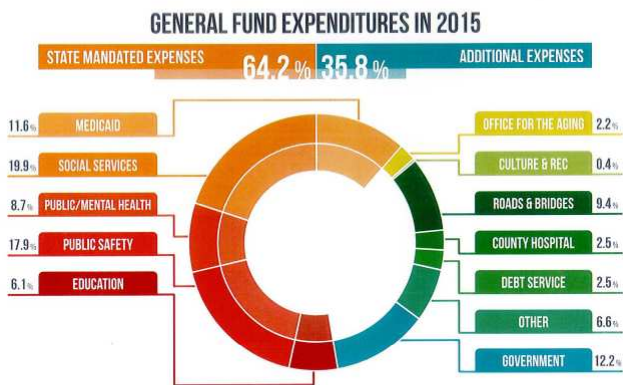
TOTAL ESTIMATED EXPENDITURES - ALL FUNDS *	\$115,538,816.47
LESS: ESTIMATED REVENUES - ALL FUNDS *	\$94,388,777.66
LESS: APPROPRIATED CASH SURPLUS	
GENERAL FUND	\$2,500,000.00
COMPENSATION FUND	\$0.00
COUNTY ROAD FUND	\$281,078.00
MACHINERY FUND	\$62,824.00
CAPITAL FUND	\$0.00
TOTAL TAX LEVY FOR 2015	\$18,187,214.81

\* Excludes Interfund Items

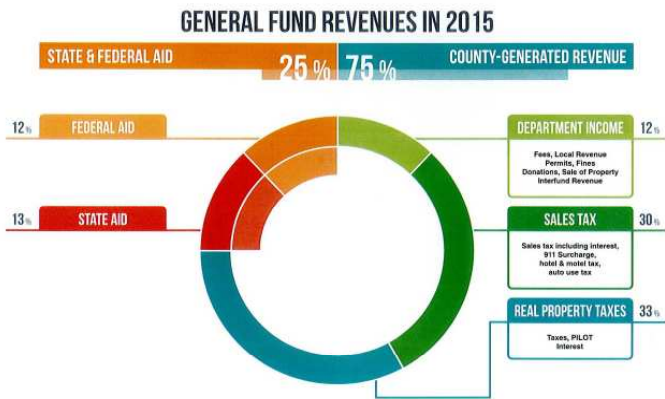
General Fund is the only fund Wyoming County raises taxes in...

APPROPRIATIONS SUMMARY  
Expenditures By Fund - 2015





Boards in the back of the room are color coded to match these graphs...



## BUDGET COMPARISON

For 2014 and 2015

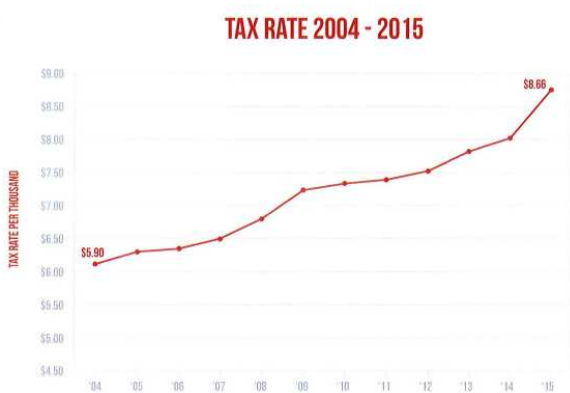
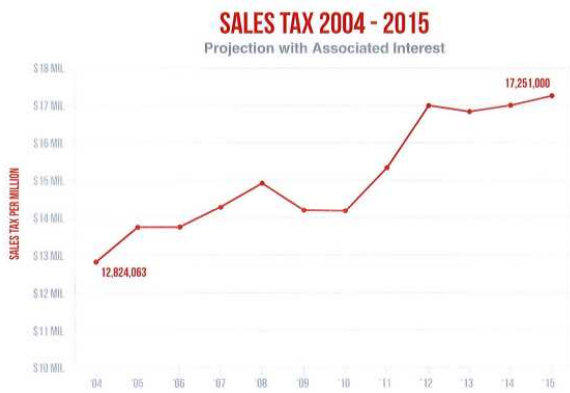
	2014	2015	CHANGE AMT	CHANGE %
<b>Total Revenues</b>	<b>\$101,266,509.10</b>	<b>\$103,387,316.97</b>	<b>\$2,120,807.87</b>	<b>2.09%</b>
Personal Svc.	\$34,808,050.74	\$36,595,504.65	\$1,787,453.91	5.14%
Capital	\$1,393,410.00	\$1,292,000.00	(\$100,810.00)	-7.23%
Contractual	\$55,685,350.13	\$55,005,681.81	(\$679,668.32)	-1.22%
Principal Pmt	\$2,238,000.00	\$2,282,642.20	\$44,642.20	1.99%
Interest Pmt	\$1,365,559.97	\$1,410,934.03	\$45,374.06	3.32%
Fringe	\$19,861,348.05	\$20,676,299.09	\$814,951.04	4.10%
Transfers	\$6,813,983.76	\$7,273,694.00	\$459,710.24	6.75%
<b>Total Expenditures</b>	<b>\$122,165,700.65</b>	<b>\$124,537,355.78</b>	<b>\$2,371,655.13</b>	<b>1.94%</b>
General Fund Balance	(\$2,950,000.00)	(\$2,500,000.00)	\$450,000.00	-15.25%
Highway Fund Balance	(\$1,127,561.00)	(\$400,000.00)	\$727,561.00	-64.53%
Machinery Fund Balance	(\$240,000.00)	(\$62,824.00)	\$177,176.00	-73.82%
<b>Levy</b>	<b>\$16,581,630.55</b>	<b>\$18,187,214.81</b>	<b>\$1,605,584.26</b>	<b>9.68%</b>

Independent Auditors have told the county over the years that county officials are doing a good job of controlling expenditures...

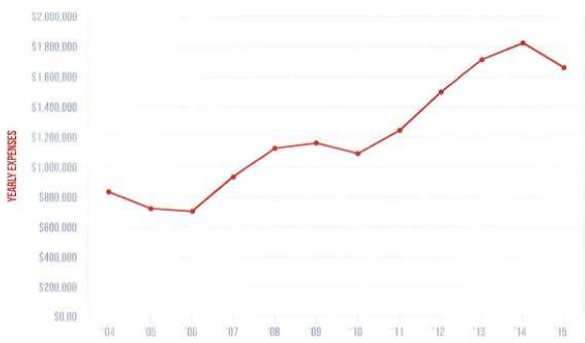
## BUDGET SUMMARY

FUNDS	EXPENDITURE	REVENUE	LEVY
<b>GENERAL FUND</b>			
General Government	\$7,420,801.40	\$21,304,168.52	(\$13,883,367.12)
Education	\$3,696,747.28	\$1,025,000.00	\$2,671,747.28
Public Safety	\$10,898,511.53	\$1,479,882.14	\$9,418,629.39
Public / Mental Health	\$5,319,274.47	\$4,414,636.53	\$904,637.94
Social Services	\$19,075,489.09	\$8,517,737.00	\$3,557,755.09
Medicaid	\$7,084,596.00	\$0.00	\$7,084,596.00
Office for the Aging	\$1,341,566.28	\$807,610.00	\$533,956.28
Culture & Recreation	\$183,291.44	\$98,880.00	\$84,411.44
County Roads & Bridges	\$5,701,797.00	\$0.00	\$5,701,797.00
Wyn. Co. Comm. Hospital	\$1,526,221.00	\$0.00	\$1,526,221.00
Debt Service	\$1,549,514.79	\$351,995.80	\$1,197,518.99
All Other	\$4,023,448.52	\$2,134,137.00	\$1,889,311.52
<b>Total General Fund</b>	<b>\$60,821,261.80</b>	<b>\$40,134,046.99</b>	<b>\$20,687,214.81</b>
<b>OTHER FUNDS</b>			
Highway & Machinery Fund	\$9,257,118.00	\$8,794,294.00	\$462,824.00
Hospital Fund	\$50,631,141.00	\$50,631,141.00	\$0.00
Job Training Fund	\$411,331.98	\$411,331.98	\$0.00
Worker's Compensation Fund	\$3,416,503.00	\$3,416,503.00	\$0.00
<b>Total Other Funds</b>	<b>\$63,716,093.98</b>	<b>\$63,253,269.98</b>	<b>\$462,824.00</b>
<b>Total ALL Funds</b>	<b>\$124,537,355.78</b>	<b>\$103,387,316.97</b>	<b>\$21,150,038.81</b>
	Less Surplus:	General Fund	(\$2,500,000.00)
		Road & Machinery Fund	(\$462,824.00)
		Total Tax Levy	18,187,214.81

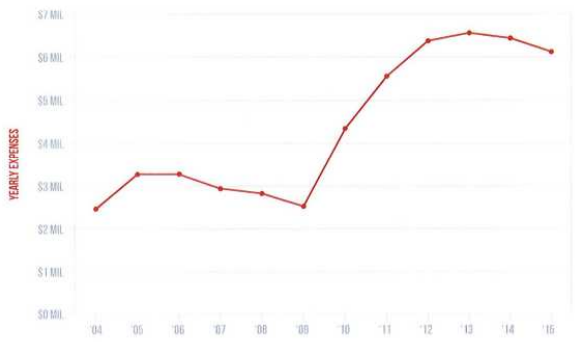
April 15, 2015



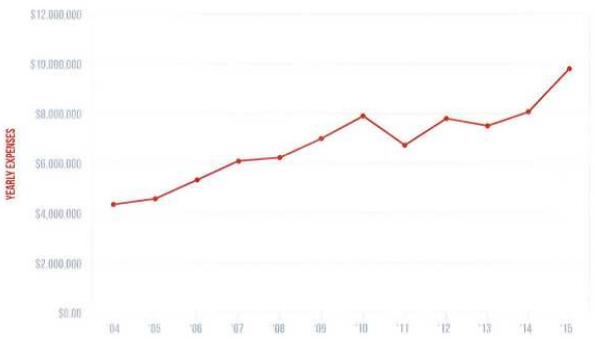
**COMMUNITY COLLEGE EXPENSE HISTORY 2004 - 2015**



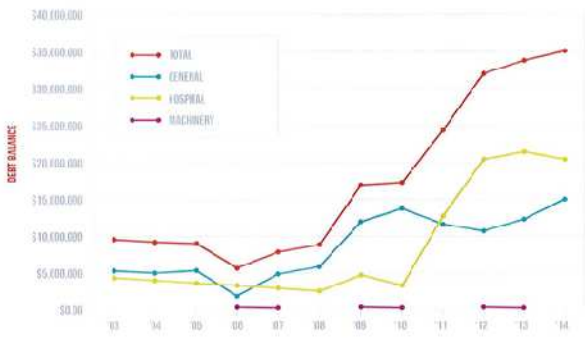
**NYS RETIREMENT EXPENSE HISTORY 2004 - 2015**



HEALTH CARE EXPENSE HISTORY 2004 - 2015



WYOMING COUNTY INDEBTEDNESS



**PROJECTS SUMMARY**  
2007 - 2015

PROJECT	DATE	DEBT BORROWING	CIP, STATE & FEDERAL AID	PROJECT BUDGET	ANNUAL DEBT PAYMENT
<b>Foods</b>					
Mobile Reservation	2007-2014		\$990,300.00		
East Main St Road	2007-2008				
Flatten Road	2007-2008				
Hornbuckle Road	2008				
Wyoming Road	2009-2011				
Wesley Road	2009-2010				
Castle Center Road	2010-2014				
DeWitt Road	2010-2013				
Liberty Street	2010-2014				
Trotter Road	2010-2011				
Exchange St	2014				
Perry Road	2014				
<b>Project Totals</b>		\$11,482,135.06	\$990,300.00	\$12,472,136.00	\$1,068,326.44

**PROJECTS SUMMARY**  
2007 - 2015

PROJECT	DATE	DEBT BORROWING	CIP, STATE & FEDERAL AID	PROJECT BUDGET	ANNUAL DEBT PAYMENT
<b>Renovation Highway</b>					
Cs Highway Buildings	2015-2015	\$725,211.00	\$600,000.00	\$1,325,211.00	\$153,682.32
<b>DSS Construction</b>					
New DSS Building	2008-2012	\$4,500,000.00	\$30,166.88	\$4,530,166.88	\$293,511.29
<b>Hospital Projects</b>					
408 North Main St	2008-2010	\$1,500,000.00	\$25,574.28	\$1,525,574.28	\$93,287.50
WCHH Renovations	2010-2015	\$17,000,000.00	\$12,261,308.00	\$29,161,308.00	\$1,195,571.94
<b>ER11 Communications</b>					
Upgrade 911 System	2014-2015	\$0.00	\$1,771,238.00	\$1,771,238.00	\$0.00
<b>Voice Over IP System</b>	**To be paid with savings realized from new system				
Upgrade telecom	2014-2015	\$191,000.00	\$0.00	\$191,000.00	\$40,000.00
<b>PROJECT TOTALS</b>		\$38,296,347.00	\$15,830,288.06	\$51,876,833.06	\$2,844,879.49
		70%	30%	100%	\$2,844,879.49

## WYOMING COUNTY CONTRACT AGENCIES

2015 Allocations

CONTRACT AGENCY	2015 ALLOCATION
CHAMBER OF COMMERCE	\$138,630.00
BUSINESS EDUCATION COUNCIL	\$5,400.00
BUSINESS CENTER	\$75,000.00
ARTS COUNCIL	\$14,290.00
WILDLIFE FEDERATION	\$1,130.40
SOIL & WATER	\$160,162.00
CORNELL COOPERATIVE EXTENSION	\$455,000.00
COUNTY FAIR ASSOCIATION	\$22,500.00
TOTAL BUDGETED EXPENDITURES	\$872,113.05

## 9 STATE MANDATES

Currently Accounting for **105%** of our County Tax Levy!

MANDATE	2015 BUDGET
MEDICAID (INC. IGT) *	\$7,084,596.00
SOCIAL SERVICES **	\$3,557,755.00
NYS RETIREMENT	\$6,394,416.00
PROBATION	\$610,075.00
INDIGENT DEFENSE	\$281,078.00
SPECIAL ED PRE-K	\$1,021,747.00
EARLY INTERVENTION	\$233,543.00
TOTAL LEVY	\$19,183,210.00
2015 PROPERTY TAX LEVY	\$18,187,215.00
	<b>105 % OF 2015 LEVY</b>

\*

The Medicaid Levy for both years includes a budgeted \$1.5 M local share of estimated IGT funding.

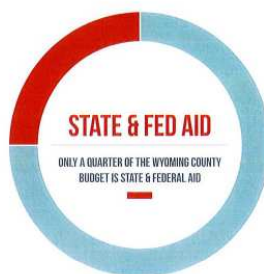
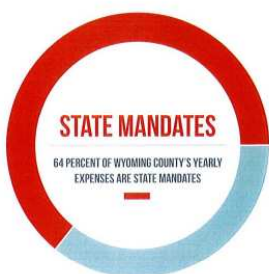
\*\*

Includes Public Assistance, Safety Net, Child Welfare.



## 9 STATE MANDATES

Currently Accounting for **105%** of our County Tax Levy!



## Wyoming County officials outline budget woes

By Matt Surtel [msurtel@batavianews.com](mailto:msurtel@batavianews.com) | Posted: Friday, April 17, 2015 1:33 am

BLISS — Well, it's a mess.

For everything you cut — if you can — some service will be diminished. And for every improvement, you'll face even more expenses.

Wyoming County officials described what they're sizing up for the 2016 budget and beyond, during Wednesday's public hearing for area residents.

The county and its taxpayers are caught between a proverbial rock and a hard place. It's an ugly mix of state mandates and regulations, along with Wyoming County Community Hospital, and other factors.

"To be honest with you, our budget director, Janis Cook, was correct," said Supervisor Joseph Kushner of Eagle, chairman of the county's Finance Committee. "It's nice to tell you unfunded mandates are killing us — they have. It's nice to tell you sales tax (revenue) is low. But in all honesty, the hospital has hit us pretty hard."

The Wednesday session was the first in a series of four special public forums being conducted by the Wyoming County Board of Supervisors. The public is welcome to ask questions and offer feedback.



### Fiscal realities

Supervisor Joseph Kushner of Eagle describes Wyoming County's financial situation, during a special public forum on Wednesday. Three more forums are scheduled. (Mark Gutman/Daily News)

April 15, 2015

The sessions were instituted after an exchange of letters-to-the-editor between Orangeville resident Harold Hopkins and Kushner, in The Daily News and other publications.

They followed a 9.68 percent county tax levy increase approved for the 2015 budget, for a grand total of \$18.19 million.

Yet that money isn't enough for all the state mandates, which account for 64.2 percent of the county's general fund budget, Cook said.

Sales and other taxes account for about 30 percent of the general fund, she said. But declining gasoline prices — terrific for the general public — have likewise pinched the county's revenues.

The county has used its fund balance to make up the gaps over the years.

"If we continue to use that fund balance to keep the rates level, the fund balance is gone, which is your savings account," Cook said. "If we use that to offset expenses, that amount's gone ... we just could not continue to use our surplus the way we have in the past."

Kushner then detailed how WCCH and the adjacent Skilled Nursing Facility have impacted the county's budget planning, which has posed an ongoing challenge.

In past times, the Board of Supervisors had lived off sales tax, to avoid ever raising taxes, said Kushner and Board of Supervisors Chairman Douglas Berwanger.

Those kinds of practices work for awhile, they said, but it ultimately catches up with you.

Residents asked a variety of questions, but there usually weren't easy answers or solutions.

They included:

— Kim Myers she's a housekeeping employee at WCCH.

She said the hospital has people making six-digit annual incomes, while maintenance and housekeeping are being outsourced.

She said physical and occupational therapy have few clients, and wondered how much those staffers are getting paid. She said agency nurses are at the SNF daily, for \$60 per hour, and it seems like a waste of money.

Kushner said all those areas have been examined, and OT/PT is "on the rails."

Pharmacy has been turned over to Strong Memorial Hospital, through its affiliation.

Housekeeping, dietary, and maintenance have also been looked at.

"That's not the end," he said. "If we can acquire the money we need, we don't really need to outsource. But that's one of the areas we looked at."

Agency is also an expensive issue, but if the hospital doesn't meet its required staffing, it gets sanctioned. The county is also looking at establishing its own Certified Nursing Assistant program.

Officials still hope Strong might take over WCCH completely in a few years, and the Rochester-based hospital has shown interest in shifting patients into Wyoming County, due to its own capacity shortage.

Kushner said he won't say anything bad about WCCH, because he's seen what it can do. But it's a big financial challenge.

— Hopkins complimented the county on its leadership in opposing legislation such as the NY SAFE Act, and asked if the county can give some “pushback” to the state, by withholding payments on certain expenses.

Kushner said it would be great to be able to do that, and officials had talked about withholding Medicaid payments.

“The problem with that is the state is going to withhold \$17 million worth of sales tax,” he said. “That’s the kind of leverage they have over us.”

— Several Town of Java residents asked if Perry Road is improved.

One man described road conditions as unsafe and awful, comparing it to a moonscape. He said he's spent more than \$600 already in new shocks and springs, and that the road's been that way for 20 years.

County Highway Superintendent Todd Gadd said the repairs will cost \$1.5 million.

“What we want to know is, it's going to cost money to do it, and the people who are paying for it are sitting right here, said Berwanger, referring to the taxpayers present. “That’s really the purpose of this meeting. We want to know what people think.”

Wyoming County has spent about \$12 million over the past few years, as part of its better pavement program, officials said.

It aimed at repairing the worst roads first, but eight still remain.

All the preparations have been made for repairing Perry Road, but everything's in limbo unless \$1.5 million is available, Berwanger said.

Town of Java Highway Superintendent Daniel George asked if Perry Road, or Telegraph Road in Eagle, gets more traffic, and when the projects were starting.

Kushner said work is not planned for any of the eight remaining roads.

"We're not financing any roadwork," he said. "We ended the road program because we had to support the hospital. That's a fact."

George said he uses the hospital himself, but noted people are using those roads everyday. One man said he appreciates what the supervisors do, but added that the county needs to think more about highways.

"We did, until we ran out of money," Kushner said. "We can come up with the money, if we see the amount we asked for (from the state) for the hospital. Then the pressure would be off, and we'd be able to get some of the other roads done."

Or the county could find other sources.

"It would be another million dollars on the tax levy, which is like another 6 or 7 percent increase," Berwanger said. "That's what we want to know. What do people want?"

— One cutback proposal involves reducing funding for all contract agencies by 20 percent, Kushner said.

That means reducing the Cornell Cooperative Extension of Wyoming County's funding by \$80,000 alone. Soil & Water Conservation would also be impacted.

The savings would add up to more than \$160,000, Kushner said.

At the same time, several Extension supporters were at the meeting, including teachers, club leaders, and manufacturer Karl Drasgow of Wethersfield.

Each spoke in favor of the CCE and the education it provides to the area's young people.

One woman noted about 970 young people are enrolled in 4-H countywide, with another 11,000 students impacted by 4-H educators, within school systems countywide.

She said she's been involved in 4-H for nine years, in a variety of roles. She said everything can't be cut or completed this year, but asked that things be planned for, to budget for things in the approaching years.

— An unidentified woman asked how big a property tax increase is projected, if the county's hoped-for money isn't there.

Kushner said he's hoping it won't be more than 5 percent, and he wouldn't vote for anything more than that.

"I would not do it," he said. "I might be the only one to vote no. You can't put that burden back onto the taxpayers. You can't do it. We really can't go out with a 9 or 10 percent increase again. Half of that, we would do, but I'm hoping we're under that."

Berwanger said the purpose of the public hearings is to explain what the county offers; the expenses it's facing; and hear from people what's important.

"We need to build next year's budget around the feedback we get from these meetings," he said.

— About 90 people attended Wednesday's meeting, which was conducted in the Rita George Recreation Hall. The session lasted about two hours.

The next sessions will include: 7:30 p.m. May 7 at Attica High School Auditorium; 11 a.m. May 30 at the Castile Town Hall; and 7:30 p.m. June 18 at the county Government Center in Warsaw.

### **Kushner: Funding WCCH will be huge challenge**

BLISS — A request for \$20 million in state hospital funding is providing a big "if" for Wyoming County.

Supervisor Joseph Kushner of Eagle talked Wednesday about the sheer challenge the county faces, in running Wyoming County Community Hospital.

The facility is a lifesaving resource for residents throughout the region, and a major employer. But it's also a constant financial struggle.

"The big money is in the New York state budget," said Kushner, who chairs the county's Finance Committee. "There's \$400 million budgeted for hospitals in distress. I think we qualify.

"If we receive the \$20 million, that will take us out of the debt, and it will pay off the hospital's other debt that they cover and it will pay back the county," he continued. "Basically speaking, you will see a flat tax rate. You won't have a problem."

But simply shutting it down is impossible, he said. The state Department of Health would never allow it.

Kushner detailed how WCCH and the adjacent Skilled Nursing Facility have impacted the county's budgeting. He said he recognized major financial problems at the facility, when he became the Board of Managers supervisor member, about eight years ago.

Previous administrations had reported surpluses at the hospital, but were neglecting maintenance and upkeep, in order to keep its budget stable, he said.

The building and its infrastructure were deteriorating as a result.

The Board of Supervisors discovered the hospital was \$1 million in debt. And then a few years later, hospital officials approached the county, saying they needed \$5.5 million to continue.

The Board of Supervisors then intervened and took charge, Kushner said.

"We were faced with a pretty critical situation," he said. "The decision was made to keep the hospital open, because ... right now we have 497 full-time positions. With part-timers, we have over 600 individuals working at the hospital. Seventy-five percent of them live in Wyoming County."

The hospital's capital campaign — supported by county residents — simultaneously raised millions to keep the facility open.

That's significant public support, so the decision was made to affiliate with Strong Memorial Hospital.

"We were hoping they would buy the hospital and the nursing home," Kushner said.

Then the Affordable Care Act hit, which he said changes the way hospitals are reimbursed entirely, resulting in less money for the hospital.

Strong has provided doctors and surgical staff, along with administration at WCCH, Kushner said. It also provides advertising for free.

But the facility still has a \$21 million payroll, with \$33 million in benefits, he said. Eighty percent of that comes from Medicaid and Medicare.

"If we decided to shut the nursing home down, you can't do it," Kushner said. "You could say we're shutting it down today, but every patient has the right to say where they'd like to be placed. That might take eight or 10 years."

The hospital's obstetrics unit loses money, he said. But women make the health decisions in families, and Strong officials said getting rid of that department would wind up killing the facility entirely.

Yet WCCH also runs out of money periodically, and needs the county's support to continue operating.

Adding to complexity, WCCH and the SNF fill vital needs.

Kushner said 135 people are currently housed at the SNF, out of 138 beds. The hospital's mental health unit averages 10 patients, out of 12 spaces available.

Acute care averages about 25 patients. And the facility saves people's lives in emergencies.

"We have a contingency plan," Kushner said. "If things don't turn around, you are going to see a total remake of the hospital. We won't have a choice. We really won't."

The hospital's making some headway, and has Strong Memorial Hospital in its corner, trying to secure \$20 million, he said.

"That's the story of the hospital, but it's a tough one," Kushner said. "It's really put a strain on the county, and we have to be honest with the taxpayers. If we didn't have to pay for the hospital, there wouldn't be any 9.68 percent tax increase.

"You'd only get 1 percent. That's it, and that's a fact. You hate to say it, but that's the truth ... It's put us in a big-time financial pinch."

— *By Matt Surtel*

*There being no further business to come before this Board, the meeting was adjourned at 9:15 PM.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

April 15, 2015

**SPECIAL SESSION**  
**(May 7, 2015)**  
**Thursday**  
**7:30 PM**

The special session of the Wyoming County Board of Supervisors was held at the Attica Central School Auditorium, 3338 East Main Street, Town of Attica, New York with all Supervisors present except Supervisor Vasile, T/Genesee Falls. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum, Deputy Clerk to the Board of Supervisors, Lisa Perez and several Wyoming County Contract Agencies, Department Heads and County Residents as follows:

NAME	Source
Harold Hopkins	Orangeville
Kas Brown	Barnington
Chiquita Jones-James	Orangeville
Don Merrill	Orangeville
James Beitz	Attica
Russ Miller	Attica
Linda Mahson	Orangeville
Lanny Blum	Attica
Bruce Callio	Attica
David Trudhol	Vanderburg
Phil Call	Barnington
Cheryl Mayu	Pike
Sandy K.	Pike
Rhonda Pierce	Westfield
James H. Miller	Attica, N.Y.
Steve Perkins	Warsaw
Don Roberts	Pike
Tracy Collins	Attica
Greg Bertolto	Attica
Jim Pierce	Orangeville
Deby Spink	Orangeville
Larry Lakas	West
Donna	Attica
Pat Corcuniglio	Attica
Mike Corcuniglio	Attica
MARK DADD	Attica
Bill Dady	Wyo Co.



Name	Town
Jenn + Brian Pfeiffer	Bennington
Nancy Balbach	Middlebury
Shirley Jennings	Attica
Margaret Hesi	Alexander
Charles + Pamela Sturtevant	Barnston
Mark Eckstein	Sheldon
Laura Paulucci	Health Dept
Sue + Katie Sordleian	Attica
James + Russell Miller	Arcade

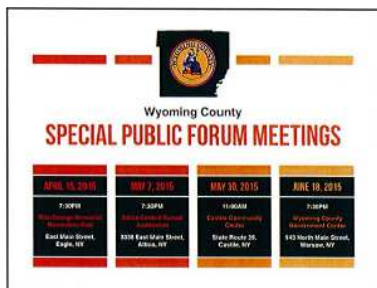
At 7:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Greg Rudolph**

Navy Veteran ~Wyoming County Sheriff

Introductions were made by Chairman Berwanger prior to the meeting being turned over to Budget Officer Cook to review the County Budget and the following Power Point presentation.



Wyoming County  
**SPECIAL PUBLIC FORUM MEETINGS**

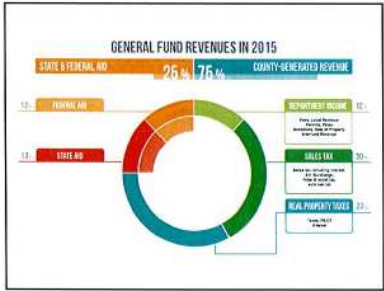
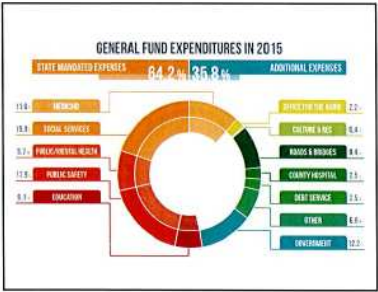
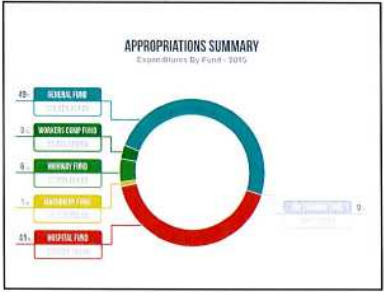
APRIL 15, 2015	MAY 7, 2015	MAY 30, 2015	JUNE 10, 2015
7:00PM Wyoming County Board East Main Street, Bridges, NY	7:00PM Wyoming County Board East Main Street, Arkia, NY	7:00PM Wyoming County Board East Main Street, Candia, NY	7:00PM Wyoming County Board East Main Street, Bridges, NY

**SUMMARY OF 2015 BUDGET - ALL FUNDS**

TOTAL ESTIMATED EXPENDITURES - ALL FUNDS - 2015	\$116,554,818.47
LESS: ESTIMATED REVENUES - ALL FUNDS - 2015	\$94,384,777.08
LESS: APPROPRIATED CASH SURPLUS	
<b>GENERAL FUND</b>	\$2,500,000.00
<b>COMPENSATION FUND</b>	\$0.00
<b>CASHIERS FUND</b>	\$20,100.00
<b>PLANNING FUND</b>	\$82,824.00
<b>TRAVEL FUND</b>	\$0.00
<b>TOTAL TAX LEVY FUND 2015</b>	\$10,107,114.01

Taxes are only raised in the General Fund in Wyoming County...

May 07, 2015

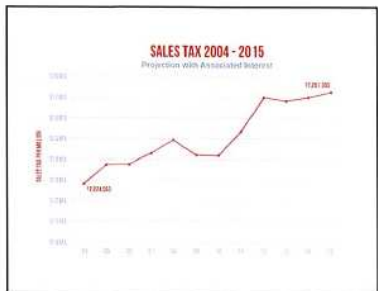


**BUDGET COMPARISON**  
For 2014 and 2015

	2014	2015	CHANGE AMT	CHANGE %
<b>Total Personnel</b>	\$17,266,000.00	\$18,000,000.00	\$733,999.99	4.25%
Director	\$2,000,000.00	\$2,000,000.00	\$0.00	0.00%
Admin	\$6,000,000.00	\$6,000,000.00	\$0.00	0.00%
Clerical	\$2,000,000.00	\$2,000,000.00	\$0.00	0.00%
Professional	\$4,000,000.00	\$4,000,000.00	\$0.00	0.00%
Management	\$1,000,000.00	\$1,000,000.00	\$0.00	0.00%
Police	\$1,000,000.00	\$1,000,000.00	\$0.00	0.00%
Fire	\$1,000,000.00	\$1,000,000.00	\$0.00	0.00%
<b>Total Non-Personnel</b>	\$1,000,000.00	\$1,000,000.00	\$0.00	0.00%
<b>Total Expenditures</b>	\$18,266,000.00	\$19,000,000.00	\$733,999.99	4.02%
<b>Total Revenues</b>	\$18,266,000.00	\$19,000,000.00	\$733,999.99	4.02%
<b>Surplus/Deficit</b>	\$0.00	\$0.00	\$0.00	0.00%

**BUDGET SUMMARY**

FUND	EXPENDITURE	REVENUE	LEVY
GENERAL FUND	\$1,000,000.00	\$1,000,000.00	0.0000
WELFARE/COMP FUND	\$1,000,000.00	\$1,000,000.00	0.0000
HIGHWAY FUND	\$1,000,000.00	\$1,000,000.00	0.0000
GOVERNMENT FUND	\$1,000,000.00	\$1,000,000.00	0.0000
INDEFINITE FUND	\$1,000,000.00	\$1,000,000.00	0.0000
<b>Total Expenditures</b>	\$5,000,000.00	\$5,000,000.00	0.0000
<b>Total Revenues</b>	\$5,000,000.00	\$5,000,000.00	0.0000

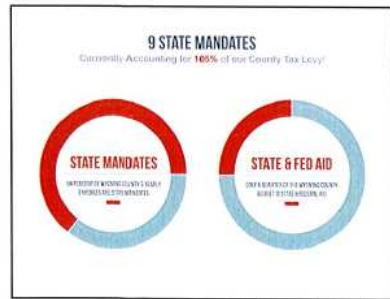




**9 STATE MANDATES**  
Currently Accounting for **105%** of our County Tax Levy!

MANDATE	2015 BUDGET
AMERICAN HOME CARE**	\$7,084,556.00
SOCIAL SERVICES**	\$3,657,705.00
ADULT REHABILITATION	\$8,204,416.00
PROBATION	\$6,103,675.00
INMATE DEFENSE	\$281,070.00
SPECIAL ED PRE-K	\$1,621,747.00
EARLY INTERVENTION	\$737,943.00
TOTAL LEVY	\$18,183,216.00
2015 PROPERTY TAX LEVY	\$18,183,216.00
	105% OF 2015 LEVY

\* Wyoming Department of Health  
\*\* Wyoming Department of Social Services



Boards in the back of the room are color coded to match these graphs...  
Independent Auditors have told the county over the years that county officials are doing a good job of controlling expenditures...

Chairman Berwanger next introduced Supervisor Kushner, T/Eagle and Chairman of the Finance Committee. He explained that recent Sales Tax reports indicated that the county is behind by \$300K suggested revenue. He also explained that the Departments have been instructed to reduce spending by 3% from their 2015 budgets.

The problem revolves around a few major issues ~

- Unfunded Mandates
- Loss of Sales Tax Revenue
- Wyoming County Community Health System
  - Supervisor Kushner talked about the affiliation with Strong and the prior financial condition of the hospital.
  - Discussed consideration of cutting services or seek other options like affiliations.
  - Affiliation with Strong
    - Best decision ever made by the Board of Managers
    - Has made incredible gains with Strong
      - The hope is that they will agree to take the facility over sometime in the future.
  - Supervisor Kushner explained our biggest hope is to secure a \$20M debt retirement grant funding, request recently made.
  - He added that he will not support a tax levy increase of anything over 5%.

Supervisor Kushner introduced Don Eichenauer, WCCCH CEO to explain what has been going on at the facility. Thanks to Strong a \$2M savings has been realized already this year.

CEO Eichenauer talked about the recent renovations, the \$5M Capital One Campaign, \$10M in state funding for the renovations, Strong affiliation and physician recruitment and the impact all have made financially.

CEO Eichenauer explained that Strong has reviewed insurance payments and have determined that several are short paying the facility. Strong Administration assigned to the hospital for the purpose of this review is working with Insurance Companies to receive these back payments.

### Questions/Comments:

#### • *Harold Hopkins, T/Orangeville*

1. Commended Board for holding the public meetings. Presentation in Eagle was excellent. The presentation has become clearer.
2. Reiterated several of the points presented by Budget Officer Cook and stated that any increase is unacceptable.
3. \$20M Debt Retirement grant for WCCH, he offered being in favor of.
  - How would this grant be applied?
    - Supervisor Kushner stated explicitly toward debt.
    - There is another pool of money that would cover capital improvements and operational costs (\$350 Million available)
    - DSRP
4. CEO Eichenauer presented other grant funding opportunities:
  - \$1.2M County
  - \$9M in General Fund Surplus
5. How much cash is available to the county currently? Budget Officer Cook responded with, “around \$9M.”
6. Did the Board of Supervisors know about the hospital’s financial situation prior to the renovations? Supervisor Kushner quickly responded in the negative and there was a brief explanation of the impact the Capital One Campaign made on the decision making process to move forward with renovations.
7. How much money would it take to reduce the budget by 1%? Budget Officer Cook responded with, “Roughly \$170K if all remains equal,” and explained how much of a reduction would have to occur in order to achieve a 1% reduction in the 2016 county budget, cutting \$750K...
8. Mr. Hopkins presented his \$.01 cent solution
  - He asked for a residency requirement before Social Services eligible
  - He called for a push back on unfunded mandates
  - And called on officials to address the multiple layers of government
    - Duplication of services

9. Discontinue practice where certain groups of employees pay no share of their health insurance.
  - Chairman Berwanger reviewed reduction in workforce over the past 10 years. He also explained that some of these employees are vested and have contracted benefits through the Bargaining Unit Agreements. The Chairman added that these Bargaining Unit agreements are up for renegotiations this year. He talked about the superb quality of 99.99% of the hard working employees.

- ***Bruce Caplain (?)***

1. Why are so many county vehicles driven home? The Fire Coordinator has a county vehicle that he uses to pull his boat to Rushford Lake!
  - Chairman Berwanger acknowledged that the County Fire Coordinator has a cabin at Rushford Lake and will look into the allegation.

- ***Jim Miller, owns his own business for 35 years***

1. According to research he conducted:
  - In 2005 there was \$1.6B worth of assessed value in the county. The tax rate was \$2.95/1,000
  - In 2010 there was \$1.84B worth of assessed value in the county. The tax rate was \$4.95/1,000
  - In 2014 there was \$2.01B worth of assessed value in the county. The tax rate was \$8.20/1,000
  - In 2015 there was \$2.1B worth of assessed value in the county. The tax rate is \$8.66/1,000

According to Mr. Miller from in 2005 to 2015, a decade, we've only increased by 20% of assessed value because "you people" have decided to create \$1B worth of exempt property, of which 63% is businesses. Does the County board have any say in that and who receives the exemptions? Chairman Berwanger responded that the Board of Supervisors does have a say in that... The Board of Supervisors votes on it. It would come through the committee process... Not all of the exemptions are approved by the Board of Supervisors. Some of those exemptions are provided by the county IDA through PILOT agreements, which Mr. Miller acknowledged is what he is referring to. How does the IDA have any oversight? Chairman Berwanger turned the question over to Jim Pierce, IDA/LDC Exec. Director and Bill Daly, Planning and Development Director. He continued by adding that everyone knows it's expensive to do business in NYS. Director Pierce explained that the IDA was created by the Board of Supervisors in 1974 to represent universal business. The purpose of the IDA was to provide incentives for businesses to invest in capital projects and create jobs in Wyoming County.

For more information on Industrial Development Agencies in NYS go to the following link:

<http://www.osc.state.ny.us/localgov/pubs/research/idabackground.pdf>

2. How one business is able to obtain multiple PILOTS by changing business names.
  - Director Pierce added that hasn't happened. Mr. Miller questioned, "Ya wanna bet?" And he stated he could give names...
3. How much of the \$620M is wind turbines?
  - 4 Projects
    - Collectively the fee is just north of \$6M which is reinvested into other businesses through low interest loans.
  - There was a bit of an argument over what the projects are worth in assessed value vs. the \$6M plus received in project fees.
  - What is the assessed value of the wind project?
    - The Director instructed Mr. Miller that the question would have to be answered by the Town Assessor.
  - Mr. Miller argued that the other 12 towns have to subsidize the other towns that have wind turbines.
  - Mr. Miller instructed Director Pierce to get back to him on what the assessed value of the wind turbines are and how many there are. Director Pierce provided his business card.

- ***Jim Bates, from Attica***

1. How many years has the hospital been in debt?
  - Chairman Berwanger answered probably 10 years and probably longer because the hospital should have been investing in their infrastructure and was not.
  - Then why do we still own the hospital? Why don't we do what Genesee County did and sell the facility? For what we're dumping into it, give it to Strong.
    - The Supervisors told Mr. Bates that they've tried. Besides the NYS Dept. of Health won't let them.
    - One of the primary reasons the Board moved forward with the renovations is the overwhelming response the Capital One Campaign provided.
    - CEO Eichenauer explained that SNF can be sold but nobody wants to buy hospitals. He further explained the impact of closing.

- What controls were put into place last year when the Chairman announced to the media to expect another increase for 2015?
  - The Board of Supervisors has issued a directive to Department Heads to hold the line on their contractals. The increases are due to unfunded state mandated programs (i. e. Community Colleges, NYS Retirement, Health Insurance, Salaries increase according to collective bargaining agreements, etc.)
  - There is no appetite on the part of the Board of Supervisors to cut Law Enforcement
  - He talked about cutting one person departments...
- Stated that when D. Patti was the Supervisor for the Town of Attica he told Mr. Bates that the employees paid nothing towards their health insurance. Budget Officer Cook explained that depending on the Salary Schedule, Union, Dept. Head, Support Staff, etc. an employee would pay anywhere between 0% to 10% toward the premium.
- Questioned the number of Highway employees? And asked if there is any accountability on the way benefit is used and how many overtime hours are needed to cover.
  - Chairman Berwanger provided Mr. Bates with the following statistics:
    - In the month of March in just the nursing facility we had 300 shift call outs. Somebody called in sick. 8 hours a day. Avg. \$20/hr. with benefits. \$48K for the month. \$576K for the year. Now we have to actually hire someone to cover the shift, so it could easily reach \$1.2 - \$1.3 million...
- In bargain unit agreements, is there accountability of sick time? County just signed a memorandum of understanding with the CSEA Unit to increase accountability of benefit use time and it didn't come easy.

- **Sue Sondricker from Attica**

- Spoke in favor of Wyoming County 4-H program.

- **Unidentified woman**

1. Spoke in favor of the Healthcare facility
  - She is an employee
2. Force employees to all take the high deductible plan.
  - Don't give a choice
3. County Fleet
  - Seen many abuse the privilege.



4. Grant writer on staff?
  - Chairman explained that the county contracts for grant writing services.
5. Push back on mandates

- **Kelly from Strykersville**

1. Spoke in favor of Wyoming County 4-H program and her many positive experiences with 4-H

*Common theme through both public meetings has been 4-H and the recognition of being the largest 4-H in the state. Board would think long and hard before cutting funding.*

- **Unidentified gentleman**

1. Grant writer could make money for the county and not drain money
2. DSS Fraud investigators
  - One more could do that much more
3. Asked for clarification on the Social Services numbers
  - Reimbursement from State and Federal government

*While there is some reimbursement from the State and Federal government it doesn't cover the entire expense.*

4. Questioned the reappropriation of County Highway funds while taking funding away from the ability to repair Perry Rd. Budget Officer Cook tried to offer an explanation of how the snow index impacts the budget and setting money aside to be able to pay county expenses in priority. County Highway Superintendent Gadd contributed to this explanation.
5. Questioned the intent to raise Wyoming County Sales Tax. He spoke with Assemblyman DiPietro who hasn't heard from Wyoming County Officials. The Assemblyman agreed to carry the bill. Chairman Berwanger and Supervisor Kushner explained that they spoke with Senator Gallivan about the county's chances of receiving permission through a home rule request to increase sales tax and the Senator informed officials that the current makeup of the senate does not have the appetite for such increases. The gentleman went on to argue that if you don't try you will never know... Supervisor Kushner questioned if you can't get approval from a Republican Senate how on earth will you get approval from a minority Assembly?

- **Unidentified woman (hospital employee)**

1. Questioned contingency plan of the hospital if the \$20M does not come through?
  - CEO Eichenauer stated that the answer is on two fronts

- Continue on a path to lobby for funding of the grant request
- Hospital officials continue to work toward being able to financially support provided services. Supervisor Kushner reiterated reduction of services may be an area to explore. CEO Eichenauer stated that they continue to work with Strong and their expertise to make services stronger and collections better...

- **Unidentified gentleman**

1. Would like to leave all of the department heads with the idea to cut 1% from their budgets as he's sure they can all find just 1%.

*Chairman Berwanger reiterated that the department heads have all been instructed to cut 3% from their budgets. The unidentified gentleman told the Supervisors they had to try a little harder.*

- **Gerald Sahrle from Castile**

1. Instructed Supervisors to do their homework
2. Think about the small things
3. What's been done over past 20 years to change things
4. Nurses taking flu shot. Have you ever read the insert? By show of hands, then you would know that the flu shot does nothing to deter the flu. Time to push back...
5. Mr. Sahrle spoke to the dangers of Fluoride in town water supplies.
6. Would like more public informational meetings and occasional county night time meetings so the working man can voice his opinion.
7. Against reduction of county law enforcement and spoke to Heroin epidemic in the County.
8. County Highway department
  - #1 contributing factor ruining the roads
    - Answer from T. Gadd: Loads and salt treatment for ice and snow removal.
  - Can that be regulated with weight limit enforcement?

*There being no further business to come before this Board, the meeting was adjourned by Senior Supervisor Knab, T/Sheldon at 8:33 PM.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

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

Clerk to the Board

**REGULAR SESSION**  
**(May 12, 2015)**  
**Tuesday**  
**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:47 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**James R. Spencer**

James R. Spencer was born in Warsaw, NY and graduated from Letchworth Central in 1965. He then attended Alfred State College and completed a two-year degree in electrical engineering. Bausch and Lomb recognized his great potential and hired him as an electronics technician to work until his draft number came up in 1970.

Basic training was conducted at Ft. Knox, KY, which is now the home of the George S. Patton Museum and Center of Leadership. Moving to Ft. Polk, Louisiana, Mr. Spencer successfully completed AIT as an infantryman in the United States Army. Fifteen days into a deployment with the 1st Cavalry Division 23rd Infantry at Chulai, Vietnam, Mr. Spencer's first son was born.

Life as an infantryman was grueling. Enemy insurgents seemed to sense the arrival of U.S. forces when they approach by helicopter. As a defensive tactic, enemy combatants often placed sharply pointed and sometimes poisoned lengths of bamboo known as "pungy sticks" upward with the intent to maim or injure American troops. On August 12, 1971, while a chopper hovered over a field of tall grass, a machine gunner jumped to the ground. Mr. Spencer witnessed his fellow soldier fall to the ground and scream in pain. Without hesitation, he leapt out to help the comrade back into the aircraft. Moments later, Mr. Spencer noticed blood streaming from his own leg where a "pungy stick" had deeply penetrated. Doctors were forced to remove part of the calf muscle along with the razor-sharp bamboo.

After being treated, Mr. Spencer was reassigned as a Supply Sergeant to demobilized units ready for re-deployment back to the United States. After

May 12, 2015

eleven months in Vietnam, he returned stateside to evaluate new recruits for Headquarter Command at Ft. Dix, NJ and was honorably discharged in January 1972.

For his courage and valor during his enlistment during the Vietnam War, Mr. Spencer earned:

Combat Infantry Badge  
 Vietnam Service Medal  
 Purple Heart  
 National Defense Service Medal  
 Vietnam Campaign Medal  
 Bronze Star Medal  
 New York State Conspicuous Service Cross

Returning home, Mr. Spencer went back to work at Bausch and Lomb until a business venture presented itself and Smith & Spencer Sales and Service was born. From 1973 to 1987, Mr. Spencer and his business partner ran a gas station, sold lawn and garden equipment and conducted small engine and vehicle repairs. From 1987 to 2001, Mr. Spencer used his experience as a mechanic to service equipment for Mucher Grand Rental in Warsaw. From 2001 to 2014, he worked for Don Beck, Inc., which is now DeLaval, as an inventory specialist from where he retired.

Mr. Spencer's stepfather and Rosie VanSlyke owned the old Lamont Schoolhouse and donated the property to the Hunt-Stout Post 1670. Mr. Spencer is the current Commander of this Post and has been a proud member for 40 years. Now retired, he enjoys spending time with family, which includes five grandchildren, shooting pool, woodworking, gardening and helping friends with engine repairs. Mr. Spencer is still active in the Wyoming County American Legion and resides with his wife Rose in the Town of Pike.

***The pledge was said by all.***

Chairman Berwanger invited Town of Pike Supervisor, S. King to join him in the presentation of the customary certificate of appreciation to Mr. Spencer. Mr. Spencer thanked the Board for having him here today and for the continued support of the Veterans of Wyoming County.

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

**Voice of Democracy Presentation ~**

Introduced by M. Relyea of the VFW Henndershot Mannes Post 374 of Arcade

**\*Katie Ashworth** ~ Daughter of Barry and Cathy Ashworth and is a senior at Pioneer Central School and plans to attend Genesee Community College to enter into a teacher education program. She is the winner of VFW Post 374 Voice of Democracy Audio Essay contest and has gone on to place first in District 7 and third in New York State.

Hopefully, we have learned our lessons from history so that our future and the future of our veterans can be secure and prosperous. Yes, veterans are an important part of our history and future. Our generation must preserve these images to make sure that history is not lost or tainted and that the future for our veterans continues to be something of which we can be proud.

preserved our democratic society but have made sacrifices beyond recognition that keep the United States free and safe. They continue to contribute to America's future as they return to their families and workplace where they constantly promote community, family and national pride. They forged history with their blood, sweat and tears and continue to draw the blueprints for our future, passing on their values of patriotism, responsibility and community. As Tom Brokaw wrote "A common man's ability to be great is manifested not by selfish power but by selfless courage." There is no other person more selfless or courageous than a veteran.

Veterans have impacted our country in many ways. They initially fought for us to have independence from Great Britain but have continued to help shape this country be what it is today. Our country was founded on freedoms and our veterans have fought for us to keep those freedoms-freedoms of speech, religion, and press as constitutional rights. Our veterans not only fought for these, and similar freedoms, but they also helped preserve our democratic government. Historically, our involvement in foreign affairs has seen many countries try to force their beliefs and traditions on us, but our veterans have fought to make sure our American values are protected. Pennsylvania's Representative, Bill Schuster, once said "Our veterans accepted the responsibility to defend America and uphold our values when duty called." If our veterans had not fought on foreign soils, we would be governed by the likes of Hitler and Stalin. Had it not been for our veterans, our economy and future would be dictated by the likes of Saddam Hussien or Osama Bin Ladin. Our veterans have not only impacted Americans but have also changed the world-historically and for a better future.

*Chairman Berwanger presented Ms. Ashworth with a certificate of recognition in appreciation of her sharing her presentation with the Board of Supervisors today and representing Wyoming County so well!*

May 12, 2015

*Chairman Berwanger recognized Ms. Ashworth's family and noted how proud they must be of their daughter. He expressed his congratulations and wished Ms. Ashworth good luck in college!*

### **Arts Council for Wyoming County Presentation ~**

- Introduced by Director of Planning & Development, Bill Daly
  - *Lisa Robb, Executive Director of New York State Council on the Arts (NYSCA). Her office is located in Manhattan. NYSCA is dedicated to preserving and expanding the rich cultural resources which are and will become the rich heritage of New York citizens. Dir. Daly read NYSCA's mission statement: "The rights of all New Yorker's to access and experience the power of the arts and culture and the vital contributions the arts make to the quality of life in New York communities. We are involved now in the Wyoming County Rural Arts Initiative with the Arts Council for Wyoming County".*

Ms. Robb, on behalf of the Governor, thanked the Board of Supervisors for inviting her today. She acknowledged Supervisors Ryan and Brick for spending time with her on walking tours in both Perry and Warsaw. She also acknowledge two residents for their contributions and civic engagement in this County which was noted as "frankly overwhelming" ~ Ms. Jackie Hoyt and Mr. Jim Rutowski. She thanked them for being *"the light that we want to see in the world."*

Ms. Robb said she was contacted several months ago by Planning and Development Dir. Daly and Ms. Hoyt of the Arts Council for Wyoming County about a project that was exactly like one she was rolling out in the Regional Economic Development Council Program ~ using our arts, culture and heritage as a strong foundation for community and economic development. She spoke about the "pride of place" she experienced when driving through Wyoming County. You see it in the homes you pass and the villages you go through. She met with 40 to 50 people today and recognized the Silver Lake Institute and the group of citizens in Perry that have banded together to buy properties. She also acknowledged the work Jim Rutowski is doing in restoring buildings and helping businesses to grow and prosper.

Through the Regional Economic Development Council grant program, NYSCA is very interested in the Wyoming County Rural Arts Initiative and feels it is a winning formula. Ms. Robb said it is amazing the amount of good and hard work that has already gone in to supporting many local artisans here. Wyoming County understands that arts, culture and heritage can be part of a comprehensive community and economic development plan. The ideas just abound here because so much of the foundation for this strong community has

already been created so you are just building “greatness off of greatness”. She spoke about the two Carnegie Libraries that the County has and the fierce competition it took to get them back in the day. She noted the Stowell-Wiles Art Gallery in Perry and what a significant resource it is. She recommended that every student in the County see these paintings. Ms. Robb said she is very enthusiastic about how her agency can help and hopes all of the community will get involved in developing a rural culture, arts and heritage plan that will help bring more of these treasures and link them together in ways that the residents and regional visitors can enjoy. Ms. Robb said that the light that you want to see in this world is clearly already shining in Wyoming County and NYSCA is looking forward in being a partner with the County as it moves forward in some of its planning activities.

Ms. Robb provided a copy of the NYS Council on the Arts, 2015 Regional Economic Development Council Program and the Arts, Culture and Heritage New Initiatives Resources -FY2016 Regional Economic Development Council Program.



**New York State Council on the Arts  
2015 Regional Economic Development Council Program**

**Overview:**

New funding opportunities are available through the REDC program for projects designed to enhance and transform the cultural and economic vitality of New York State communities.

Arts, culture and heritage activities enrich and strengthen the foundation of community, civic and social life in New York State. Successful proposals will demonstrate significant economic and community development impact that positions arts, culture and heritage at the core of local development efforts.

Applications accepted through the Consolidated Funding Application (CFA) at <https://apps.cio.ny.gov/apps/cfa/> until 4pm, July 31, 2015

**Eligibility:**

- Applicants/lead applicants in a partnership must be prequalified in Grants Gateway at the CFA deadline (7/31/15, 4pm) to be considered for funding (More info: [www.grantsreform.ny.gov](http://www.grantsreform.ny.gov))
- NYSCA awards grants to:
  - Nonprofit organizations incorporated in or registered to do business in NYS
  - Indian tribes in NYS
  - Units of government in municipalities in NYS
  - Organizations with principal places of business in NYS serving the State's citizens & visitors
- In its REDC program, NYSCA does not award grants to:
  - Individuals and unincorporated groups
  - Organizations serving as fiscal sponsors for another entity or individual
  - Activities involving regranting or capital projects
- Applicants cannot request funding for the same project through the FY2016 REDC Program and another FY2016 NYSCA grant program
- Applications to the REDC Program are exempt from NYSCA's limit of two grant requests per applicant

**Categories of Support:**

Applicants may only apply to one NYSCA REDC category.  
Applicants may apply to other NYS agencies' REDC programs.

**1) Arts, Culture and Heritage New Initiatives – Planning**

Planning is critical to successful development and implementation of any project and requires collaborative commitment and participation from cross-sector leaders and stakeholders. REDC planning support is intended to lay a foundation for future implementation of projects and programs.

**Planning Awards:**

- \$10,000 - \$49,500
- No match is required
- Partnership applications are strongly encouraged
- Contract and work period: January 2016 - December 2016



## 2) Arts, Culture and Heritage New Initiatives – Implementation

Support is provided for new programming initiatives designed to have tangible economic and community development impact in a community or region.

### **Implementation Awards:**

- \$25,000 - \$150,000
- 50% cash match is required (In-kind services are not permitted)
- Partnership applications are strongly encouraged
- Contract and work period: January 2016 - December 2016

To better understand the type of initiatives NYSCA's Arts, Culture and Heritage New Initiatives - Planning & Implementation aim to support, please review the resources provided at [tinyurl.com/REDCResources](http://tinyurl.com/REDCResources)

## 3) Workforce Investment

Support is designed to expand the capacity of New York State's arts, culture and heritage organizations with operating budgets under \$500,000. Workforce Investment grants will only support:

- Wages to increase a current part-time employee's hours
- Wages to hire a new full or part-time employee

Organizations that received a FY2015 REDC Workforce Investment grant may not apply to this REDC category in FY2016.

### **Workforce Investment Awards:**

- Grant issued for a two-year period
- Range from \$12,5000 - \$49,500
  - From \$6,250 - \$24,750 each year
- After staff review of required reporting and other eligibility criteria, the contract for the second year of support will be renewed at the same level
- 25% cash match required each year
- Contract and work period: January 2016 - December 2017

**For more information, please review the CFA Resource Manual at [www.regionalcouncils.ny.gov](http://www.regionalcouncils.ny.gov)  
NYSCA's REDC Program is detailed on pages 26-34**

### **Contact NYSCA:**

(212) 459-8800

[special.projects@arts.ny.gov](mailto:special.projects@arts.ny.gov)



## Council on the Arts

### Arts, Culture and Heritage New Initiatives Resources - FY2016 Regional Economic Development Council Program -

The resources below provide information on and examples of successful arts, culture and heritage based planning, development and project initiatives nationwide. These initiatives strategically link community members, businesses and local governments with artists, designers, and cultural organizations to improve quality of life, create a stronger sense of place and revitalize local economies. This material will help applicants better understand the broad range of initiatives NYSOA's REDC Planning & Implementation categories aim to support.

#### National Endowment for the Arts - Exploring Our Town ([tinyurl.com/NEAOurTown](http://tinyurl.com/NEAOurTown))

The Exploring Our Town listing responds to requests from the cultural community for access to an easy-to-search resource on best practices and projects. Divided into two sections, Project Showcase and Project Insights, Exploring Our Town offers practical information gleaned from the experiences of communities and organizations that have successfully completed Our Town projects.

#### ArtPlace America ([www.artplaceamerica.org/ourwork](http://www.artplaceamerica.org/ourwork))

ArtPlace America (ArtPlace) is a ten-year collaboration that exists to position art and culture as a core sector of comprehensive community planning and development in order to help strengthen the social, physical, and economic fabric of communities.

#### The Kresge Foundation - Arts and Culture ([tinyurl.com/KresgeArts](http://tinyurl.com/KresgeArts))

This national Arts and Culture Program focuses on the role arts and culture play in re-energizing communities that have long been central to America's social and economic life. Kresge's program places arts and culture as an integral part of life and, when embedded in cross-sector revitalization activity, can contribute to positive and enduring economic, physical, social and cultural changes in communities.

#### Knights Cities Challenge ([tinyurl.com/KnightsCities](http://tinyurl.com/KnightsCities))

The Knight Cities Challenge seeks new ideas from innovators who will take hold of the future of cities. All the winning projects focus on one or more of three drivers of city success: (1) Talent: Ideas that help cities attract and keep the best and brightest; (2) Opportunity: Ideas that create economic prospects and break down divides; (3) Engagement: Ideas that spur connection and civic involvement.

#### Federal Reserve Bank San Francisco, Community Development Investment Review – Creative Placemaking

([tinyurl.com/FRBSF](http://tinyurl.com/FRBSF))

This journal looks at what creative placemaking does and how it does it. It includes perspectives from 16 organizations on the frontlines of this work, the funders and financiers supporting them, and the researchers and evaluators who are interpreting progress.

#### Recent Creative Economy Studies from Across New York State

Leveraging Regional Assets for A Vibrant Future - Regional Alliance for a Creative Economy (Capital Region)  
([tinyurl.com/CapitalCE](http://tinyurl.com/CapitalCE))

The Economic Impact of Western New York's Not-for-Profit Industry - Art Services Initiative Western New York  
([tinyurl.com/WNYCE](http://tinyurl.com/WNYCE))

Mid-Hudson Arts and Culture Impact - Center for Research, Regional Education and Outreach at SUNY New Paltz  
([tinyurl.com/MidHudsonCE](http://tinyurl.com/MidHudsonCE))

## Communications ~

- New York State Association of Counties ~ Exec. Director Stephen Acquario ~
  - Letter dated April 24, 2015 acknowledging receipt of Resolution Number 15-162 from the April 14, 2015 Board of Supervisors' meeting.
- Warsaw Central School ~ Superintendent of Schools Joseph E. Englebert ~
  - Letter dated April 17, 2015 requesting to keep funding for the Business Education Council (BEC).



**NYSAC**  
NEW YORK STATE  
ASSOCIATION OF COUNTIES

540 Broadway, 5<sup>th</sup> Floor, Albany, New York 12207 | Phone: (518) 465-1473 | Fax: (518) 465-0506 | [www.nysac.org](http://www.nysac.org)

President: Hon. Anthony J. Picente, Jr., Oneida County | Executive Director: Stephen J. Acquario, Esq.

April 24, 2015




Mrs. Cheryl Ketchum, Clerk  
Wyoming County Board of Supervisors  
Government Center  
143 N. Main St.  
Warsaw, NY 14569

Dear Mrs. Ketchum:

On behalf of the New York State Association of Counties (NYSAC), thank you for providing a copy of Wyoming County Resolutions No. 15-162. Please be assured that this resolution will be reviewed by the NYSAC staff member assigned to this program area and referred to the appropriate NYSAC Standing Committee.

Should you have further questions or concerns, please feel free to contact Dave Macias or me at (518) 465-1473.

Sincerely,

  
Stephen J. Acquario  
Executive Director

Committed to counties since 1925

Albany, Allegany, Broome, Broome, Cattaraugus, Cayuga, Chautauque, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, New York, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Putnam, Rensselaer, Queens, Richmond, Rockland, St. Lawrence, Saratoga, Schoenectady, Schoharie, Schuyler, Seneca, Steuben, Suffolk, Sullivan, Tugay, Tompkins, Ulster, Warren, Washington, Wayne, Westchester, Wyoming, Yates

May 12, 2015



## Warsaw Central School

Warsaw, NY 14569-1295

(585) 786-8000

April 17, 2015

Supervisor A. Douglas Berwanger  
Town of Arcade  
6608 E. Arcade Road  
Arcade, NY 14009

Dear Supervisor Berwanger, *Doug*

I want to thank you for your leadership and dedication to Wyoming County. This county is an amazing place in which to live. It is also my pleasure to be the Superintendent at Warsaw Central School District, a great school within an amazing community.

My goal is to provide the best possible education I can for our students. Partnering with the Business Education Council (BEC) is a key component to what Warsaw Central School does in a number of areas. The BEC is an amazing partner who provides successful learning opportunities for students of all ages, such as Junior Achievement, Job Shadowing, Summer Camps, and Career Fairs. We take advantage of a number of these opportunities, both in and out of the classroom.

I'm asking you, as you develop and finalize your budget, to please keep the funding in place for the BEC. Your support of the BEC helps the districts within the county to enhance our educational offerings. I know this has been a difficult fiscal year for many and I can appreciate that, but as we work together to improve our county and prepare our children to be productive citizens within our communities, this partnership is key for a number of our local districts. I feel that through this partnership we can make Wyoming County an even better place by providing our students with the tools for success in their future careers and in life.

Thank you for your time and consideration in this matter. If you have any questions, please feel free to call me. I would be more than happy to speak to you or any of your colleagues about the benefits the BEC offers.

Sincerely,

Joseph E. Englebert  
Superintendent of Schools

DISTRICT OFFICE  
Fax: (585) 786-8008

BUSINESS OFFICE  
Fax: (585) 786-3265

MIDDLE/HIGH SCHOOL OFFICE  
Fax: (585) 786-3193

COUNSELING CENTER  
Fax: (585) 786-3485

ELEMENTARY OFFICE  
Fax: (585) 786-2537

SPECIAL SERVICES/CSE  
Fax: (585) 786-2833

### Open Public Hearing ~

Local Law No. 5, Year 2015 (Introductory D, Year 2015) Entitled, ***"A Local Law Regulating Animal Shelters"***

Special Meeting

**RESOLUTION NO. 15-187**  
**(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2015 accounts as follows:

<b>Department of Social Services</b>			
<b>From:</b> 01.39.6010.1.10001 Salaries S/D/I	\$30,521.00		
<b>To:</b> 01.39.6010.4.41010 Pens, Paper clips, etc.		\$1,000.00	
01.39.6010.4.41101 Paper		456.55	
01.39.6010.4.42216 Domestic Violence Cont.		21,264.45	
01.39.6010.4.44001 Transitions		7,800.00	
<b>Reason:</b> Transfer necessary to cover 2015 costs.			
<b>Department of Social Services Total</b>			<b>\$30,521.00</b>
<b>Ag. and Business Center</b>			
<b>From:</b> 01.42.6422.2.20201 CPUs	\$80,000.00		
<b>To:</b> 01.42.6422.4.41418 Data Equip & Supplies		\$80,000.00	
<b>Reason:</b> To cover the cost of wiring for data at the Agriculture Business Center.			
<b>Ag. and Business Center Total</b>			<b>\$80,000.00</b>

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

#2

**RESOLUTION NO. 15-188**  
**(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2015 accounts as follows:

<b>Office For the Aging</b>			
<b>To:</b> 01.44.6772.2.20201 Computer Equipment	\$10,000.00		
01.44.6772.4.40006 Telephone Maintenance	16,347.00		
01.44.6772.4.40301 Professional Services	3,950.00		
01.44.6772.4.41010 Office Supplies	2,661.31		
01.44.6772.4.41402 Computers	8,296.00		
w/01.12.6772.477223 Fed. Revenue Balanced Inc.Pmt.		\$41,254.31	
<b>Reason:</b> Purchase of two shredders and contribute towards County phone system upgrade and communication system upgrade.			
<b>Office For the Aging Total</b>			<b>\$41,254.31</b>

May 12, 2015

<b>Youth Bureau</b>			
<b>To:</b> 01.45.7310.4.42436 Omega/Youth Court w/01.03.7310.1289 Other Dept. Income <b>Reason:</b> For various Youth Court/Omega Program activities.	\$500.00	\$500.00	
<b>Youth Bureau Total</b>			<b>\$500.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.1.10301 Overtime w/01.12.3110.438902 Federal Grant/Aid <b>Reason:</b> For the STEP grant award.	\$8,500.00	\$8,500.00	
<b>Sheriff Total</b>			<b>\$8,500.00</b>

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,975,827.40** for the month of **April 2015**.

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

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #3 through #9. A voice vote was taken and all voted aye.*

**#3**

### **RESOLUTION NO. 15-189 (May 12, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

#### **OLDER AMERICANS MONTH PROCLAIMED**

**WHEREAS**, Wyoming County includes a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

**WHEREAS**, Wyoming County is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

**WHEREAS**, Since 1965, the Older Americans Act has provided services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life's most basic functions, such as bathing or preparing meals; and

**WHEREAS**, These programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults, and adapt services to

Special Meeting

the needs of Native American elders; and

**WHEREAS,** We recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

**WHEREAS,** Our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social inclusion.
- Emphasizing home and community-based services that support independent living.
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

**NOW THEREFORE,** The Wyoming County Board of Supervisors does hereby proclaim do hereby proclaim May 2015 to be **OLDER AMERICANS MONTH** and urges every resident to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

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

**#4**

**RESOLUTION NO. 15-190  
(May 12, 2015)**

By Ms. Grant, 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 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 funding will provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low-income subsidy program in a minimum amount of ten thousand two hundred nine dollars (\$10,209.00); effective September 20, 2014 through September 29, 2017.

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

May 12, 2015

**RESOLUTION NO. 15-191  
(May 12, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
VNA HOMECARE OPTIONS, LLC ON BEHALF OF THE  
WYOMING COUNTY OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with VNA HomeCare Options, LLC, 1050 West Genesee Street, Syracuse, NY 13204 on behalf of the Office for the Aging. Said contract is for Home Delivered and Congregate Meal services. Receivables are variable depending on need; effective April 1, 2015 through December 31, 2015.

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

#6

**RESOLUTION NO. 15-192  
(May 12, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION NUMBER 14-409 AMENDED**

**WHEREAS**, Resolution Number 14-409 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTACTS ON BEHALF OF THE OFFICE FOR THE AGING**” was passed by this Board of Supervisors on December 9, 2014 and provides for various contracts on behalf of the Office of the Aging for 2015; now therefore

**BE IT RESOLVED**, That Resolution Number 14-409 be hereby amended to reflect a reduction of \$2,000 to the **Legal Services for the Elderly, Disabled or Disadvantaged of WNY**, contract for a total contract amount not to exceed seven thousand dollars (\$7,000.00); effective January 1, 2015 through December 31, 2015.

All else remains the same.

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

#7



**RESOLUTION NO. 15-193  
(May 12, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
ILS COMMUNITY NETWORK IPA LLC ON BEHALF OF THE  
WYOMING COUNTY OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with ILS Community Network IPA, LLC, 521 Fifth Avenue, 3<sup>rd</sup> Floor, New York, NY 10175. Said contract is for Home Delivered Meals services for Managed Care Enrollees. Receivables are variable cost depending on need; effective April 1, 2015 through December 31, 2015.

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

**#8**

**RESOLUTION NO. 15-194  
(May 12, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION NUMBER 15-046 AMENDED**

**WHEREAS**, Resolution Number 15-046 entitled, **“CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A CONTRACT WITH RESTORE SEXUAL ASSAULT SERVICES ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES”** was passed by this Board of Supervisors on February 10, 2015 and provides that RESTORE Sexual Assault Services be the Administrator of the Wyoming County Domestic Violence Project in an amount not to exceed forty thousand five hundred dollars (\$40,500.00); effective February 20, 2015 through December 31, 2015; and

**WHEREAS**, Resolution Number 15-046 was further amended by Resolution Number 15-090 which was passed by this Board of Supervisors on March 10, 2015 to reflect Planned Parenthood/RESTORE Sexual Assault Services as the Administrator of the Wyoming County Domestic Violence Project; now therefore

**BE IT RESOLVED**, That Resolution Number 15-046 as amended by

May 12, 2015

Resolution Number 15-090 be further amended to reflect a reduction to the contract amount by twenty thousand five hundred fifty-five dollars and forty-five cents (\$20,555.45) to nineteen thousand nine hundred forty-four dollars and fifty-five cents (\$19,944.55) due to the loss of Domestic Violence grant funding and a pro-rated first quarter.

All else remains the same.

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

**#9**

**RESOLUTION NO. 15-195  
(May 12, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**FOSTER CARE AWARENESS 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 50 children and youth in foster care being provided with a safe, secure and stable environments, along with the compassion and nurturing, of 30 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 Board of Supervisors do hereby proclaim May 2015 **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:**

*At the conclusion of the roll call vote, Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium to present the Older Americans Month and Foster Care Month proclamations. Supervisor Grant also invited Office for the Aging Director, Andrea Aldinger to join her to read the proclamation.*

*After the presentation of the proclamation, Director Aldinger addressed the Board. She said that the number of older Americans is growing and it is importation to continue to provide all of the programs and services. The Department has some fun things planned for this month. There is an OFA table set up in the rotunda of the Gov't Center and the Senior Ball is scheduled for June 11<sup>th</sup> at 3:00 p.m. The Meals-on-Wheels program is getting bigger and bigger with about 200 hot meals served every day. Congregate meals site numbers are growing as well. Director Aldinger said she has never had a waiting list to serve the County's seniors and, for that, she will be forever grateful.*

*Supervisor Grant, T/Bennington then asked Commissioner Rumsey to join her at the podium as she read the Foster Care Month proclamation.*

*After the presentation of the proclamation, Commissioner Rumsey thanked the Board for all the support through the years and recognized Hillside Children's Center, an organization that his Department works very closely with and they provide a valuable service. Commissioner Rumsey also stated he was glad to report that the number of foster children will soon go down to 46, from 50, as he just signed the adoption paperwork for four children.*

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #10 and #11. A voice vote was taken and all voted aye.*

**#10**

**RESOLUTION NO. 15-196  
(May 12, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**MENTAL HEALTH AWARENESS MONTH PROCLAIMED**

May 12, 2015

**WHEREAS,** good physical health and good mental health are both equally essential to a person's overall wellbeing; and

**WHEREAS,** Like any physical ailment, mental health conditions may require urgent and sensitive care; and

**WHEREAS,** Mental health conditions are real and prevalent in our nation with one in four adults experiencing a mental health disorder in a given year, one in seventeen Americans live with a serious mental illness, and one in ten youth suffer from serious emotional and mental health conditions that cause significant impairment in their day-to-day lives at home, in school, and with peers; and

**WHEREAS,** With early intervention and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

**WHEREAS,** As a community, it is up to all of us to know the signs of mental health issues and lend a hand to those who are struggling. Shame and stigma too often leave people feeling like there is no place to turn. We need to make sure they know that asking for help is not a sign of weakness ~ it is a sign of strength; and

**WHEREAS,** We must ensure people have access to the care they need and citizens, businesses, organizations, government agencies, health care providers, and schools all have a shared responsibility in promoting mental wellness and supporting prevention efforts.

**NOW, THEREFORE BE IT RESOLVED,** that the Wyoming County Board of Supervisors proclaim:

May 2015 as Mental Health Month  
 May 3<sup>rd</sup> ~ May 9<sup>th</sup> as National Children's Mental Health Week  
 May 17<sup>th</sup> ~ 23<sup>rd</sup> as SAMHSA National Prevention Week ~  
 "The Voice of One, the Power of All"

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

**#11**

**RESOLUTION NO. 15-197  
 (May 12, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

Special Meeting

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN  
A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE  
NEW YORK STATE DEPARTMENT OF HEALTH, BUREAU OF  
WATER SUPPLY PROTECTION 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 Water Supply Protection, Corning Tower, Albany, NY on behalf of the County Health Department. Said grant is funding for the Drinking Water Enhancement Program for water supply protection in a minimum amount of one hundred one thousand dollars (\$101,000.00); effective April 1, 2015 through March 31, 2016.

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

*At the conclusion of the roll call vote, Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to present the Mental Health Awareness Month proclamation. Supervisor Ryan also invited Mental Health Community Services Director, Nancy Balbick to join her.*

*After the presentation of the proclamation, Director Balbick thanked the Chairman and Supervisors for acknowledging the importance of mental health through the proclamation. Director Balbick also mentioned the calendar at the end of the board package that outlines the planned events and activities to bring awareness to Mental Health Month.*

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #12 and #13. A voice vote was taken and all voted aye.*

**#12**

**RESOLUTION NO. 15-198  
(May 12, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**RESOLUTION OF THE WYOMING COUNTY BOARD OF  
SUPERVISORS IN SUPPORT OF NEW YORK STATE SENATE BILL  
S.4240 AND NEW YORK STATE ASSEMBLY BILL A.6425**

**WHEREAS**, New York State Senate Bill S.4240 and New York State Assembly Bill A.6425, *AN ACT to amend the county law, in relation to community and economic vitality, nutrition and healthy families, and 4-*

May 12, 2015

***H/youth development under a form of organization and administration approved by Cornell University***, calls for an update to the mission of Cornell Cooperative Extensions, eliminating the outdated term, “home economics” and focusing on economic and community vitality, nutrition, healthy families, and agriculture; and

**WHEREAS**, This statutory change would specifically recognize youth development and 4-H as a mission for Cornell Cooperative Extensions; and

**WHEREAS**, Cornell Cooperative Extensions in New York are unique, in that much of its funding depends upon strong support from fiscally strapped county governments. The proposed bill would specify that any additional state appropriations would be distributed in a proportionate share to the local county’s appropriations. This change would not require the county government to increase its own share of support for the local Extension, but continues to maintain an incentive for counties to maximize their share of state resources available under county law 224 through providing a robust local share; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby urges that State Legislature and New York State Governor, Andrew Cuomo to pass Senate bill S.4240, and New York State Assembly bill A.6425; and be it

**FURTHER RESOLVED**, That the Clerk to this Board shall forward certified copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan and New York State Assemblyman David DiPietro, New York State Association of Counties and Inter County Association of Western New York.

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

**#13**

**RESOLUTION NO. 15-199**  
**(May 12, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**JAMES BRICK APPOINTED TO THE  
REGION 9 FISH AND WILDLIFE MANAGEMENT BOARD**

**BE IT RESOLVED**, That James Brick (T/Perry), 7618 Route 20A, Perry NY 14530 be hereby appointed to the Region 9 Fish and Wildlife

Management Board as the Supervisor Member (Legislative Rep.) for a term of one (1) year; effective January 1, 2015 through December 31, 2015.

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

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #14 through #18. A voice vote was taken and all voted aye.*

**#14**

**RESOLUTION NO. 15-200  
(May 12, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RESOLUTION NUMBER 15-165 AMENDED**

**WHEREAS**, Resolution Number 15-165 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES FOR GLOW REGION 2015 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**” was passed by this Board of Supervisors on April 14, 2015. Said contract is to provide the annual GLOW Household Hazardous Waste collection service on September 09, 2015; now therefore

**BE IT RESOLVED**, That Resolution Number 15-165 be hereby amended to reflect a corrected date of September 19, 2015 for the collection services.

All else remains the same.

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

**#15**

**RESOLUTION NO. 15-201  
(May 12, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WASTE MANAGEMENT ON BEHALF OF WYOMING COUNTY PLANNING & DEVELOPMENT**

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

May 12, 2015

contract with Waste Management, 100 Ransier Drive, West Seneca, NY 14224 on behalf of Wyoming County Planning and Development. Said contract is for curbside collection service to participating municipalities in amounts not to exceed:

- FY 2016 ~ as outlined in Article 2.4 of the current agreement which states “Cost of Living Adjustment.” The contract price shall be adjusted upwards or downwards for the year 2016, based upon the net purchase of change over the then most recent twelve (12) month period for which the index figures are available for the consumer Price Index (CPI) for all urban consumers (all items) as published by the U. S. Department of Labor, Bureau of Labor Statistics, for the Buffalo Metropolitan Area;
- FY 2017 ~ hold pricing to the same level as 2016 (2016 TBD by CPI calculation at a later date);
- FY 2018 ~ Article 2.4 CPI adjustment applied with a cap of no more than 3% increase over 2017 rate;
- FY 2019 ~ Article 2.4 CPI adjustment applied with a cap of no more than 3% increase over 2018 rate; and
- FY 2020 ~ Article 2.4 CPI adjustment applied with a cap of no more than 3% increase over 2019 rate; effective January 01, 2017 through December 31, 2020; and

**WHEREAS**, Said contract is awarded based on provisions in Local Law 4, year 2015, entitled, ***The Wyoming County Best Value Contract Award Law*** which authorizes the use of a Best Value Award methodology, as authorized in Section one hundred three (103) of the General Municipal Law and as defined in Section one hundred sixty-three (163) of the State Finance Law.

Contingent upon the availability of funds.

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

**#16**

**RESOLUTION NO. 15-202  
(May 12, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**MARK MERRILL REAPPOINTED TO THE  
INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

**BE IT RESOLVED**, That Mark Merrill, 5442 Sheppard Road, Bliss, NY 14024 be hereby reappointed to the Industrial Development Agency Board

Special Meeting



of Directors for a three (3) year term; effective June 14, 2015 through June 13, 2018.

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

**#17**

**RESOLUTION NO. 15-203**

**(May 12, 2015)**

By Mr. Leuer, 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 West Buffalo Street, 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, 2015.

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

**#18**

**RESOLUTION NO. 15-204**

**(May 12, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**COMMUNITY ACTION MONTH AND SPECIAL 20<sup>TH</sup> ANNIVERSARY  
OF COMMUNITY ACTION FOR WYOMING COUNTY PROCLAIMED**

**WHEREAS**, Community Action Agencies were created when the Economic Opportunity Act of 1964 was signed into law and they have since enjoyed a 51-year history of promoting self-sufficiency for those with limited income; and

**WHEREAS**, Since 1995, and in recognition of this 20-year anniversary, Community Action for Wyoming County has contributed to improving the quality of life for Wyoming County individuals by focusing on meeting the needs of the low income and disadvantaged population and in promoting the personal and family growth of residents as they move toward self-sufficiency; and

**WHEREAS**, Community Action for Wyoming County identifies challenges facing those with fixed and low incomes; and

May 12, 2015

**WHEREAS,** In collaboration with its partners, Community Action strengthens local community capacity in employment, education, housing, income management, health, nutrition, energy, and general emergency assistance; and

**WHEREAS,** Community Action, through Angel Action in Wyoming County and in collaboration with many partners, over 800 volunteers, monetary contributions and on average one-million dollars of donated goods, assists approximately 8,000 unduplicated people and delivers over 25,000 services annually; and

**WHEREAS,** In 2002, Community Action for Wyoming County launched New York State Community Action Angels, also known as “Angel Action” and has since, with support from the Department of State and the Governor’s Office, embedded the circle of giving philosophy in volunteerism, volunteer coordination and capacity building throughout Community Action Agencies and Office for New Americans across New York State; 18 million dollars in donated goods and services helping over 160,000 people; and

**WHEREAS,** Through the provision of innovative and cost-effective programs designed to meet the changing and specific needs of individuals, Community Action dollars funnel into all 16 county townships and benefit the local economy causing a ripple effect for economic sustainability and personal growth; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby proclaim **May 2015** as ***Community Action Month*** in honor of the 51<sup>st</sup> anniversary of Community Action and 20<sup>th</sup> anniversary of Community Action for Wyoming County.

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

*At the conclusion of the roll call vote, Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to present the Community Action Month and Special 20<sup>th</sup> Anniversary of Community Action for Wyoming County proclamation. Supervisor Leuer also invited Community Action Executive Director, Alex Pierce to join him at the podium while he read the proclamation.*

*After the presentation of the proclamation, Executive Director Pierce thanked the Chairman and the members of the Board of Supervisors for their continued support of Community Action and the Community Action Program that has existed not just here in Wyoming County, but as a leader in New York State. There are 23 other counties in New York State that use the tools created here. May is an exciting month with one item being the “Meeting of the Minds”*

*conference in Syracuse which was an opportunity to share some success stories experienced here in Wyoming County.*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #19 through #22. A voice vote was taken and all voted aye.*

#19

## **RESOLUTION NO. 15-205**

**(May 12, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

### **CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS 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 grant applications and acceptance awards on behalf of Sheriff's Department as follows:

- **NYS Governors Traffic Safety Council**, 6 Empire State Plaza, Room 414, Albany NY 12228 for the provision of funding for Selective Traffic Enforcement Program (STEP) in a minimum amount of eight thousand five hundred dollars (\$8,500.00); effective October 1, 2015 through September 30, 2016.
- **US Department of Justice**, 4<sup>th</sup> Floor, 810 Seventh Street NW, Washington DC 20531 for the provision of funding for Bullet Vest Program in a minimum amount of six thousand five hundred dollars (\$6,500.00); effective October 1, 2015 through September 30, 2017.
- **New York State, Department of Homeland Security**, 1220 Washington Avenue, Building 71, Suite 610, Albany NY 12242 for the provision of funding for Y2015 Law Enforcement Terror Prevention Program (LETPP) in a minimum amount of seventeen thousand five hundred dollars (\$17,500.00); effective September 1, 2015 through August 31, 2018.

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

#20

## **RESOLUTION NO. 15-206**

**(May 12, 2015)**

May 12, 2015

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH THE NEW YORK STATE  
GOVERNORS TRAFFIC SAFETY COUNCIL ON BEHALF OF  
WYOMING COUNTY STOP DWI**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the New York State Governors Traffic Safety Council; NYS Stop-DWI Foundation, 6 Empire State Plaza, Albany NY 12228 on behalf of Wyoming County Stop DWI. Said grant funding is for a Special Crackdown Grant in a minimum amount of fourteen thousand three hundred dollars (\$14,300.00); effective October 1, 2015 through September 30, 2016.

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

**#21**

**RESOLUTION NO. 15-207  
(May 12, 2015)**

By Mr. Copeland, 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 DISTRICT  
ATTORNEY'S OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and acceptance award with the New York State Division of Criminal Justice on behalf of the District Attorney's Office. Said grant funding is for Aid to Prosecution Services in a minimum amount of twenty-nine thousand two hundred dollars (\$29,200.00); effective April 1, 2015 through March 31, 2016 (DCJS #AP15444423) and fourteen thousand six hundred dollars (\$14,600.00); effective April 1, 2016 through September 30, 2016 (DCJS #AP16444423).

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

**#22**

**RESOLUTION NO. 15-208  
(May 12, 2015)**

Special Meeting

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH NEW YORK STATE DIVISION OF  
HOMELAND SECURITY 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 grant application and acceptance award with New York State Division of Homeland Security and Emergency Services, 1220 Washington Avenue, Building 7A, Suite 710, Albany, NY 12242 on behalf of Emergency Services. Said grant funding is for the FY2015 Emergency Management Performance Grant in a minimum amount of twenty thousand eight hundred sixty-one dollars (\$20,861.00) with fifty percent (50%) in-kind; effective October 1, 2014 through September 30, 2016.

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

**#23**

**RESOLUTION NO. 15-209  
(May 12, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
CONSTELLATION ENERGY GAS CHOICE, INC. ON BEHALF OF  
BUILDINGS & 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 Constellation Energy Gas Choice, Inc., PO Box 4911, Houston, TX 77010 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract is for natural gas supply services to county buildings at a fixed price of .434 per therm; effective July 1, 2015 through June 30, 2018. 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 #24 through #31. A voice vote was taken and all voted aye.*

**#24**

**RESOLUTION NO. 15-210  
(May 12, 2015)**

May 12, 2015

By Mr. Kushner, Chairman of the Finance Committee:

**SALARY SCHEDULE “S” AND “D” AMENDED**

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

***Salary Schedule “S”:***

**County Historian**

- Set the salary of the Asst. County Historian (position code #001.081) on Salary Schedule S at \$9.15/hr.; effective May 30, 2015.

***Salary Schedule “D”:***

**County Historian**

- Set the salary of the County Historian (position code #002.069) on Salary Schedule D at \$27,000.00 annually; effective May 30, 2015. Upon permanent appointment set the salary at \$27,540.00.

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

**#25**

**RESOLUTION NO. 15-211  
(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**POSITION EXTENSION APPROVED**

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

**Animal Control**

- Extend one (1) position of ***Laborer, (Per Diem)*** at the rate of \$10.00/hr. not to exceed \$3,000.00 annually with only those benefits mandated by law; effective May 25, 2015.

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

**#26**

**RESOLUTION NO. 15-212  
(May 12, 2015)**

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 Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Department of Corrections and Community Supervision (DOCCS)**, The Harriman State Campus, 1220 Washington Avenue, Albany, NY 12226-2050 to provide the professional services of a general surgeon to inmates with the DOCCS. Cost will be reimbursed as negotiated in Attachment #2 of said agreement as follows:
  - Seven hundred eighty-eight dollars (\$788.00) per ½ day clinic with a maximum of ten (10) patients.
  - Seventy-nine dollars (\$79.00) per patient over ten (10).
  - One hundred twenty-five percent (125%) of the prevailing Physician Medicare Fee schedule for any procedures.
- **Pronexus**, 171 Sully’s Trail, Pittsford, NY 14534 to provide interim management services for the Chief Financial Officer position (Amy Ellingworth) as one hundred ten dollars (\$110.00) per hour, not to exceed one hundred ten thousand dollars (\$110,000.00) plus expenses; effective April 01, 2015 through September 30, 2015.

Contingent upon the availability of funds.

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

**#27**

**RESOLUTION NO. 15-213  
(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**SEMI-ANNUAL MORTGAGE TAX REPORT PRESENTED**

May 12, 2015

Mr. Kushner, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 1, 2014 through March 31, 2015 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 **\$161,905.44** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TAX DISTRICTS</b>	<b>MORTGAGE TAX DISTRIBUTED</b>	<b>VILLAGE</b>	<b>TOWN</b>
Arcade	\$20,843.78	\$4,678.01	\$16,165.77
Attica	\$19,486.62	\$3,808.38	\$15,678.24
Bennington	\$19,593.71		\$19,593.71
Castile	\$9,648.56	\$704.72	\$8,378.74
Perry Village		\$565.10	
Covington	\$2,480.35		\$2,480.35
Eagle	\$4,885.21		\$4,885.21
Gainesville	\$7,410.36	\$235.54	\$6,396.50
Silver Springs Village		\$778.32	
Genesee Falls	\$1,883.88		\$1,883.88
Java	\$17,545.40		\$17,545.40
Middlebury	\$5,413.67	\$473.30	\$4,940.37
Orangeville	\$3,167.67		\$3,167.67
Perry	\$11,572.46	\$3,102.85	\$8,469.61
Pike	\$1,867.67	\$0.00	\$1,867.67
Sheldon	\$9,877.71		\$9,877.71
Warsaw	\$23,563.01	\$7,208.52	\$16,354.49
Wethersfield	\$2,665.38		\$2,665.38
Total:		<b>\$21,554.74</b>	<b>\$140,350.70</b>
<b>Grand Totals:</b>	<b>\$161,905.44</b>		

Let This Be Your Warrant for Such Payment: **\$161,905.44** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 12<sup>th</sup> day of May 2015.

s/Cheryl J. Ketchum, Clerk

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

Special Meeting



**RESOLUTION NO. 15-214  
(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH HINMAN  
STRAUB, ATTORNEYS AT LAW (SEAN DOOLAN) ON BEHALF OF  
THE BOARD OF SUPERVISORS**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Hinman Straub, Attorneys at Law (Sean Doolan), 121 State Street, Albany New York 12207-1693 on behalf of the Board of Supervisors. Said contract is for professional legal and government relation services relative to applying for and attaining financial assistance for WCCH from the State's Essential Health Care Providers Support Program in the amount of six thousand dollars (\$6,000.00) per month for each month that services are provided in addition to reasonable reimbursement of miscellaneous expenses (i.e. long-distance telephone calls, printing, postage, copying and travel expenses); effective May 12, 2015.

Contingent upon the availability of funds.

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

**#29**

**RESOLUTION NO. 15-215  
(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION NUMBER 15-152 AMENDED**

**WHEREAS**, Resolution Number 15-152 entitled, **“DATE, TIME AND LOCATION OF SPECIAL PUBLIC FORUM MEETINGS SET”** was passed by this Board of Supervisors on March 10, 2015 and provides for various Special Public Forum Informational meetings regarding an exchange of information by Wyoming County Tax Payers, the Wyoming County Board of Supervisors, Wyoming County Departments and Wyoming County Contract Agencies as it relates to the impact of services and the formulation of the 2016 County Budget; now therefore

**BE IT RESOLVED**, That Resolution Number 15-152 is hereby

May 12, 2015

338

amended to reflect a venue change to the June 18, 2015 meeting from the Wyoming County Government Center to the Warsaw Central High School Cafeteria.

All else remains the same.

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

**#30**

**RESOLUTION NO. 15-216  
(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**VOLUNTARY CLEAN-UP AGREEMENT WITH THE NEW YORK  
STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO  
REMEDiate THE WYOMING COUNTY FIRE TRAINING  
CENTER PROPERTY**

**WHEREAS**, The County of Wyoming on October 24, 2002 entered into a voluntary clean-up agreement with the New York State Department of Environmental Conservation to remediate the Wyoming County Fire Training Center property; and

**WHEREAS**, It has been determined that certain additional monies are necessary to provide ongoing monitoring in connection with the clean-up of the Wyoming County Fire Training Center property; now therefore

**BE IT RESOLVED**, That the County is authorized to expend an additional five hundred ninety dollars and thirty-nine cents (\$590.39) for the mandated monitoring provided by the County's engineering firm, URS.  
All else remains the same.

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

**#31**

**RESOLUTION NO. 15-217  
(May 12, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION NUMBER 13-232 AMENDED**

Special Meeting

**WHEREAS,** Resolution Number 13-232 entitled, **“CHAIRMAN AUTHORIZED TO SIGN ANNUAL GLOW CEO WIB AGREEMENT,”** was passed by this Board of Supervisors on July 9, 2013 on behalf of Wyoming County. Said contract provides the Chief Elected Officials or County Legislator (CEO’s) of the Workforce Investment Area comprised of Genesee , Livingston, Orleans and Wyoming Counties for the purpose of the Workforce Investment Act, representing the general units of local government in the Workforce Investment Area (WIA) and the GLOW Workforce Investment Board (WIB) established and certified for that Workforce Investment Area representing the private sector and other interested organization in the Workforce Investment Area pursuant to the requirement of the Workforce Investment Act (WIA); now therefore

**BE IT RESOLVED,** That Resolution Number 13-232 be hereby amended to reflect that Genesee, Livingston, Orleans, Wyoming Local Workforce Development Area wishes to remain a four county Workforce Area under the Workforce Innovation and Opportunity Act (WIOA); effective on or before July 1, 2015; and be it

**FURTHER RESOLVED,** That the Chairman is authorized to sign an Attestation of Initial Designation of Local Areas Under the Workforce Innovation and Opportunity Act (WIOA). All else remains the same.

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

**Public Comment:**

*Chairman Berwanger announced it was time for the comment period for Local Law Introductory No. D, for the year 2015, entitled, “A Local Law Regulating Animal Shelters.” Chairman Berwanger asked the Board Clerk if there were any written requests to speak at the public hearing.*

*Board Clerk Ketchum advised there were no written requests to speak but there were three written letters to the Board of Supervisors; two signed and one anonymous.*

*Chairman Berwanger stated that the anonymous letter would not be read into the record; stating that if someone does not have the courage to sign a letter, it will not be read. Chairman Berwanger did request Clerk Ketchum to read the two signed letters into the record.*

*Email from Kersten MacLennan dated May 12, 2015...*

**From:** kersten maclennan <kerstenmacl@hotmail.com>  
**Sent:** Tuesday, May 12, 2015 6:46 AM  
**To:** A. Douglas Berwanger; Cheryl Ketchum; Lisa Perez  
**Subject:** Resolution 15 - Proposed Law Regulating Animal Shelters

I am writing in concern with the proposal that is being considered that will regulate animal shelters and rescues. As worded, the proposal will significantly reduce the ability of rescue organizations to assist in the care and treatment of animals in need of homes and veterinary care. These organization are based on volunteers who are dedicated to helping the animals in their care which is usually one or two at a time. By passing this proposal, these volunteers will no longer be able or willing to continue. Rescue organizations are a vital component of animal welfare as they ensure that animals are fully vetted including spay/neuter and vaccinations. This helps ensure that the over population problem is being addressed as well as making sure that healthy animals are going to families that have been screened for viability so that the animals that have been adopted do not end up back into an already over loaded system. They also take animals from the public facilities that cannot refuse new intakes but don't have the room to properly house them. The choices that these organizations have is to euthanize healthy animals or to elicit assistance from the rescue organizations. This proposal will remove one of their options.

As I agree that controls are needed to ensure public and animal safety, I urge you to review the laws that are currently enacted and the enforcement of these said laws.

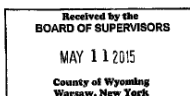
Sincerely,

Kersten MacLennan

*Correspondence from Kathryn S. Boor, Volunteer for "Going to the Dogs Rescue" dated April, 2015...*

Read

143 N. Main St.  
Suite 220,  
Warsaw, NY 14569



April, 2015

To the Wyoming Co. Board of Supervisors:

I would like to express concern about the Local Law Introductory No. D, Year 2015, "A LOCAL LAW REGULATING ANIMAL SHELTERS" proposed on April 14, 2015. I am a volunteer for one of the local 501(c)3 rescues based in Wyoming County, NY. I fear that this law, if passed, would significantly harm the efforts of legitimate animal rescue organizations while failing to address the cause of animal welfare problems.

While this law was initially proposed to improve animal welfare standards by adding regulations, it would in fact target the very animal welfare groups who seek to help. These rescue groups are legally formed and regulated nonprofit agencies that use shelter and foster home-based operations to temporarily care for displaced, abused and neglected animals. The cost and time needed to obtain the proposed permits and inspections for each and every home involved is prohibitive and would effectively end rescue efforts by foster home-based 501(c)3 organizations. The fees garnered from such permits would never outweigh the negative affect that losing these rescue groups would have on the community. Further, vague language in the proposal brings questions of what qualifies as a "facility" involved in temporarily sheltering an animal. Could anyone who helps a stray animal be subject to an inspection of their home and property? How many agencies would be involved in enforcing this new law? What are the costs?

Time, effort and money would be better spent targeting issues that contribute to animal welfare problems. First and foremost, stricter regulation on breeders/breeding facilities would help address overpopulation issues. Secondly, enforcement of licensing laws already in place would encourage responsible pet ownership. Third, and perhaps most importantly - better response from authorities to animal welfare complaints would set animal welfare standards. To that effect, a trained animal cruelty officer would be beneficial. Further, I propose that the County encourage the forming of a task force or coalition of representatives from local rescue agencies, veterinary professionals, law enforcement and government administrators to define and set welfare standards going forward.

In closing, I call to mind a well-publicized animal hoarding case that occurred in September of last year. This case could have been minimized if complaints about the situation had been properly addressed when they were first lodged. Instead, the situation grew to horrific proportions. When the home was finally raided, local rescue groups immediately came to the aid of dozens of affected animals. This situation illustrates the vital importance of timely and reliable response from enforcement agencies. It highlights the immeasurable importance of having local rescue groups willing to step up and work alongside law enforcement. Please keep these agencies in our community by showing them support and refusing to pass the proposed "Animal Shelter Law."

Sincerely,

Kathryn S. Boor  
Volunteer, Going to the Dogs Rescue  
585-245-2849

*Chairman Berwanger presented the "ground rules" for the public comment period of the public hearing that included a three-minute speaking limit and a request that people conduct themselves with decorum. With that, Chairman Berwanger asked for the first speaker.*

## Public Comment:

**Melissa Henschen ~ Owner, Going to the Dogs Rescue, Perry, New York**

May 12, 2015

*Ms. Henschen acknowledged that both of the above letters were from supporter and volunteers of her Rescue that “fosters” animals. She explained the concept of “fostering” which she noted is very different from a “facility” or “animal shelter”. She feels the definition for “animal shelter” includes a “private dwelling” and stated that it is unconstitutional. Her home should not be subject to three departments that, at any given time, can rap on her door and do whatever they want. She feels it would negatively influence the other foster homes and said the Board should look at the laws that are already in place and start enforcing them.*

*Ms. Henschen stated that she is not a “fly-by-night” organization. She has been around for eight years and has applied through all the proper agencies, received awards and been to more training than the County Dog Control Officer. She stated it was a slap in her face that nobody consulted her about this or asked what she could do to fix the problem. Ms. Henschen says that she follows the rules and does what is right and the County should have come to her to ask how to solve the problem. She told the Board that if you do not understand animal welfare then you should not be proposing and passing laws without asking first.*

*She is perturbed over the cat hoarding issue as she filed a complaint against that person when there were only 22 cats and offered to have them spayed and neutered but the person refused and the complaint was ignored.*

*Ms. Henchen stated that she has done a lot of homework and is trained in animal cruelty investigation and asked if anyone in the room could say that.*

*She is also concerned about the person inspecting her facility and what if that person has a vendetta against her. She already has someone that has approached her numerous times to tell her she should not be operating in the Village.*

*Ms. Henchen said that “she” is not a facility. She has fosters in Buffalo, Wayland, Rochester, all over the place so for someone to tell her that she has no business doing a good thing for this community and not to mention the money she has brought into the community. She has spent over \$8,000 this last year for spaying and neutering animals so she hopes the Board thinks about the money that is being spent from her organization for the County’s animals before the County starts charging her and getting rid of all her foster homes. A hoarder is not going to fill out an application because they do not want the animals adopted; they want to keep them! You are addressing the wrong people with this law.*

**Robert Rose ~ Part-Time Farmer, Attica, New York**

Special Meeting

*Mr. Rose gave a brief background about his farm and then told the Board that over the past several years he has given a foster home to seven dogs. He currently has a Kuvasz which was severely abused and still does not trust men. He questioned what the proposed local law would have done to this dog.*

*He helped with the clean-up effort at the Attica SPCA and believes in inspections but questions charging a fee just so the County can make money by punishing people that are just trying to help. Mr. Rose stated that if he were to foster a dog he would refuse the corruption of the proposed law.*

*Mr. Rose presented the letter he read to Supervisor Ryan, T/Warsaw .*


May 12, 2015

To: Becky Ryan  
 Fm: Robert Rose  
 Subj: Local Law D

Over the past years, we have given a forever home to SEVEN unwanted dogs. Currently, we have a Kuvasz who was so abused she has PTSD and is fearful of men. Although we got her in 2006, she still does not fully trust me. A New York State member of the Kuvasz Fanciers of America gave Shila and 48 of these criminally abused kennel dogs shelter and a chance for a better life. What would Local Law D have done to him?

After helping with the clean-up effort at the Attica ASPCA, I am a firm believer in inspections. However, shelter workers volunteer their time. People volunteer their money. People volunteer their gifts. All that is for what? So the county can make money by "punishing" rescue organizations with fines and harassment? The shelters are strapped for cash and cannot afford this; a \$200.00 fee would purchase 20 bags of dog or cat food. Think of this: Inspections could be done by the Sheriff's roving patrol at no additional cost to the county!

I do not want to contribute to ill thinking politicians! If I were to foster a dog, I would **refuse** the proposed corruption of local law D. Eventually "officials" will probably come after farmers who, like me, have an abundance of barn cats we support and try to rehome.

Robert Rose   
 4019 East Main Street Road  
 Attica, New York 14011  
 585/738-3156

## **Leslie Johnson ~ Town Dog Control Officer in Allegany County, New York**

*Ms. Johnson stated that "Going to the Dogs Rescue" has helped her in a couple of cases that she has had. She had a cruelty case that "Going to the Dogs" took in and would not have known what to do without them. She has also been a dog foster for a year. Since becoming a Dog Control Officer, her Town Board has found a low cost spay/neuter option that she can now offer to the community. She said that something needs to be done about animal hoarding but does not believe this is how to go about it. She asked that all this be taken into consideration before passing the law.*

May 12, 2015

**Lindsay Byron(?) ~ Monroe County Resident ~ Going to the Dogs Volunteer**

*Ms. Byron said that she lives in Monroe County and fosters for Going to the Dogs Rescue. While in college in PA she worked at the SPCA and dealt with large and small animals, farm and domesticated. She stated she is concerned about the definitions being so broad and feels it does not cover dog hoarders. Ms. Byron said it is not hard to find free dogs, such as on Craig's List. People are taking these free dogs, breeding them and then selling them for a price. The law does not cover this. She feels that the laws that we already have are not being enforced. She asked how the County would pay for and enforce these laws. There are approximately 15 – 20 fosters in Wyoming County now. How many inspections are there going to be?*

*Supervisor Tarbell, T/Castile stated that the Supervisors are just trying to do the right thing and if you saw some of the photographs, it would make you sick. He also said that he feels we need a law but maybe we should go back to the drawing board to make a stronger, better law. This one seems to need some fine tuning.*

*Supervisor Davis, T/Covington said he agrees with Supervisor Tarbell and feels the law is a bit vague in certain areas and needs to be revisited and perhaps make some changes. As it is currently written, Supervisor Davis said he would not support it but if some changes were made then he would.*

*Supervisor Ryan, T/Warsaw agreed with Supervisors Davis and Tarbell. She said the definitions need to be better defined and foster homes is not what we are trying to address and feels the law needs to be fine-tuned. Supervisor Ryan will not support the law as well.*

*Supervisor Grant, T/Bennington just wanted to mention that she recently became a foster for a cat that was injured and needed round-the-clock care. She would not want to fill out an application for one cat, one time. There needs to be limits with the number of animals involved and Supervisor Grant agrees the Board needs to look at the definitions.*

*Supervisor Copeland, T/Wethersfield, stated that this law came out of Public Safety and feels it is pretty obvious that it needs to go back to the drawing board.*

*Supervisor Copeland, T/Eagle stated that this law would not stop people from hoarding and if you are going to hoard animals, you will not fill out an application; it is a waste.*



*Supervisor Leuer, T/Middlebury said that to be clear, the law was written because there were two specific hoarding issues that required assistance from the Sheriff's Department, Building & Codes and District Attorney. All of these agencies required the use of County resources for situations that could have been regulated. The latest incident in Warsaw either was in the process of applying or already had applied for not-for-profit status that can be used by some just to hoard animals. I agree with the other Supervisors that some tweaking of the law may be needed. However, we should be clear that the law was proposed because these resources were being consumed.*

*Chairman Berwanger asked if anyone else would like to speak.*

*He went on to explain, upon the advice of the County Attorney, that if the Board wants to consider any additional comments, the public hearing should be closed, but the record held open until (at least) the June meeting. At that meeting, the Board will note any written comments received and consider them prior to a vote. Chairman Berwanger stated he was not sure the Board would be prepared for a vote at that time and this could be extended to the July meeting, if need be. The public record will be open until next month and he encouraged anyone that is concerned to write to the Board of Supervisor's Office or to his or her own Town Supervisor.*

*Chairman Berwanger advised that the Board if looking forward to working with everyone and stated that this law is not something the Board just wants impose. He stated further that the public hearing was very informative and appreciated all of the comments.*

*Chairman Berwanger asked if there were any other comments concerning this local law.*

### **Melissa Henschen ~ Owner, Going to the Dogs Rescue, Perry, New York**

*Ms. Henschen asked if she could explain about 501c3's for cats. She stated it is a very long process and someone probably gave her that 501c3 which was illegal. If she had gone through the process, it would not have been approved.*

*Chairman Berwanger again asked if there were any other comments concerning this local law.*

***Motion to close the Public Hearing was made by Supervisor Brick, T/ Perry. Seconded by Supervisor Davis, T/Covington. Carried.***

*The record will be held open until the June 9<sup>th</sup> meeting or maybe even until July to receive written comments from the public.*

**RESOLUTION NO. 15-  
(May 12, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**LOCAL LAW NO. 5 (INTRODUCTORY D) - YEAR 2015,  
“A Local Law Regulating Animal Shelters,” ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 14<sup>th</sup> day of April, 2015, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2015, entitled, “*A Local Law Regulating Animal Shelters;*” and

**WHEREAS**, In accordance with the provisions of Resolution No. 15-172, there was a public hearing held by this Board of Supervisors on this 12<sup>th</sup> day of May, 2015, 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 5, Year 2015, County of Wyoming, New York, as presented to this Board on the 12<sup>th</sup> day of May 2015, is hereby enacted in its original form as follows:

**Local Law 5, Year 2015**

**This Local Law shall be entitled “A Local Law Regulating Animal Shelters”**

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

**WHEREAS**, the residents of Wyoming County have had a long-standing tradition of sound ethical care for domesticated companion animals, as well as sound animal husbandry skills in the agricultural community that places a priority on the health, safety, and welfare of the animal; and

**WHEREAS**, most Towns and Villages within the County have kennel laws that require the permitting and regulation of those facilities, none have laws regulating rescue animal shelters; and

**WHEREAS**, recent conditions noted at animal shelter facilities within the county endangered the welfare of the animals being cared for, as well as, the public visiting those facilities. These concerns have led to emergency interventions by Wyoming County officials, placing an unnecessary burden on the County Building and Fire Codes Department, Wyoming County Health Department, State and Local Law Enforcement, Wyoming County District Attorney's office, Wyoming County Court system and Wyoming County taxpayers.

**NOW, THEREFORE, IT IS HEREBY ENACTED AS FOLLOWS:**

**SECTION 1. PURPOSE**

The purpose of this Local Law is to regulate animal shelters by requiring these facilities to be permitted by the County of Wyoming. Once enacted, all new and existing Animal Shelters must obtain an Animal Shelter Permit from the County of Wyoming.

**SECTION 2. DEFINITIONS**

a. "Animal Shelter" shall mean any facility maintained or operated in Wyoming County that is sustained by public or private funds, for profit and/or non-profit, and serves as a temporary location for holding lost, stray, surrendered or abandoned domesticated companion and/or farm animals until disposition by adoption or euthanasia is made.

b. "Application" shall mean the form, a sample of which is appended to this Local Law and as may be amended, used by the Chairman of the Wyoming County Board of Supervisors to determine the advisability of issuance of an Animal Shelter Permit to ensure compliance with all State and local statutes, rules, regulations and requirements and provide for review and written approval of:

1. Wyoming County Fire and Building Codes
2. Wyoming County Health Department

c. "Chairman" shall mean Chairman of the Wyoming County Board of Supervisors

d. "Permit" shall mean Animal Shelter Permit.

**SECTION 3. FILING OF PERMIT APPLICATION**

The application, as appended and as may be amended by the Chairman, must be fully completed and submitted, with the appropriate fee, to the Chairman no less than 60 days prior to the proposed opening of a new facility. All existing

May 12, 2015

Animal Shelters must apply for an Animal Shelter Permit within 90 days of the filing of this Local Law.

#### **SECTION 4. NECESSARY APPROVALS**

As required by the Application, the following County Departments must provide their written consent:

1. Wyoming County Fire and Building Codes
2. Wyoming County Health Department

The Applicant shall consent and allow the above Departments to perform, inspect and conduct inquiries at their sole discretion as deemed necessary. Any change to the facility or its operation as set forth in the Application must be reported to and approved in advance by the Chairman.

In addition, the Animal Shelter must be inspected and/or reviewed by a NYS Licensed Veterinarian, at a minimum, on an annual basis to ensure the health, safety and adequate housing of the animals. Documentation of these visits MUST be maintained on site and available upon request.

#### **SECTION 5. DENIAL OF PERMIT**

The Permit shall not be granted if any of the items set forth in said Application are determined by the Chairman to be insufficient to properly ensure the safety, health, welfare and well-being of the animals, public visiting the facility and/or the property.

#### **SECTION 6. ACTUAL ISSUANCE OF THE PERMIT**

The Permit, if approved, shall be issued in writing by the Chairman no greater than forty-five (45) days after receipt of the Application.

#### **SECTION 7. NON-COMPLIANCE WITH THE PERMIT**

If after a Permit is issued, the County of Wyoming, through its lawful agents, determines that any of the items required as a condition of the Permit are not adhered to and accomplished within the time limits allowed, then this Permit may be revoked by the Chairman, unless the item of violation is promptly remedied within such time limits as may be reasonably imposed by the Chairman. Notice of the Permit revocation shall be in writing, Certified Mail Return Receipt Requested, addressed to the applicant at the address set forth in the application, or by personal service.

#### **SECTION 8. ENFORCEMENT AND PENALTIES**

Each violation of a provision of this Local Law shall be a Class A Misdemeanor and the person violating the same shall be subject to a fine of

not more than \$1,000.00 or imprisonment not to exceed one year, or to both such fine and imprisonment.

Any person violating this Local Law shall be subject to a civil penalty enforceable and collectable by the County of Wyoming in the amount of \$1,000.00 for each offense.

In addition to the above provided penalties, the Wyoming County Board of Supervisors may also maintain an action or proceeding in the name of the County, in a Court of competent jurisdiction, to compel compliance with, or to restrain by injunction, the violation of such local law.

## **SECTION 9. SEPARABILITY**

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

## **SECTION 10. MISCELLANEOUS**

The Application may be amended at the discretion of the Chairman without further amendment of this Local Law.

## **SECTION 11. EFFECTIVE DATE**

This Local Law shall become effective upon filing with the New York State Secretary of State.

DATED at Warsaw, New York

April 14, 2015 (Introduced)

May 12, 2015 (Held Over)

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

Board Clerk



# APPLICATION FOR ANIMAL SHELTER PERMIT

Wyoming County Government Center  
143 North Main Street, Warsaw, NY 14569

Phone: (585) 786-8800

Fax: (585) 786-8802

*Pursuant to the provisions of Wyoming County Local Law No. \_\_\_\_\_ of 2015, this Animal Shelter Permit Application must be submitted no less than 60 days prior to the proposed opening of a new facility. All existing Animal Shelters must apply for an Animal Shelter Permit within 90 Days of the filing of this law.*

APPLICANT INFORMATION		
(Names of Individual Corporations, Partnerships or Other Groups Addresses, Names of Directors and Officers)		
	NAME	ADDRESS
<input type="checkbox"/> Individual Applicant		
<input type="checkbox"/> Partnership/Group (List Partners or Officers)		
<input type="checkbox"/> Non-Profit Organization (List Officers or Board of Directors)		
CONTACT INFORMATION		
Phone #'s: (Applicant) _____ (Shelter) _____		
Emergency Contact: (Name) _____ Phone#: _____		
Email: _____		
TYPE OF ANIMAL SHELTER		
<input type="checkbox"/> Dog <input type="checkbox"/> Cat <input type="checkbox"/> Dog & Cat <input type="checkbox"/> Other _____		
Proposed Number of Animals: Dogs _____ Cats _____ Other _____		
ADDRESS OF ANIMAL SHELTER BUILDING		
Street: _____ Town or Village: _____		
Town or Village Approval: <input type="checkbox"/> YES <b>**Copy of Approval Must Be Attached</b>		
BUILDING FLOOR PLAN		
(*Include all floor levels, label each room and indicate what the room will be used for)		
Copy of Floor Plan Attached: <input type="checkbox"/> YES		
(Certificate of Compliance to be issued by Wyoming County Building Department)		
WATER AND SEWAGE SERVING THE ANIMAL SHELTER		
Water Supply: <input type="checkbox"/> Public <input type="checkbox"/> Private – (Must Comply with Appendix 5-B NYS Sanitary Code)		
Sewage Disposal: <input type="checkbox"/> Public <input type="checkbox"/> Private – (Must be approved by Wyoming County Health Dept.)		



Annual photo to be taken on the front steps of the Government Center.

*There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 4:11 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board



## SPECIAL SESSION

(May 30, 2015)

Saturday

11:00 AM

The special session of the Wyoming County Board of Supervisors was held at the Castile Town Hall, Route 39, Castile, New York with all Supervisors present except Supervisor Vasile, T/Genesee Falls. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and several Wyoming County Contract Agencies, Department Heads and County Residents as follows:

Name	Address
MARK EMMERSON	3758 Shearman Rd
Mick Gaudin	Pointe Drive 44
Ron Stettermann	9392 Lake Shore
John R Hurst	5070 Rt 39
Bill Sours	6809 NORTH HILLCREST DR
GERALD S. BAKER	6811 B N. Hillcrest DR
Rich Elias	16 Park Rd West Castile NY
Beth Pond	6708 Swyers Rd Castile
DAVE RUMSEY	6436 MAIN RD
Max Boyce	39 Oak Warsaw, NY
Rhonda J. J. J.	Co Clerk
Nancy Salovich	5247 Morse Rd. Wyoming NY
Frank Bright	4046 Lakeside
MARY EMMERSON	3758 SHEARMAN RD.
Susan Drifflin	4255 Wendell Rd.
Jack Linder	4169 TRABER ROAD South
Louise Linder	" " "
Robert Martin	Traber Rd S.
MAECIA CISCHEL	4041 PRIVATE Dr. 2
Patrice CISCHEL	" " " "
ALAN GREGG	4930 Middle Res. Rd. CASTILE
Eric Parker	3751 M. 116 Rte Rd Perry
Terry Cole	4306 Fairview Rd, Castile
Joan Cole	4306 Fairview Rd, Castile
Donna Easton	6810 N. Hillcrest Dr Castile NY
DIANE EMENS	4284 FAIRVIEW RD CASTILE NY
Donna Ramsey	2240 Rte 238 Warsaw, NY
Paula Parker	146 Lake St Perry

May 30 2015

Name	Address
Scott Gardner	Chamber
Joseph L. Leland	Barrios Ed Council
Jim Spencer	5154 Rt. 89, Castile
Robert L. Leland	16 Beardsley Ave. S.S.
Thomas Rodden	Castile, N.Y.
Mark Bush	11 Buffalo Circle
Jim Kemp	6625 Denton Cres Rd
Stacia True	3086 Rt 246 Perry NY
Jeff True	3086 Rt 246 Perry
Jakes Jove	3086 Rt. 246 Perry NY
David Hopkins	2953 Dunham Rd. Varysburg, NY
BRIAN Johnson	P.O. 286, Perry, NY. 14530
Bert Edwards	15 Liberty St. Castile NY
Jacqueline Hoyt	6 Jefferson St. Castile NY
Diana Zybezinski	1026 Burrough Rd. Castlesville NY
Danise Morley	Human Resource
Ralph Small	5247 View Dr., Arcade NY
Thomas C. Caudill	Silver Springs N.Y.
Dennis Coffey	Village of Silver Springs
M. Handy	Town of Castile
V. Draper	Town Clerk - Castile
J. Koch	Water Sewer - Castile
Bruce Tilgner	Perry, N.Y.
JOE GOZELSKI	CASTILE
Bill DALL	WC - PLANT & DEV
Don Roberts	WC - P&D COSTS
FRANK VITAGLIANO	TN CASTILE
JACK Beadel	CASTILE

Name	Address
Maria Beadel	62 E Mill, Castile
Ralph Evans	3628 Quaker Town Rd. Warsaw NY
Keith Granger	31 EAST MILL ST Castile

At 10:58 AM Chairman Berwanger, T/Arcade, called the meeting to order.

Castile Supervisor, S. Tarbell provided housekeeping information on exits and asked for a moment of silence for Castile Town Board Member Sam Monteleone who suddenly passed away last week. Board Member Monteleone planned on attending today's meeting and would have sat in the seat Supervisor Tarbell occupied today.

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

**Greg Rudolph**  
Navy Veteran ~Wyoming County Sheriff

Introductions were made by Chairman Berwanger prior to the meeting being turned over to Budget Officer Cook to review the County Budget and the following Power Point presentation.

The slide show is on the home page of the County Web site at the following link:  
[http://www.wyomingco.net/homepageitems/2015/Public\\_Budget\\_Forums\\_2015.pdf](http://www.wyomingco.net/homepageitems/2015/Public_Budget_Forums_2015.pdf)



Wyoming County

SPECIAL PUBLIC FORUM MEETINGS

APRIL 15, 2015

7:30PM

Wyoming County Board of Supervisors

East Main Street, Eagle, NY

MAY 7, 2015

7:30PM

Wyoming County Board of Supervisors

3208 East Main Street, Arden, NY

MAY 20, 2015

11:00AM

Wyoming County Board of Supervisors

State Route 35, Canisteo, NY

JUNE 10, 2015

7:00PM

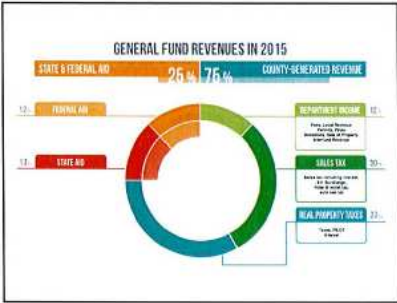
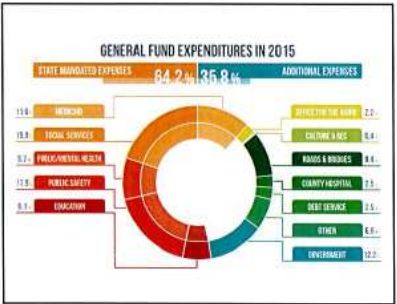
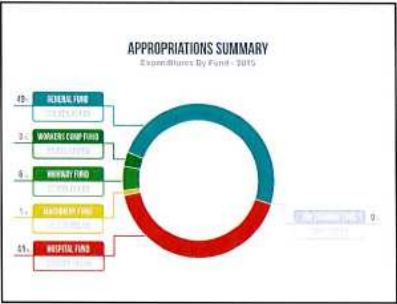
Wyoming County Board of Supervisors

543 North Main Street, Warsaw, NY

SUMMARY OF 2015 BUDGET - ALL FUNDS	
TOTAL ESTIMATED EXPENDITURES- ALL FUNDS *	\$116,658,896.47
LESS: ESTIMATED REVENUES - ALL FUNDS *	\$94,360,777.06
LESS: APPROPRIATED CASH SURPLUS	
GENERAL FUND	\$2,500,000.00
COMPENSATION FUND	\$0.00
COUNTY ROAD FUND	\$261,076.00
MAINTENANCE FUND	\$62,824.00
CAPITAL FUND	\$0.00
TOTAL TAX LEVY FOR 2015	\$18,167,216.81

*Taxes are only raised in the General Fund in Wyoming County...*

*Today's slides are on boards in the hallway and are all color coded.*



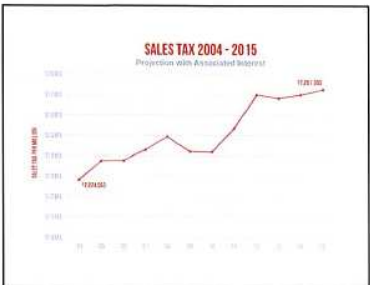
### BUDGET COMPARISON

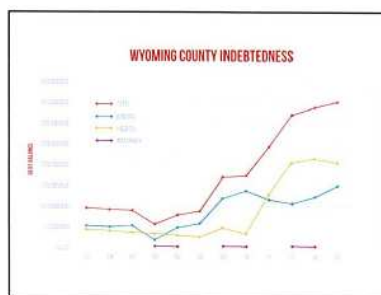
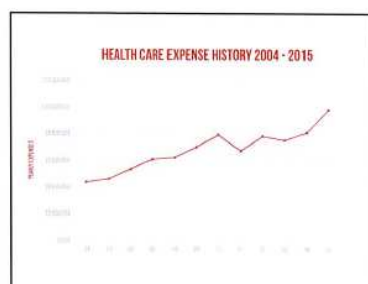
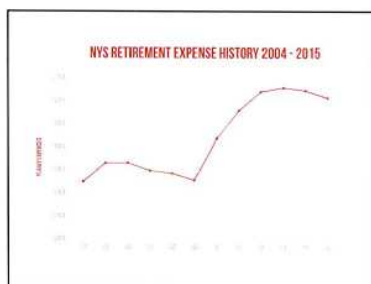
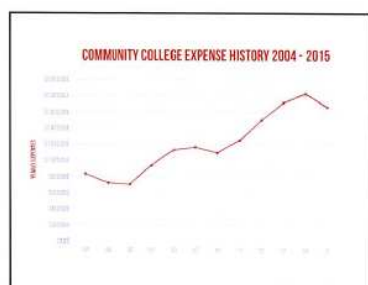
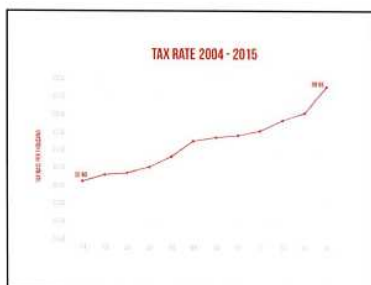
For 2014 and 2015

	2014	2015	CHANGE AMT	CHANGE %
<b>Total Revenue</b>	<b>\$119,460,000.00</b>	<b>\$126,347,000.00</b>	<b>\$6,887,000.00</b>	<b>5.8%</b>
- State Revenue	\$50,000,000.00	\$50,000,000.00	\$0.00	0.0%
- Federal Revenue	\$10,000,000.00	\$10,000,000.00	\$0.00	0.0%
- County Revenue	\$59,460,000.00	\$66,347,000.00	\$6,887,000.00	11.6%
- Sales Tax	\$10,000,000.00	\$10,000,000.00	\$0.00	0.0%
- Property Tax	\$10,000,000.00	\$10,000,000.00	\$0.00	0.0%
- Other Revenue	\$39,460,000.00	\$46,347,000.00	\$6,887,000.00	17.5%
<b>Total Expenditure</b>	<b>\$119,460,000.00</b>	<b>\$126,347,000.00</b>	<b>\$6,887,000.00</b>	<b>5.8%</b>
- State Expenditure	\$50,000,000.00	\$50,000,000.00	\$0.00	0.0%
- Federal Expenditure	\$10,000,000.00	\$10,000,000.00	\$0.00	0.0%
- County Expenditure	\$59,460,000.00	\$66,347,000.00	\$6,887,000.00	11.6%
- Sales Tax	\$10,000,000.00	\$10,000,000.00	\$0.00	0.0%
- Property Tax	\$10,000,000.00	\$10,000,000.00	\$0.00	0.0%
- Other Expenditure	\$39,460,000.00	\$46,347,000.00	\$6,887,000.00	17.5%

### BUDGET SUMMARY

FUND	EXPENDITURE	REVENUE	LEAV
General Fund	\$10,000,000.00	\$10,000,000.00	\$0.00
Elementary Fund	\$10,000,000.00	\$10,000,000.00	\$0.00
Highway Fund	\$10,000,000.00	\$10,000,000.00	\$0.00
Welfare & Corp Fund	\$10,000,000.00	\$10,000,000.00	\$0.00
Public Health Fund	\$10,000,000.00	\$10,000,000.00	\$0.00
Hospital Fund	\$10,000,000.00	\$10,000,000.00	\$0.00
<b>Total Expenditure</b>	<b>\$60,000,000.00</b>	<b>\$60,000,000.00</b>	<b>\$0.00</b>
<b>Total Revenue</b>	<b>\$60,000,000.00</b>	<b>\$60,000,000.00</b>	<b>\$0.00</b>
<b>Total Expenditure</b>	<b>\$60,000,000.00</b>	<b>\$60,000,000.00</b>	<b>\$0.00</b>
<b>Total Leav</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>



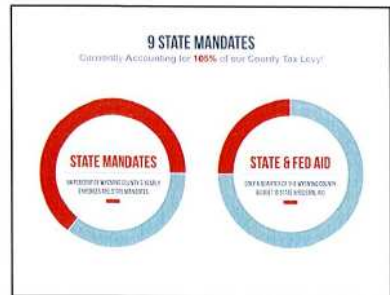
[illegible][illegible]

WYOMING COUNTY CONTRACT AGENCIES	
2016 Allocation	
CONTRACT AGENCY	2016 ALLOCATION
CHAIRMEN OF COMMERCE	\$130,000.00
BUSINESS EDUCATION COUNCIL	\$5,400.00
BUSINESS CENTER	\$75,000.00
ARTS COUNCIL	\$10,250.00
HOLMDELFE FLORISTRY	\$1,820.00
SOAL & HARTER	\$160,000.00
GARRELL COOPERATIVE EXTENSION	\$465,000.00
COUNTY FAIR ASSOCIATION	\$22,500.00
TOTAL BUDGET EXPENDITURES	\$672,110.00

**9 STATE MANDATES**  
Currently Accounting for 105% of our County Tax Levy!

MANDATE	2016 BUDGET
AMERICAN HOME CARE**	\$7,684,566.00
SOCIAL SERVICES**	\$3,667,705.00
WYV REVENUE	\$6,204,410.00
PROBATION	\$610,675.00
HIGHWAY DEFENSE	\$281,070.00
SPECIAL ED PRE-K	\$1,021,747.00
EARLY INTERVENTION	\$753,543.00
TOTAL LEVY	\$18,103,216.00
2016 PROPERTY TAX LEVY	\$18,107,210.00
	105 % OF 2015 LEVY

\*\* Wyoming Department of Social Services (WYDSS) is the primary agency for the American Home Care and Social Services mandates. The Wyoming Department of Social Services (WYDSS) is the primary agency for the American Home Care and Social Services mandates. The Wyoming Department of Social Services (WYDSS) is the primary agency for the American Home Care and Social Services mandates.



*J. Hoyt, Exec. Director Wyoming County Arts Council questioned residency requirements and community college eligibility requirements. Supervisor Kushner explained that it's called, "open enrollment." No minimum qualifications for enrollment into a Community College.*

*Another gentleman asked about vehicle registration fees staying in Wyoming County. County Clerk Pierce stated that 12.7% stays in the County if utilizing local DMV not mailing. Drop boxes are throughout the county for resident use.*

*Another gentleman asked if the gap in sales tax is directly related to the drop in population. No, vehicle and fuel purchases are biggest contributors of sales tax.*

*J. Hoyt spoke of online sales tax collections. Chairman Berwanger drew her attention back to the sales tax slide that showed sales tax is not increasing as greatly as it did in the past. And he reminded meeting attendees that sales tax from vehicle purchases is credited to your county of residence.*

*An unidentified woman remarked that it shouldn't be that surprising that sales tax is decreasing. Taxes are going up, many incomes are set because people are retired. To rely on one category of sales tax seems short sided. What other ways has the county reduced expenditures? What are employees contributing towards Health Insurance premiums? Fund Balance 15%? Schools can only keep 4%. The 15% seems excessive to her...*

*Supervisor Kushner, T/Eagle state that the county over the 8-10 years has cut 67 positions and combining departments thus eliminating costs. The county has tried to stop expenditures. Many years ago the Board of Supervisors voted to take back over site of the hospital because of the mismanagement of the Administration. You can continue to cut services but you will wind up cutting yourself right out of business. The Supervisor spoke to the proposal of raising the sales tax amount. A neighboring county tried and it went nowhere. Why would you do that when you are trying to keep taxes down? Made a decision to*

*affiliate with Strong and it's made a big difference. And he spoke to the recent grant application of \$20M the county hopes to receive.*

*Supervisor Kushner spoke to increases in School, Town and in some cases Village taxes and on top of that the added Fire District Assessments, etc.*

*An unidentified gentleman questioned if you cut significant services at a rural hospital what happens? What's the roll back?*

*CEO Eichenauer spoke to the renovations that have taken place and the affiliation with Strong. Basically, he explained hope for the best yet plan for the worst...*

*Several attendees questioned what the contribution toward employee health care is. Budget Officer Cook explained that contributions are 8% to 20% depending on the salary schedule and hire date.*

*One woman stated that Wyoming County Sales Tax is going to Florida! She encouraged better marketing to veterans, etc. pointing out the benefits of veteran exemptions, for property taxes, etc. She encouraged officials to market Wyoming County as the great place it is to work and raise a family. She was very appreciative of the "Buy Local" brochure she received today.*

*Supervisor Kushner, T/Eagle spoke to the loss of young people. Young people are leaving the area to pursue careers after being educated. We just don't have the jobs to retain the people.*

*One man spoke to banning together with other counties. There were several white papers from NYSAC available to show this gentleman.*

*Revenues from Windmills.*

- *Budget Officer Cook explained how the PILOT agreements work.*
- *Each wind turbine is assessed at \$1.3M.*
- *Supervisor Kushner was asked to explain the taxing of the Wind projects.*
  - *He explained that the Town of Eagle's current tax rate would be over \$15/1,000 without the project.*

*Combining of School Districts or Towns?*

*There are two towns currently looking.*

*The Village of Pike already dissolved into the Town.*

*The County and Towns have been working together on large machinery purchases.*

*Real Property Tax Services Director J. Kirsch presented statistics that put Wyoming County at par with other counties with tax exemptions.*

*Cost of Law enforcement? Sheriff Rudolph stated that it costs \$8.1M annually, which is split equally between the road patrol and jail. #1 problem in Wyoming County is the heroin epidemic.*

*Is the jail full? Board in Genesee County females mainly... In 2013 the county received \$150,000 from Genesee County boarding in their women.*

*Supervisor Tarbell talked about the potential for merging Castile with Genesee Falls. He said that it would almost be a waste of money to do a feasibility study. The state told him a merger is almost a no brainer. Public meetings and a mandatory referendum will have to be held at some point in the future. Genesee Fall's tax rate is \$13.00/1,000 where Castile's is \$4.00/1,000. It is anticipated that a merger wouldn't affect the lower Castile rate...*

*Chairman Berwanger explained that Assemblyman Steve Hawley has introduced NY City from the rest of New York State. This was explained because there was some discussion over how New York City impacts the rest of the state's economy.*

*Someone asked if the Department Heads have spoken with their employees over the reduction in this year's and next year's budget. Chairman Berwanger and Supervisor Kushner confirmed that everyone is aware.*

*J. Hoyt spoke to the location of artists. She explained that the Arts Council promotes Wyoming County to Artists as a great place to live.*

*Jerry Sahrl questioned allegations from the last meeting relating to county vehicles. Chairman Berwanger explained that the allegations were unfounded. Mr. Sahrle spoke of the dangers of fluoride in municipal water. He also spoke to the efficiency of wind turbines, overweight trucks on roads.*

*S. Perkins, Env. Health Director spoke to the issue of Fluoride in municipal water. Recommendations are taken from American Dental Society.*

*In closing the last gentleman to speak asked if it would be okay to offer a prayer. Chairman Berwanger granted him permission, if he provided the blessing...*

### **Recommended reading:**

#### **NYS Association of Counties Reports:**

- **Reforming Mandates, Reducing Costs**

[http://www.nysac.org/documents/ReformingMandates\\_NYSACReport\\_001.pdf](http://www.nysac.org/documents/ReformingMandates_NYSACReport_001.pdf)



- **The County Perspective (Legislative Priorities Post State Budget Enactment)**

<http://nysac.org/legislative-action/documents/AssemblyLocalGovernmentCommitteeTestimony-4-22-15.pdf>

- **Home Rule Sales Tax Authority**

<http://nysac.org/legislative-action/documents/NYSACreport-Homerulesalestaxauthority.pdf>

- **Economic Development**

<http://nysac.org/legislative-action/documents/NYSACReport-EconomicDevelopment.pdf>

- **Allocating NY's Billion\$ in Bank Settlements**

<http://nysac.org/legislative-action/documents/NYSACReport-AllocatingSurplusFunds.pdf>

- **Supporting Agriculture in NYS**

<http://nysac.org/legislative-action/documents/NYSACreport-Agriculture.pdf>

- **Lowering Property Taxes in New York State**

<http://nysac.org/legislative-action/documents/NYSACreport-LoweringPropertyTaxes.pdf>

- **Efficiency / A Toolkit to County Government Efficiency**

<http://nysac.org/legislative-action/documents/NYSACreport-LoweringPropertyTaxes.pdf>

- **101 Ways Counties Serve New Yorkers and Strengthen the Quality of Our Communities**

<http://nysac.org/documents/NYSAC101Ways.pdf>

- **Enacted 2015-16 State Budget Summary**

<http://nysac.org/documents/Enacted2015-16StateBudgetSummary1.pdf>

*There being no further business to come before this Board, the meeting was adjourned at 12:48 PM.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

May 30 2015

**Statement of Paul Emens & Diane LaFreniere**  
**4284 Fairview Rd.**  
**Castile, NY 14427**

We would like to thank you for this opportunity to address our fellow taxpayers and the governing body of Wyoming County. Paul regrets he cannot be here tonight, but this statement speaks for both my husband and me.

There are many words one could use to describe the proposed tax increase: outrageous, overreaching, unfair, impolitic, and disappointing would all be appropriate. The list would be a long one. Some stronger words would likely make the list.

Firstly, the request for such a large tax increase can only be described as the result of inept and short-sighted governing. There is no reason why Wyoming County should not have looked forward and planned accordingly, requesting a smaller tax increase over a period of time. This proposed increase is sudden and a grotesque burden on the taxpaying citizens. It says the County failed, didn't plan ahead and had no contingency plan other than a wickedly high tax increase. This is failure.

In fact Wyoming County, because it has for years failed in developing a viable business plan, relies almost entirely on dairy farms and wind turbines as a source of income and employment; attracting other sources of jobs and income is sadly slow, incomplete and essentially absent.

Are people moving to Wyoming County? NO. They are leaving. Yes. Why? Because we have no decent job market to offer. This tax makes it even worse with regard to attracting new jobs and business. Wyoming County offers not incentives, but DISincentives. This tax increase doubles down on failure and goes exactly in the WRONG direction.

As bad as it is for business, it is terrible for we taxpayers. Property tax increases directly impact the value of our homes. A heavy tax burden is a dead weight, forcing property value DOWN. Ironically, that depression of home values also negatively impacts the county's ability to achieve a stable tax base. If you solve your short-term problems with a heavy tax you damage your future. It's bad policy. Bad for us, bad for the county.

Aside from this tax increase highlighting poor management of our county, it is a tremendous burden on our citizens. Truly, how many among us have plans for such a large increase? It is a burden, pure and simple.

For those of us who are retired and living on fixed incomes this tax increase is hurtful. Social Security increases in the recent past have been in the range of 1.7%. We are now asked to absorb a tax increase some five times bigger than any retirement distribution. Some people will be pushed beyond the edge and be forced to sell.

This tax increase is absurd. It's unbelievable. It's WRONG. That's the bottom line: This tax increase is WRONG; wrong for the people, wrong for business and wrong for the county's future.

**REGULAR SESSION**  
**(June 9, 2015)**  
**Tuesday**  
**2:30 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

**Kenneth J. Waldradt**

Kenneth J. Waldradt was born in Warsaw during the fall of 1968. He enjoyed the outdoors and could often be found playing soldier in the woods with friends. He was involved in the Future Farmers of America and trained in agriculture mechanics. After graduating from Letchworth High School, he realized there was more to life than hanging with others who had no plans for the future. Mr. Waldradt thought it an honor to serve one's country; something he could be proud of. He joined the United States Army to become an infantryman/combat medic.

Kenneth successfully completed Basic and Advanced Training at Fort Benning Georgia. As a Mechanized Infantry Gunner on a Bradley tank, he deployed to Garlstead Germany to join the 2<sup>nd</sup> Armored Division in early 1989. It was there he not only witnessed German unification due to the fall of the Berlin wall, but took swings with a sledgehammer along with the jubilant crowd. During a Battalion Formation about a year later, rumors swirled that his company would ship to the Southwest Asia Theater of operation. They were trained in a forest environment so he did not expect to do battle in the desert.

Shortly thereafter, Mr. Waldradt deployed to Iraq where his company was the *Tip of the Spear* in the opening days of "Operation Desert Storm". They first encountered the regular Iraqi Army, some of whom surrendered almost immediately, taken prisoner and their weapons destroyed. However, when they confronted Sadaam's elite Republican Guard, the fighting became vicious. During one long battle, his company was pinned in a low-lying position taking

June 9, 2015

heavy fire. Under cover of darkness, Mr. Waldradt led a small team of infantrymen to the building from where the barrage of munitions was being fired. Once in place, they planted and detonated explosive charges. This tactic surprised the enemy, destroyed part of the structure and allowed friendly forces to capture the position. Mr. Waldradt finished the enlistment and received an honorable discharge. For his courage and valor, Mr. Waldradt earned the:

Bronze Star Medal  
 US Army Achievement Medal  
 National Defense Service Medal  
 Army Service Ribbon  
 Overseas Service Ribbon  
 Southwest Asia Service Medal  
 Sharpshooter Marksmanship Badge ~ M-16  
 Sharpshooter Marksmanship Badge ~ Grenade

Currently, Mr. Waldradt lives in Warsaw with his wife, Felicia where he enjoys spending time with his two daughters and son ranging in age from 22 to 24. He still appreciates the outdoors while hunting and fishing. Mr. Waldradt also devotes time to volunteerism and helping others.

*The pledge was said by all.*

Chairman Berwanger invited Town of Warsaw Supervisor, B. Ryan to join him in the presentation of the customary certificate of appreciation to Mr. Waldradt and an opportunity to address the Board. At which time Mr. Waldradt reminded the Board that Freedom isn't Free...

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

**#1**

## **RESOLUTION NO. 15-218 (June 09, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

### **JUNE 2015 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

Regular Meeting

**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 113 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; and

**WHEREAS**, The top three leading dairy counties in New York State are Wyoming, Cayuga, and St. Lawrence; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim June 2015 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: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*After the Roll Call Vote was taken and Resolution Number 1 approved, Chairman Berwanger invited Supervisor Brick, T/Perry to the podium to present the Dairy Month Proclamation and to introduce Allyson Herrick as this year's Wyoming County Dairy Princess.*

*A Certificate of Recognition by the Board of Supervisors was also presented to Ms. Herrick*

*Ms. Herrick thanked Supervisor Brick for the introduction and expressed to the Board of Supervisors how pleased she was to be this year's winner. She has participated in the Dairy Princess program for several years and is proud to represent an industry she loves.*

### **Communications ~**

*Clerk Ketchum explained that there are two pieces of communications attached to the agendas for Supervisors to read at their leisure...*

- Senator Patrick M. Gallivan ~
  - Letter dated May 27, 2015 acknowledging receipt of Resolution Number 15-198 supporting Senate Bill S.4240.
- New York State Association of Counties , Exec. Director Stephen Acquario ~
  - Letter dated May 22, 2015 acknowledging receipt of Resolution Number 15-198 from the May 12, 2015 Board of Supervisors' meeting).

June 9, 2015

**RESOLUTION NO. 15-219  
(June 09, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2015 accounts as follows:

<b>Hospital/CIP</b>			
<b>From:</b> 08.56.4511.4.40321 Special Insp./Testing 08.56.4511.4.42107 SNF Contingency <b>To:</b> 08.56.4510.4.42107 WCCH Contingency 08.56.9901.9.99002 Interfund Transfer <b>Reason:</b> To reflect the debt reduction payment adopted in the 2015 budget with remaining project funds.	\$26,166.43 321,202.27	\$47,368.70 300,000.00	
<b>Hospital/CIP Total</b>			<b>\$347,368.70</b>
<b>Budget/Reimbursement</b>			
<b>From:</b> 01.33.1340.1.10001 Salaries S/D/I <b>To:</b> 01.33.1231.1.10601 Unused Vacation <b>Reason:</b> To cover the cost of unbudgeted unused vacation.	\$652.00	\$652.00	
<b>Budget/Reimbursement Total</b>			<b>\$652.00</b>
<b>County Clerk / Dept. of Motor Vehicle</b>			
<b>From:</b> 01.34.1411.8.89001 Medical/Hosp. Ins <b>To:</b> 01.34.1411.4.40101 Property Insurance <b>Reason:</b> Payment of deductible for Insurance recovery funds	\$ 750.00	\$750.00	
<b>County Clerk / Dept. of Motor Vehicle Total</b>			<b>\$750.00</b>
<b>District Attorney</b>			
<b>From:</b> 01.32.1167.1.10101 Full Time CSEA 01.32.1167.8.81001 Retirement 01.32.1167.8.82002 Disability 01.32.1167.8.83001 FICA 01.32.1167.8.85001 Medicare 01.32.1167.8.86001 EAP 01.32.1167.8.89001 Medical Ins. 01.32.1167.8.89002 HRA <b>To:</b> 01.32.1167.4.40402 Conf/Convent 01.32.1167.7.40405 Employee Expenses 01.32.1167.4.40406 Employee Mileage 01.32.1167.4.41202 Printing 01.32.1167.4.41010 Misc. Ofc. Supp. <b>Reason:</b> Transfer funds to match state grant budget.	\$ 76.00 1,555.00 14.68 4.00 1.00 .60 7,003.84 3,712.80	\$3,750.51 369.41 200.00 500.00 7,548.00	
<b>District Attorney Total</b>			<b>\$12,367.92</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#3**

**RESOLUTION NO. 15-220**  
**(June 09, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2015 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2015 accounts as follows:

<b>Office for the Aging</b>			
<b>To:</b> 01.44.6772.4.40508 Private Auto Repair w/01.08.6772.2680 Insurance Recovery <b>Reason:</b> To cover cost of repairs to 2013 Equinox.	\$479.20	\$479.20	
<b>Office for the Aging Total</b>			<b>\$479.20</b>
<b>Animal Control</b>			
<b>To:</b> 01.37.3510.1.10202 Temporary Employee 01.37.3510.1.10601 Unused Benefit Time 01.37.3510.8.83001 FICA 01.37.3510.8.85001 FICA / Medicare 01.37.3510.8.86001 EAP w/ <i>any funds available</i> <b>Reason:</b> To cover the cost of approved temporary employee and unused benefit time.	\$5,000.00 787.00 360.00 84.00 10.50	\$6,241.50	
<b>Animal Control Total</b>			<b>\$6,241.50</b>
<b>Sheriff Department</b>			
<b>To:</b> 01.37.3110.4.41317 207c Consult & Expense w/ <i>any funds available</i> <b>Reason:</b> Pay for unbudgeted expenses for employee 207c.	\$27,500.00	\$27,500.00	
<b>Sheriff Department Total</b>			<b>\$27,500.00</b>

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills with the exception of \$233.32, a bill presenting a discrepancy, totaling a corrected **\$1,863,832.24** for the month of **May 2015**.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

**#4**

**RESOLUTION NO. 15-221**  
**(June 09, 2015)**

June 9, 2015

By Mr. Tarbell, Chairman of Human Resource Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. E  
YEAR 2015**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 9<sup>th</sup> day of June, 2015, a proposed local law entitled, “Local Law Introductory No. E, Year 2015, **“A LOCAL LAW TO CONTINUE TO IMPOSE A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE 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

**BE IT RESOLVED**, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **14<sup>th</sup> day of July, 2015 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

**Carried: XXX   Ayes: 1580   Noes:   Absent: 19 (Genesee Falls)   Abstain:**

**INTRODUCTORY LOCAL LAW NO. E - YEAR 2015**

**A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008**

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

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

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

**SECTION 1.** This local law hereby repeals local law number 8 of 2008 which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 8 of 2008 is not retroactive. The purpose of the repeal is to make clear that this 2015 local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.



**SECTION 2. IMPOSITION OF TAXES.** For the period commencing November 1, 2015 and ending December 01, 2018, there is hereby imposed in Wyoming County a tax of twenty five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00). County of Wyoming,

**SECTION 3. APPLICABILITY.** The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local law, all the provisions of Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase “within this state” shall be read as “within Wyoming County,” unless a different meaning is clearly required.

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

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

**SECTION 5. ADDITIONAL TAXES.** A tax imposed pursuant to the authority of this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

**SECTION 6. DISPOSITION OF TAXES.** Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Wyoming during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such recording officer on or before the tenth day of each succeeding month to the Treasurer of Wyoming County and, after the deduction by such Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Wyoming for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section of Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

**SECTION 7. EFFECTIVE DATE.** This local law shall become effective November 1, 2015 and ending December 01, 2018.

DATED at Warsaw, New York  
June 09, 2015 (Introduced)  
Cheryl J. Ketchum  
Clerk

*There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #9. A voice vote was taken and all voted aye.*

#5

**RESOLUTION NO. 15-222  
(June 09, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**FLAG DAY AND FLAG WEEK PROCLAIMED**

Regular Meeting

**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, 2015 as Flag Day and June 14 ~ 20, 2015 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.

June 9, 2015

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#6

**RESOLUTION NO. 15-223  
(June 09, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CAROL GLOR AND DONNA MORGAN APPOINTED  
TO THE OFFICE FOR THE AGING ADVISORY COUNCIL**

**BE IT RESOLVED**, That the following members are hereby appointed to the Office for the Aging Advisory Council:

**Town Representative**

***To fill a vacant unexpired three (3) year term; effective June 9, 2015, through December 31, 2016***

- Carol Glor (T/Middlebury), 1253 State Route 19, Wyoming, NY 14591 (replacing Carol Brown term expiring December 31, 2016)

**Community Representative**

***To fill a vacant unexpired three (3) year term; effective June 9, 2015, through December 31, 2015***

- Donna Morgan, 1098 Wyoming Road Wyoming, NY 14591 (replacing John Barrett term expiring December 31, 2015)

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#7

**RESOLUTION NO. 15-224  
(June 09, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS ON BEHALF OF THE YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the following individuals and agencies, on behalf of the Youth Bureau, for the provision of Pre-School Related Services and/or Pre-School Special Education Services (as noted) in an amount not to exceed 2015 ~ 2018 budget; variable depending on number of services performed and effective July 1, 2015 through June 30, 2018:

Regular Meeting

**Aurora Audiology ~ RS**

97 Hamburg Street  
East Aurora, NY 14052

**Karen Brown ~ RS**

4588 Conway Road  
East Bethany, NY 14054

**Buffalo Hearing & Speech~ RS/SED**

50 East North Street  
Buffalo, NY 14203

**Building Blocks Comprehensive Services~ RS/SED**

275 Parrish Street  
Canandaigua, NY 14424

**Erin Dressel ~ RS**

1087 Friedman Road  
Attica, NY 14011

**Candy Hodnett ~ RS**

49 Higgins Creek Road  
Fillmore, NY 14735

**Chelsie Callan ~ RS**

31 Woodcrest Drive  
Batavia, NY 14020

**Learning Ladder Therapeutic Association, Inc. ~ RS**

10495 Manchester Road  
Boston, NY 14025

**Letchworth Central School ~ RS**

5550 School Road  
Gainesville, NY 14066

**Letchworth Little Learners ~ SED**

5550 School Road  
Gainesville, NY 14066

**Carol Casey ~ RS**

75-2 Carriage Drive  
Orchard Park, NY 14127

**Larissa Cox ~ RS**

4133 Centerline Road  
Warsaw, NY 14569

**Terri Humberstone ~ RS**

7064 Standpipe Road  
Perry, NY 14530

**Integrated Therapy Services of WNY ~ RS**

25 Liberty Street  
Batavia, NY 14020

**Kidstart ~ RS/SED**

18 Main Street  
Mt. Morris, NY 14510

**Kelly Kloc ~ RS**

504 Mill Road  
East Aurora, NY 14052

**Kimberly Rowland ~ RS**

73 Bristol Lane  
Ellicottville, NY 14731

**League for the Handicapped dba The Children's League ~ RS/SED**

393 North Street  
Springville, NY 14141

**Pioneer Central School ~ RS/SED**

12145 County Line Road, POB 579  
Yorkshire, NY 14173

**Rainbow Preschool ~ RS/SED The ARC of Orleans Co.**

243 South Main Street, Suite 220  
Albion, NY 14411

374

**Jessica Scheidt ~ RS**  
5957 Bauer Road  
Warsaw, NY 14569

**Rob Zentz ~ RS**  
3700 June Drive  
P.O. Box 41  
Silver Lake, NY 14549

**Sandra DeVoe ~ RS**  
10725 Molasses Hill Road  
Alexander, NY 14005

**Southtowns Children's  
Associates ~ RS**  
43 East Main Street  
Springville, NY 14141

**SLC Therapy of Western NY  
~ RS**  
5544 Main Street, 2<sup>nd</sup> Floor  
Williamsville, NY 14221

**Therapeutic Link for Children  
~ RS/SED**  
6167 West Quaker Street  
Orchard Park, NY 14127

**Theresa Lehman ~ RS**  
32 Mission Hill Drive  
Brockport, NY 14420

**Wee Can Preschool ~ SED**  
40 Centre Drive  
Orchard Park, NY 14127

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#8**

**RESOLUTION NO. 15-225**  
**(June 09, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

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

**BE IT RESOLVED,** That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with New York State Office of Children Family Services, Capital View Office Park, 52 Washington Street Rensselaer, NY 12144-2796 on behalf of the Youth Bureau. Said funding is for Youth Bureau administration costs, Stars of Tomorrow Program, Omega Program, Youth Court Program, and ABC's of Parenting Program in a minimum amount of thirty-seven thousand seven hundred seventy-eight dollars (\$37,778.00); effective January 1, 2015 through December 31, 2015.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#9**

Regular Meeting

**RESOLUTION NO. 15-226**  
**(June 09, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

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

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Social Services, with the approval of the County Attorney, are hereby authorized and directed to sign a contract with the following agencies for Foster Care Services; effective July 01, 2015 through June 30, 2016:

- **Gustavus Adolphus ~** Lutheran Social Services, 200 Gustavus Avenue, Jamestown, NY 14701 for four (4) children; not to exceed two hundred two thousand six dollars (\$202,006.00)
- **New Directions**, 6395 Old Niagara Road, Lockport, NY 14094-1499 for four (4) children; not to exceed three hundred forty-nine thousand two hundred sixty-eight (\$349,268.00).
- **Hillside Family of Agencies**, including:
  - **Hillside Children's Center**, 1183 Monroe Avenue, Rochester, NY 14620-1699
  - **Snell Farm Children's Center**, 7320 Snell Hill Road, Bath, NY 14810
 for thirty (30) children plus eleven (11) in regular Foster Care for a total of forty-one (41) children; not to exceed one million four hundred fifty-four thousand fifty-five dollars (\$1,454,055.00)

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*At the conclusion of the Roll Call vote for resolutions 5 through 9 Supervisor Grant was invited to the podium by Chairman Berwanger to present the Flag Day/Flag Week proclamation.*

*In addition to this presentation she offered a special recognition to Mrs. Deb Vosburg, who recently announced her retirement as July 4<sup>th</sup>, 2015, as Commissioner Rumsey explained, her Independence Day!!*

June 9, 2015

*In addition to inviting Mrs. Vosburg to join her at the podium, Unit Supervisor Kim Barber and Commissioner Rumsey joined her.*

*Commissioner Rumsey also offered a few very heartfelt words in appreciation of her time, patience, knowledge and mentoring to all she worked with over the 38 plus years with the department.*

*There was a motion by Mrs. Ryan, T/Warsaw, to withdraw resolution #10 at the request of the Department and combine resolutions #11 through #12. A voice vote was taken and all voted aye.*

#10

**RESOLUTION NO. 15-  
(June 09, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND  
ACCEPTANCE AWARD WITH MENTAL HEALTH ASSOCIATION OF  
NEW YORK STATE (MHANYS) ON BEHALF OF THE MENTAL  
HEALTH DEPARTMENT**

**BE IT RESOLVED:** That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with Mental Health Association of New York State (MHANYS), 19 Washington Avenue, Suite 415, Albany, NY 12210 on behalf of the Mental Health Department. Said funding is for suicide prevention in a minimum amount of six thousand dollars (\$6,000.00) with a three thousand dollars (\$3,000.00) county match; effective July 1, 2015 through December 31, 2015.

**Carried:      Ayes:      Noes:      Absent:      Abstain:**

#11

**RESOLUTION NO. 15-227  
(June 09, 2015)**

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 516, Riverview Center, Menands, NY on behalf the County Health Department. Said grant funding is for Public Health Emergency Preparedness Program Services in a minimum amount of fifty-two thousand ninety-six dollars (\$52,096.00); effective July 1, 2015 through June 30, 2016.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #12**

**RESOLUTION NO. 15-228  
(June 09, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 15-99 AMENDED**

**WHEREAS**, Resolution Number 15-99 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN GRANT APPLICATIONS AND ACCEPTANCE AWARDS WITH NEW YORK STATE DEPARTMENT OF HEALTH, CENTER FOR COMMUNITY HEALTH, DIVISION OF CHRONIC DISEASE PREVENTION ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on March 10, 2015 and provides Clinical Services Provider Payments in a minimum amount of not to exceed forty four thousand eighty-seven dollars (\$44,087.00); effective April 1, 2015 through March 31, 2016; now therefore

**BE IT RESOLVED**, That Resolution Number 15-99 be hereby amended to reflect an amendment to the Clinical Services Provider payments in a *maximum amount* of forty-four thousand eighty-seven dollars (\$44,087.00). All else remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: Non-Consent #13**

**RESOLUTION NO. 15-229  
(June 09, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

June 9, 2015

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

**BE IT RESOLVED**, That Mark Dadd, 166 Main Street, Attica NY 14011 be hereby appointed to the Wyoming County Industrial Development Agency Board of Directors to fill the vacant term formerly held by James Morey; effective immediately through April 11, 2018; and be it

**FURTHER RESOLVED**, That Rebecca Ryan, T/Warsaw Supervisor, 172 West Buffalo Street, Warsaw, NY 14569 be hereby appointed to the Wyoming County Industrial Development Agency Board of Directors to fill the term formerly held by Norbert Fuest; effective immediately through December 31, 2015; and be it

**FURTHER RESOLVED**, That A. Douglas Berwanger, Chairman of the Wyoming County Board of Supervisors, 6608 East Arcade Road, Arcade NY 14009 be hereby appointed to the Wyoming County Industrial Development Agency Board of Directors to fill the term formerly held by Sandra King; effective immediately through December 31, 2015.

**Carried:** XXX **Ayes:** 1444 **Noes:** 88 (Java) **Absent:** 19 (Genesee Falls) **Ab stain:**  
48 (Pike)  
 136

### **Wyoming County Video Contest Awards ~**

*Supervisor Leuer, T/Middlebury introduced Meghan Nulty, Director of Tourism for Wyoming County Chamber of Commerce. Ms. Nulty explained the contest and the process for selecting the winners. After the viewing of each video, winners were presented with a check!!*

*Town Supervisors from Attica, Middlebury and Pike presented the County Certificates to the award winners.*

### **Theme ~ “Wyoming County, a great place to live, work and play”**

- **Winners:**

- \$250.00 ~ Shaylene Balon, Allison Russell & Hannah Stocksclaeder ~ Attica, NY
  - \$250.00 to Attica Girl Scout Troop #92022
- \$150.00 ~ Olivia Karasiewicz ~ Pike, NY
  - \$150.00 to the Letchworth Fine Arts Bureau
- \$100.00 ~ The Spicer Family ~ Middlebury, NY
  - \$100.00 to the Wyoming County 4-H Program

*After each presentation, there was a brief interruption of the meeting while attending members of the press took pictures.*

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #14 through #19. A voice vote was taken and all voted aye.*

#14

**RESOLUTION NO. 15-230**  
**(June 09, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE  
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 the County of Monroe, Public Safety Laboratory, 150 South Plymouth Avenue, 5<sup>th</sup> Floor, Rochester NY 14614 on behalf of the Sheriff's Department. Said contract will provide forensic laboratory services in an amount not to exceed twenty-five thousand four hundred twenty-five dollars (\$25,425.00); effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#15**

**RESOLUTION NO. 15-231**  
**(June 09, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GLOBAL  
TEL\*LINK CORPORATION ON BEHALF OF THE COUNTY JAIL**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Global Tel\*Link Corporation, 12021 Sunset Hills Road, Suite 100, Reston, Virginia 20190 on behalf of the County Jail. Said contract is inmate telephone services in a minimum amount of fifty-five percent (55%) of the gross revenue billed or prepaid (revenue contract); effective July 29, 2015 through July 28, 2020.

June 9, 2015

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#16**

**RESOLUTION NO. 15-232**  
**(June 09, 2015)**

By Mr. Copeland, 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 in accordance with Section 225-a of the County Law for a term of one year; effective ***July 01, 2015 through June 30, 2016:***

Arcade	Gregory Landis	782 Geer Rd., Arcade, NY 14009
Attica	Terry Snyder	37 Buffalo St., Attica, NY 14011
Bennington	Joseph Heller Jr.*	1290 Maxon Rd., Attica, NY 14011
Bliss	Richard Maher	3248 Rt. 39, Bliss, NY 14024
Castile	Michael Lindsay*	6555 W. Center Rd., Castile, NY 14427
Cowlesville	Wilson Wild*	1336 E. Blood Rd., Cowlesville, NY 14037
Gainesville	Gregory Lockwood	32 N. Main St., Gainesville, NY 14066
Harris Corners	Steven Mest*	1988 Burrough Rd., NY 14037
North Java	Raymond Wilson	1464 Beaver Meadow Rd. Java Center, NY 14082
Perry	Frederick Eichoff*	33 Dolbeer St., Perry, NY 14530
Perry Center	James Brick	7618 Rt. 20A, Perry, NY 14530
Pike	Richard Vanderploeg*	7520 Rt. 19, Gainesville, NY 14066
Sheldon	Richard Brzezicki, Jr.	2830 Valley View Ln., Strykersville, NY 14145
Silver Springs	John Proper	80 Orchard St., PO Box 183, Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Rd., Strykersville, NY 14145
Varysburg	Adam Vetter*	PO Box 632, Varysburg, NY 14167
Warsaw	Douglas Ingles*	91 Center St., Warsaw, NY 14569
Wyoming	John Moore*	911 Tower Rd., Wyoming, NY 14591

\*denotes new delegates

Members At-Large for towns without Departments:

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

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#17**

Regular Meeting

**RESOLUTION NO. 15-233**  
**(June 09, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**RESOLUTION NUMBER 14-159 AMENDED**

**WHEREAS**, Resolution Number 14-159 entitled, “**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**,” passed by this Board of Supervisors on April 8, 2014 and provides for various contracts on behalf of the Wyoming County Emergency Services; now therefore

**BE IT RESOLVED**, That Resolution Number 14-159 be hereby amended to extend the expiration date of the B-Com Communications (Bruce James) contract through the completion of the project. All else remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#18**

**RESOLUTION NO. 15-234**  
**(June 09, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

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

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wilmac, 73 State Street, Rochester, NY 14614 on behalf of the Emergency Services. Said contract will provide maintenance for NRX & Inform for 24/7 on-site and remote support coverage in an amount not to exceed six thousand seven hundred ninety dollars (\$6,790.00); effective June 1, 2015 through May 31, 2015.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#19**

**RESOLUTION NO. 15-235**

June 9, 2015

(June 09, 2015)

By Mr. Copeland, 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 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 New York State Division of Criminal Justice Services, 80 South Swan Street, Albany, NY on behalf the Public Defender. Said grant funding is for the Indigent Parole Program in a minimum amount of one hundred eighty thousand dollars (\$180,000.00); effective April 1, 2015 to March 31, 2016.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #20 through #23. A voice vote was taken and all voted aye.*

#20

**RESOLUTION NO. 15-236  
(June 09, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH EWS ENTERPRISES, LLC ON BEHALF OF  
BUILDINGS & 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 a bid and sign contracts with EWS Enterprises, LLC 127 Kensington Dr., Utica, NY 13501 on behalf of the Buildings and Grounds (Co. Bldgs.). Said bid award is for sealing and striping various identified County parking lots in an amount not to exceed nineteen thousand eight-five dollars and ninety-seven cents (\$19,085.97); effective June 9, 2015 through completion of project.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

#21

Regular Meeting

**RESOLUTION NO. 15-237**  
**(June 09, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN TO ACCEPT THE “*County of Erie Bid for Construction and Maintenance Materials*” AND EXERCISE THE RIGHT TO “PIGGYBACK” AS AN ELIGIBLE POLITICAL SUBDIVISION UNDER GML §103 (16)**

**BE IT RESOLVED**, That the Chairman of this Board and the Superintendent of Buildings and Grounds (Co. Bldgs.), with the approval of the County Attorney, are hereby authorized and directed to accept the “*Erie County Bid Award for Construction and Maintenance Materials*” and exercise the right to “piggyback” the award as an eligible political subdivision under GML §103 (16). Bid awarded to Suit-Kote Corporation, 505 Como Park Boulevard, Buffalo, NY 14227; and be it

**FURTHER RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign any and all required documentation with Suit-Kote, 57 Lister Street, Jamestown, NY 14701 for the micropaving of the Courthouse campus parking lot and the secured parking lot at the Jail in an amount not to exceed twenty thousand dollars (\$20,000.00); effective June 09, 2015 through completion of project.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain: #22**

**RESOLUTION NO. 15-238**  
**(June 09, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH E. J. MILITELLO CONCRETE, 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 a bid and sign contracts with E. J. Militello Concrete, Inc., 8565 Roll Road, Clarence Center, NY 14032 on behalf of the County Highway. Said bid is for Cast in Place Curb in an amount not to exceed nine thousand dollars (\$9,000.00); effective June 9, 2015 through completion of project.

June 9, 2015

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#23**

**RESOLUTION NO. 15-239**  
**(June 09, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 ENVOY ENVIRONMENT CONSULTANTS, INC. ON BEHALF OF  
 BUILDINGS & GROUNDS (CIP)**

**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 Environment Consultants, Inc., 57 Ambrose Street, Rochester, NY 14608 on behalf of Buildings and Grounds (CIP). Said contract is for asbestos abatement for the Highway Renovation Project in an amount not to exceed twelve thousand five hundred seventy-five dollars and one cent (\$12,575.01); effective March 25, 2015 through completion of the project.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #24 through #28 with a correction to resolution number 24. The CSEA ~ General Group rate is \$14.30/employee/month vs. the \$14.50/employee/month noted. A voice vote was taken and all voted aye.*

**#24**

**RESOLUTION NO. 15-240**  
**(June 09, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**DISABILITY INSURANCE RATE WITH THE GUARDIAN LIFE  
 INSURANCE COMPANY OF AMERICA APPROVED**

**BE IT RESOLVED**, That rates for statutory New York State Disability Insurance coverage with The Guardian Life Insurance Company of America, 400 Willowbrook, Suite 450, Fairport, NY 14450 for the following employees are hereby approved; effective:



- **July 1, 2015 through June 30, 2016**

- ❖ CSEA ~ General Group:
  - \$14.30/employee/month
- ❖ County & Hospital Management:
  - \$6.95/ee/month
- ❖ CSEA ~ WCCH Supervisory:
  - \$5.75 female/month; \$2.60 male/month

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#25

**RESOLUTION NO. 15-241  
(June 09, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION NUMBER 14-145 AMENDED**

**WHEREAS**, Resolution Number 14-145 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on March 26, 2014 and provides various contracts on behalf of the Wyoming County Community Health System; now therefore

**BE IT RESOLVED**, That Resolution Number 14-145 be hereby amended to rescind the **UNIVERSITY OF ROCHESTER MEDICAL CENTER** three-year agreement to provide urology services at Wyoming County Community Health System two (2) days per week forty-seven (47) weeks per year at a rate of two hundred eight thousand fifty-six dollars (\$208,056.00) per year effective immediately.

All else remains the same.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
#26

**RESOLUTION NO. 15-242  
(June 09, 2015)**

June 9, 2015

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, 2014 through March 31, 2015 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

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling **\$32,783.84** (thirty-two thousand seven hundred eighty-three dollars and eighty-four cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TOWNS</b>	<b>REVENUE SHARING DISTRIBUTIED</b>
Arcade	\$4,220.61
Attica	\$3,945.80
Bennington	\$3,967.48
Castile	\$1,953.72
Covington	\$502.24
Eagle	\$989.19
Gainesville	\$1,500.51
Genesee Falls	\$381.46
Java	\$3,552.72
Middlebury	\$1,096.20
Orangeville	\$641.41
Perry	\$2,343.28
Pike	\$378.17
Sheldon	\$2,000.11
Warsaw	\$4,771.22
Wethersfield	\$539.72
<b>Grand Totals:</b>	<b>\$32,783.84</b>

Let this be your Warrant for Such Payment: **\$32,783.84** (thirty-two thousand seven hundred eighty-three dollars and eighty-four cents). IN WITNESS

WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 9<sup>th</sup> day of June, 2015.

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

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#27**

**RESOLUTION NO. 15-243**  
**(June 09, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**POSITION CREATION(S)/REDUCTION/EXTENSION 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 Assessor (Temp.) (Per Diem) (position code #080.002) on Salary Schedule “S” at \$21.97/hr. not to exceed \$4,000.00 with only those benefits mandated by law; effective June 13, 2015 through September 30, 2015.
- Reduce one (1) position of Real Property Tax Services Aide (position code #006.206) to part time (25 hrs./wk.), formerly 35 hours per week; effective June 22, 2015.

***Sheriff's Office***

- Create two (2) positions of Dispatcher, PT on Wyoming County Sheriff's Employees Association grade 2 (\$16.24 - \$21.96) with only those benefits mandated by law; effective June 10, 2015.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**  
**#28**

**RESOLUTION NO. 15-244**  
**(June 09, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**SALARY SCHEDULE “S” AMENDED**

June 9, 2015

**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”**

***County Historian***

- Set the salary of Assistant County Historian, PT (21 hrs/wk) (position code #001.081) at \$9.15/hr. (\$10,056.00 annually) with only those benefits mandated by law; effective June 1, 2015. Upon successful completion of six (6) months' probation, set the salary at \$9.25/hr. (\$10,166.00 annually); effective December 1, 2015.

***Public Health***

- Set the stipend for the Director of Environmental Health at \$17,000.00 annually for responsibilities relating to the Wyoming County Water Resource Agency; effective July 1, 2015.
- Set the stipend for the Public Health Sanitarian at \$22.14/hr. for up to 5 hours per week not to exceed \$5,756.40 annually for responsibilities relating to the Wyoming County Water Resource Agency; effective January 1, 2015 to June 30, 2015.

***Mental Health***

- Set the salary of Fiscal Officer I (position code #010.282) at \$35,000.00 annually; effective May 27, 2015.

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*Prior to the Roll Call vote being taken, Chairman Berwanger explained that the comments made during last month's public hearing were heard and that revisions were made to the proposed local law presented at that time. Further, Chairman Berwanger introduced Mark Dadd, Consultant to the County Attorney's office to further explain the revisions made by himself, Code Enforcement Officer D. Roberts and Env. Health Director S. Perkins.*

*At the conclusion of the explanation it was decided to hold another Public Hearing including a comment period to hear concerns over the proposed local law with amendments.*

*The Local Law will be held over and the record will be held open in order to receive written comment by the public.*

*Chairman Berwanger added that it is also important to note that several attempts were made to reach out to the people who spoke out last month relative*

*to the provisions of the proposed local law with no response. Therefore the local law will be tabled for one month.*

***Supervisor Copeland motioned that the local law be tabled for one month pending a new public hearing and comment period by the public. All present said Aye. One absent, (19 Genesee Falls).***

**Local Law  
#29**

**RESOLUTION NO. 15-  
(June 09, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**LOCAL LAW NO. 5 (INTRODUCTORY D) - YEAR 2015,  
“A Local Law Regulating Animal Shelters,” ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 14<sup>th</sup> day of April, 2015, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2015, entitled, “**A Local Law Regulating Animal Shelters;**” and

**WHEREAS**, In accordance with the provisions of Resolution No. 15-172, there was a public hearing held by this Board of Supervisors on the 12<sup>th</sup> day of May, 2015, 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 5, Year 2015, County of Wyoming, New York, as presented to this Board on the 9<sup>th</sup> day of June 2015, is hereby enacted in its amended form as follows:

**Local Law 5, Year 2015**

***This Local Law shall be entitled “A Local Law Regulating Animal Shelters”***

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

**WHEREAS**, the residents of Wyoming County have had a long-standing tradition of sound ethical care for domesticated companion animals, as

June 9, 2015

well as sound animal husbandry skills in the agricultural community that places a priority on the health, safety, and welfare of the animal;

**WHEREAS**, most Towns and Villages within the County have kennel laws that require the permitting and regulation of those facilities, none have laws regulating rescue animal shelters;

**WHEREAS**, recent conditions noted at animal shelter facilities within the county endangered the welfare of the animals being cared for, as well as the public visiting those facilities. These concerns have led to emergency interventions by Wyoming County officials, placing an unnecessary burden on the Wyoming County Animal Control Officer, Wyoming County Building and Fire Codes Department, Wyoming County Health Department, State and Local Law Enforcement, Wyoming County District Attorney's office, Wyoming County Court system and Wyoming County taxpayers.

**NOW, THEREFORE, IT IS HEREBY ENACTED AS FOLLOWS:**

### **SECTION 1. PURPOSE**

The purpose of this Local Law is to regulate animal shelters by requiring these facilities to be permitted by the County of Wyoming. Once enacted, all new and existing Animal Shelters must obtain an Animal Shelter Permit from the County of Wyoming.

### **SECTION 2. DEFINITIONS**

a. "Animal Shelter" shall mean any facility maintained or operated in Wyoming County that is sustained by public or private funds, for profit and/or non-profit, and serves as a temporary location for holding **10 or more** lost, stray, surrendered or abandoned domesticated companion **animals or 10 or more lost, stray, surrendered and abandoned** ~~and/or~~ farm animals, **AND operates 120 days or more in any calendar year**, until disposition by adoption or euthanasia is made.

b. "Application" shall mean the form, a sample of which is appended to this Local Law and as may be amended, used by the Chairman of the Wyoming County Board of Supervisors to determine the advisability of issuance of an Animal Shelter Permit to ensure compliance with all State and local statutes, rules, regulations and requirements and provide for review and written approval of:

1. Wyoming County Fire and Building Codes
2. Wyoming County Health Department

c. "Chairman" shall mean Chairman of the Wyoming County Board of Supervisors

d. "Permit" shall mean Animal Shelter Permit.

### **SECTION 3. FILING OF PERMIT APPLICATION**

The application, as appended and as may be amended by the Chairman, must be fully completed and submitted, with the appropriate fee, to the Chairman no less than less than 60 days prior to the proposed opening of a new facility. All existing Animal Shelters must apply for an Animal Shelter Permit within 90 Days of the filing of this Local Law.

### **SECTION 4. NECESSARY APPROVALS**

As required by the Application, the following County Departments must provide their written consent:

1. Wyoming County Fire and Building Codes
2. Wyoming County Health Department

The Applicant shall consent and allow the above Departments to perform, **annual inspections** and conduct inquiries at their sole discretion as deemed necessary. Any change to the facility or its operation as set forth in the Application must be reported to and approved in advance by the Chairman.

In addition, **if during one of the aforementioned inspections, sick and/or unhealthy animals are observed**, the Animal Shelter ~~must~~ **will** be **required to have an inspection** and/or review by a NYS Licensed Veterinarian, ~~at a minimum, on an annual basis~~ to ensure the health **and** safety ~~and adequate housing~~ of the animals. Documentation of these visits **MUST** be maintained on site and available upon request. **Any veterinarian expense associated with this requirement will be the responsibility of the facility owner.**

### **SECTION 5. DENIAL OF PERMIT**

The Permit shall not be granted if any of the items set forth in said Application are determined by the Chairman to be insufficient to properly ensure the safety, health, welfare and well-being of the animals, public visiting the facility and/or the property.

### **SECTION 6. ACTUAL ISSUANCE OF THE PERMIT**

The Permit, if approved, shall be issued in writing by the Chairman no greater than forty-five (45) days after receipt of the Application.

### **SECTION 7. NON-COMPLIANCE WITH THE PERMIT**

If after a Permit is issued, the County of Wyoming, through its lawful agents, determines that any of the items required as a condition of the Permit are not adhered to and accomplished within the time limits allowed, then this Permit may be revoked by the Chairman, unless the item of violation is promptly remedied within such time limits as may be reasonably imposed by

the Chairman. Notice of the Permit revocation shall be in writing, Certified Mail Return Receipt Requested, addressed to the applicant at the address set forth in the application, or by personal service.

### **SECTION 8. ENFORCEMENT AND PENALTIES**

Each violation of a provision of this Local Law shall be a Class A Misdemeanor and the person violating the same shall be subject to a fine of not more than \$1,000.00 or imprisonment not to exceed one year, or to both such fine and imprisonment.

Any person violating this Local Law shall be subject to a civil penalty enforceable and collectable by the County of Wyoming in the amount of \$1,000.00 for each offense.

In addition to the above provided penalties, the Wyoming County Board of Supervisors may also maintain an action or proceeding in the name of the County, in a Court of competent jurisdiction, to compel compliance with, or to restrain by injunction, the violation of such local law.

### **SECTION 9. SEPARABILITY**

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

### **SECTION 10. MISCELLANEOUS**

The Application may be amended in the discretion of the Chairman without further amendment of this Local Law.

### **SECTION 11. EFFECTIVE DATE**

This Local Law shall become effective upon the filing with the New York State Secretary of State.





## APPLICATION FOR ANIMAL SHELTER PERMIT

Wyoming County Government Center  
 143 North Main Street, Warsaw, NY 14569  
 Phone: (585) 786-8800  
 Fax: (585) 786-8802

*Pursuant to the provisions of Wyoming County Local Law No. \_\_\_\_\_ of 2015, this Animal Shelter Permit Application must be submitted no less than 60 days prior to the proposed opening of a new facility. All existing Animal Shelters must apply for an Animal Shelter Permit within 90 Days of the filing of this law.*

APPLICANT INFORMATION		
(Names of Individual Corporations, Partnerships or Other Groups Addresses, Names of Directors and Officers)		
	NAME	ADDRESS
<input type="checkbox"/> Individual Applicant		
<input type="checkbox"/> Partnership/Group (List Partners or Officers)		
<input type="checkbox"/> Non-Profit Organization (List Officers or Board of Directors)		
CONTACT INFORMATION		
Phone #'s: (Applicant) _____ (Shelter) _____		
Emergency Contact: (Name) _____ Phone#: _____		
Email: _____		
TYPE OF ANIMAL SHELTER		
<input type="checkbox"/> Dog <input type="checkbox"/> Cat <input type="checkbox"/> Dog & Cat <input type="checkbox"/> Other		
Proposed Number of Animals: Dogs _____ Cats _____ Other _____		
ADDRESS OF ANIMAL SHELTER BUILDING		
Street: _____ Town or Village: _____		
Town or Village Approval: <input type="checkbox"/> YES <b>**Copy of Approval Must Be Attached</b>		
BUILDING FLOOR PLAN		
(*Include all floor levels, label each room and indicate what the room will be used for)		
Copy of Floor Plan Attached: <input type="checkbox"/> YES		
(Certificate of Compliance to be issued by Wyoming County Building Department)		
WATER AND SEWAGE SERVING THE ANIMAL SHELTER		
Water Supply: <input type="checkbox"/> Public <input type="checkbox"/> Private – (Must Comply with Appendix 5-B NYS Sanitary Code)		

June 9, 2015

Sewage Disposal: <input type="checkbox"/> Public <input type="checkbox"/> Private – (Must be approved by Wyoming County Health Dept.)
<b>STORAGE AND/OR DISPOSAL OF ANIMAL WASTE</b>
Animal Waste Storage On Site: <input type="checkbox"/> YES <input type="checkbox"/> NO (Describe)
Animal Waste Disposal On Site: <input type="checkbox"/> YES <input type="checkbox"/> NO (Describe)
<b>RELEASE OF CLAIMS AND AGREEMENT TO INDEMNIFY AND HOLD HARMLESS</b>
To the extent permitted by law, the applicant agrees to defend, indemnify and hold harmless the County of Wyoming, its officers, directors, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses including reasonable legal fees and costs arising in whole or in part with the aforementioned Animal Shelter, by the applicant, its officers, directors, employees and subcontractors.
<b>ONE-TIME ANIMAL SHELTER PERMIT FEE TO BE SUBMITTED WITH APPLICATION</b>
<input type="checkbox"/> <b>\$20.00 (To be submitted with application)</b>
<b>CERTIFICATION OF APPLICANT</b>
All information provided in the above application is hereby true and correct and all statements contained herein are true to the best of my knowledge.
Date: ____/____/____
Signature: _____
Print Name: _____
Title: _____
*****For Office Use Only*****
Permit Fee Received: <input type="checkbox"/> Yes <input type="checkbox"/> No      Amount \$ _____      Date Received: ____/____/____
Approvals Received: <input type="checkbox"/> WC Fire & Building Codes <input type="checkbox"/> WC Health Department

**Carried:      Ayes:      Noes:      Absent:      Abstain:**

*Prior to the Roll Call vote being taken there was a correction to Unanimous Consent Resolution number 30 by Clerk Ketchum to remove Supervisor Vasile's name and County Coroner Jennifer Prutsman-Pfeiffer's name to allow for additional time to submit their record of activities. A resolution will be prepared for next month. A correction to the spelling of Supervisor Kehl's first name was also noted.*

**UC #30**

### RESOLUTION NO. 15-245 (June 09, 2015)

By Mr. Berwanger, Chairman of the Committee of the Whole:

Regular Meeting

## STANDARD WORK DAY AND REPORTING RESOLUTION

Title	Name	NYS Retirement Reg. #	Standard Work Day hrs/day	Term Begins/ Ends	Participates in Employer's Time Keeping System Y/N	Days/Month (based on record of activities)
<b>Elected Officials</b>						
Supervisor	Kehl, Bryan	XXXXXXXX	6	01/01/15-12/31/16	N	3.64
Supervisor	Tallman, David	XXXXXXXX	6	01/01/15-12/31/16	N	2.53
District Attorney	O'Geen, Donald	XXXXXXXX	7	01/01/15-12/31/18	Y	18.24
<b>Appointed Officials</b>						
Human Resource Director	Morley, Denise	XXXXXXXX	7	01/01/14-12/31/15	Y	20 / 30
Director of Aging and Youth	Aldinger, Andrea	XXXXXXXX	7	01/01/14-12/31/15	Y	20 / 30
Workmen's Comp. Program Admin.	Perkins, Dixie	XXXXXXXX	7	01/01/14-12/31/15	Y	20 / 30

**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:

**Carried: XXX Ayes: 1580 Noes: Absent: 19 (Genesee Falls) Abstain:**

*There being no further business to come before this Board, Chairman Berwanger thanked Wyoming County Dairy Princess, Allyson Herrick for attending and for providing the cheese and cracker reception, he also extended a heartfelt congratulations to John and Joan Knab upon their 53<sup>rd</sup> wedding anniversary.*

June 9, 2015

*Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 3:32 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

**SPECIAL SESSION**  
**(June 18, 2015)**  
**Thursday**  
**7:30 PM**

The special session of the Wyoming County Board of Supervisors was held at the Warsaw Central High School Auditorium, 81 West Court Street, Warsaw, New York with all Supervisors present except Supervisor Grant, T/Bennington. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and several Wyoming County Contract Agencies, Department Heads and County Residents as follows:

Name	Jour Ship
Harrell Hoxkins	Orangeville
M. B. Borell	Middlebury
D. La	STAFFORD
Paul Rorfo	Warsaw
Shirley Tade	Concord
Charles Bell	Sheldon
Judy Peel	Sheldon
Andrea Aedinger	OFA
Rick Perez	Vet Svc
Phyllis Davis	Co Clerk
Don Hible	Probation
Dorise Mayday	HR
Robert C. Gault	Middlebury
Erin King Cranford	"
Dan Wakatt	Middlebury
MARK ROBERTS	WARSAW
Don E. Linn	WCHV
Steve Perkins	WCHD
Bill DALY	WY Co.
Joe Meyer	Warsaw
Lori Standish	Warsaw
Korone Standish	Warsaw
Mary Fraw Rodgers	Warsaw
Merritt Brongden, III	Warsaw
Robert B. Zecher	Warsaw
Robert Hambusch	Warsaw
Lamara Curry	Warsaw
Dave Warm	Warsaw

June 18, 2015

At 7:30 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Alexander W. Pierce

Air Force Veteran ~ Executive Director of Wyo. Co. Community Action

Chairman Berwanger, T/Arcade introduced Supervisor Ryan, T/Warsaw who was asked to make a few announcements:

- A thank you to Superintendent of Warsaw Central School, Joseph Englebert for making the venue available for the meeting
- Emergency exits were pointed out to all meeting attendees
- The password for the wi-fi in the building was provided to the audience

Chairman Berwanger, T/Arcade explained that this was the fourth meeting of a series of four and the purpose of the meeting is to receive input from the general public regarding the 9.6% tax increase that the County suffered through for the 2015 budget. The County is in the process of preparing the 2016 budget and we want to know what people really value as far as their tax dollars in Wyoming County.

Introductions were made by Chairman Berwanger prior to the meeting being turned over to Budget Officer Cook to review the County Budget and the following Power Point presentation. The Chairman also thanked everyone attending for taking the time to come and showing an interest in Wyoming County government.

Budget Officer Cook reviewed the following Power Point presentation with the audience.

The slide show is on the home page of the County Web site at the following link:

[http://www.wyomingco.net/homepageitems/2015/Public\\_Budget\\_Forum\\_2015.pdf](http://www.wyomingco.net/homepageitems/2015/Public_Budget_Forum_2015.pdf)



Wyoming County

**SPECIAL PUBLIC FORUM MEETINGS**

**APRIL 16, 2015**

7:30PM

Wyoming County Board of Commissioners

East Main Street, Eagle, NY

**MAY 7, 2015**

7:30PM

Wyoming County Board of Commissioners

3378 East Main Street, Aurora, NY

**MAY 30, 2015**

11:00AM

Wyoming County Board of Commissioners

State Route 30, Cretico, NY

**JUNE 10, 2015**

7:30PM

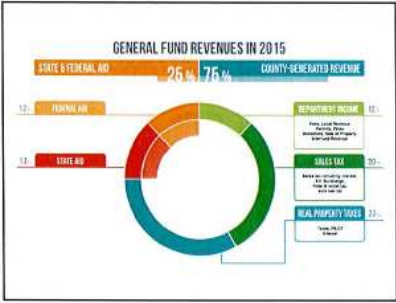
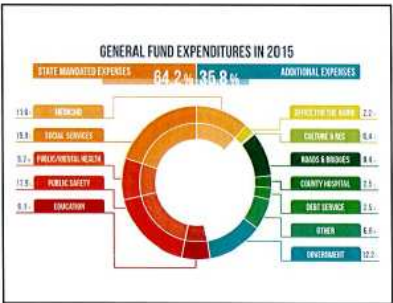
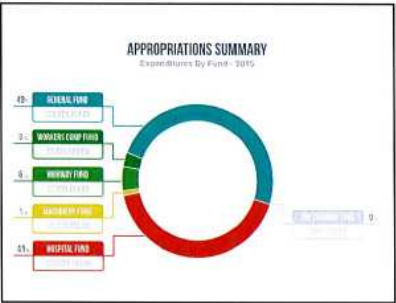
Wyoming County Board of Commissioners

143 North Main Street, Warsaw, NY

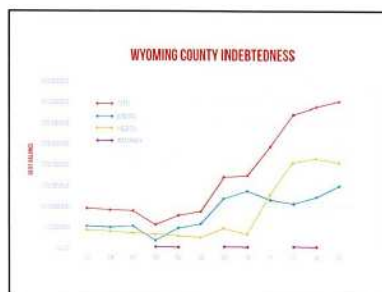
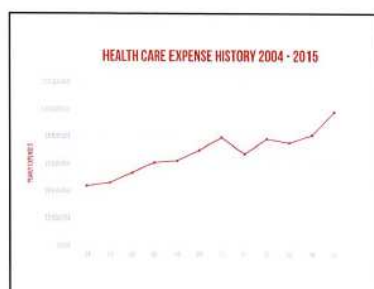
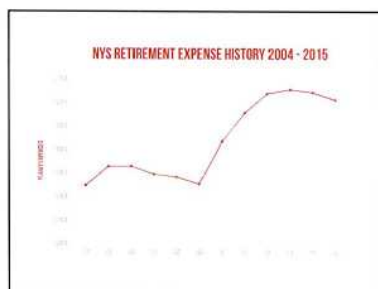
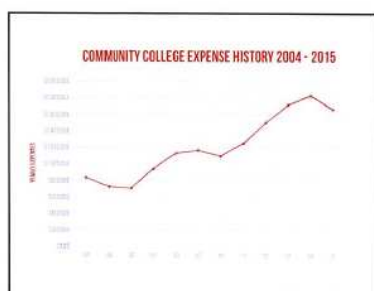
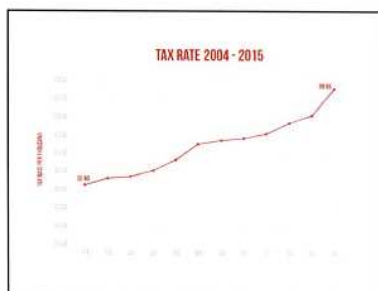
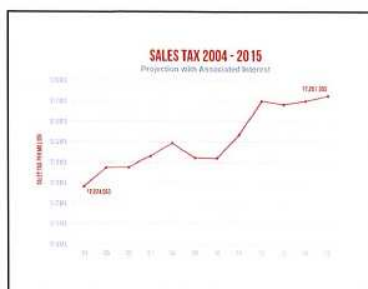
SUMMARY OF 2015 BUDGET - ALL FUNDS	
TOTAL ESTIMATED EXPENDITURES - ALL FUNDS **	\$118,538,818.47
LESS: ESTIMATED REVENUES - ALL FUNDS **	\$54,388,777.08
LESS: APPROPRIATED CASH SURPLUS	
GENERAL FUND	\$2,500,000.00
COMPENSATION FUND	\$0.00
CHARITY ROAD FUND	\$281,078.00
HAUSCHKE FUND	\$82,824.00
SEWER FUND	\$0.00
TOTAL TAX LEVY FOR 2015	\$18,187,214.81

Taxes are only raised in the General Fund in Wyoming County...

Today's slides are on boards in the hallway and are all color coded.



BUDGET COMPARISON For 2014 and 2015				
	2014	2015	CHANGE AMT	CHANGE %
Total Expenditures	\$117,998,818.47	\$118,538,818.47	\$540,000.00	0.46%
General Fund	\$117,998,818.47	\$117,998,818.47	\$0.00	0.00%
Compensation Fund	\$0.00	\$0.00	\$0.00	0.00%
Charity Road Fund	\$281,078.00	\$281,078.00	\$0.00	0.00%
Hauschke Fund	\$82,824.00	\$82,824.00	\$0.00	0.00%
Sewer Fund	\$0.00	\$0.00	\$0.00	0.00%
Total Estimated Revenues	\$117,998,818.47	\$118,538,818.47	\$540,000.00	0.46%
General Fund	\$117,998,818.47	\$117,998,818.47	\$0.00	0.00%
Compensation Fund	\$0.00	\$0.00	\$0.00	0.00%
Charity Road Fund	\$281,078.00	\$281,078.00	\$0.00	0.00%
Hauschke Fund	\$82,824.00	\$82,824.00	\$0.00	0.00%
Sewer Fund	\$0.00	\$0.00	\$0.00	0.00%
Total Tax Levy	\$18,187,214.81	\$18,187,214.81	\$0.00	0.00%

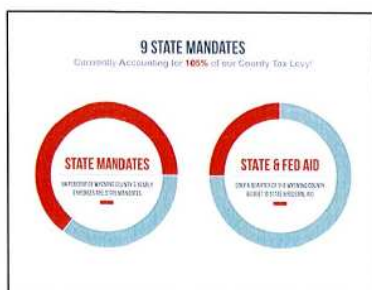
[illegible]



PROJECTS SUMMARY 2007 - 2015						
PROJECT	DATE	EST. COST	ACT. COST	PROJECT COST	ANNUAL BUDGET	
<b>Infrastructure</b>						
Highway 101	2007-2015	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	
<b>Health &amp; Social</b>						
Health & Social	2007-2015	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	
<b>Other</b>						
Other	2007-2015	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	
<b>PROJECT TOTALS</b>						
		\$30,000,000	\$30,000,000	\$30,000,000	\$30,000,000	

WYOMING COUNTY CONTRACT AGENCIES 2015 Allocations	
CONTRACT AGENCY	2015 ALLOCATION
CHURCH OF CHRIST	\$118,000.00
BUSINESS EDUCATION COUNCIL	\$5,400.00
BUSINESS CENTER	\$75,000.00
ARTS COUNCIL	\$14,200.00
WILDLIFE EDUCATION	\$1,400.00
JOHN & MARY	\$100,000.00
CORRELL COOPERATIVE EXTENSION	\$400,000.00
COUNTY FAIR ASSOCIATION	\$22,500.00
<b>TOTAL BUDGETED EXPENDITURES</b>	<b>\$872,110.00</b>

9 STATE MANDATES Currently Accounting for 100% of our County Tax Levy	
MANDATE	2015 BUDGET
INDEMNITY (H&M)	\$7,000,000.00
SOCIAL SERVICES **	\$2,500,000.00
JOY INSTRUMENT	\$6,500,000.00
PROBATION	\$610,000.00
INDEMNITY DEFENSE	\$201,000.00
SPECIAL ED PROG X	\$1,000,000.00
EARLY INTERVENTION	\$200,000.00
<b>TOTAL LEVY</b>	<b>\$18,100,000.00</b>
<b>2015 PROPERTY TAX LEVY</b>	<b>\$18,100,000.00</b>
<b>100% OF 2015 LEVY</b>	



Chairman Berwanger asked Supervisor Kushner, T/Eagle Chairman of the Finance Committee to speak on the direction he feels the County is going relative to the 2016 budget.

Supervisor Kushner stated that Budget Officer Cook was directed to send a letter to all department heads asking them to cut 3% from their 2015 budgets in an effort to offset an increase for next year. These cuts were not enough. Supervisor Kushner spoke with Harold Hopkins concerning his 1% theory and explained that it is not accurate. The County only raises taxes through the General Fund and that is where the cuts have to come from. In order to get there it is more like 4 to 5 percent in cuts to get to an acceptable level. To do this will not only require program cuts but personnel cuts, as well. All Supervisors have been asked to join the Budget Subcommittee to look for suggestions as to what can be eliminated. If revenue is decreasing and expenses are increasing; there are going to be issues. The hospital is a drain on the budget and because of that, the hospital has ventured into a partnership with Strong Hospital. They have done a good job but more is needed... Supervisor Kushner noted an article in the Batavia Daily that reported the Genesee County Nursing Home sold for \$15.2 million.

Supervisor Kushner asked WCCB CEO Eichenauer to speak about the renovations that have taken place and the affiliation with Strong. CEO Eichenauer spoke about the difficulty of operating a hospital in today's

*environment for a couple of reasons. The industry has experienced many changes such as reimbursements and outpatient services have increased. The State is pushing for more ambulatory services. CEO Eichenauer discussed the renovation project and if the hospital was going to continue, the improvements were going to need to be made. There was difficulty in physician recruitment with the failing infrastructure. \$5 million dollars in community donations motivated the Board to undergo a complete transformation of the facility. The Board of Managers and the Board of Supervisors interviewed five different hospitals to determine what they could do to help us and what services they could bring and ultimately the University of Rochester was chosen. With the continuation of the budget constraints, University of Rochester was asked again to see what they could do. A revised proposal was presented to take over the management of the hospital which is being negotiated. There are several services which they are going to take over, creating numerous savings which CEO Eichenauer described.*

*Chairman Berwanger opened the floor to attendees for input and comments.*

*Dave Conway thanked the board for holding the meetings. If a town is accessed at 100%, do you get money back from the State? No...*

*An unidentified woman asked why Supervisor Kushner, T/Eagle was so intent on selling and why is it beneficial? What do we do with the employees of the health facility? Supervisor Kushner, T/Eagle talked about, "thinking outside of the box" and the drain on the County budget. The woman asked why we can't advertise for more families to come live in Wyoming County. She suggested that people pay to support the facility.*

*A gentleman named Ron stated the State budget is the issue.*

*Copy of the Batavia Daily News Letter to the Editor was read into the minutes by Chairman Berwanger.*

## Why your property taxes are so high

### Editor:

As New York state prepares to renew or make permanent the cap on local government property tax levies, a new report by the Pew Charitable Trusts highlights why local property taxes in New York state are so high. The problem has little to do with local governments and won't be solved by a tax cap.

The Pew Trust data show that an average state receives about 2 percent of its revenue as transfers from local governments. In New York state, the number isn't 2 percent. It is 15 percent. Over one-seventh of the state's revenue comes from local governments.

As the Pew report notes, "New York got more of its

revenue from local funds (15 percent) than any other state. Among those states that require local governments to pay for part of the health care costs incurred by Medicaid patients within their jurisdictions, New York's local governments make a particularly large contribution."

Simply put, New York state has shifted over one-seventh of its costs to local governments, who must then raise property taxes to pay those bills. Rarely has the disparity between New York and other states been so clearly presented, and the mystery of high local property taxes so effectively explained.

Clearly, the problem of high property taxes in New

York state will not be solved by a permanent tax cap, or rebate checks, or by Albany conjuring up false images of wasteful local governments.

A real solution depends on the state acknowledging and addressing what is shown with such elegant simplicity by the Pew Charitable Trusts analysis — that the state has shifted 15 percent of its own costs to local governments. When that local property tax subsidy of the state budget ends, so will the era of high local property taxes in New York state. Albany, the next move is up to you!

**Joe Marcane**  
Tompkins County  
Administrator  
Ithaca

*Chairman Berwanger, T/Arcade explained the opportunity to sell has existed for years. A firm has called him monthly. He talked about the impact \$5M from the public donations made to the Board of Supervisors and the Board of Managers when the decision was made to go through with the renovations.*

*There was some discussion over the number of employees contributing towards their health insurance. Out of 151 employees, there are 89 CSEA employees grandfathered in according to the current contract. It was explained that there are 4 labor contracts, the CSEA general, Nursing Supervisory and 2 sheriff's units. There are 62 Deputies and CO. And depending on hire dates employees pay anywhere between 8-20%.*

*Charlie Perl, a 10 year member of the OFA Advisory Council reminded the Board of the importance of the Office of the Aging. He also stated that you can feed a senior citizen for a year for what it costs to house them in a nursing home for one month.*

*Bob Heubusch questioned exemptions. He stated that the equipment they are running on roads today just scares him.*

*\$1.7M over 9 – 10% increase.*

June 18, 2015

*Cuts to contract agencies were discussed. He is hoping for a 0% increase. There was some discussion over the deterioration of buildings prior to all of the renovation projects. During that discussion someone reminded attendees of the trees growing on the roof of the hospital and the roads that were falling apart. 20 years ago, the Board of Supervisors refused to raise taxes, even a little bit. They were more concerned with getting reelected.*

*This Board of Supervisors began a Better pavement program to address the condition of county roads.*

*Mr. Heubusch questioned why every highway employee drives a pickup truck. It was explained that everyone does not drive a pickup truck but it is easier to load tools into a pickup than it is a car... 27 employees at Highway*

*Bob Heubusch questioned the Chairman's \$20K annually to oversee the hospital.*

*Chairman Berwanger introduced Harold Hopkins, T/Orangeville as the responsible resident for these meetings. Mr. Hopkins suggested a 1% solution on the dollar. He felt that the Board should be able to find those reductions. He would like to see Wyoming County take the lead pushing back on state mandates. He questioned the IRS Audit of 2013 and the recent State Comptroller's Audit and the IDA Audit.*

*Kushner – WCCH was designating hours to physicians therefore the IRS does not consider them independent contractors. Fines and fees for totaled \$135K to the Health facility.*

*\$20M grant for hospitals in distress – Oct/Nov 2015*

*Working on two budgets; one with \$20M and one without.*

*\$20M Debt Retirement Grant Application is not yet available. Senior Supervisors amazed electrical system at WCCH not grounded.*

*Could have raised taxes 1-2% per year in order to properly maintain buildings prior to major renovation projects.*

*Supervisor Kushner exclaimed that WCCH is in trouble, he said he kept telling Supervisors that. One of the first years the hospital needed a county subsidy WCCH Administration was predicting a \$500K loss. Supervisor Kushner, added, "Yeah right, more like \$1 Million."*

*If the facility were to be privatized, NYS retirement, which is at least 20% of payroll would no longer be an issue.*

*The Supervisors explained to meeting attendees that everything is on the table.*

*Haven't heard anything from NYS Comptroller relative to the recent Comptroller's Audit...*

*There was a question about the \$168K in consulting fees for Snyder Dairy Initiative proposal. Consulting services were engaged to review proposal relative to the county's best interests.*

*\$\$ not used from IDA @ WCCH*

*Chairman Berwanger explained the Dairy Initiative Feasibility study that had been done. Investment in economic development. Ground work has been laid.*

*Orangeville*

*May xxxx Berwanger Dadd Heftka Fuest*

*Supervisor May insisted on \$1M to WCCH during host agreement.*

*Look around state, there are several IDA Boards with members from local and County Government.*

*Recent appointments of Supervisor Ryan and Chairman Berwanger are from the largest towns in County.*

*Supervisors have been calling for economic activity for a long time. Hence the hiring of Bill Daly from Chautauqua County.*

*Hayden Dadd wrote the IDA Charter; served as the first IDA Attorney.*

*Tammy Treutlein spoke to the work of the County Youth Bureau and OFA. She runs an agency that serves children and she recognized that the County Youth Bureau staff can't handle additional cuts.*

*Thanked the Board of Supervisor for CCE support.*

*Shooting sports.*

*Huge platform for youth development*

*Public speaking*

*Several youth that participate in shooting sports at CCE thanked BOS for their support.*

*Andrew Paddock – 6 years with Wyoming County Shooting Sports and was part of the 1<sup>st</sup> team to go to nationals in 10 years.*

*Karl Drasgow*

*\$1M community college contribution now up to \$1.7M*

*GCC does not offer machining, etc.*

*CCE created the Dairy Institute to address Ag. related trainings. Drasgow Industries, Koike Aronson and Steel & O'Brian could use the same type of training but for machining.*

*Would hate to see Extension's budget cut. Moog by product of extension*

*No one from BOS has ever been asked to serve on GCC Board of Directors*

*Dan Warren questioned salary increases from 2011 to present. First to be hit - nurses and highway. He talked about big increases to a few county positions.*

*Chairman explained why there are two Superintendents for Buildings & Grounds (CIP) and Buildings & Grounds (Co. Bldgs.)*

*Carpenter positions were created for 408, DSS, WCCH (4 year project) and Co. Highway.*

*16 buildings*

*2% collective bargaining*

*Gerald Sahrle*

*DMV – Registration in County – promotion*

*Never hear of CHIPS funding effecting rumble strips. The thought is that the strips will help to prevent head on collisions.*

*50 years ago, farmers didn't own 5,000 cows.*

*Tankers with manure*

*He advocated for a 1 man manure spreading operation. State police were around to weigh trucks but all farms were done spreading manure through spring.*

*State police will be back in the fall.*

*BOS to issue a letter.*

*750 people being investigated by State Troopers*

*Don't forget to talk about Veterans. 12 years in Afghanistan.*

*Bob Rebman*

*Is there a budget for their budget? IDA Board of Directors decides on tax burdens.*

*Lyn Lomato – Orangeville*

*Activist against wind turbines*

*Technology teacher*

*Her children can't live and work here because of what "you people" have done.*

*Supervisor Kehl*

*Stated everyone benefits from wind projects. House prices have not gone down. Need to find something*

*Ted Wilkinson*

*Out of County department heads? Maybe three...*

*Caren Burley*

*Sales tax*

*County Planning Board during 06-07 was rude and disrespectful. Update 2001 Strategic Plan being updated by end of the year.*

### **Recommended Reading:**

#### **NYS Association of Counties Reports:**

- **Reforming Mandates, Reducing Costs**

[http://www.nysac.org/documents/ReformingMandates\\_NYSACReport\\_001.pdf](http://www.nysac.org/documents/ReformingMandates_NYSACReport_001.pdf)

- **The County Perspective (Legislative Priorities Post State Budget Enactment)**

[http://nysac.org/legislative-](http://nysac.org/legislative-action/documents/AssemblyLocalGovernmentCommitteeTestimony-4-22-15.pdf)

[action/documents/AssemblyLocalGovernmentCommitteeTestimony-4-22-15.pdf](http://nysac.org/legislative-action/documents/AssemblyLocalGovernmentCommitteeTestimony-4-22-15.pdf)

- **Home Rule Sales Tax Authority**

[http://nysac.org/legislative-action/documents/NYSACreport-](http://nysac.org/legislative-action/documents/NYSACreport-Homerulesalestaxauthority.pdf)

[Homerulesalestaxauthority.pdf](http://nysac.org/legislative-action/documents/NYSACreport-Homerulesalestaxauthority.pdf)

- **Economic Development**

[http://nysac.org/legislative-action/documents/NYSACReport-](http://nysac.org/legislative-action/documents/NYSACReport-EconomicDevelopment.pdf)

[EconomicDevelopment.pdf](http://nysac.org/legislative-action/documents/NYSACReport-EconomicDevelopment.pdf)

June 18, 2015

- **Allocating NY's Billion\$ in Bank Settlements**

<http://nysac.org/legislative-action/documents/NYSACReport-AllocatingSurplusFunds.pdf>

- **Supporting Agriculture in NYS**

<http://nysac.org/legislative-action/documents/NYSACreport-Agriculture.pdf>

- **Lowering Property Taxes in New York State**

<http://nysac.org/legislative-action/documents/NYSACreport-LoweringPropertyTaxes.pdf>

- **Efficiency / A Toolkit to County Government Efficiency**

<http://nysac.org/legislative-action/documents/NYSACreport-LoweringPropertyTaxes.pdf>

- **101 Ways Counties Serve New Yorkers and Strengthen the Quality of Our Communities**

<http://nysac.org/documents/NYSAC101Ways.pdf>

- **Enacted 2015-16 State Budget Summary**

<http://nysac.org/documents/Enacted2015-16StateBudgetSummary1.pdf>

*There being no further business to come before this Board, the meeting was adjourned at 9:34 PM.*

\*\*\*\*\*

Respectfully submitted,

*Cheryl J. Ketchum*

Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board



<b>A</b>
----------

**Ag and Business Center****Grants**

- Dormitory Authority State of  
New York, Res. #15-180.. 267
- Empire State Development, Res.  
#15-180 ..... 267

**Agriculture Committee****Proclamations**

- Dairy Month in Wyoming  
County, Res. #15-218..... 364

**Animal Control****Positions****Amended**

- Laborer, PT (Temp.)(Res.  
#14-445), Res. #15-037 . 68

**Extended**

- One (1) Position of Laborer  
(Per Diem), Res. #15-211  
..... 334

**Appointments****Arts Council****Board of Directors**

- J. Kushner, Res. #15-110 . 173

**Business Education Council**

- V. McCormick, S. Tarbell, Res.  
#15-111 ..... 173

**Cornell Cooperative Extension****Board of Directors**

- J. Brick, Res. #15-112 ..... 173

**County Purchasing Agent**

- A. Douglas Berwanger Res. #15-  
034 ..... 66

**Emergency Services****Fire Advisory Board**

- G. Landis, T. Snyder, J.  
Heller, Jr., R. Maher, M.  
Lindsay, W. Wild, G.  
Lockwood, S. Mest, R.

- Wilson, F. Eichoff, J.  
Brick, R. Vanderploeg, R.  
Brzezicki, Jr., J. Proper, D.  
Simons, A. Vetter, D.  
Ingles, J. Moore, Res. #15-  
231..... 380

**Genesee/Finger Lakes Regional  
Planning Council**

- A.D. Berwanger, D. Leuer, J.  
Davis, Res. #15-058 ..... 97

**GLOW****Regional Solid Waste****Management Committee**

- S. Tarbell, J. Davis, S. King,  
Res. #15-113 ..... 174

**Historian**

- Cindy Amrhein, Res. #15-156  
..... 243

**Industrial Development Agency****Board of Directors**

- S. Pirdy, Res. #15-055..... 96

**InterCounty Assoc. of WNY**

- J. Davis, J. Knab, E. Grant, C.  
Ketchum, J Kushner Res. #15-  
033 ..... 65

**Mental Health****Alcohol and Substance Abuse****Subcommittee**

- A. Aldinger, J. Messe, V.  
Hemming, Res. #15-013 44

**Community Services Board**

- A. Aldinger, G. Jackson, Res.  
#15-013 ..... 44
- R. Ryan, Res. #15-163 ..... 249

**Mental Health Subcommittee**

- R. Perez, Res. #15-013 ..... 44
- R. Ryan, Res. #15-163 ..... 249

**MR/DD Subcommittee**

- V. McCormick, Res. #15-163  
..... 249

**Mercy Flight**

**Citizens Advisory Committee**  
S. May, Res. #15-116..... 175

**New York State Department of Environmental Conservation Advisory Committee**  
J. Brick, J. Copeland, Res.  
#15-104 ..... 165

**Office for the Aging Advisory Council**  
C. Glor, D. Morgan, Res. #15-223 ..... 372

**Planning Department County Planning Board**  
M. Merrill, Res. #15-202.. 328  
R. Ryan, Res. #15-203 ..... 329

**Public Health Board of Health**  
A. Chaudhry MD, Res. #15-017 ..... 48  
T. Wakefield, B. Ryan, Res.  
#15-050 ..... 92

**Medical Director**  
G. Collins, Res. #15-053 .... 94

**Region 9 Fish and Wildlife Management Board**  
J. Brick, Res. #15-199 ..... 326

**Seneca Trail Resource Conservation and Development Council**  
J. Copeland, Res. #15-102 .... 164  
J. Knab, Res. #15-102 ..... 164

**Stop DWI Coordinator**  
D. Linder, Res. #15-122 ..... 185

**Western Region Off-Track Betting Corporation Board of Directors**  
S. May, Res. #15-144 ..... 215

**Wyo. Co. Business Center Board of Directors**  
R. Fish, M. Merrill Res. #15-167 ..... 252

**Wyo. Co. Comm. Hospital Board of Managers**  
A. Bayoumi, J. Kushner, Res.  
#15-031 ..... 64

**Wyo. Co. Industrial Development Agency Board of Directors**  
M. Dadd, R. Ryan, A. D.  
Berwanger, Res. #15-229 ..... 377

**Wyo. Co. Soil and Water Conservation District Board**  
J. Brick, Res. #15-103 ..... 165  
J. Knab, Res. #15-103 ..... 165

**Wyo. Co. Water Resource Agency Board of Directors**  
M. Merrill, S. King, J. Brick,  
D. Leuer, C. Ketchum, Res.  
#15-109 ..... 172

**Youth Bureau Youth Board**  
J. Kramell, Res. #15-088.. 151

**Arts Council Appointments Board of Directors**  
J. Kushner, Res. #15-110 . 173

**Audit of Monthly Bills**  
01/2015 ..... 89  
02/2015 ..... 135  
03/2015 ..... 243  
04/2015 ..... 318  
05/2015 ..... 367  
12/2014 ..... 22

**B**

**Bid Awards Buildings and Grounds (Co. Bldgs.)**  
“County of Erie Bid Award for Construction and Maintenance Materials”, Res. #15-237.. 383

EWS Enterprises, LLC, Res. #15-236.....	382		411
<b>Highway</b>		the Bonds to be Refunded	
Annual Highway Materials		Thereby, Res. #15-149 .....	220
Approved, Res. #15-175 ..	264	<b>Borrowing Amended</b>	
E. J. Militello Concrete, Inc.,		Highway Restoration (Res. #14-	
Res. #15-238 .....	383	143), Res. #15-131 .....	197
<b>Public Health</b>		<b>Contracts / Agreements</b>	
Cortland County Bid Award for		Hinman Straub, Attorneys at Law	
Fleet Leasing Services, Res.		(Sean Doolan), Res. #15-214	
#15-098 .....	161	.....	337
<b>Sheriff</b>		New York State Department of	
<b>Jail</b>		Environmental Conservation.,	
Statewide Machinery, Inc.,		Res. #15-216 .....	338
Res. #15-170 .....	256	William Maddison, Res. #15-115	
<b>Board of Supervisors</b>		.....	175
2015 State of the County Address 10		<b>Contracts / Agreements Amended</b>	
3 Copies of Annual Report		The Brennan Group Consulting	
Requested, Res. #15-003.....	6	(Res. #14-441), Res. #15-143	
<b>Borrowing</b>		.....	214
Resolution Authorizing the Cost		<b>Date</b> Time and Location of Special	
of Elevator Repairs at the		Public Forum Meetings Set, Res.	
Wyoming County Community		#15-152 .....	233
Hospital in and for the County		<b>Home Rule Request</b>	
of Wyoming, New York, at a		Home Rule Request to Extend	
Maximum Estimated Cost of		Sales Tax Increase Approved,	
\$415,000, and Authorizing the		Res. #15-182 .....	269
Issuance of \$415,000 Bonds		<b>Location</b> of Public Informational	
of Said County to Pay the		Meeting Changed, Res. #15-215	
Cost Thereof, Res. #15-185		.....	337
.....	271	<b>Meetings</b>	
Resolution Authorizing the		<b>Organizational Session</b>	
Issuance Pursuant to Section		01/02/15 .....	1
90.10 of the Local Finance		<b>Regular Session</b>	
Law of Refunding Bonds of		01/20/15 .....	18
the County of Wyoming, New		02/10/15 .....	85
York, to be Designated		03/10/15 .....	132
Substantially “Public		04/14/15 .....	235
Improvement Refunding		05/12/15 .....	307
(Serial) Bonds” and Providing		06/09/15 .....	363
for Other Matters in Relation		<b>Special Session</b>	
Thereto and the Payment of		04/15/15 .....	280
		05/07/15 .....	296
		05/30/15 .....	353

06/18/15 .....	397
<b>Official Newspapers Designated,</b>	
Res. #15-002 .....	4
<b>Real Property Transfer</b>	
140 South Main Street , Village of Perry, Town of Castile New York, Res. #15-142 .....	213
<b>Resolutions</b>	
In Support of New York State and Local Law Enforcement Agencies, Res. #15-005.....	7
In Support of New York State Senate Bill S.4240 and New York State Assembly Bill A.6425, Res. #15-198.....	325
Recognizing Solar Liberty, Inc. as an Endorsed Provider of Renewable Solar Power in Wyoming County Res. #15- 054 .....	95
<b>Rules of Procedure Adopted, Res.</b>	
#15-001 .....	4
<b>Sales Tax Extension</b>	
Additional 1% to Expire on 11/30/2017, Res. #15-068	111
<b>Semi-Annual Mortgage Tax Report,</b>	
Res. #15-213 .....	335
<b>Semi-Annual Revenue Sharing, Res.</b>	
#15-242 .....	385
<b>Standard Work Day and Reporting</b>	
Resolution, Res. #15-245 .....	394
<b>Budget Office</b>	
<b>Appropriations</b>	
<b>2014</b>	
01/20/15, Res. #15-007 .....	20
02/10/15, Res. #15-043 .....	87
03/10/15, Res. #15-076 ....	134
<b>2015</b>	
01/20/15, Res. #15-008 .....	21
02/10/15, Res. #15-044 .....	88
03/10/15, Res. #15-077 ....	134
04/14/15, Res. #15-155 ....	242

05/12/15, Res. #15-188 ....	317
06/09/15, Res. #15-220 ....	367
<b>Transfers</b>	
<b>2015</b>	
01/20/15, Res. #15-006 .....	20
02/10/15, Res. #15-042 .....	87
03/10/14, Res. #15-075 ....	133
04/14/15, Res. #15-154 ....	242
05/12/15, Res. #15-187 ....	317
06/09/15, Res. #15-219 ....	366
<b>Buildings and Grounds (CIP)</b>	
<b>Contracts / Agreements</b>	
Envoy Environmental Consultants, Inc., Res. #15- 239 .....	384
<b>Positions</b>	
<b>Created</b>	
One (1) position of Laborer FT (Temp.), Res. #15-036 .....	67
<b>Buildings and Grounds (Co. Bldgs.)</b>	
<b>Bid Awards</b>	
“County of Erie Bid Award for Construction and Maintenance Materials”, Res. #15-237..	383
EWS Enterprises, LLC, Res. #15-236 .....	382
<b>Contracts / Agreements</b>	
Constellation Energy Gas Choice, Inc., Res. #15-209333	
Nomad Enterprises, Inc., Res. #15-128 .....	195
Waste Management of New York, LLC, Res. #15-065.	109
<b>Contracts / Agreements Amended</b>	
T.C.C.T.,Inc. (Res. #14-280), Res. #15-023 .....	52
Warren’s Commercial Cleaning, Inc. (Res. #14-280), Res. #15- 023 .....	52
<b>Positions</b>	
<b>Reassigned</b>	

Two (2) Positions of  
Carpenter (Per Diem)  
(Position Code  
#038.037)(Res. #12-293),  
Res. #15-073 ..... 117

### **Business Education Council**

#### **Appointments**

V. McCormick, S. Tarbell, Res.  
#15-111 ..... 173

## C

### **Capital Improvement Projects**

#### **Highway Offices**

Metro Environmental, Res. #15-  
130 ..... 196

#### **Skilled Nursing Facility**

##### **Emergency Reconstruction**

Building Innovation Group, Inc. ,  
Res. #15-177 ..... 265

### **Community Action**

#### **Proclamations**

Community Action Month, Res.  
#15-204 ..... 329

### **Cornell Cooperative Extension**

#### **Board of Directors**

##### **Appointments**

J. Brick, Res. #15-112 ..... 173

### **County Attorney**

#### **Contracts / Agreements**

Mark H. Dadd Law Office,  
PLLC, (WITHDRAWN), Res.  
#15-XXX ..... 215

#### **Contracts / Agreements Amended**

Mark H. Dadd Law Office,  
PLLC (Res. #14-365), Res.  
#15-159 ..... 244

### **County Clerk**

Annual Mortgage Tax Retention  
Fee, Res. #15-009 ..... 22

#### **Positions**

##### **Extended**

One (1) position of Index  
Clerk, PT (Temporary)  
Extended Through August  
11, 2015, Res. #15-071 116

### **County Insurance**

#### **Contracts / Agreements**

David A Hoover, Attorney At  
Law, Res. #15-027 ..... 54  
Lifetime Benefit Solution Inc.,  
Res. #15-026 ..... 54  
Univera Healthcare, Res. #15-  
028 ..... 55

Disability Insurance Rate with the  
Guardian Life Insurance  
Company of America, Res. #15-  
240 ..... 384

### **County Purchasing Agent**

#### **Appointments**

A. Douglas Berwanger Res. #15-  
034 ..... 66

## D

### **District Attorney**

#### **Contracts / Agreements**

E. Forbes, Res. #15-064 ..... 108  
T. Moore, Res. #15-064 ..... 108

#### **Grants**

Department of Criminal Justice  
Services, Res. #15-019 ..... 50  
New York State Division of  
Criminal Justice Services,  
Res. #15-207 ..... 332

#### **Proclamations**

Crime Victims' Rights Week,  
Res. #15-169 ..... 255

## E

### **Emergency Services**

#### **Appointments**

**Fire Advisory Board**

G. Landis, T. Snyder, J.  
Heller, Jr., R. Maher, M.  
Lindsay, W. Wild, G.  
Lockwood, S. Mest, R.  
Wilson, F. Eichhoff, J.  
Brick, R. Vanderploeg, R.  
Brzezicki, Jr., J. Proper, D.  
Simons, A. Vetter, D.  
Ingles, J. Moore, Res. #15-  
232 ..... 380

**Contracts / Agreements**

Wilmac Res. #15-234..... 381

**Contracts / Agreements Amended**

B-Com Communications (Bruce  
James), (Res. #14-159), Res.  
#15-233 ..... 381

**Grants**

New York State Division of  
Homeland Security Res. #15-  
208 ..... 332

**G**

**Genesee/Finger Lakes Regional**

**Planning Council**

**Appointments**

A.D. Berwanger, D. Leuer, J.  
Davis, Res. #15-058 ..... 97

**GLOW**

**Regional Solid Waste**

**Management Committee**

**Appointments**

S. Tarbell, J. Davis, S. King,  
Res. #15-113 ..... 174

**H**

**Highway**

**Bid Awards**

Annual Highway Materials  
Approved, Res. #15-175 .. 264

**Special Meeting**

E. J. Militello Concrete, Inc.,  
Res. #15-238 ..... 383

**Bids Amended Seneca Pavement**

Marking Inc., Res. #14-165..... 53

**Contracts / Agreements**

Donegal Construction  
Corporation, Res. #15-176264  
Erdman Anthony, Res. #15-024  
..... 53  
Fleet Maintenance, Inc., Res.  
#15-129 ..... 196  
Killian Construction, LLC, Res.  
#15-176 ..... 264  
Pump Doctor, Inc, Res. #15-066  
..... 110  
Valley Fab & Equipment, Inc.,  
Res. #15-129 ..... 196

**Positions**

**Extended**

One (1) Position of Sign  
Maintenance Supervisor,  
FT, Res. #15-183 ..... 270

**Human Resource**

**Contracts / Agreements**

Hancock and Estabrook LLP  
(John F. Corcoran, Esq), Res.  
#15-157 ..... 243

**Positions**

**Created**

Three (3) positions of Civil  
Service Commissioner,  
Res. #15-071 ..... 116

**I**

**Information Technology**

**Contracts / Agreements**

ESRI, Inc., Res. #15-178..... 266

**InterCounty Assoc. of WNY**

**Appointments**

J. Davis, J. Knab. E Grant C Ketchum, J. Kushner Res. #15-033 .....	65
---	----

## L

### Local Laws

#### Adopted

Local Law 2, (A) (Regulating Public Assemblies), Res. #15- 074 .....	118
Local Law 3, (E-2014) (Salaries for Certain County Officers for the Year 2015), Res. #15- 038 .....	70
Local Law 4, (B) (The Wyoming County Best Value Contract Award Law), Res. #15-150 .....	228

#### Defeated

Local Law X, (C) (Authorize the Sale and Use of Sparkler Devises), Res. #15-186 ....	274
--	-----

#### Held Over

Local Law X, (D) (Regulating Animal Shelters), Res. #15- XXX.....	346, 389
---	----------

#### Introduced – Public Hearing Set

Local Law A (Regulating Public Assemblies), Res. #15-039. 72	
Local Law B (The Wyoming County Best Value Contract Award Law), Res. #15-069 .....	111
Local Law C (Authorize the Sale and Use of Sparkler Devices), Res. #15-124 .....	186
Local Law D (Regulating Animal Shelters), Res. #15-172 ....	257
Local Law E (Mortgage Tax), Res. #15-221 .....	367

## M

### Mental Health

#### Appointments

##### Alcohol and Substance Abuse Subcommittee

A. Aldinger, J. Messe, V. Hemming, Res. #15-013 44	
---	--

##### Community Services Board

A. Aldinger, G. Jackson, Res. #15-013 .....	44
R. Ryan, Res. #15-163 .....	249

##### Mental Health Subcommittee

R. Perez, Res. #15-013 .....	44
R. Ryan, Res. #15-163 .....	249

##### MR/DD Subcommittee

V. McCormick, Res. #15-163 .....	249
-------------------------------------	-----

#### Contracts / Agreements Amended

Coordinated Care Services, Inc. of Rochester (Res. #13-351), Res. #15-095 .....	158
Coordinated Care Services, Inc. of Rochester Res. #15-048. 91	
Living Opportunities of DePaul (Res. #14-371), Res. #15-014 .....	45
Livingston/Wyoming ARC (Res. #14-371), Res. #15-014.....	45
Spectrum Human Services Inc. (Res. #14-371), Res. #15-014 .....	45
Substance Abuse Prevention (Res. #13-351), Res. #15-095 .....	158

#### Grants

Mental Health Association of New York State (MHANYS), (WITHDRAWN), Res. #15- XXX.....	376
New York Council on Problem Gambling/2015 You(th)	

Decide Project, Res. #15-047  
..... 90

**Grants Amended**

Mental Health Association of  
New York State, (Res. #14-  
295), Res. #15-015 ..... 46

**Proclamations**

Developmental Disabilities  
Month, Res. #15-096..... 159  
Mental Health Awareness Month,  
Res. #15-196 ..... 323

**Mercy Flight**

**Citizens Advisory Committee**

**Appointments**

S. May, Res. #15-116..... 175

**N**

**New York State Association of**

**Counties (NYSAC)**

Celebrates 90<sup>th</sup> Anniversary, Res.  
#15-032 ..... 64

**Winter Conference**

**Resolutions**

Calling for a Multi-Year  
Transit Capital Program for  
Vital Infrastructure and  
Transit System Needs, Res.  
#15-127 ..... 194  
Calling on the Department of  
Interior, the Bureau of  
Indian Affairs, United  
States House of  
Representatives, and any  
Entity Having any  
Jurisdiction to Identify to  
Municipalities the  
Leadership Within Native  
American Tribes When  
Requested, Res. #15-147  
..... 218

Calling on the Governor and  
State Legislature to Direct  
Much Needed Funding to  
Probation and Alternatives  
to Incarceration, Res. #15-  
117..... 176

Calling on the Governor and  
State Legislature to  
Increase Indigent Defense  
System Funding, Res. #15-  
120..... 182

Calling on the Governor and  
State Legislature to Plan  
for Next Generation 911 in  
New York State and Create  
a New York State 911  
Department That Supports  
County Public Safety  
Answering Points and  
Enhances Local  
Emergency Dispatch  
Services Res. #15-118 178

Calling on the Office of  
Mental Health and the  
Governor to Ensure the  
Long Term Viability of the  
State Funded Housing  
Program by Designing an  
Adequate Funding Formula  
for the Program That is  
Based on Actual Costs,  
Res. #15-093 ..... 155

Calling on the State to Provide  
Pension Support for  
Veterans While Protecting  
Already Overburdened  
Local Taxpayers, Res. #15-  
081..... 139

Calling to Increase the Share  
of Revenue Counties  
Retain for Providing State  
DMV Services, Res. #15-  
079..... 137



Of the Wyoming County Board of Supervisors in Support of New York State Senate Bill S.00069 to Amend Public Officers Law in Relation to the Qualifications for Holding Office of Assistant District Attorney in the County of Wyoming, Res. #15-123 .....	185	and Applauding the Important Work That Industrial Development Agencies Do To Create Jobs and Encourage Economic Growth, Res. #15-108 .....	170
Of the Wyoming County Board of Supervisors Petitioning the Governor and State Legislature to Delay Proposed Legislation Which Would Move the Star Exemption From a Real Property Tax Exemption to a Personal Income Tax Credit, Res. #15-148 .....	219	Requesting That the Governor and State Legislature Review its Interpretation of the Olmstead Decision as it Relates to Choice of Employment for Persons with Intellectual and Developmental Disabilities, Res. #15-094 .....	157
Opposing Part W of Governor Cuomo's Proposed New York State 2015~2016 Budget, Res. #15-151 ..	232	Requiring Updated Driver's License Photos Over a Reasonable Period of Time, Res. #15-078 .....	135
Opposing the Elimination or Further Reduction of Revenue Offset for Article 6 State Aid Reimbursement Along with Supporting an Increase in the State Reimbursement Rate for General Public Health Work Undertaken by Local Health Departments to Support Statewide Population Health Goals, Res. #15-092 .....	153	Supporting Efforts to Increase Access to Broadband in Unserved and Underserved Communities in New York State, Res. #15-106.....	168
Recognizing the Vital Role That Industrial Development Agencies Play in New York State		Supporting Federal Legislation to Address New York Counties' Inability to Collect Real Property Taxes From Indian Tribes on Non- Sovereign Indian Property, Res. #15-146 .....	216
		Supporting Necessary Reforms to New York Labor Law § 240 and § 241 .....	200
		Urging the Governor and State Legislature to Advance Funding and Expediting Completion of the Interstate 86 Projects in	

Broome, Delaware,  
Sullivan and Orange  
Counties, Res. #15-125 190

Urging the Governor and State  
Legislature to Amend State  
Insurance Law to Allow  
Shared Municipal Health  
Insurance Consortiums,  
Res. #15-132 ..... 197

Urging the Governor and State  
Legislature to Enact  
Reforms to the Early  
Intervention Program that  
Requires the State to  
Strengthen Provider  
Capacity in all Regions of  
the State to Ensure Eligible  
Children Receive Services  
Available to Them Under  
State Law and Regulations,  
Res. #15-082 ..... 140

Urging the Governor and State  
Legislature to Fully Fund  
All Costs Related to  
Raising the Age of  
Criminal Responsibility to  
18 Years of Age in Order  
to Avoid a New Unfunded  
Mandate on Counties and  
New York City, Res. #15-  
119 ..... 180

Urging the Governor and State  
Legislature to Gradually  
Eliminate the County  
Fiscal Responsibility for  
Preschool Special  
Education and Summer  
School Special Education  
Programs,  
(WITHDRAWN), Res.  
#15-XXX..... 143

Urging the Governor and State  
Legislature to Honor Home

Rule Revenue Requests in  
a Timely and Orderly  
Fashion by Enacting an  
Omnibus Sales Tax Bill  
That Renews All County  
Sales Tax Rates at Current  
Levels, Res. #15-136... 204

Urging the Governor and State  
Legislature to Implement  
Financing Reforms that  
Reduce the Impact of  
Retroactive Charge Backs  
to Counties for Youth  
Placed in State Facilities  
Operated by the Office For  
Children and Family  
Services While Also  
Decreasing Volatility and  
Providing More Certainty  
in Estimating Prospective  
Costs Per Placement, Res.  
#15-085 ..... 146

Urging the Governor and State  
Legislature to Implement  
Fiscal Reforms That Will  
Lead to Permanent and  
Historic Property Tax  
Reductions by Assuming  
the Cost of State Mandates  
Rather Than Through an  
Income Tax Credit, Res.  
#15-135 ..... 202

Urging the Governor and State  
Legislature to Implement  
Reforms to the Early  
Intervention Program so  
That it is More  
Accountable to the  
Children it Serves and to  
the Taxpayers of the State  
Who Fund It, Res. #15-083  
..... 141

	419
Urging the Governor and State Legislature to Increase Funds in Order to Ensure the Safety of Local Communities Against the Impacts Associated with a Crude Oil Spill, Res. #15-105 .....	166
Urging the Governor and State Legislature to Invest in Programs That Promote Urban Development and Promote the Revitalization of Downtowns and Neighborhood Business Districts, Res. #15-107	169
Urging the Governor and State Legislature to Recognize the Importance of Local Public Transit Systems as the State Centralizes and Renews Regional Medicaid Transportation Programs, Res. #15-087 .....	149
Urging the Governor and State Legislature to Refrain From Enacting New Public Employee Benefit Mandates, Res. #15-133 .....	199
Urging the Governor and State Legislature to Reverse the Trend of Shifting the Fiscal Responsibility of Meeting its Constitutional Requirement to Care for the Needy to County Property Taxpayers by Gradually Restoring Historic Cost Sharing Arrangements Beginning with the State Mandated Safety Net Program, Res. #15-084 .....	145
Urging the Governor and State Legislature to Study and Address Issues Related to Growth in Short Term Online Lodging Rental Platforms Such as Airbnb, Res. #15-137 .....	206
Urging the Governor and State Legislature to Substantially Increase State Investment in the Locally Owned Roads, Bridges and Culverts in the 5-Year Transportation Capital Plan, Res. #15-126 .....	191
Urging the Governor and State Legislature to Take Extraordinary Measures to Maintain the Historic Local Medicaid Zero Growth Cap, Res. #15-086 .....	148
Urging the Governor and the New York State Legislature to Gradually Eliminate the County Fiscal Responsibility for Preschool Special Education and Summer School Special Education Programs, Res. #15-162 .....	247
<b>New York State Department of Environmental Conservation</b> <b>Appointments</b> <b>Advisory Committee</b> J. Brick, J. Copeland, Res. #15-104 .....	
	165

# **O**

## **Office for the Aging**

### **Appointments**

#### **Advisory Council**

C. Glor, D. Morgan, Res. #15-223 ..... 372

### **Contracts / Agreements**

ILS Community Network IPA, LLC, Res. #15-193..... 321  
PeerPlace Networks, LLC, Res. #15-011 ..... 43  
VNA Homecare Options, LLC, Res. #15-191 ..... 320

### **Contracts / Agreements Amended**

Legal Services for the Elderly, Disabled or Disadvantaged of WNY, (Res. #14-409), Res. #15-192 ..... 320

### **Grants**

New York State Office for the Aging, Res. #15-161 ..... 246  
New York State Office for the Aging, Res. #15-190 ..... 319

### **Proclamations**

Older Americans Month, Res. #15-189 ..... 318

# **P**

## **Planning Department**

### **Appointments**

#### **County Planning Board**

M. Merrill, Res. #15-202.. 328  
R. Ryan, Res. #15-203 ..... 329

### **Contracts / Agreements**

Genesee/Finger Lakes Regional Planning Council  
Public Employees Fidelity (Blanket) Bond, Res. #15-056 ..... 96

## **GLOW**

Environmental Enterprises, Inc. Res. #15-165 ..... 251  
Waste Management, Res. #15-201 ..... 327

### **Contracts / Agreements Amended**

Annual GLOW CEO WIB Agreement, (Res. #13-232), Res. #15-217 ..... 338

## **GLOW**

Environmental Enterprises, (Res. #15-165), Res. #15-200..... 327

## **GLOW Solid Waste**

Management Committee (Res. #13-193), Res. #15-166.... 251

### **Grants**

Genesee Finger Lakes Regional Planning Council, Res. #15-114 ..... 174

### **Policies**

#### **County General**

Custodial Agreement, Res. #15-029 ..... 56  
Grievance Procedure Under the Americans with Disabilities Act #15-018 ..... 48  
Training/Evacuation Plan Res. #15-063 ..... 100  
Wyoming County Grants Administration Guidelines Approved, Res. #15-138... 208

### **Employee**

Buy Back of Accrued Vacation Time for Schedule..... 215

### **Employee Handbooks**

"D"  
Res. #16-272 ..... 23  
"S"  
Res. #16-272 ..... 23

### **Positions**

#### **Amended**

## Animal Control

Laborer, PT (Temp.)(Res.  
#14-445), Res. #15-037. 68

**Sheriff**

## Jail

One (1) Position of Jail  
Administrator, FT  
(Temporary)( Res. #14-  
393), Res. #15-080 . 138

**Created**

### Buildings and Grounds (CIP)

One (1) position of Laborer  
FT (Temp.), Res. #15-036  
..... 67

## Human Resource

Three (3) position of Civil  
Service Commissioner,  
Res. #15-071 ..... 116

## Real Property Tax Services

One (1) position of Assessor  
(Temp.) (Per Diem) Res.  
#15-036 ..... 67

**Sheriff**

## Jail

One (1) position of Jail  
Administrator, FT, Res.  
#15-071 ..... 116

Two (2) positions of  
Dispatcher, PT, Res. #15-  
243 ..... 387

## Veterans Services

One (1) position of Assistant  
Director of Veterans'  
Services, PT (Temp.), Res.  
#15-036 ..... 67

### Extended

## Animal Control

One (1) Position of Laborer  
(Per Diem), Res. #15-211  
..... 334

**County Clerk**

One (1) position of Index  
Clerk, PT (Temporary)  
Extended Through August  
11.2015, Res. #15-071, 116

## Highway

One (1) Position of Sign  
Maintenance Supervisor,  
FT. Res. #15-183..... 270

## Real Property Tax Services

One (1) position of Assessor  
(Temp.)(Per Diem),  
position code 080.002, Res.  
#15-243 ..... 387

### Reassigned

**Buildings and Grounds (Co.  
Bldgs.)**

Two (2) Positions of  
Carpenter (Per Diem)  
(Position Code  
#038.037)(Res. #12-293),  
Res. #15-073 ..... 117

**Reclassified**

**Sheriff**

One (1) position of Deputy  
Sheriff  
Sergeant/Investigator to  
Deputy Sheriff Captain,  
FT. Res. #15-071 ..... 116

## Reduced

## Real Property Tax Services

One (1) position of Real  
Property Tax Services  
Aide, position code  
006.206, Res. #15-243. 387

## Probation

## Grants

New York State Division of  
Criminal Justice Services,  
Res. #15-173 ..... 263

## Proclamations

## Agriculture Committee

Dairy Month in Wyoming  
County, Res. #15-218..... 364

**Community Action**

Community Action Month, Res. #15-204 .....	329
---	-----

**District Attorney**

Crime Victims' Rights Week, Res. #15-169 .....	255
---	-----

**Mental Health**

Developmental Disabilities Month, Res. #15-096.....	159
Mental Health Awareness Month, Res. #15-196 .....	323

**Office for the Aging**

Older Americans Month, Res. #15-189 .....	318
--	-----

**Social Services**

Child Abuse/Neglect Prevention Month, Res. #15-160.....	245
Foster Care Awareness Month, Res. #15-195 .....	322

**Veterans Services**

Flag Day and Flag Week, Res. #15-222 .....	370
Western New York Armed Forces Week, Res. #15-153 .....	237

**Wyo. Co. Chamber of Commerce**

Travel and Tourism Week, Res. #15-168 .....	252
--	-----

**Public Defender**

**Contracts / Agreements**

Wyoming County Attica Legal Aid, Res. #15-121 .....	184
--	-----

**Grants**

New York State Division of Criminal Justice Services, Res. #15-235 .....	381
New York State Office of Indigent Legal Services, Res. #15-174 .....	263

**Public Health**

**Appointments**

**Board of Health**

A.Chaudhry MD, Res. #15- 017.....	48
T. Wakefield, B. Ryan, Res. #15-050 .....	92

**Bid Awards**

Cortland County Bid Award for Fleet Leasing Services, Res. #15-098 .....	161
--	-----

**Contracts / Agreements**

ACM Laboratories, Res. #15-016 .....	47
Clark Patterson Lee, Res. #15- 016 .....	47
County of Monroe, Res. #15-051 .....	93
Erie County Public Health Laboratory, Res. #15-016...	47
Health Research, Inc., Res. #15- 227 .....	376
Livingston County Health Department , Res. #15-100162	
Microbac Laboratories, Res. #15- 016 .....	47
PAS Outreach Technical Laboratory, Res. #15-016...	47
Scott Treutlein, MD, Res. #15- 016 .....	47
Susan Schell, RD, Res. #15-016 .....	47
Wyoming County Chamber of Commerce, Res. #15-101 .	163
Wyoming County Community Action, Res. #15-101.....	163

**Contracts / Agreements Amended**

Wyoming Properties, LLC (Res. #13-23), Res. #15-052.....	93
---	----

**Grants**

New York State Department of Health / Health Research, Inc., Res. #15-097 .....	160
New York State Department of Health, Bureau of Water	

Supply Protection, Res. #15-197 .....	324
New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention, Res. #15-099 .....	161
New York State Department of Health, Division of Family Health, Res. #15-049 .....	92
<b>Grants Amended</b>	
New York State Department of Health (Res. #13-265), Res. #15-164 .....	249
New York State Department of Health Center for Community Health, Division of Chronic Disease Prevention, (Res. #15-99), Res. #15-228 .....	377

## R

### **Real Property Tax Services**

#### **Contracts / Agreements**

Applied Business Systems, Inc., Res. #15-179 .....	266
--	-----

#### **Positions**

##### **Created**

One (1) position of Assessor (Temp.) (Per Diem), Res. #15-036 .....	67
---	----

##### **Extended**

One (1) position of Assessor (Temp.)(Per Diem), position code 080.002, Res. #15-243 .....	387
---	-----

##### **Reduced**

One (1) position of Real Property Tax Services Aide, position code 006.206, Res. #15-243.	387
---	-----

### **Fish and Wildlife Management**

#### **Board**

#### **Appointments**

J. Brick, Res. #15-199 .....	326
------------------------------	-----

#### **Resolutions**

15-001, Rules of Procedure Adopted .....	4
15-002, Official Newspapers Designated .....	4
15-003, 3 Copies of Annual Report Requested .....	6
15-004, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System .....	6
15-005, Resolution of the Wyoming County Board of Supervisors in Support of New York State and Local Law Enforcement Agencies .....	7
15-006, Funds Transferred to Various 2015 Accounts .....	20
15-007, Funds Appropriated to Various 2014Accounts .....	20
15-008, Funds Appropriated to Various 2015Accounts .....	21
15-009, County Clerk Annual Mortgage Tax Retention Fee... ..	22
15-010, Salary Schedule “S” and “D” Handbooks Approved .....	23
15-011, Chairman Authorized to Sign a Contract with PeerPlace Networks, LLC on Behalf of the Office for the Aging .....	43
15-012, Chairman/Commissioner of Social Services Authorized to Sign Various Contracts on Behalf of the Department of Social Services .....	43
15-013, Members Appointed/Reappointed to the	

Various Mental Health Boards and Subcommittees .....	44
15-014, Resolution Number 14-371 Amended.....	45
15-015, Resolution Number 14-295 Amended.....	46
15-016, Chairman/Commissioner of Health Authorized to Sign Various Contracts and Agreements on Behalf of the Health Department for the Year 2015 .....	47
15-017, Abdul Chaudhry MD reappointed to the Wyoming County Board of Health .....	48
15-018, Grievance Procedure Under the Americans with Disabilities Act .....	48
15-019, Chairman Authorized to Sign a Grant Acceptance Award with the Department of Criminal Justice Services on Behalf of the District Attorney's Office .....	50
15-020, Chairman Authorized to Sign a Contract with EM Systems, Inc on Behalf of the Sheriff's Department.....	50
15-021, Chairman Authorized to Sign a Contract with the Town of Covington on Behalf of the Sheriff's Department.....	51
15-022, Chairman Authorized to Sign Contract with EM Systems, Inc on Behalf of the County Jail .....	51
15-023, Resolution Number 14-280 Amended.....	52
15-024, Chairman Authorized to Sign a Contract with Erdman Anthony on Behalf of the Highway Department .....	53

15-025 Resolution Number 14-165 Amended.....	53
15-026, Chairman Authorized to Sign a Contract with Lifetime Benefit Solution, Inc. on Behalf of the County Insurance Office	54
15-027, Chairman Authorized to Sign Contract with David A Hoover Attorney At Law on Behalf of County Insurance Office .....	54
15-028, Chairman Authorized to Sign 2015 Dental Insurance Rates on Behalf of the County Insurance Office.....	55
15-029, Investment Policy for Wyoming County Adopted ~ Chairman Authorized to Sign Custodial Agreements to Maintain Pledged Securities....	56
15-030, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System .....	62
15-031, Members Appointed/Reappointed to the Wyoming County Community Hospital Board of Managers ...	64
15-032, Resolution Recognizing NYSAC'S 90 Years of Dedicated Service to New York State Counties .....	64
15-033, Members Appointed/Reappointed to the Inter-County Association of Western New York .....	65
15-034, A. Douglas Berwanger Reappointed County Purchasing Agent.....	66
15-035, Salary Schedule "G" and "S" Amended .....	66



15-036, Position Creation(s) Abolished/Extension(s) Approved .....	67	Gambling/2015 You(th) Decide Project on Behalf of Mental Health.....	90
15-037, Resolution Number 14-445 Amended.....	68	15-048, Resolution Number 14-371 Amended.....	91
15-038, Local Law No. 3 (Introductory E, YEAR 2014) – YEAR 2015, .....	70	15-049, Chairman/Commissioner of Health Authorized to Sign a Grant Application and Acceptance Award with the New York State Department of Health, Division of Family Health on Behalf of the Public Health Department.....	92
15-039, Set Public Hearing – Introductory Local Law No. A Year 2015.....	72	15-050, Members Appointed/Reappointed to the Wyoming County Board of Health.....	92
15-040, Chairman Authorized to Sign a Contract with Clark Patterson Lee on Behalf of the Wyoming County Community Health System.....	83	15-051, Chairman/Commissioner of Health Authorized to Sign a Contract with the County of Monroe on Behalf of the County Health Department .....	93
15-041, Chairman Authorized to Sign a Contract with Lend Lease (US) Construction, Inc. on Behalf of the Wyoming County Community Health System .....	83	15-052, Resolution Number 13-23 Amended.....	93
15-042, Funds Transferred to Various 2015 Accounts.....	87	15-053, Gregory J. Collins, DO, MPH reappointed Medical Director, PT .....	94
15-043, Funds Appropriated to Various 2014Accounts.....	87	15-054, Recognizing Solar Liberty, Inc. as an Endorsed Provider of Renewable Solar Power in Wyoming County.....	95
15-044, Funds Appropriated to Various 2015Accounts.....	88	15-055, Sandy Pirdy appointed to the Industrial Development Agency Board of Directors .....	96
15-045, Chairman/Commissioner of Social Services Authorized to Sign a Contract with Sandy Geercken on Behalf of the Department of Social Services	89	15-056, Approving Public Employees Fidelity (Blanket) Bond for Genesee/Finger Lakes Regional Planning Council .....	96
15-046, Chairman/Commissioner of Social Services Authorized to Sign a Contract with Restore Sexual Assault Services on Behalf of the Department of Social Services .....	90	15-057, Resolution Number 12-335 Amended.....	97
15-047, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York Council on Problem		15-058, Members Appointed/Reappointed to the	

Genesee/Finger Lakes Regional Planning Council.....	97
15-059, Chairman Authorized to Sign a Contract with United Uniform Co., Inc. on Behalf of the Sheriff's Department.....	98
15-060, Chairman Authorized to Award a Bid and Sign a Contract with Upstate Chevrolet on Behalf of the Sheriff's Department.....	99
15-061, Chairman Authorized to Sign Various Contracts on Behalf of the County Jail.....	99
15-062, 2015 Stop DWI Plan Approved .....	100
15-063, Departmental Training/Evacuation Plan Approved .....	100
15-064, Chairman Authorized to Sign Various Contracts on Behalf of the District Attorney .....	108
15-065, Chairman Authorized to Sign Contracts with Waste Management of New York, LLC on Behalf of Buildings and Grounds (Co. Bldgs.).....	109
15-066, Chairman Authorized to Award Bid and Sign a Contract with the Pump Doctor, Inc. on Behalf of County Highway ...	110
15-067, Chairman Authorized to Sign a Contract with Phillips Lytle, LLP (Richard M. Beers, Jr., Partner), on Behalf of the Treasurer .....	110
15-068, Home Rule Request to Extend Sales Tax Increase Approved .....	111
15-069, Set Public Hearing – Introductory Local Law No. B Year 2015.....	111

15-070, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System ...	115
15-071, Positions Creation(s)/Abolished/Extension(s) Approved.....	116
15-072, Salary Schedule "D" and "S" Amended .....	117
15-073, Resolution Number 12-293 Amended.....	117
15-074, Adopted – Local Law No. 2 Year 2015.....	118
15-075, Funds Transferred to Various 2015 Accounts .....	133
15-076, Funds Appropriated to Various 2014 Accounts .....	134
15-077, Funds Appropriated to Various 2015 Accounts .....	134
15-078, Resolution Requiring Updated Driver's License Photos Over a Reasonable Period of Time .....	135
15-079, Resolution Calling to Increase the Share of Revenue Counties Retain for Providing State DMV Services.....	137
15-080, Resolution Number 14-393 Amended.....	138
15-081, Resolution Calling on the State to Provide Pension Support for Veterans While Protecting Already Overburdened Local Taxpayers.....	139
15-082, Resolution Urging the Governor and State Legislature to Enact Reforms to the Early Intervention Program that Requires the State to Strengthen Provider Capacity in all Regions of the State to Ensure Eligible Children Receive Services	

Available to Them Under State Law and Regulations.....	140
15-083, Resolution Urging the Governor and State Legislature to Implement Reforms to the Early Intervention Program so That it is More Accountable to the Children it Serves and to the Taxpayers of the State Who Fund It.....	141
15-084, Resolution Urging the Governor and State Legislature to Reverse the Trend of Shifting the Fiscal Responsibility of Meeting its Constitutional Requirement to Care for the Needy to County Property Taxpayers by Gradually Restoring Historic Cost Sharing Arrangements Beginning with the State Mandated Safety Net Program.....	145
15-085, Resolution Urging the Governor and State Legislature to Implement Financing Reforms that Reduce the Impact of Retroactive Charge Backs to Counties for Youth Placed in State Facilities Operated by the Office For Children and Family Services While Also Decreasing Volatility and Providing More Certainty in Estimating Prospective Costs Per Placement .....	146
15-086, Resolution Urging the Governor and State Legislature to Take Extraordinary Measures to Maintain the Historic Local Medicaid Zero Growth Cap ..	148
15-087, Resolution Urging the Governor and State Legislature to Recognize the Importance of Local Public Transit Systems as the State Centralizes and Renews Regional Medicaid Transportation Programs.....	149
15-088, Jake Kramell Appointed to the Wyoming County Youth Board.....	151
15-089, Chairman Authorized to Sign a Contract with Easy Expressions Speech Therapy on Behalf of the Youth Bureau ..	151
15-090, Resolution Number 15-046 Amended.....	152
15-091, Chairman/Commissioner of Social Services Authorized to Sign a Contract with the ARC of Livingston/Wyoming, dba KidStart on Behalf of the Department of Social Services .....	152
15-092, Resolution Opposing the Elimination or Further Reduction of Revenue Offset for Article 6 State Aid Reimbursement Along with Supporting an Increase in the State Reimbursement Rate for General Public Health Work Undertaken by Local Health Departments to Support Statewide Population Health Goals .....	153
15-093, Resolution Calling on the Office of Mental Health and the Governor to Ensure the Long Term Viability of the State Funded Housing Program by Designing an Adequate Funding Formula for the Program That is Based on Actual Costs .....	155
15-094, Resolution Requesting That the Governor and State Legislature Review its Interpretation of the Olmstead Decision as it Relates to Choice	

of Employment for Persons with Intellectual and Developmental Disabilities .....	157
15-095, Resolution Number 13-351 Amended.....	158
15-096, Developmental Disabilities Month Proclaimed.....	159
15-097, Chairman and Commissioner of Health Authorized to Sign a Grant Application and Acceptance Award with New York State Department of Health / Health Research, Inc. on Behalf of the County Health Department ...	160
15-098, Chairman/Commissioner of Health to Accept the “Cortland County Bid Award for Fleet Leasing Services” and Exercise the Right to “PIGGYBACK” as an Eligible Political Subdivision under GML §103 (16) .....	161
15-099, Chairman/Commissioner of Health Authorized to Sign Grant Applications and Acceptance Awards with New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention on Behalf of the County Health Department .....	161
15-100, Chairman/Commissioner of Health Authorized to Sign Sub Agreement with Livingston County Health Department on Behalf of the County Health Department .....	162
15-101, Chairman/Commissioner of Health Authorized to Sign Sub Agreement with New York State Department of Health on Behalf of the County Health Department .....	163

15-102, John Copeland and John Knab Reappointed to the Seneca Trail Resource Conservation and Development Council .....	164
15-103, James Brick and John Knab Reappointed to the Wyoming County Soil and Water Conservation District Board..	165
15-104, James Brick and John Copeland Appointed to the New York State Department of Environmental Conservation Advisory Committee .....	165
15-105, Resolution Urging the Governor and State Legislature to Increase Funds in Order to Ensure the Safety of Local Communities Against the Impacts Associated with a Crude Oil Spill.....	166
15-106, Resolution Supporting Efforts to Increase Access to Broadband in Unserved and Underserved Communities in New York State.....	168
15-107, Resolution Urging the Governor and State Legislature to Invest in Programs That Promote Urban Development and Promote the Revitalization of Downtowns and Neighborhood Business Districts.....	169
15-108, Resolution Recognizing the Vital Role That Industrial Development Agencies Play in New York State and Applauding the Important Work That Industrial Development Agencies Do to Create Jobs and Encourage Economic Growth .....	170
15-109, Members Reappointed to the Wyoming County Water	

Resource Agency Board of Directors .....	172	Enhances Local Emergency Dispatch Services.....	178
15-110, Joseph Kushner Reappointed to the Arts Council Board of Directors.....	173	15-119, Resolution Urging the Governor and State Legislature to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility to 18 Years of Age in Order to Avoid a New Unfunded Mandate on Counties and New York City .....	180
15-111, Vanessa McCormick and Stephen Tarbell Reappointed to the Business Education Council .....	173	15-120, Resolution Calling on the Governor and State Legislature to Increase Indigent Defense System Funding .....	182
15-112, James Brick Reappointed to the Cornell Cooperative Extension of Wyoming County Board of Directors.....	173	15-121, Chairman Authorized to Sign Various Contracts with Wyoming County Attica Legal Aid on Behalf of the Public Defender's Office.....	184
15-113, Members Reappointed to the GLOW Regional Solid Waste Management Committee .....	174	15-122, David Linder Reappointed as the STOP-DWI Coordinator, PT.....	185
15-114, Chairman Authorized to Sign a Grant Participation Agreement with the Genesee Finger Lakes Regional Planning Council on Behalf of the Planning Department .....	174	15-123, Resolution of the Wyoming County Board of Supervisors in Support of New York State Senate Bill S.00069 to Amend Public Officers Law in Relation to the Qualifications for Holding Office of Assistant District Attorney in the County of Wyoming .....	185
15-115, Chairman Authorized to Sign a Contract With William Maddison on Behalf of the Board of Supervisors .....	175	15-124, Set Public Hearing – Introductory Local Law No. C, Year 2015.....	186
15-116, Sue May Appointed to the Mercy Flight Citizens Advisory Committee.....	175	15-125, Resolution Urging the Governor and State Legislature to Advance Funding and Expediting Completion of the Interstate 86 Projects in Broome, Delaware, Sullivan and Orange Counties190	
15-117, Resolution Calling on the Governor and State Legislature to Direct Much Needed Funding to Probation and Alternatives to Incarceration .....	176	15-126, Resolution Urging the Governor and State Legislature to Substantially Increase State	
15-118, Resolution Calling on the Governor and State Legislature to Plan for Next Generation 911 in New York State and Create a New York State 911 Department That Supports County Public Safety Answering Points and			

Investment in the Locally Owned Roads, Bridges and Culverts in the 5-Year Transportation Capital Plan .....	191
15-127, Resolution Calling for a Multi-Year Transit Capital Program for Vital Infrastructure and Transit System Needs.....	194
15-128, Chairman Authorized to Sign a Contract with Nomad Enterprises, Inc. on Behalf of Buildings and Grounds (Co. Bldgs.).....	195
15-129, Chairman Authorized to Award Bids and Sign Contracts with Fleet Maintenance, Inc. and Valley Fab & Equipment, Inc. on Behalf of County Highway ...	196
15-130, Chairman Authorized to Sign a Contract with Metro Environmental on Behalf of Buildings and Grounds (CIP)	196
15-131, Resolution Number 14-143 Amended.....	197
15-132, Resolution Urging the Governor and State Legislature to Amend State Insurance Law to Allow Shared Municipal Health Insurance Consortiums.....	197
15-133, Resolution Urging the Governor and State Legislature to Refrain From Enacting New Public Employee Benefit Mandates.....	199
15-134, Resoluton Supporting Necessary Reforms to New York Labor Law § 240 and § 241, The Scaffold Law .....	200
15-135, Resolution Urging the Governor and State Legislature to Implement Fiscal Reforms That Will Lead to Permanent and Historic Property Tax Reductions	

by Assuming the Cost of State Mandates Rather Than Through an Income Tax Credit.....	202
15-136, Resolution Urging the Governor and State Legislature to Honor Home Rule Revenue Requests in a Timely and Orderly Fashion by Enacting an Omnibus Sales Tax Bill That Renews All County Sales Tax Rates at Current Levels.....	204
15-137, Resolution Urging the Governor and State Legislature to Study and Address Issues Related to Growth in Short Term Online Lodging Rental Platforms Such as Airbnb.....	206
15-138, Wyoming County Grants Administration Guidelines Approved .....	208
15-139, Resolution Number 15-070 Amended.....	211
15-140, Chairman Authorized to Sign a Contract with Angelica Textile Services on Behalf of the Wyoming County Community Health System.....	212
15-141, Chairman Authorized to Sign Various Grant Acceptance Awards on Behalf of the Wyoming County Community Health System.....	213
15-142, Transfer of Real Property Approved .....	213
15-143, Resolution Number 14-441 Amended.....	214
15-144, Susan May Appointed to the Western Region Off-Track Betting Corporation Board of Directors .....	215

	431
15-145, Buy Back of Accrued Vacation Time for Salary Schedule.....	215
15-146, Resolution Supporting Federal Legislation to Address New York Counties' Inability to Collect Real Property Taxes From Indian Tribes on Non- Sovereign Indian Property ....	216
15-147, Resolution Calling on the Department of Interior, the Bureau of Indian Affairs, United States House of Representatives, and any Entity Having any Jurisdiction to Identify to Municipalities the Leadership Within Native American Tribes When Requested .....	218
15-148, Resolution of the Wyoming County Board of Supervisors Petitioning the Governor and State Legislature to Delay Proposed Legislation Which Would Move the Star Exemption From a Real Property Tax Exemption to a Personal Income Tax Credit .....	219
15-149, A Resolution Authorizing the Issuance Pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Wyoming, New York, to be Designated Substantially .....	220
15-150, Local Law No. 4 (Introductory B) –Year 2015, The Wyoming County Best Value Contract Award Law, Adopted.....	228
15-151, Resolution Opposing Part W of Governor Cuomo's Proposed New York State 2015~2016 Budget.....	232
15-152, Date, Time and Location of Special Public Forum Meetings Set .....	233
15-153, Western New York Armed Forces Week .....	237
15-154, Funds Transferred to Various 2015 Accounts .....	242
15-155, Funds Appropriated to Various 2015 Accounts .....	242
15-156, Cindy Amrhein Appointed County Historian.....	243
15-157, Chairman Authorized to Sign an Engagement Letter with Hancock and Estabrook LLP (John F. Corcoran, Esq) on Behalf of the Human Resource Department.....	243
15-158, 2015 United Way Campaign Supported.....	244
15-159, Resolution Number 14-365 Amended.....	244
15-160, Child Abuse/Neglect Prevention Month Proclaimed .....	245
15-161, 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 .....	246
15-162, Resolution Urging the Governor and the New York State Legislature to Gradually Eliminate the County Fiscal Responsibility for Preschool Special Education and Summer School Special Education Programs .....	247
15-163, Members Appointed/Reappointed to the Various Mental Health	

Committees and Subcommittees .....	249	Legal Services on Behalf of the Public Defender's Office .....	263
15-164, Resolution Number 13-265 Amended.....	249	15-175, Annual Highway Materials Bid Awards .....	264
15-165, Chairman Authorized to Sign Agreement with Environmental Enterprises for GLOW Region 2015 Household Hazardous Waste Collection Program.....	251	15-176, Chairman Authorized to Award Bids and Sign Contracts with Donegal Construction Corporation and Killian Construction, LLC on Behalf of County Highway .....	264
15-166, Resolution Number 13-193 Amended.....	251	15-177, Chairman Authorized to Sign Contracts with Building Innovation Group, LLC on Behalf of Buildings and Grounds (CIP) .....	265
15-167, Richard Fish and Mark Merrill Reappointed to the Wyoming County Business Center Board of Directors .....	252	15-178, Chairman/Director of Information Technology Authorized to Sign a Contract with ESRI, Inc. on Behalf of Information Technology .....	266
15-168, Travel and Tourism Week Proclaimed .....	252	15-179, Chairman Authorized to Sign a Renewal Tax Bill Insert & Printing Agreement with Applied Business Systems, Inc. on Behalf of Real Property Tax Services .....	266
15-169, Crime Victims' Rights Week Proclaimed .....	255	15-180, Chairman Authorized to Sign Grant Applications and Acceptance Awards on Behalf of the Wyoming County Ag and Business Center.....	267
15-170, Chairman Authorized to Award Bid and Sign a Contract with Statewide Machinery, Inc. on Behalf of the County Jail .	256	15-181, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System ...	267
15-171, Chairman Authorized to Sign a Contract with the Livingston County Sheriff on Behalf of the County Jail .....	256	15-182, Home Rule Request to Extend Sales Tax Increase Approved .....	269
15-172, Set Public Hearing ~ Introductory Local Law No. D Year 2015.....	257	15-183, Position Creation(s)/Abolished/Extension( s) Approved.....	270
15-173, Chairman Authorized to Sign Various Grant Applications and Acceptance Awards with the New York State Division of Criminal Justice Services on Behalf of Wyoming County Probation.....	263		
15-174, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Office of Indigent			



	433
15-184, Salary Schedule “G” Amended.....	270
15-185, A Resolution Authorizing the Cost of Elevator Repairs at the Wyoming County Community Hospital in and for the County of Wyoming, New York, at a Maximum Estimated Cost of \$415,000, and Authorizing the Issuance of \$415,000 Bonds of Said County to Pay the Cost Thereof.....	271
15-186, Local Law No. 5(Introductory C) – Year 2015, "A Local Law to Authorize the Sale and Use of Sparkler Devises," Adopted .....	274
15-187, Funds Transferred to Various 2015 Accounts.....	317
15-188, Funds Appropriated to Various 2015 Accounts.....	317
15-189, Older Americans Month Proclaimed .....	318
15-190, 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.....	319
15-191, Chairman Authorized to Sign a Contract with VNA Homecare Options, LLC on Behalf of the Wyoming County Office for the Aging.....	320
15-192, Resolution Number 14-409 Amended.....	320
15-193, Chairman Authorized to Sign a Contract with ILS Community Network IPA, LLC on Behalf of the Wyoming County Office for the Aging .	321
15-194, Resolution Number 15-046 Amended.....	321
15-195 Foster Care Awareness Month Proclaimed.....	322
15-196, Mental Health Awareness Month Proclaimed.....	323
15-197, Chairman/Commissioner of Health Authorized to Sign a Grant Application and Acceptance Award with the New York State Department of Health, Bureau of Water Supply Protection on Behalf of the County Health Department ...	324
15-198, Resolution of the Wyoming County Board of Supervisors in Support of New York State Senate Bill S.4240 and New York State Assembly Bill A.6425 .....	325
15-199, James Brick Appointed to the Region 9 Fish and Wildlife Management Board.....	326
15-200, Resolution Number 15-165 Amended.....	327
15-201, Chairman Authorized to Sign a Contract with Waste Management on Behalf of the Planning and Development ...	327
15-202, Mark Merrill Reappointed to the Industrial Development Agency Board of Directors ...	328
15-203, Rebecca Ryan Reappointed to the Wyoming County Chamber of Commerce Board of Directors .....	329
15-204, Community Action Month Proclaimed .....	329
15-205, Chairman Authorized to Sign Various Grant Applications and Acceptance Awards on	

Behalf of the Sheriff's Department .....	331
15-206, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Governors Traffic Safety Council on Behalf of Stop DWI .....	331
15-207, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Division of Criminal Justice Services on Behalf of the District Attorney's Office .....	332
15-208, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Division of Homeland Security on Behalf of Emergency Services.....	332
15-209, Chairman Authorized to Sign a Contract with Constellation Energy Gas Choice, Inc. on Behalf of Buildings and Grounds (Co. Bldgs).....	333
15-210, Salary Schedule "S" Amended.....	333
15-211, Position Extension Approved .....	334
15-212, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System ...	334
15-213, Semi-Annual Mortgage Tax Report .....	335
15-214, Chairman Authorized to Sign a Contract with Hinman Straub, Attorneys at Law (Sean Doolan) on Behalf of the Board of Supervisors .....	337

15-215, Resolution Number 15-152 Amended.....	337
15-216, Voluntary Clean-Up Agreement with the New York State Department of Environmental Conservation to Remediate the Wyoming County Fire Training Center Property	338
15-217, Resolution Number 13-232 Amended.....	338
15-218, June 2015 Proclaimed Dairy Month in Wyoming County ..	364
15-219, Funds Transferred to Various 2015 Accounts.....	366
15-220, Funds Appropriated to Various 2015Accounts.....	367
15-221, Set Public Hearing – Introductory Local Law No. E Year 2015.....	367
15-222, Flag Day and Flag Week Proclaimed .....	370
15-223, Carol Glor and Donna Morgan Appointed to the Office for the Aging Advisory Council .....	372
15-224, Chairman Authorized to Sign Various Contracts on Behalf of the Youth Bureau.....	372
15-225, Chairman Authorized to Sign a Grant Acceptance Award with the New York State Office of Children and Family Services on Behalf of the Youth Bureau .....	374
15-226, Chairman/Commissioner of Social Services Authorized to Sign Various Welfare Management System Contracts on Behalf of the Department of Social Services.....	374
15-227, Chairman/Commissioner of Health Authorized to Sign a	

Grant Application and Acceptance Award with Health Research, Inc. on Behalf of the County Health Department ...	376
15-228, Resolution Number 15-99 Amended.....	377
15-229, Members Appointed to the Wyoming County Industrial Development Agency Board of Directors .....	377
15-230, Chairman Authorized to Sign a Contract with the County of Monroe, Public Safety Laboratory on Behalf fo the Sheriff's Department.....	379
15-231, Chairman Authorized to Sign a Contract with Global Tel*Link Corporation on Behalf of the County Jail .....	379
15-232, Fire Advisory Board Delegates Appointed/Reappointed .....	380
15-233, Resolution Number 14-159 Amended.....	381
15-234, Chairman Authorized to Sign a Contact with Wilmac on Behalf of Emergency Services .....	381
15-235, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Division of Criminal Justice Services on Behalf of the Public Defender .....	381
15-236, Chairman Authorized to Award Bid and Sign a Contract with EWS Enterprises, LLC on Behalf of Buildings and Grounds (Co. Bldgs.).....	382
15-237, Chairman to Accept the “Count of Erie County Bid Award for Construction and Maintenance Materials” and Exercise the Right to “PIGGYBACK” as an Eligible Political Subdivision under GML §103 (16).....	383
15-238, Chairman Authorized to Award Bid and Sign a Contract with E. J. Militello Concrete, Inc. on Behalf of County Highway .....	383
15-239, Chairman Authorized to Sign a Contract with Envoy Environmental Consultants, Inc. on Behalf of Buildings and Grounds (CIP).....	384
15-240, Disability Insurance Rate with the Guardian Life Insurance Company of America Approved .....	384
15-241, Resolution Number 14-145 Amended.....	385
15-242, Semi Annual Revenue Sharing for the Towns.....	385
15-243, Position Creation (s)/Reductions/Extension Approved .....	387
15-244, Salary Schedule “S” Amended.....	387
15-245, Standard Work Day and Reporting Resolution .....	394
15-XXX, (WITHDRAWN) Resolution Number 14-356 Amended.....	215
15-XXX, Chairman Authorized to Sign a Grant Application and Acceptance Award with Mental Health Association of New York State (MHANYS) on Behalf of the Mental Health Department .....	376
15-XXX, Local Law No. 5 (Introductory D) – Year 2015	346

15-XXX, Local Law No. 5 (Introductory D) – Year 2015, “A Local Law Regulating Animal Shelters,” Adopted .....	389
15-XXX, Resolution Urging the Governor and State Legislature to Gradually Eliminate the County Fiscal Responsibility for Preschool Special Education and Summer School Special Education Programs .....	143

## S

### Salary Schedules Amended

“D”	
Res. #15-072 .....	117
“G”	
Res. #15-035 .....	66
Res. #15-184 .....	270
“S”	
Res. #15-035 .....	66
Res. #15-072 .....	117
Res. #15-210 .....	333
Res. #15-244 .....	387

### Sheriff

#### Contracts / Agreements

County of Monroe, Public Safety Laboratory, Res. #15-230.	379
EM Systems Inc, Res. #15-02050	
Town of Covington, Res. #15- 021 .....	51
United Uniform Co., Inc., Res. #15-059 .....	98
Upstate Chevrolet, Res. #15-060 .....	99

#### Grants

New York State, Department of Homeland Security, Res. #15- 205 .....	331
NYS Governors Traffic Safety Council, Res. #15-205 .....	331

US Department of Justice, Res. #15-205 .....	331
---	-----

### Jail

#### Bid Awards

Statewide Machinery, Inc., Res. #15-170 .....	256
--	-----

#### Contracts / Agreements

Allegany County Sheriff, Res. #15-061 .....	99
EM Systems, Inc Res. #15- 022.....	51
Global Tel*Link Corporation, Res. #15-231 .....	379
Livingston County Sheriff, Res. #15-171 .....	256
Simplex Grinnell LP, Res. #15-061 .....	99
Sinclair Pharmacy, Res. #15- 061.....	99

### Positions

#### Amended

One (1) Position of Jail Administrator, FT (Temporary)(Res. #14- 393), Res. #15-080 .	138
--	-----

#### Created

One (1) position of Jail Administrator, FT, Res. #15-071.....	116
---	-----

### Positions

#### Created

Two (2) positions of Dispatcher, PT, Res. #15- 243.....	387
---	-----

#### Reclassified

One (1) position of Deputy Sheriff Sergeant/Investigator to Deputy Sheriff Captain, FT, Res. #15-071 .....	116
--	-----

### Social Services

#### Contracts / Agreements

### Special Meeting

Kelly's Imagination Station, Inc., Res. #15-012 .....	43
Livingston/Wyoming ARC, dba KidStart, Res. #15-091 .....	152
Restore Sexual Assault Services, Res. #15-046 .....	90
Sandra Lucier, dba Creative Play Learning Center., Res. #15- 012 .....	43
Sandy Geercken, Res. #15-04589	
<b>Contracts / Agreements Amended</b>	
Planned Parenthood/RESTORE Sexual Assault Services (Res. #15-046), Res. #15-090....	152
RESTORE Sexual Assault Services, (Res. #15-046), Res. #15-194 .....	321

### **Proclamations**

Child Abuse/Neglect Prevention Month, Res. #15-160.....	245
Foster Care Awareness Month, Res. #15-195 .....	322

### **WMS Contracts**

Gustavus Adolphus, Res. #15- 226 .....	374
Hillside Family of Agencies Hillside Children's Center, Res. #15-226 .....	374
Snell Farm Children's Center, Res. #15-226 .....	374
New Directions, Res. #15-226 .....	374

### **Stop DWI**

#### **Contracts / Agreements**

2015 Stop DWI Plan Approved, Res. #15-062 .....	100
--	-----

#### **Grants**

New York State Governors Traffic Safety Council, Res. #15-206 .....	331
---	-----

### **Stop DWI Coordinator**

#### **Appointments**

D. Linder, Res. #15-122 .....	185
-------------------------------	-----

## **T**

### **Tourism**

#### **Video Contest**

Awarded 06-09-15	
1 <sup>st</sup> place, S. Balon, A. Russell, H. Stocksclaeder.....	378
2 <sup>nd</sup> place, O. Karasiewicz .....	378
3 <sup>rd</sup> place, The Spicer Family .....	378

### **Treasurer**

#### **Contracts / Agreements**

Phillips Lytle, LLP, Res. #15-067 .....	110
--	-----

## **U**

### **United Way**

2015 Campaign Supported, Res. #15-158 .....	244
--	-----

## **V**

### **Veterans Services**

#### **Monthly Veteran**

01/02/15 – Christ Reynolds.....	1
01/20/15 – Thomas Dutton, John Dutton and David Dutton ...	18
02/10/15 – Gary A. Cousins....	85
03/10/15 – Gerald “Bud” Hoffmeister .....	132
04/14/15 – Leo L. Pelton.....	235
05/12/15 – James. R. Spencer	307
06/09/15 – Kenneth J. Waldradt .....	363
06/18/15 – Alexander W. Pierce .....	398

### **Positions**

#### **Created**

One (1) position of Assistant Director of Veterans' Services, PT (Temp.), Res #15-036 .....	67
--	----

**Proclamations**

Flag Day and Flag Week, Res. #15-222 .....	370
Western New York Armed Forces Week, Res. #15-153 .....	237

**Special Session Veteran**

04/15/15 – Greg Rudolph.....	280
05/07/15 – Greg Rudolph.....	297
05/30/15 – Greg Rudolph.....	355

**W**

**Wyo. Co. Business Center**

**Appointments**

**Board of Directors**

R. Fish, M. Merrill Res. #15- 167 .....	252
--	-----

**Wyo. Co. Chamber of Commerce**

**Proclamations**

Travel and Tourism Week, Res. #15-168.....	252
---	-----

**Wyo. Co. Comm. Hospital**

**Appointments**

**Board of Managers**

A. Bayoumi, J. Kushner, Res. #15-031 .....	64
---	----

**Contracts / Agreements**

AMN Healthcare Company(including Nursefinders LLC), Res. #15- 030 .....	62
Angelica Textile Services, Res. #15-140 .....	212
Cecilia Lyons, Res. #15-181 .	267
Clark Patterson Lee, Res. #15- 040 .....	83

Department of Corrections and Community Supervision (DOCCS), Res. #15-212 ..	334
Favorite Healthcare Staffing, Inc Res. #15-030 .....	62
Fujifilm Medical System USA, Inc, Res. #15-030 .....	62
GE Healthcare, Res. #15-030..	62
Insight Imaging, Res. #15-181 .....	267
Lend Lease (US) Construction, Inc, Res. #15-041 .....	83
Malini Rao, MD, Res. #15-181 .....	267
Medical Staffing Network, Res. #15-030 .....	62
Morrison Management Specialists, Inc., Res. #15-070 .....	115
Pronexus, Res. #15-212 .....	334
Siemens Medical Solutions, Inc. Res. #15-030 .....	62
Strong Memorial Hospital, Res. #15-181 .....	267
University of Rochester (UR Medicine), Res. #15-030 ....	62
University of Rochester Medical Center, Res. #15-004.....	6
UR Medicine Labs, Res. #15-070 .....	115
Western New York Physicians, PLLC Res. #15-030.....	62
XTend Healthcare, LLC, Res. #15-181 .....	267
<b>Contracts / Agreements Amended</b> UR Medicine Labs (Res. #15- 070), Res. #15-139 .....	211
<b>Contracts / Agreements Rescinded</b> University of Rochester Medical Center, Res. #15-241 .....	385
<b>Grants</b>	

New York Office of Rural Health, Res. #15-141 .....	213
The Community Foundation of Greater Buffalo, William F. Thiel Trust, Community Foundation of Greater Buffalo, Res. #15-141 .....	213
<b>Wyo. Co. Industrial Development Agency</b>	
<b>Appointments</b>	
<b>Board of Directors</b>	
M. Dadd, R. Ryan, A. D. Berwanger, Res. #15-229 .....	377
<b>Wyo. Co. Water Resource Agency</b>	
<b>Appointments</b>	
<b>Board of Directors</b>	
M. Merrill, S. King, J. Brick, D. Leuer, C. Ketchum, Res. #15-109 .....	172
<b>Grants Amended</b>	
New York State Department of State (Res. #12-335), Res. #15-057 .....	97
<b>Y</b>	
<b>Youth Bureau</b>	
<b>Appointments</b>	
<b>Youth Board</b>	
J. Kramell, Res. #15-088..	151
<b>Contracts / Agreements</b>	
Aurora Audiology ~ RS, Res. #15-224 .....	372
Buffalo Hearing & Speech~ RS/SED, Res. #15-224 .....	372
Building Blocks Comprehensive Services~ RS/SED, Res. #15-224 .....	372
Candy Hodnett ~ RS, Res. #15-224 .....	372
Carol Casey ~ RS, Res. #15-224 .....	372
Chelsie Callan ~ RS, Res. #15-224 .....	372
Easy Expressions Speech Therapy, Res. #15-089 .....	151
Erin Dressel ~ RS, Res. #15-224 .....	372
Integrated Therapy Services of WNY ~ RS, Res. #15-224 .....	372
Jessica Scheidt ~ RS, Res. #15-224 .....	372
Karen Brown ~ RS, Res. #15-224 .....	372
Kelly Kloc ~ RS, Res. #15-224 .....	372
Kidstart ~ RS/SED, Res. #15-224 .....	372
Kimberly Rowland ~ RS, Res. #15-224 .....	372
Larissa Cox ~ RS, Res. #15-224 .....	372
League for the Handicapped dba The Children's League ~ RS/SED,, Res. #15-224....	372
Learning Ladder Therapeutic Association, Inc. ~ RS, Res. #15-224 .....	372
Letchworth Central School ~ RS, Res. #15-224 .....	372
Letchworth Little Learners ~ SED, Res. #15-224 .....	372
Pioneer Central School ~ RS/SED, Res. #15-224 .....	372
Rainbow Preschool The ARC of Orleans Co.~ RS/SED, Res. #15-224 .....	372
Rob Zentz ~ RS, Res. #15-224 .....	372
Sandra DeVoe ~ RS, Res. #15-224 .....	372

SLC Therapy of Western NY  
~ RS, Res. #15-224 ..... 372

Southtowns Children’s  
Associates ~ RS, Res. #15-  
224 ..... 372

Terri Humberstone ~ RS, Res.  
#15-224 ..... 372

Therapeutic Link for Children  
~ RS/SED, Res. #15-224.. 372

Theresa Lehman ~ RS, Res. #15-  
224 ..... 372

Wee Can Preschool ~ SED, Res.  
#15-224 ..... 372

**Grants**

New York State Office of  
Children and Family Services,  
Res. #15-225 ..... 374