

PROCEEDINGS

OF THE

BOARD OF
SUPERVISORS

Volume II

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

Contents

VOLUME I

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

REGULAR SESSION

(July 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. 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:

Raymond Lewis Caryl

Mr. Raymond Caryl was born in the Village of Warsaw nearly eighty years ago. He participated in Cub Scouts, track, football and in 1953 was a Wyoming County Boys wrestling champion. In high school, he excelled in drafting and shop courses. Mr. Caryl and friends spent days at a time camping on the banks of the Genesee River. On weekends and after school he worked long hard hours in order to earn enough money to buy a fast car and some guns for hunting. One day, a NY State Trooper witnessed how fast the car was capable of traveling and offered some friendly guidance stating, "I suggest you leave town." Mr. Caryl thanked him for the advice and a few days later enlisted in the United States Air Force to join up with a longtime pal.

In October of 1954, Mr. Caryl was sent to Keesler ABF in Biloxi, Mississippi; the base where famed World War II pilots "The Tuskegee Airmen" trained. Upon completion of preliminary courses, Mr. Caryl was sent to Shepard AFB, Texas for intensive training to become an aircraft engine mechanic. At that point in time, the Air Force was less than a decade old and aircraft were rapidly advancing from reciprocating to jet engine technology. The mechanical aptitude gained by years of learning in shop class under the tutelage of Mr. Fontaine paid off.

As a result of outstanding performance and technical ability, Mr. Caryl was selected to work on the "Matador Missile Program." The Matador was the first cruise missile armed with the W5 nuclear warhead. During the Algerian War of Independence, he was deployed to Chateauroux, France to repair and maintain a wide variety of aircraft. Mr. Caryl was one of very few who were proficient enough to handle the T-34 turbojet and J-57 engines. As a direct result of efforts

July 14, 2015

during the uprising, his squadron received the Outstanding Unit Award. After more than eight years of active duty service, Mr. Caryl was honorably discharged. For his courage and valor, he earned the:

Air Force Outstanding Unit Award
Air Force Longevity Service Award
Air Force Good Conduct Medal

Once released from service, Mr. Caryl began a distinguished twenty-six year career as a mechanical engineer for General Motors. He became a private consultant and finally retired nine years later. He currently serves on the Town of Attica Zoning Board of Appeals, library committees, the local historical society and local Baptist Church. He and wife Nellie have been married for 43 years and enjoy traveling to Scotland, Ireland England and France.

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. Caryl and an opportunity to address the Board.

Mr. Caryl addressed the Board with a correction that he was born in Warsaw and grew up in Perry. He also described some of his travels and acknowledged that Wyoming County has always stood out as a nice place to be, “a special little spot”. He enjoys being a mentor to young people and plans on continuing to encourage their potential as long as he can. He thanked the Board for this opportunity.

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

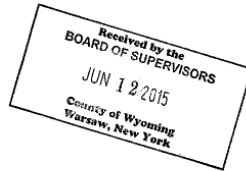
Communications ~

The Chairman asked Clerk Ketchum if any communications were received.

Clerk Ketchum responded that one letter from Senator Patrick M. Gallivan was received and is attached to the agenda for Supervisors to read at their leisure.

- Senator Patrick M. Gallivan ~
 - Letter dated June 9, 2015 acknowledging receipt of Resolution Number 15-198 supporting Senate Bill S.4240.

THE SENATE
STATE OF NEW YORK
SENATOR PATRICK M. GALLIVAN
59TH DISTRICT



June 9, 2015

Lisa A. Perez, Deputy Clerk
Office of the Board of Supervisors
143 N. Main Street
Second Floor – Suite 220
Warsaw, New York 14569

Dear Deputy Clerk Perez,

Thank you for taking the time to write to me directly to share the Wyoming County Board of Supervisors' Resolution supporting legislative bill S.4240. As you know, this bill will assist in augmenting the Cornell Cooperative Extension's work in local communities. This bill has my support; I am currently a co-sponsor.

Please do not hesitate to contact my office should you have any further questions or concerns regarding this or any other issue.

Sincerely,

Patrick M. Gallivan
Senator – 59th District

PMG: lmb

Open Public Hearings ~

- Local Law No. 5, Year 2015 (Introductory D, Year 2015) Entitled, “***A Local Law Regulating Animal Shelters***”
- Local Law No. 6, Year 2015 (Introductory E, Year 2015) Entitled, “***A Local Law to Continue to Impose a County Recording Tax on Obligations Secured by a Mortgage on Real Property***”

The Chairman explained that there will be an opportunity for public comment later in the meeting.

Supervisor Copeland, T/Wethersfield asked for an opportunity to be heard relative to Local Law No. 5. Chairman Berwanger granted Supervisor Copeland permission to address the Board. Supervisor Copeland noted that there are still a number of concerns regarding Local Law No. 5 and requested that it be tabled until such time when the law is ready to be reintroduced.

July 14, 2015

Chairman Berwanger, at the recommendation of the Supervisor Copeland, Chairman of the Wyoming County Public Safety Committee, asked that Local Law No. 5, Year 2015 (Introductory D, Year 2015) Entitled, “A Local Law Regulating Animal Shelters” be withdrawn from the public hearing today which was approved. Clerk Ketchum reminded the Board that Local Law No. 6 would now become No. 5.

#1

RESOLUTION NO. 15-246

(July 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:

Highway Capital Road Project			
From: 17.66.5112.2.20401 Misc. Equip BAN Int.	\$		
17.66.5112.2.24001 Middle Reservation Rd.	62,345.33		
17.66.5112.2.24008 Dewitt Rd.	167,786.10		
17.66.5112.2.24009 Liberty St.	348,863.42		
17.66.5112.2.24010 Telegraph Rd.	15,199.72		
17.66.5112.4.45001 Unallocated Debt Svc	4,036.05		
To: 17.66.5112.2.24011 West Park Rd.	1,769.38	\$300,000.00	
17.50.9901.9.99001 General Fund		300,000.00	
Reason: To cover the revised road project schedule approved by Public Works Committee 1/29/15 – Option #2. Also, to move funds to cover debt payment as approved in the 2015 Budget.			
Highway Capital Road Project Total			\$600,000.00
Budget Office			
From: 01.34.1620.1.10101 Full Time CSEA	\$13,412.00		
01.34.1620.8.81001 Retirement	2,790.00		
01.34.1620.8.82002 Disability CSEA	48.00		
01.34.1620.8.83001 FICA	832.00		
01.34.1620.8.85001 Medicare	195.00		
01.34.1620.8.89001 Health Insurance	1,893.00		
To: 01.33.1231.1.10101 Full Time CSEA		\$13,412.00	
01.33.1231.8.81001 Retirement		2,790.00	
01.33.1231.8.82002 Disability CSEA		48.00	
01.33.1231.8.83001 FICA		832.00	
01.33.1231.8.85001 Medicare		195.00	
01.33.1231.8.89001 Health Insurance		1,893.00	
Reason: To cover the cost of one (1) Keyboard Specialist position that is being transferred from the Buildings & Grounds Department to the Budget Department effective 07/20/15.			

Budget Office Total			\$19,170.00
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District Attorney			
From: 01.32.1167.8.89001 Health Ins.	\$280.00		
To: 01.32.1167.1.10602 Ins. Repudiation		\$280.00	
Reason: Cover the cost of repudiation.			
District Attorney Total			\$280.00

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

#2

**RESOLUTION NO. 15-247
(July 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:

Highway Capital Project Budget Reduction			
<i>Appropriation REDUCTION:</i>			
From: 17.66.5112.2.24009 Liberty St.	(\$392,065.34)		
17.66.5112.2.24012 Perry Rd.	(\$155,135.25)		
17.66.5112.2.24013 Exchange St.	(\$196,889.41)		
Reason: To reduce appropriated funds to account for modified road projects w/ 17.14.5112.5730			
BAN Proceeds in the amount of (\$744,090.00)			
Hgwy Capital Project Budget Reduction Total			(\$744,090.00)
County Health Department			
To: 01.38.4010.1.10301 OT (Includes FT/PT)	\$ 9,511.00		
01.38.4010.2.20201 Computer Equipment	15,884.58		
01.38.4010.4.42464 Public Health	11,876.83		
Preparedness	589.68		
01.38.4010.8.83001 FICA	137.91		
01.38.4010.8.85001 Medicare - FICA		\$38,000.00	
w/01.12.4010.448915 PH/PH Prep. - HRI			
Reason: For OT, Computer Equipment, PHEP, and Fringe in connection with the NYSDOH / Health Research, Inc. (HRI), for the Provision of Funding for Public Health Emergency Preparedness (PHEP) Ebola Preparedness and Response Activities. (Res. #15-097).			
County Health Department Total			\$38,000.00
Fire & Building Codes Enforcement			
To: 01.37.3620.2.23001 Motor Vehicle	\$24,178.00		
w/ any funds available		\$24,178.00	
Reason: To pay unbudgeted vehicle contract.			

July 14, 2015

Fire & Building Codes Enforcement Total			\$24,178.00
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Public Defender			
To: 01.32.1170.4.42308 Sec. 606 Inmate Exp. w/01.11.1170.3089 Other State Aid Reason: To cover the Public Defense cost of State Inmate criminal cases.	\$10,000.00	\$10,000.00	
Public Defender Total			\$10,000.00
District Attorney			
To: 01.32.1166.1.10602 Ins. Repudiation w/ <i>any funds available</i> Reason: To cover repudiation not covered by the grant.	\$157.50	\$157.50	
District Attorney Total			\$157.50

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$2,749,361.57** for the month of **June 2015**.

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

#3

RESOLUTION NO. 15-248
(July 14, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

RESOLUTION NUMBER 15-157 AMENDED

WHEREAS, Resolution Number 15-157 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN ENGAGEMENT LETTER WITH HANCOCK AND ESTABROOK, LLP (JOHN F. CORCORAN, ESQ.) ON BEHALF OF THE HUMAN RESOURCE DEPARTMENT,**” passed by this Board of Supervisors on April 14, 2015 and provides 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 on behalf of the Human Resource Department; now therefore

BE IT RESOLVED, That Resolution Number 15-157 be hereby amended to reflect a revised effective date of June 15, 2015. All else remains the same.

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

Regular Session

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #4 through #7. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 15-249
(July 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 OF
GENERAL SERVICES ON BEHALF OF VETERANS SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Office of General Services, 5 Empire Plaza, Suite No. 2836, Albany, New York 12242 on behalf of Veterans Services. Said funding, under Section 359 of the Executive Law, is in a minimum amount of eight thousand five hundred twenty-nine dollars (\$8,529.00); effective April 1, 2015 through March 2016.

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

#5

**RESOLUTION NO. 15-250
(July 14, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
WYOMING COUNTY COMMUNITY ACTION ON BEHALF OF
WYOMING COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry, NY 14530 on behalf of Wyoming County Office for the Aging. Said contract is for senior employment services to Wyoming County residents age 55 and older in an amount not to exceed eighteen thousand four hundred eleven dollars (\$18,411.00); effective July 1, 2015 through June 30, 2016.

Contingent upon the availability of funds.

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

July 14, 2015

**RESOLUTION NO. 15-251
(July 14, 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 WYOMING COUNTY 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 renewal contract with the following agencies:

- **Tonya Snoody**, 47 Vermont Avenue, Nunda, NY 14517 for Subsidized Child Care for Temporary Assistance families as well as eligible families not on Temporary Assistance; effective June 1, 2015 through December 31, 2015.
- **Kelly McLaughlin**, 34 Buckland Avenue, Perry, NY 14530 for Subsidized Child Care for Temporary Assistance families as well as eligible families not on Temporary Assistance; effective June 29, 2015 through December 31, 2015.

Contracts have variable amounts depending upon services provided. Contingent upon the availability of funds.

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

#7

**RESOLUTION NO. 15-252
(July 14, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A CONTRACT WITH LABORATORY CORPORATION OF
AMERICA HOLDINGS ON BEHALF OF WYOMING COUNTY
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with **Laboratory Corporation of America Holdings**, 1440 York Court Extension, Burlington, NC 27215 on behalf of the Department of Social

Services. Said contract is to provide DNA Testing to prove paternity for Child Support purposes. This is a renewal with the following change to reduce the cost from \$57.00 to \$45.00 per test; effective July 1, 2015 through June 30, 2018.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:
There was a motion by Mrs. Ryan, T/Warsaw to withdraw resolution #8. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 15-
 (July 14, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**RESOLUTION NUMBER 11-165 AMENDED AND
 RESCIND RESOLUTION NUMBER 14-024**

WHEREAS, Resolution Number 11-165 entitled, “**CHAIRMAN AUTHORIZED TO SIGN LEASE AGREEMENTS WITH WARSAW PROPERTY MANAGEMENT, LLC (JIM RUTOWSKI) ON BEHALF OF MENTAL HEALTH,**” passed by this Board of Supervisors on March 11, 2011 and provides for the following lease agreements on behalf of Mental Health:

- lease of the downstairs and barn at 460 North Main Street, Warsaw, NY 14569 for ten years in an amount not to exceed \$1,600.00 a month with a 2% increase at years 4, 6 and 8; effective July 1, 2011 through June 30, 2021; and
- lease of the upstairs at 460 North Main Street, Warsaw, NY 14569 in an amount not to exceed \$1,000.00 per month for an initial term of thirty months; effective July 1, 2011 through December 31, 2013; and

WHEREAS, Resolution Number 14-024 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A LEASE WITH WARSAW PROPERTY, LLC ON BEHALF OF MENTAL HEALTH,**” passed by this Board of Supervisors on January 14, 2014 and provides for a lease agreement with Warsaw Property, LLC on behalf of Mental Health. Details of said agreement are for office space located at 460 North Main Street, Warsaw, NY 14569 in the amount of \$400.00 a month for the upstairs space and \$1,600.00 for the downstairs space; effective anuary 01, 2014 through December 31, 2016; now therefore

BE IT RESOLVED, That Resolution Number 14-024 be hereby rescinded; and be it

FURTHER RESOLVED, That Resolution Number 11-165 be hereby amended to reduce the monthly lease amount of the upstairs space from one thousand

July 14, 2015

10

dollars (\$1,000.00) per month to four hundred dollars (\$400.00) per month to reflect a reduction in square footage; effective January 01, 2014 through December 31, 2016 with the renewal option being addressed every two (2) years. Downstairs and barn area will remain the same as addressed in the original contract that is effective July 1, 2011 through June 30, 2021 with a two percent (2%) increase in years four (4), six (6) and eight (8).

All else remains the same.

Carried: **Ayes:** **Noes:** **Absent:** **Abstain:**

#9

**RESOLUTION NO. 15-253
(July 14, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**LOCATION AND TIME OF AUGUST 2015 REGULAR SESSION
CHANGED**

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

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on ***Tuesday, August 18, 2015 at 2:00 PM*** in the ***Youth Building*** of the ***Wyoming County Fairgrounds in Pike, New York.***

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

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #10 through #13. A voice vote was taken and all voted aye.

#10

**RESOLUTION NO. 15-254
(July 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**RESOLUTION IN SUPPORT OF A GRANT APPLICATION WITH NEW
YORK STATE OFFICE OF COMMUNITY RENEWAL ON BEHALF OF
PLANNING AND DEVELOPMENT**

Regular Session

WHEREAS, The Warsaw Historical Society through efforts to preserve and promote the local history of the Town and Village of Warsaw and Wyoming County has secured and administered grants for the Town of Warsaw and Greater Warsaw Chamber of Commerce for revitalization of Warsaw's historic downtown including the very successful completion of the Town's 2011 New York Main Street grant program; and

WHEREAS, The New York State Main Street Program offers grant funding to assist private developers to complete building improvements in areas that have experienced sustained physical deterioration, decay, neglect or disinvestment in targeted commercial areas; and

WHEREAS, Local developer, James Rutowski, has asked the Warsaw Historical Society, chartered under New York State Education Law, to write a 2015 New York Main Street grant application for development of a downtown Warsaw "Cultural Heritage and Arts" anchor on the former estate of anti-slavery Congressman, Augustus Frank, located at 140 North Main Street; and

WHEREAS, The application supports the "Wyoming County Rural Arts Initiative" for creating a county-wide "Heritage and Arts Trail" with the Frank Estate as the centerpiece attraction. The estate comprises the Congressman's ca. 1850 mansion presently occupied by the "Artisan Villa," a tourism-related business and a vacant, 1870's carriage house on a 2.2 acre landscape in Warsaw's downtown commercial district and in the target area established under the 2011 NYMS grant program; and

WHEREAS, Conversion of the estate's Victorian carriage house into a state-of-the-art, "Cultural Heritage and Arts Center" and improvements to the mansion support local leaders and stakeholders' collaborative, plan to enhance pride of place and boost downtown business and tourism; and

WHEREAS, The estimated total project cost is \$850,000; and

WHEREAS, Warsaw's "Cultural Heritage and Arts" anchor will create a unique public-private partnership that will promote and expand the tourism-related business at the "Artisan Villa" and create tourism-related and community building activities and events on the Estate, this being aligned with the Finger Lakes Regional Council's strategy for enhancing arts and heritage tourism in rural counties of New York State, and;

WHEREAS, The successful project will support the local economy and Warsaw's Main Street businesses, preserve the historic Frank Estate, create

July 14, 2015

downtown business synergies, increase town and village collaboration for development of tourism enterprises and increase available disposable income spent at local businesses, thereby substantially increasing the dollars so needed in the local economy, through the purchase of goods and services and will increase the taxable assessed valuation of the historic buildings; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby support the submission of an application to the New York Main Street grant program, administered by the Housing Community Renewal, for an owner-matching grant in the sum of \$500,000.00 to be used for improvements to the historic Frank mansion and restoration of its Victorian carriage house into Warsaw's "Cultural Heritage and Arts Center," and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors will support and participate in collaborative, promotional strategies to bring visitors and shoppers to Warsaw's anchor and downtown businesses; and be it

FURTHER RESOLVED, That a copy of this resolution be forwarded to the New York Main Street program officials, the Warsaw Historical Society, the Town of Warsaw and the Village of Warsaw.

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

#11

**RESOLUTION NO. 15-255
(July 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A NEW YORK STATE OFFICE
OF COMMUNITY RENEWAL GRANT APPLICATION**

WHEREAS, The County of Wyoming wishes to apply for a grant from the New York State Office of Community Renewal, Economic Development Program, in a minimum amount of two hundred eleven thousand dollars (\$211,000.00) that will be used to provide financial assistance to the Wyoming County Rural Arts Initiative; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed, as the official representative of Wyoming County, New York, to execute and submit grant applications to the New York State Office of Community Renewal, and its hereby authorized and directed, upon approval of the County Attorney, to

take all actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That a public hearing on behalf of this Board of Supervisors will be held as required by the New York State Office of Community Renewal on Friday, July 24, 2015 at 2 pm at the Wyoming County Business Center, 6470 Route 20A, Town of Perry, New York, and at least five days' notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

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

#12

**RESOLUTION NO. 15-256
(July 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Inter-Municipal Cooperative Agreement with the GLOW Solid Waste Management Committee, Genesee County Building 2, 3837 West Main Street Road, Batavia, NY 14020 to carry out GLOW Solid Waste pharmaceutical and household hazardous waste collection programs and services in the amount of eighteen thousand one hundred seven dollars (\$18,107.00) per year not to exceed thirty-six thousand two hundred fourteen dollars (\$36,214.00) in two (2) years; effective January 1, 2016 through December 31, 2017.

Contingent upon the availability of funds.

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

#13

**RESOLUTION NO. 15-257
(July 14, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

July 14, 2015

**JAMES R. HARDIE APPOINTED TO THE WYOMING COUNTY
INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

BE IT RESOLVED, That James R. Hardie, 1060 Alleghany Road, Attica, NY, 14011, be hereby appointed to the Wyoming County Industrial Development Agency Board of Directors to fill the vacant unexpired term formerly held by Mark Merrill; effective immediately through June 13, 2018.

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

#14

**RESOLUTION NO. 15-258
(July 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

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

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 Conroy Motor Corp. on behalf of Wyoming County Fire and Building Code Enforcement. Said bid award is for the purchase of a four-wheel drive, four cylinder, four door, 2016 Ford Escape SUV in an amount not to exceed twenty-four thousand one hundred seventy-eight dollars (\$24,178.00).

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 #15 through #17. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 15-259
(July 14, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

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

Regular Session

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 Constellation Newenergy, Inc., 1221 Lamar Street, Suite 750, Houston, TX 77010 on behalf of Buildings and Grounds (Co. Bldgs.) as a result of a reverse energy auction held on June 16, 2015. Said award is for the purchase of electric supply services for all buildings housing Wyoming County Departments in an amount not to exceed a fixed price of .05381 per kwh; effective August 6, 2015 through August 26, 2018.

Contingent upon the availability of funds.

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

#16

**RESOLUTION NO. 15-260
(July 14, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE UNIFIED COURT
SYSTEM 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 grant application and acceptance award with New York State Unified Court System, 92 Franklin Street, 3rd Floor, Buffalo, NY 14202 on behalf of Buildings and Grounds (Co. Bldgs.). Said funding is for cleaning, minor repairs and maintenance of the Wyoming County Court Facility (Contract #C300358) *in an amount not to exceed* sixty-five thousand two hundred five dollars \$65,205.00; effective April 1, 2015 through March 31, 2016.

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

#17

**RESOLUTION NO. 15-261
(July 14, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

RESOLUTION NUMBER 14-280 AMENDED

July 14, 2015

WHEREAS, Resolution Number 14-280 entitled, “**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS ON BEHALF OF BUILDINGS & GROUNDS (CO. BLDGS.)**”, passed by this Board of Supervisors on August 12, 2014 and provided for the following contracts on behalf of Buildings and Grounds (County Buildings):

- **Warren’s Commercial Cleaning, Inc.**, 454 North Main Street, Warsaw, NY 14569. Said contract is for the provision of cleaning services at Board of Elections and Department of Social Services in an amount not to exceed forty three thousand six hundred twenty-five dollars and fifty-two cents (\$43,625.52); effective October 14, 2014 through October 13, 2015.
- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569. Said contract is for the provision of cleaning services at the Office for the Aging, Public Defender Building, Health Department, Highway Administration Office, Courthouse and Mental Health in an amount not to exceed seventy seven thousand five hundred forty-two dollars and fifty-six cents (\$77,542.56); effective October 14, 2014 through October 13, 2015; and

WHEREAS, Resolution Number 14-280, previously amended by the Board of Supervisors on January 20, 2015 by Resolution Number 15-023 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 would be an increase from seventy-seven thousand five hundred forty-two dollars and fifty-six cents (\$77,542.56) to seventy-seven thousand nine hundred forty-two dollars and fifty-six cents (\$77,942.56); now therefore

BE IT RESOLVED, That Resolution Number 14-280, as amended by 15-023 be hereby further amended to incorporate the cleaning of other previously unused space at the Wyoming County Mental Health Department at an additional cost of forty dollars (\$40.00) per month; effective July 01, 2015 through October 13, 2015. This would be an increase from seventy-seven dollars nine hundred forty-two dollars and fifty-six cents (\$77,942.56) to seventy-eight thousand eighty-two dollars and fifty-six cents (\$78,082.56).

All else remains the same.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #18 and #26. A voice vote was taken and all voted aye.

**RESOLUTION NO. 15-262
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE “C” AMENDED

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

Salary Schedule “C”:

Skilled Nursing Facility (SNF):

- **Interim Director of Nursing (DON)/Program Director of the Adult Day Health Care ~**
 - Set salary at \$75,000.00 per year with a \$5,000.00 per year stipend for holding dual positions; retroactive to the first full payroll after November 25, 2014.
- **Acting Administrator ~**
 - Provide a stipend of \$1,500.00 per month while serving in this role; retroactive to February 01, 2015.

Wyoming County Community Hospital (WCCH):

- **Nursing Informatics Coordinator ~**
 - Set salary to \$72,000.00 per year to reflect current supervisory responsibilities; retroactive to January 01, 2015.
- **Director of Emergency Services (WCCH) ~**
 - Set salary to \$82,000.00 per year to reflect current responsibilities; retroactive to January 01, 2015.
- **Nursing Unit Manager ~**
 - Provide a stipend of \$725.00 per month while assuming additional partial responsibilities of the Acute Director of Nursing while Director of Nursing serves also as SNF Acting Administrator; retroactive to February 01, 2015.
- **Director of Surgical Services ~**
 - Provide a stipend of \$725.00 per month while assuming additional partial responsibilities of the Acute Director of Nursing while Director

July 14, 2015

of Nursing serves also as SNF Acting Administrator; retroactive to February 01, 2015.

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

#19

**RESOLUTION NO. 15-263
(July 14, 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:

- **Buffalo Orthopedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221:
 - Professional Services Agreement ~ Extend the current agreement for an additional three (3) year term beginning 11/01/2015 under the same terms and conditions as the current contract EXCEPT for the addition of the provision of four (4) one (1) week periods per year of twenty-four (24) hours a day seven (7) days a week on-call coverage for emergency orthopedic cases in Hospital’s Emergency Department and in-patient floors in accordance with the requirements identified in Exhibit A. Compensation for the additional four (4) weeks of on-call coverage for emergency orthopedic cases to be paid at the rate of \$3,384.33/week. Call coverage dates to be coordinated with Dr. Lindsey Clark.
 - Orthopedic Service Line Management Agreement - Extend the current agreement or an additional three (3) year term beginning 11/01/2015 under the same terms and conditions as the current contract.
- **Niagara Frontier Anesthesia Services, LLP (NFA)**, 4185 Seneca Street,

Suite 11, West Seneca, NY 14224 to provide services of Certified Registered Nurse Anesthetists as follows:

- One (1) full time equivalent CRNA to provide anesthesia services each workday at WCCHS.
- A CRNA to provide anesthesia call coverage and anesthesia services on nights and weekends fifty percent (50%) of the time during those two (2) months.
- All CRNA's provided to WCCHS under this agreement must have the appropriate clinical privileges at WCCHS to perform the services.
- NFA will bill and collect for all services provided and Wyoming County Community Health System will compensate NFA the difference between amounts collected and thirty thousand dollars (\$30,000.00) per month, plus lodging expenses.

Contingent upon the availability of funds.

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

#20

**RESOLUTION NO. 15-264
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
DEPARTMENT OF VETERANS AFFAIRS 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 a contract with Department of Veterans Affairs, WNY Healthcare System, 3495 Bailey Avenue, Buffalo, NY 14215 on behalf of the Wyoming County Community Health System. Said contract is to provide blood draw/phlebotomy services for VA patients in a minimum amount of one hundred thirty thousand one hundred four dollars (\$130,104.00) (revenue contract); effective July 1, 2015 through June 30, 2020.

July 14, 2015

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

#21

**RESOLUTION NO. 15-265
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

JANIS COOK APPOINTED COUNTY AUDITOR

BE IT RESOLVED, That Janis Cook, 6 East Court Street, Warsaw, NY 14569 is hereby appointed County Auditor to fill the unexpired one (1) year term of Beth Pond; effective September 1, 2015 through December 31, 2015.

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

#22

**RESOLUTION NO. 15-266
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

STANDARD WORK DAY AND REPORTING RESOLUTION

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

BE IT RESOLVED, That the County of Wyoming hereby establishes the following as standard work days for elected and appointed officials whose term begins on or after August 12, 2009 and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

Title	Name	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)
Elected Officials						

Regular Session

Supervisor	Vasile, Michael	XXXXXXXX	6	01/01/15- 12/31/15	N	XXXX
Coroner	Prutsman- Pfeiffer, Jennifer	XXXXXXXX	6	01/01/15- 12/31/18	Y	N/A

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

#23

**RESOLUTION NO. 15-267
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION/REASSIGNMENT APPROVED

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

Buildings and Grounds (CIP) / Budget Office

- Reassign one (1) position of Keyboard Specialist (position code #031.056) from Buildings & Grounds (CIP) dept. #1621 to the Budget Office dept. #1231; effective July 20, 2015.

Youth Bureau

- Create one (1) position of Student Aide (Temp.) to be placed on Salary Schedule G for a period of six (6) weeks at a rate of \$10.00/ hr. with only those benefits mandated by law; effective July 13, 2015 through October 1, 2015. (*Position is grant funded*)

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

#24

**RESOLUTION NO. 15-268
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PHILIPS
LYTLE (RICHARD BEERS) ON BEHALF OF THE WYOMING
COUNTY TREASURER**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Philips Lytle, Attorneys at Law (Richard Beers), 1400 First Federal Plaza, Rochester, NY 14614 on behalf of the County Treasurer. Said

July 14, 2015

contract is for professional services relative to the matter, County of Wyoming vs. Synergy, LLC (Index No. 46418) in the amount of two thousand five hundred dollars (\$2,500.00) not to exceed ten thousand dollars (\$10,000.00); effective July 1, 2015 through the completion of the service or established threshold.

Contingent upon the availability of funds.

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

#25

**RESOLUTION NO. 15-269
(July 14, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

CREDIT/DEBIT CARD ACCEPTANCE POLICY ADOPTED

PURPOSE

It has been determined that it is in the public's best interest to accept payments by credit/debit cards in order to:

- Enhance customer convenience
- Accelerated payments and availability of funds
- Increase the certainty of collection
- Reduce return check processing costs.

POLICY STATEMENT

The purpose of this policy is to provide guidelines for the use of debit and credit card transactions for the benefit of the County of Wyoming.

It is the position of the county to provide safeguards to protect information and data in accordance with federal, state and industry requirements. Therefore, any department that accepts, processes, stores and transmits payment card data must be in compliance with the Payment Card Industry Data Security Standards. The security standard applies to all types of payment card transactions including in-person, mail, telephone and web transactions. This document provides the policy framework through which departments must implement data protection standards in order to ensure compliance. This policy applies to all county departments, staff and individuals who, on behalf of the County, handle electronic or paper documents associated with credit or debit card receipt transactions or accept payments in the form of credit or debit cards. The scope includes any credit or debit card activities conducted at all County locations, whether on or off county property.

REASON FOR POLICY

- To ensure that all individuals in departments that accept confidential payment cards as a form of payment for goods and services understand their responsibility to protect the data in accordance with the Payment Card Industry Data Security Standards and subsequent revisions to the standards.
- To ensure that all external organizations contracted by County departments, staff and individuals to provide outsourced services for credit or debit card processing for County business understand their responsibilities to protect the data.

MERCHANT ACCOUNT COST

Merchant Fees - A merchant fee (sometimes referred to as a "Discount Fee") is charged to the County for each credit card transaction. The County allocates or charges the fees back to the departments based on their usage of total monthly credit card sales. Unless otherwise approved by the Treasurer or Budget Officer, departments accepting credit card payments are responsible for all costs associated with processing (e.g. merchant account setup and administrative fees, equipment purchases, transaction fees, supplies, etc.)

POINT OF SALE (POS) MERCHANT ACCOUNT

Generally refers to payments made with a debit or credit card either in person, by written authorization or by phone. These transactions require daily batching and must be recorded on a Cash Transmittal (CT) form. The Cash Transmittal and a copy of the batch totals must be submitted to the Treasurer's Office on a timely basis.

INTERNET MERCHANT ACCOUNT

A department may establish an internet merchant account to accept payments via the internet through a county website. Payments are then credited to the designated County's bank account and reconciliation must be done by the department with the Treasurer's Office to assure all accounts are posted to the General Ledger account designated by the department.

For departments that do not utilize direct internet payments, transactions must be batched daily and recorded in a format accessible to the Treasurer's Office and prepared and processed through the Treasurer's Office on a daily basis.

APPROVAL

Departments proposing to accept credit cards for payment must obtain advance approval to do so from the Board of Supervisors and Treasurer's Office.

Permission to accept credit card payments will be determined based upon the volume of payments anticipated and existence of adequate internal controls to protect Credit Card Information. The Treasurer working with Information Technology reserves the right to require the implementation of additional

controls as a condition of approval to accept credit card payments. The County currently accepts MasterCard, Visa, American Express and Discover credit cards for payment. Only the Treasurer is authorized to establish a merchant account associated with the County bank accounts for the purposes of credit card acceptance.

RESTRICTION ON RETENTION OF CREDIT CARD INFORMATION

Credit Card Information is confidential information and must be protected against unauthorized disclosure. With the exception of the payer's name and the amount paid, any credit card information obtained for the purposes of accepting a credit card payment must be destroyed (via permanent deletion or shredding) immediately after the payment transaction has been completed. Exceptions to this provision must be expressly authorized in advance by the Treasurer.

POLICY DETAILS

All transactions (including electronic based) that involve the transfer of payment card information must be performed on a computer system approved by the Information Technology Director and the County Treasurer, after a prior security review. All applications that have been approved for payment card activity must be administered in accordance with the requirements of all County policies and the Payment Card Industry Data Security Standard (PCI-DSS).

Departments that need to accept payment cards and obtain a physical terminal to either swipe or key transactions through the point of sale terminals must contact the Treasurer to obtain approval and a Merchant Number and to receive training and instructions on how to record those transactions and reconcile their accounts on the County's accounting system.

Departments that need to engage in electronic commerce are required to use the methodology approved by the Treasurer and are required to work with Information Technology to ensure the e-commerce application meets all county policies, recommended security standards, and the PCI-DSS.

CREDIT CARD SECURITY STANDARD PROCEDURES

It is the policy of the county that all employees that accept credit or debit cards in the normal pursuit of business for their department do so in a secure manner as set forth by the PCI-DSS. It is the responsibility of employees to ensure all sensitive cardholder data are protected against fraud, unauthorized use or other compromise.

EXTERNAL CONSEQUENCES

Failure to meet the requirements outlined in this policy may result in suspension by the Payment Card Industry (Visa, MasterCard, Discover, American Express, etc.) of the Business Unit's and / or the County's privilege of accepting payment cards. Additionally, should sensitive card holder data be compromised as a

result of the failure to meet the requirements of the PCI DSS, fines may be imposed on the County by the Payment Card Industry, beginning at \$50,000 for the first violation. Departments will be expected to absorb these fines along with all costs or penalties / fees assessed.

All regulations and procedures are subject to amendment. The result of security violations including, but not limited to, costs necessary to notify customers that their confidential information has been compromised.

Some violations of the PCI DSS may constitute criminal offenses under local, state, and federal laws. The county will carry out its responsibility to report such violations to the appropriate authorities.

INTERNAL CONSEQUENCES

Failure to meet the requirements outlined in this policy will result in the deactivation of the merchant identification number, thereby suspending payment card acceptance for the affected departments. Merchant identification numbers will be reactivated only when the affected department is once again compliant with this policy. Persons in violation of this policy are subject to the full range of sanctions, including, but not limited to, the loss of computer or network access privileges, disciplinary action, suspension, termination of employment, dismissal from the County, and legal action.

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

#26

RESOLUTION NO. 15-270 (July 14, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF SHELDON APPROVED

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

BE IT RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

July 14, 2015

PARCEL ONE: Town of Sheldon
Tax Map Number 69.2-3-14.1

LOCATION: Route 20A, Varysburg, NY (next to fire hall)

ASSESSED TO: Varysburg Fire Department, Inc.
c/o James Kelly, Treasurer
2446 Route 20A
Varysburg, NY 14167

ERROR TYPE: Incorrect Number of Garbage and Water Units

AUTHORITY: RPTL §550.2(e) *“an entry on a tax roll which is incorrect by reason of a mistake in the transcription of a charge based on units of service of a special district.”*

ACTION: REFUND 2015 Town/County Tax Bill
Original Bill \$2,169.00
Corrected Bill \$ 699.68
Refund \$1,469.32

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:**
2/3 Majority
#27

RESOLUTION NO. 15-271
(July 14, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

A RESOLUTION AUTHORIZING THE COST OF INVESTIGATION AND INITIAL REPAIR OF DETERIORATED INFRASTRUCTURE AT THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$500,000, AND AUTHORIZING THE ISSUANCE OF \$300,000 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 investigation and initial repair of deteriorated infrastructure at the Wyoming County Community Health System in and for the County of Wyoming, New York, Wyoming County Community Hospital are hereby authorized at a maximum estimated cost of \$500,000.00.

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

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$300,000.00 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

July 14, 2015

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.

Chairman Berwanger asked Supervisor Kushner, T/Eagle for an explanation of this resolution.

Supervisor Kushner stated that due to the deterioration of the column at the Skilled Nursing Facility, the insurance company requested that the County open up and look at other areas for the same type of deterioration. For the safety of the residents and the employees, the County feels this is necessary.

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

Public Comment:

*Chairman Berwanger announced it was time for the comment period for the two Local Laws, the first of which was Local Law No. 5, Year 2015 (Introductory D, Year 2015) Entitled, “**A Local Law Regulating Animal Shelters**”. This Resolution has been withdrawn until further deliberation by the Public Safety Committee of the Board of Supervisors. The Chairman did note that there were a number of correspondences received which are listed below but not read into the record as the public hearing for this local law will not be held:*

- Correspondence from Joyce Klein
- Correspondence from Sharon E. Beardsley
- Correspondence from Melissa Henchen with the following attachments:
 - First Strike & You’re Out – Contact with Animals by Offender Prohibited
 - Wyoming County Animal Welfare Coalition
 - Animal Legal Defense Fund – Model Animal Protection Laws
 - National Animal Care and Control Association Guidelines

The Chairman stated that these will be read at the next meeting during a public hearing.

**Local Law
#28**

**RESOLUTION NO. 15-
(July 14, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

July 14, 2015

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 14th 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 12th day of May, 2015, at 2:30 PM, after which the public hearing was closed with the record held open for one month pending further written comment by the public. After which a second public hearing was held by this Board of Supervisors on the 14th day of July, 2015 at 2:30 PM to consider an amended version of the proposed local law, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, After holding said public hearings, 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 July 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 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 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 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:

July 14, 2015

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 will be required to have an inspection and/or review by a NYS Licensed Veterinarian, to ensure the health and safety 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 1. 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 _____		

Sewage Disposal: <input type="checkbox"/> Public <input type="checkbox"/> Private – (Must be approved by Wyoming County Health Dept.)
STORAGE AND/OR DISPOSAL OF ANIMAL WASTE
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)

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 with the aforementioned Animal Shelter, by the applicant, its officers, directors, employees and subcontractors.
ONE-TIME ANIMAL SHELTER PERMIT FEE TO BE SUBMITTED WITH APPLICATION
<input type="checkbox"/> \$20.00 (To be submitted with application)

Sewage Disposal: <input type="checkbox"/> Public <input type="checkbox"/> Private – (Must be approved by Wyoming County Health Dept.)
STORAGE AND/OR DISPOSAL OF ANIMAL WASTE
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)

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 with the aforementioned Animal Shelter, by the applicant, its officers, directors, employees and subcontractors.
ONE-TIME ANIMAL SHELTER PERMIT FEE TO BE SUBMITTED WITH APPLICATION
<input type="checkbox"/> \$20.00 (To be submitted with application)
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.
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		

*Chairman Berwanger requested public comment on Resolution No. 29 which is for Local Law No. 6, Year 2015 (Introductory E, Year 2015) Entitled, “**A Local Law to Continue to Impose a County Recording Tax on Obligations Secured by a Mortgage on Real Property**”*

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.

Chairman Berwanger asked if there were any other comments concerning this local law.

Motion to close the Public Hearing was made by Supervisor Tarbell, T/Castile. Seconded by Supervisor Ryan, T/Warsaw. Carried.

**Local Law
#29**

**RESOLUTION NO. 15-272
(July 14, 2015)**

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

**LOCAL LAW NO. 5 (INTRODUCTORY E, YEAR 2015) ~ 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,” ADOPTED**

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 9th day of June, 2015, a proposed local law of the County, designated as Local Law Introductory No. E, for the year 2015, entitled, **“A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 8 of 2008;”** and

WHEREAS, In accordance with the provisions of Resolution No. 15-221, there was a public hearing held by this Board of Supervisors on this 14th day of July, 2015, at 2:30 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

July 14, 2015

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 9th day of June 2015, is hereby enacted, as amended by this Board, as follows:

LOCAL LAW NO. 5 - 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 through November 30, 2016, 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 through November 30, 2016.

DATED at Warsaw, New York
June 09, 2015 (Introduced)
July 14, 2015 (Adopted)
Cheryl J. Ketchum,^{CMC}
Board Clerk

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

Chairman Berwanger acknowledged Supervisor Kushner who reminded the attendees of the four public forum meetings that were recently held and thanked the Chairman, Supervisors, Department Heads and everyone who took time out of their schedules to make all of them a success.

Before the meeting was adjourned, Chairman Berwanger brought to the attention of the Board an issue with Japanese lanterns; a device that contains fuel, which when lite, floats in the air. He received a call from Joe Sylor, a farmer in the Town of Java. Mr. Sylor lives near a recreation area and had one of these lanterns land by his haymow door as he is very concerned about the risk of fire. A day later, he sent a picture of the lantern that landed on his property and a picture of a horse burned on its neck by one of these lanterns. The Chairman has spoken with CEO Roberts and Dir. of Emergency Services Santoro and more information will be brought before the Public Safety Committee to take a hard look at these and enact regulations as necessary.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:14 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

REGULAR SESSION
(August 18, 2015)
Tuesday
2:00 PM

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

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

Acknowledgement of Colors ~

*By The Wyoming County Joint Veterans Council (Veteran Services
 Director R. Perez)*

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

Kimberly Sobus

Ms. Sobus hails from Homer, Michigan where she joined the delayed entry program through the United States Army at age 17 as a MP after graduating high school in 1982. Basic training and advanced individual training was conducted at Ft. McClellan, Alabama; which was formally established by the War Department in 1917 and was one of 32 mobilization camps formed to quickly train men for WWI.

Being "All you can be" she went to Ft. Benning, Georgia to earn her airborne wings and finally was assigned to the 18th Airborne Core, 16th MP Brigade, 118th MP Company at Ft. Bragg, North Carolina. In the 1983 Invasion of Grenada, 4 female MP's from the 118th (airborne) were deployed and conflicting views of "women in combat" caused them to be ordered back, just to be deployed right back to Grenada. Ms. Sobus deployed a total of 3 times to Grenada assisting in securing nearly 1,000 medical students who were threatened by the nation's Marxist regime, securing POW camps, and guarding the U.S. Embassy where she was featured in Time Magazine. As an active Army soldier, the next deployment was to Germany, working for Military Police Customs, and where she met her husband, who is a 3 year veteran as well. They were married in Denmark. After active duty, she enlisted into the Army Reserves and moved to Cheektowaga, NY.

August 18, 2015

In 1990, the Gulf War was underway and Ms. Sobus voluntarily accepted active duty status with a reservist unit from Ft. Mead, Maryland. In November 1991 the unit deployed to the Saudi-Arabian and Kuwait area in support of Operation Desert Storm/Desert Shield where they escorted ammo trucks and tanks to the front lines. There were also many patrol assignments and Ms. Sobus escorted many dignitaries, such as Secretary James Baker to tour the burning oil fields. After service in the Persian Gulf, she attended the New York State Police Academy for 6 months, while still in the reserves.

For her service to her Country, she was awarded the:

- Army Lapel Button
- Army Service Ribbon
- National Defense Service Medal
- Good Conduct Medal
- Parachute Badge
- Army Achievement Medal
- Overseas Service Ribbon
- Driver Mechanic Badge
- Army Commendation Medal
- Armed Forces Expeditionary Medal ~ Grenada
- Southwest Asia Service Medal w/ 2 Bronze Service Stars
- Kuwait Liberation Medal
- Overseas Service Bar
- Marksman Marksmanship Badge ~ Rifle
- Expert Marksmanship Badge ~ Grenade
- Sharpshooter Marksmanship Badge ~ Pistol

Ms. Sobus continued to serve her country as a New York State Police Officer for 20 years in New York State. Ms. Sobus and her husband settled down in Warsaw, NY where her son recently graduated from high school. Her days are now spent providing care for her family, farm, and our community by providing foster care. Taking care of children, her love for horses, mini-goats, and all farming inspirations certainly keeps her busy.

Prior to the pledge Ms. Sobus thanked the Board for the opportunity to lead in the pledge.

The pledge was said by all.

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

Chairman Berwanger invited Town of Warsaw Supervisor, B. Ryan to join him in the presentation of a certificate of appreciation to Ms. Sobus and an opportunity to

address the Board. She used the adage, it takes a village to raise a child as a parallel to her belief that it takes a community to care for the nation's veterans. She presented the Board with a therapeutic riding stables program for wounded warriors, something she has been thinking about for some time. In closing, Ms. Sobus encouraged the Town Supervisors to support programs that support our veterans...

Introduction of Guests ~

- ***Representing Congressman Chris Collins***
 - Chris Catt/Field Director & Brian Piligra/Field Representative

Chris Catt, Representative of Congressman Collins office presented Ms. Sobus with a Congressional proclamation in honor of her service to her country and her recent retirement.

National Anthem ~

- ***Sang by Emily Bliss***

#1

RESOLUTION NO. 15-273 (August 18, 2015)

By Mr. Brick, Chairman of Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 15th through August 22nd, 2015 in the Town of Pike, Wyoming County, New York; and

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

WHEREAS, The Fair's 2015 theme celebrates "Generations of Family Fun"; and

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

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

August 18, 2015

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaims the week of August 15th through August 22nd in the year 2015 as:

“WYOMING COUNTY FAIR WEEK”

and be it

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

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

Chairman Berwanger invited Supervisor Brick, T/Perry to the microphone to present the Fair Week Proclamation and made the following introduction.

Introduction of Guests ~

- **Former Commissioner of NYS Ag. and Markets,**
 - Darrel Aubertine, **serving as NYS Comptroller**
DiNapoli’s Special Asst. for External Affairs

Supervisor Brick, T/Perry invited newly crowned Fair Queen Brooke Tisdale, T/Pike, Pike Supervisor Sandra King, Wyoming County Dairy Princess, Allyson Herrick and Wyoming County Fair Association Representative, Walt Hallbauer to join him to receive the Fair Week Proclamation. Ms. Herrick did not come forward so Supervisor Brick surmised that she was in the cattle barn showing her animals.

Mr. Hallbauer outlined all of the things to see at this year’s fair.

Fair Queen Tisdale accepted the proclamation and shared her goals as Fair Queen. She planned to go out into the community in an effort to bring folks together and increase attendance at this and future fairs. She also planned to show people what it is like to be a lady and to be a good role model and inspiration for other young ladies during her reign as Fair Queen.

The proclamation will hang in the Fair Office during Fair week for all who walk by to see.

Supervisor Brick, T/Perry introduced Darrel Aubertine, Special Assistant for External Affairs to the Office of the New York State Comptroller, former Commissioner NYS Ag. & Markets, former NYS Senator and always a Dairy Farmer.

Mr. Aubertine presented Chairman Berwanger with a letter from NYS Comptroller DiNapoli

THOMAS P. DINAPOLI
STATE COMPTROLLER



STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

110 STATE STREET
ALBANY, NEW YORK 12236

August 18, 2015

Honorable A. Douglas Berwanger, Chair
Wyoming County Board of Supervisors
142 North Main Street, Suite 220
Warsaw, NY 14569

Dear Supervisor Berwanger:

Greetings to you and to all your fellow members of the Wyoming County Board of Supervisors. I am grateful for your invitation, and regret that I cannot join you in person for this month's meeting at the Wyoming County Fair. However, I am pleased that my colleague Darrel Aubertine, former Commissioner of Agriculture & Markets as well as a State Senator, will be with you to represent our office. We appreciate how vital Wyoming County is to the State's agriculture industry, and applaud your dedication and hard work on behalf of the County's farmers and other residents.

As you may know, I have been touring the State since March with Darrel and other members of my staff to meet with farmers, agriculture experts, elected officials and other stakeholders in order to learn more about the challenges and opportunities confronting New York's agricultural sector in the 21st century. We have learned a great deal through our visits and conversations, and hope to continue the learning process today. I look forward to hearing your ideas and concerns, and to working with you to help strengthen the agriculture industry in Wyoming County and throughout New York State.

Please feel free to contact me if my office can be of service. Best wishes for a productive meeting and a successful Fair.

Sincerely,

Thomas P. DiNapoli
State Comptroller

Chairman Berwanger thanked the Commissioner for the letter... Commissioner Aubertine added that he represented Jefferson County through the State Senate and State Assembly. He took the opportunity to echo Kimberly Sobus's words to support veteran programs whenever and wherever possible.

Presentations ~

- **National Ag Award ~ Farm & Homestead News Periodical:**
 - Joan Sinclair Petzen

August 18, 2015

- Donald Gasiewicz
- Debra Welch
- Eva McKendry

Certificates of Recognition were provided to each member of the team. On behalf of the team, Joan Petzen said a few words in support of Cooperative Extension programs.

- **2015 Conservation Farm of the Year:**

- Outback Dairy

- *The Norm Becker Family*

- *Mr. Becker very graciously accepted the recognition and offered a few comments and extended the family's heartfelt thank you to everyone that helped get them to the point of winning the award.*

- **National Association of Extension 4-H Agents ~ Communicator Award**

- 4-H'er (Managing Editor) Emily Vandenbosch
- Nate Smith
- Tanya Nickerson

The following certificates seem to have been misplaced somewhere between the Government Center and the Fairgrounds so Chairman Berwanger asked Shawn Tiede, Exec. Director Cornell Cooperative Extension to speak on behalf of the awards. Once the certificates are located they will be delivered to the recipients!!

Presentations ~ NYS Senator, Patrick Gallivan

- **4-H Leadership Scholarship 2015 Recipients ~**
 - Michaela Brennan
 - Emily Vandenbosch
 - Meredith Bell
 - Drew Wiseley

Introduction of Guests ~

- **County Sheriff**
 - Greg Rudolph from the Town of Attica
- **County Clerk**
 - Rhonda Pierce from the Town of Wethersfield
- **County Treasurer**
 - Cheryl Mayer from the Town of Pike
- **District Attorney**

- *Donald O'Geen*
- ***Representing NYS Governor Andrew Cuomo***
 - *Lauren Kelly*

#2

RESOLUTION NO. 15-274
(August 18, 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:

Youth Bureau			
From: 01.45.7310.4.42436 Youth Court/Omega	\$1,184.15		
To: 01.45.7310.1.10202 Temporary Empl.		\$1,100.00	
01.45.7310.8.83001 FICA		68.20	
01.45.7310.8.85001 Medicare		15.95	
Reason: To cover part- time student aide (seasonal)			
Youth Bureau Total			\$ 1,184.15
Highway Capital Project			
From: 01.51.9717.7.70001 Serial Bond BAN Int C&D	\$31,357.48		
To: 01.52.9950.9.99017 Transfer to Fund 17 CIP		\$31,357.48	
Reason: To cover the Bonding Expense related to rolling BANS			
C & D into long-term financing.			
Highway Capital Project Total			\$31,357.48

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#3

RESOLUTION NO. 15-275
(August 18, 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:

August 18, 2015

Historian			
To: 01.46.7510.1.10601 Unused Benefit time 01.46.7510.8.83001 FICA 01.46.7510.8.85001 Medicare-FICA 01.46.7510.8.89001 Health Insurance 01.46.7510.8.89002 HRA Expense <i>w/any funds available</i> Reason: To cover unused benefit time for the retiring Dir. D. Bannister and health insurance for the newly appointed Dir. C. Amrhein.	\$2,499.26 154.82 36.16 6,503.28 4,160.00	\$13,353.52	
Historian Total			\$13,353.52
Mental Health			
To: 01.38.4325.4.42441 Family Support/Misc. Mental Health Programs 01.38.4325.4.42409 Advocacy Svsc. 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42445 Supported Apartment w/01.11.4325.3490 Mental Health State Aid Reason: 100% State Aid increase to Camp Get-A-Way; increase in non-cola funding total of \$3,906.00 and an additional \$578.00 for supported housing. No Cty Levy.	\$25,608.00 \$1,614.00 1,684.00 578.00	\$29,484.00	
Mental Total			\$29,484.00
District Attorney			
To: 01.32.1163.4.42306 Other Expenditure w/01.07.1163.2626 Fines and Forfeitures Reason: To offset by DA Seized Assets 01.899.1163 Restricted Reserve.	\$5,000.00	\$5,000.00	
District Attorney Total			\$5,000.00
Highway Department			
To: 03.54.5130.2.20401 Misc. Equip. over \$5K 03.54.5130.4.40503 Gas <i>w/any funds available</i> Reason: Originally budgeted in 2013 for fueling system improvements w/add'l funding for the upgrades to complete.	\$88,000.00 5,500.00	\$93,500.00	
Highway Department Total			\$93,500.00
Building & Grounds (CIP)			
To: 01.34.1621.1.10202 01.34.1621.8.83001 01.34.1621.8.85001 01.34.1621.8.81001 w/01.03.1621.1289 other income Reason: To cover (1) Temporary worker hired for the Highway Renovation Project.	\$3,840.00 238.00 56.00 310.00	\$4,444.00	
Building & Grounds (CIP) Total			\$4,444.00
Highway Capital Project			
To: 17.66.5112.4.40305 Other Svc Bond Exp. w/17.13.5112.5031 Interfund Transfer Reason: To cover the Bonding Expense related to rolling BANS C & D into long-term financing.	\$31,357.48	\$31,357.48	
Highway Capital Project Total			\$31,357.48

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

Regular Meeting

Introduction of Guests ~

- *Representing NYS Senator Patrick Gallivan*
 - *Mark Rieman*

Mr. Davis, T/Covington, Vice Chairman of the Audit Committee, presented bills totaling **\$2,410,130.60** for the month of **July 2015**.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

There was a motion by Mr. Tabell, T/Castile, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 15-276
(August 18, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MICHAEL
dEFREITAS, ESQ. ON BEHALF OF THE COUNTY ATTORNEY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Michael deFreitas, Esq., 6500 Main Street, Suite 5, Williamsville, NY 14221 on behalf of the County Attorney. Said contract is for legal services relative to the creation of a 501(c)(3) associated with the new Ag. and Business Center in the amount of two hundred fifty dollars (\$250.00) per hour, not to exceed six thousand two hundred dollars (\$6,200.00); effective August 1, 2015 through July 31, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#5

RESOLUTION NO. 15-277
(August 18, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

August 18, 2015

2. Notify the department head in writing that the leave is for breast, colorectal or prostate cancer screening.
3. At the discretion of the department head, provide proof of the breast, colorectal or prostate cancer screening activity.
 - i. Such proof may include:
 - a. A doctor's statement;
 - b. A receipt showing the services provided; or
 - c. Similar documentation specifically referencing the breast, colorectal or prostate cancer screening activity.

If the leave extends beyond four hours, other and additional accrued benefit time must be applied.

DEPARTMENT HEAD PROCEDURES: The department head is responsible for the following:

1. Posting this policy where other employee notices are posted.
2. Reviewing documentation in support of breast, colorectal or prostate cancer screening leave requests to determine if it supports the request before authorizing the payment for such leave.
3. Requests for leave may be approved before proof is provided, however payment may not be authorized, until proof is received.
4. Maintaining confidentiality of documentation received in support of breast, colorectal or prostate cancer screening leaves.

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #6 through #8. A voice vote was taken and all voted aye.

#6

**RESOLUTION NO. 15-278
(August 18, 2015)**

By Mrs. Ryan, Vice-Chairman of Human Services Committee:

**COMMEMORATING THE 70TH ANNIVERSARY OF VETERAN
SERVICES IN WYOMING COUNTY**

WHEREAS, The United States of America has honored and taken care of those Veterans and families who have served to protect and defend the freedoms born with our Declaration of Independence; and

WHEREAS, Care of Veterans and their families prior to 1887 was done by Grand Army of the Republic (GAR), and Women's Groups; and

August 18, 2015

WHEREAS, The Wyoming County Board of Supervisors, passed by resolution, creating the first permanent paid position of a Veterans Service Office, which became effective January 1, 1945, with the first Director being Arthur Lockwood of Silver Springs; now therefore

FURTHER RESOLVED, That the Wyoming County Board of Supervisors will continue to support the programs helping local Veterans and their families.

#7

By Mrs. Ryan, Vice-Chairman of Human Services Committee:

WHEREAS, The Wyoming County Board of Supervisors acknowledges that death is the only guarantee we have in this world, yet it's the toughest subject to talk about; and

Regular Meeting

WHEREAS, It is acknowledged that there is a need in Wyoming County to provide a place where our dying residents can spend the final days of their life in comfort, in their own county and die with dignity; and

WHEREAS, The Charlotte House Comfort Care will be a comfort care home for those who have a terminal illness and have been medically determined to be in the last three months of life and will be an alternative to a hospital or nursing home when care can no longer be provided in the patient's own home; and

WHEREAS, The Wyoming County Charlotte House Comfort Care will provide a home-like setting for up to two hospice-eligible terminally ill residents at a time; and

WHEREAS, There are no other comfort care style homes in Wyoming County at this time; and

WHEREAS, The Charlotte House Comfort Care will rely totally on the community for its support with the only income being in the form of memorials, donations, fundraising revenues and grants from non-governmental organizations; and

WHEREAS, A comfort care home that provides a no-charge service will benefit many residents and families in our community; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors support the efforts to establish the Charlotte House Comfort Care in Wyoming County.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#8

RESOLUTION NO. 15-280
(August 18, 2015)

By Mrs. Ryan, Vice-Chairman of Human Services Committee:

CHILD SUPPORT AWARENESS MONTH PROCLAIMED

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

August 18, 2015

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim August 2015 as:

in the County of Wyoming.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

There was a motion by Mrs. Ryan, T/Pike, to combine resolutions #9 through #12. A voice vote was taken and all voted aye.

RESOLUTION NO. 15-281
(August 18, 2015)

By Mrs. Ryan, Chairman of Public Health Committee:

Regular Meeting

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 for FY 2015 for 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:

- A. **Livingston/Wyoming Arc**, 18 Main Street, Mount Morris, NY 14510 to increase the original contract amount from \$44,447.00 by \$5,224.00 for a total amount of \$49,671.00.
- F. **Spectrum Human Services, Inc.**, 227 Thorn Avenue, Orchard Park, NY 14127 to increase the original contract amount from \$571,216.00 by \$11,624.00 for a total amount of \$582,840.00:
 - 7. **PROS** increased from \$48,288.00 to \$59,912.00.
- G. **Living Opportunities of DePaul**, 2240 Old Union Road, Cheektowaga, NY 14227-2728 to increase the original contract amount from \$305,197.00 by \$484.00 for a total amount of \$305,681.00:
 - 2. **Supported Housing Slots** (20 slots) increased from \$185,376.00 to \$185,860.00; and

WHEREAS, Resolution Number 14-371 as amended by Resolution Number 15-014 on January 20, 2015 and further amended by Resolution Number 15-048 on February 10, 2015 to reflect revisions to the following contract:

- 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 \$379,388.00:
 - 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 \$6,300.00; increasing the contract from \$379,388.00 to \$385,688.00; now therefore

BE IT RESOLVED, That Resolution Number 14-371 as amended by 15-014 and 15-048 be further amended to reflect the following:

- C. **Wyoming County Community Hospital**, 400 North Main Street, Warsaw, NY 14569, contract renewal for the period of January 1, 2015 through December 31, 2015 for \$166,825.00:
 - Increase contract by \$1,950.00 for a total of \$168,775.00.

August 18, 2015

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

RESOLUTION NO. 15-282
(August 18, 2015)

RESOLUTION NUMBER 11-165 AMENDED

WHEREAS, Resolution Number 11-165 entitled, “CHAIRMAN AUTHORIZED TO SIGN LEASE AGREEMENTS WITH WARSAW PROPERTY MANAGEMENT, LLC (JIM RUTOWSKI) ON BEHALF OF MENTAL HEALTH” passed by this Board of Supervisors on May 10, 2011

- lease of the downstairs and barn at 460 North Main Street, Warsaw, NY 14569 for ten years in an amount not to exceed \$1,600.00 a month with a 2% increase at years 4, 6 and 8; effective July 1, 2011 through June 30, 2021;
- lease of the upstairs at 460 North Main Street, Warsaw, NY 14569 in an amount not to exceed \$1,000.00 per month for an initial term of thirty (30) months; effective July 1, 2011 through December 31, 2013; now therefore.

All else remains the same.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#11

RESOLUTION NO. 15-283
(August 18, 2015)

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 14-024 AMENDED

WHEREAS, Resolution Number 14-024 entitled, CHAIRMAN AUTHORIZED TO SIGN A LEASE WITH WARSAW PROPERTY, LLC ON BEHALF OF MENTAL HEALTH passed by this Board of Supervisors on January 14, 2014 and provides for a lease agreement with Warsaw Property, LLC, 2071 Crittenden Road, Alden, NY 14004 on behalf of Mental Health. Said Lease agreement is for office space located at 460 North Main Street, Warsaw, NY 14569 in the amount of \$400.00 per month for the upstairs space and \$1,600.00 per month for the downstairs space; effective January 01, 2014 through December 31, 2016; now therefore

BE IT RESOLVED, That Resolution Number 14-024 be hereby amended to reflect an expiration date of January 31, 2016 and remove any and all reference to the downstairs space.

August 18, 2015

#12

By Mrs. Ryan, Chairman of Public Health Committee:

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Department of Health, Bureau of Early Intervention, Empire State Plaza, Corning Tower, Room 287, Albany, NY 12237 on behalf of the County Health Department. Said grant is for funding of the Early Intervention Program Administration in a minimum amount of twenty thousand three hundred forty-five dollars (\$20,345.00); effective October 1, 2015 through September 30, 2016.

Regular Meeting

Commissioner Rumsey presented the proclamation to Ms. Schreiber who also thanked the Board on behalf of her entire Child Support Team for their support.

Former Town of Orangeville Supervisor and Wyoming County District Attorney, Jerry Stout was invited to the microphone to receive the Charlotte House Comfort Care resolution. Mr. Stout accepted the resolution and asked that Supervisors and Wyoming County residents think about volunteering and giving of themselves to support the efforts to create the Charlotte House Comfort Care in North Java right here in Wyoming County in memory of Charlotte Smallwood-Cook, a lifelong resident of Wyoming County who had to move to Genesee County in her final days to pass away...

Presentation ~

Community Services / Senior Companions were recognized:

Winifred Cook, Silver Springs ~ 7 years

Marcella Covedill, Gainesville ~ 11 years

Angelina Engleber, Perry ~ 20 years

Martha Hewitt, Perry ~ 17 years

Irma Jacobs, Perry ~ 17 years

Mildred Mandeville, Perry ~ 19 years

Beatrice Raplee, Gainesville ~ 8 years

Rosa Giovanna, Perry ~ 2 years

Mary Sheffield, Perry ~ 12 years

Reva Spann, Perry ~ 6 years

Cora Stedman, Perry ~ 18 years

Eleanor Stevens, Perry ~ 20 years

Supervisor Ryan presented a certificate from Senator Gallivan's office recognizing senior citizen, Florence Merle. Mrs. Merle is celebrating her 100th birthday this year!!

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

#13

**RESOLUTION NO. 15-285
(August 18, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

RESOLUTION NUMBER 12-099 AMENDED

WHEREAS, Resolution Number 12-099 entitled, "CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY

August 18, 2015

“...to administer and otherwise act on behalf of the County of Wyoming in the operation and administration of the Workforce Investment Act of 1998 **and the Workforce Innovation and Opportunity Act, which took effect on July 1, 2015**, at no cost to the county, effective July 01, 2012 through June 30, 2017, renewable annually...”

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

RESOLUTION NO. 15-286
(August 18, 2015)

**POLICY FOR MUNICIPALITIES UTILIZING GRANT WRITING
SERVICES PROVIDED BY WYOMING COUNTY WATER
RESOURCE AGENCY APPROVED**

**Policy for Municipalities Utilizing Grant Writing Assistance Services
Provided by
Wyoming County Water Resource Agency**

Regular Meeting

The WCWRA will review the proposal utilizing the following criteria:

- 1) Is the proposal consistent with WCWRA priorities?*
- 2) Is the proposal cost effective?
- 3) Is the proposal for preliminary funding opportunities and will not be paid and/or reimbursed through a municipality's project funding package?

**The WCWRA and Planning Committee will establish county priorities in consultation with other committee chairs i.e.: infrastructure - repairs or expansion, economic development, public safety, etc.

If approved by the WCWRA it will be forwarded to the Planning Committee, who will then place the proposal on the Planning Committee agenda. If approved by the Planning Committee, the Letter of Application and Agreement will be signed with the municipality for 1/2 of the estimated grant preparation application cost in an amount not to exceed two thousand five hundred dollars (\$2,500.00)

In the event of a need for a decision between Committee meetings, the Chairman of the Planning Committee will have the authority to commit WCWRA resources in an amount not to exceed two thousand five hundred dollars (\$2,500.00) along with consultation with the Chairman of the Board of Supervisors prior to the Planning Committee meeting using the criteria listed above. At the next meeting of the Planning Committee, the Chairman of the Committee will provide a review of the authorized proposal for committee members.

When the grant writer submits an invoice for services to the municipality, said municipality will forward copy of the grant writer's paid invoice, and a copy of endorsed payment check, to the WCWRA Administrator for reimbursement as specified above and in the signed Grant Writing Assistance agreement. A copy of the grant application will be provided by the municipality receiving grant writing services to the WCWRA Administrator and Wyoming County Budget Officer.

**Grant Writing Assistance Services Provided by the WCWRA
Letter of Application and Agreement**

I _____, on behalf of _____,
Name Municipality

located at _____
Address City State Zip

request Grant Writing Assistance Services from the WCWRA as follows:

Name of Grant Writer: _____ Grant Amount: \$ _____

Grant Opportunities/Loans being applied for:

This grant will fund:

I understand and agree to the terms/conditions, specified under the Policy for Municipalities Utilizing Grant Writing Assistance Services Provided by Wyoming County Water Resource Agency, for reimbursement. I also understand that the amount of potential reimbursed is 1/2 of the grant writers invoiced services, up to a maximum of \$2,500, contingent on available WCWRA funds.

Signature Date

APPROVED (Forward to Planning Committee for Approval) OR DENIED

WCWRA Chairman: _____
Signature Date

APPROVED OR DENIED

Planning Committee Chairman: _____
Signature Date

Carried: XXX **Ayes:** 1357 **Noes:** **Absent:** 140 (Bennington) **Abstain:**
102 (Sheldon)
242

Regular Meeting

RESOLUTION NO. 15-287
(August 18, 2015)

By Mr. Leuer, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH WYOMING COUNTY COMMUNITY ACTION

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a lease agreement with Wyoming County Community Action, 6470 Route 20A, Perry, NY on behalf of Wyoming County. Said lease agreement is for the rental of six thousand plus (6,000+) square feet of office space in the amount of four thousand six hundred forty-four dollars (\$4,644.00) per month, not to exceed fifty-five thousand seven hundred twenty-eight dollars (\$55,728.00) annually, effective September 1, 2015 through the vacancy of the county's final tenant.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

Chairman Berwanger next introduced Supervisor Copeland, T/Wethersfield as the Public Safety Committee Chair along with Director of Emergency Management, Tony Santoro and County Fire Coordinator, Bill Streicher to recognize the next group of amazing volunteers.

Director Santoro shared a letter Cowlesville Fire Company. The letter was addressed to the Firemen's Convention during July 2015.

Joint Presentation ~ NYS Senator, Patrick Gullivan /County of Wyoming

- ***Heroic Rescue Recognition:***
 - *Cowlesville Fire Company
 - *Assistant Chief Jeffery Anderson
 - *EMS Captain Nicholas Szuniewicz
 - *Firefighter James Jagusiak, Jr.
 - *Firefighter Derrick Ludwig

Supervisor Copeland distributed certificates of recognition from Wyoming County and official NYS Senate resolutions from Senator Gallivan's.

August 18, 2015

- ***Statewide Prosecutor Award:***
 - ❖ Presented by District Attorney, Donald O'Geen
 - *Vincent Hemming*
- ***Outstanding Probation Officer Award:***
 - ❖ Presented by Supervisor Copeland, received by Probation Director, Joan Kibler as Mr. Lonsberry was unavailable to attend the meeting to receive in person.
 - *John Lonsberry*

#16

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE DIVISION OF
CRIMINAL JUSTICE SERVICES – OFFICE OF PROBATION AND
CORRECTIONAL ALTERNATIVES ON BEHALF OF PROBATION**

#17

Regular Meeting

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
AUTOMON, LLC ON BEHALF OF PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with AutoMon LLC, 10450 North 74th Street, Suite 210, Scottsdale, AZ 85258 on behalf of Probation. Said contract is for software maintenance for the Caseload Explorer Probation Program in an amount not to exceed five thousand nine hundred twenty dollars and nine cents (\$5,920.09); effective June 19, 2015 to June 18, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

#18

**RESOLUTION NO. 15-290
(August 18, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

RESOLUTION NUMBER 14-278 AMENDED

WHEREAS, Resolution Number 14-278 entitled, “**CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH THE NEW YORK STATE OFFICE OF VICTIM SERVICES ON BEHALF OF THE WYOMING COUNTY DISTRICT ATTORNEY**” passed by this Board of Supervisors on August 12, 2014 and provides for the following crime victim services contacts:

- **Crime Victim Services** (contract #C100006) in a minimum amount of \$79,418.46; effective October 1, 2014 through September 30, 2017
- **Crime Victim Services** (contract #C100336) in a minimum amount of \$171,362.55; effective October 1, 2014 through September 30, 2017; and

WHEREAS, Resolution Number 14-278 was further amended by the Board of Supervisors on September 9, 2014 by Resolution Number 14-298 to correct the contract numbers as follows:

August 18, 2015

- **Crime Victim Services** (contract #C100336) - \$79,418.46
- **Crime Victim Services** (contract #C100006) - \$171,362.55; now therefore

BE IT RESOLVED, That Resolution Number 14-278 as amended by Resolution number 14-298 be further amended to increase the contract amounts as follows:

- **Crime Victim Services** (contract #C100336) increased to eighty-four thousand fifty dollars and fifty-four cents (\$84,050.54)
- **Crime Victim Services** (contract #C100006) increased to one hundred eighty-one thousand three hundred eighty-seven dollars and five cents (\$181,387.05)

All else remains the same.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

Chairman Berwanger explained that the proposed local law was being withdrawn indefinitely because the Supervisors couldn't find the correct verbiage. Supervisor Copeland thanked the Departments who were involved in writing the proposal. Supervisor Copeland added that the county would most likely write a policy on how to respond to these types of cases.

Discussion ~

- Local Law Introductory D, Year 2015 Entitled, “*A Local Law Regulating Animal Shelters*”

○ *Written Comments provided by:*

- *Melissa Hennen*
- *Sharon Beardsley*
- *Anne Humphrey*
- *Sally Bowles*
- *Joyce Klein*
- *Joan Mitchell*

Withdrawn

Discussion ~

- *Chinese Lanterns:*
 - *Code Enforcement Officer, Donald Roberts*

Code Enforcement Officer, Don Roberts talked about the dangers of these items. Recently there was an issue with one landing very near a barn just filled with

Regular Meeting

Chairman Berwanger promised to update Commissioner Aubertine on some of the issues relative to Chinese Lanterns throughout the county at a later date.

#19

RESOLUTION NO. 15-291
(August 18, 2015)

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

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

- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569 for cleaning services at the Office for the Aging, Public Defender Building, Health Department, Highway Administration Office, Courthouse and Mental Health in an amount not to exceed seventy-eight thousand five hundred two dollars and fifty-six cents (\$78,502.56); effective October 14, 2015 through October 13, 2016.
- **Warren's Commercial Cleaning, Inc.**, 454 North Main Street, Warsaw, NY 14569 for cleaning services at the Board of Elections and Department of Social Services in an amount not to exceed forty-three thousand six hundred twenty-five dollars (\$43,625.52); effective October 14, 2015 through October 13, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

August 18, 2015

RESOLUTION NO. 15-292
(August 18, 2015)

By Mr. Davis, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN
THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE
"MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE.**

WHEREAS, a Project for the **Replacement of Starr Road Bridge over Kelly Brook, Town of Covington, Wyoming County, P.I.N. 4760.75; BIN 3366410** (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

RESOLVED, That the sum of **\$181,600** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

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

Transportation thereof, and it is further

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

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

RESOLVED, This Resolution shall take effect immediately

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

#21

RESOLUTION NO. 15-293
(August 18, 2015)

By Mr. Davis, Chairman of Public Works Committee:

RIGHT OF WAYS FOR STARR ROAD BRIDGE PROJECT APPROVED

WHEREAS, That the real property below located in the Town of Covington, Wyoming County, New York is needed to be acquired by the County of Wyoming for the replacement of Covington Bridge #15, BIN #3366410 Starr Road over Kelly Brook, as described on maps on file in the Office of the Wyoming County Superintendent of Highways;

<u>Property Owner</u>	<u>Tax Map No.</u>	<u>Surveyor Map & Parcel No.</u>	<u>Acreage</u>
Jeffres Farms, LLC	024.00-02-1.21	PE Map #1 Parcel #1	.108 ±
500 Wyoming Road	024.00-02-6.11	PE Map #4 Parcel #1	.094 ±
Wyoming, NY 14591			

August 18, 2015

68

Robert A. Kelley	024.00-02-4.21	PE Map #2	Parcel #1	.081 ±
608 Starr Road		TE Map #2	Parcel #2	.024 ±
Wyoming, NY 14591				

James J. Steger	024.00-02-3	PE Map #3	Parcel #1	.009 ±
6203 W. Middlebury Road		TE Map #3	Parcel #2	.038 ±
Wyoming, NY 14591		PE Map #3	Parcel #3	.071 ±

WHEREAS, Said real property owners have agreed to graciously donate said real property so that said replacement may be completed; and

WHEREAS, It is necessary for the County to indemnify said property owners in connection with said replacement; now therefore

BE IT RESOLVED, That the County of Wyoming shall indemnify and hold harmless the property owners listed from any claim, charge, expense or liability arising from any action or omission taken by the County in connection with exercising its rights under the Easements given to the County of Wyoming by the property owners; and be it

FURTHER RESOLVED, That the County of Wyoming is authorized to accept the donation of said real properties; said conveyances to be completed upon the recording of an Easement from the real property owners to the County of Wyoming.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

#22

RESOLUTION NO. 15-294
(August 18, 2015)

By Mr. Davis, Chairman of Public Works Committee:

RESOLUTION NUMBER 15-041 AMENDED

WHEREAS, Resolution Number 15-041 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEND LEASE (US) CONSTRUCTION, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on January 20, 2015 and provides for construction management services for the emergency repair to the Wyoming County Skilled Nursing Facility Dining Room Column with Lend Lease (US) Construction, Inc. in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 14, 2015

Regular Meeting

through completion of the project. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 15-041 be hereby amended to increase this contract by fifty thousand dollars \$50,000.00 for additional construction management services above and beyond the original contract for a total contract not to exceed seventy thousand dollars (\$70,000.00). All else remains the same.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#23

RESOLUTION NO. 15-295
(August 18, 2015)

By Mr. Davis, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH LEND LEASE (US) CONSTRUCTION, 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 Lend Lease (US) Construction, Inc. 360 West Jefferson Street, Suite A, Syracuse, NY 13202 on behalf of Buildings and Grounds (CIP). Said contract is for construction management services relating to the structural failure at the Wyoming County Community Health System Skilled Nursing Facility the morning of January 14, 2015 and emergency repairs to exterior columns and exterior insulation and finishing systems (EIFS) in an amount not to exceed twenty thousand dollars (\$20,000.00); effective July 20, 2015 through completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#24

RESOLUTION NO. 15-296
(August 18, 2015)

August 18, 2015

By Mr. Davis, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE 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 Clark Patterson Lee, 205 St. Paul Street, Suite 500, Rochester, NY 14604 on behalf of Buildings and Grounds (CIP). Said contract is for architectural and engineering services relating to the structural failure at the Wyoming County Community Health System Skilled Nursing Facility the morning of January 14, 2015 and emergency repairs to exterior columns and exterior insulation and finishing systems (EIFS) in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective July 30, 2015 through completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #25 through #32. A voice vote was taken and all voted aye.

Mr. Kushner, T/Eagle asked the resolution #28 be withdrawn.

#25

**RESOLUTION NO. 15-297
 (August 18, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION CREATION(S)/EXTENSION APPROVED

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

Buildings & Grounds (CIP)

- Extend one (1) position of ***Laborer (Temp.)*** (1.00 FTE) (position code #025.144) for six (6) months from July 12, 2015 to January 12, 2016 at a rate of \$12.00/hr. with only those benefits mandated by law; to assist on capital improvement projects.

Regular Meeting

Office for the Aging

- Create one (1) position of ***Case Manager***, full time, on CSEA Schedule A grade 15 (\$19.34 - \$22.49) effective January 1, 2016.

Carried: XXX **Ayes:** 1357 **Noes:** **Absent:** 140 (Bennington) **Abstain:**
 102 (Sheldon)
 242

#26

RESOLUTION NO. 15-298
(August 18, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
ON BEHALF OF THE COUNTY TREASURER**

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

- **Drescher and Malecki, LLP**, 3083 William Street, Suite 5, Cheektowaga, NY 14227 for independent auditor services in an amount not to exceed thirty-nine thousand five hundred dollars (\$39,500.00); effective January 1, 2016 through December 31, 2017 (2015 and 2016 Audit years) with two (2) additional renewable option years.
- **Bid and Buy**, 5893 School Road, Castile, NY 14427 to conduct a professional auction of the tax foreclosure properties at a ten percent (10%) buyer premium with a minimum of two hundred dollars (\$200.00) over and above the final bid on each parcel of property sold; effective August 10, 2015 through August 9, 2020 with an annual review.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

#27

RESOLUTION NO. 15-299
(August 18, 2015)

August 18, 2015

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH TIME WARNER CABLE ON BEHALF OF INFORMATION TECHNOLOGY

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Time Warner Cable, 425 Michigan Avenue, Buffalo, NY 14203 on behalf of Information and Technology. Said contract is for the installation and 50 MB fiber for the Ag. and Business Center located at 26 Center Street, Warsaw, NY in an amount not to exceed fifteen thousand eight hundred sixty dollars (\$15,860.00); effective July 16, 2015 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

#28

**RESOLUTION NO. 15-
 (August 18, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

INCREASING THE RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 5, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.
 On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon and for the period commencing December 1, 1992 through November 30, 2017, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 through November 30, 2017, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or

contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992 through November 30, 2017.

SECTION 5. Paragraph (B) of subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 through November 30, 2017, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on December 1, 2015.

Carried: Ayes: Noes: Absent: Abstain:

#29

August 18, 2015

RESOLUTION NO. 15-300
(August 18, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**APPROVING WYOMING COUNTY / WYOMING COUNTY
COMMUNITY HOSPITAL (WCCHS) SPECIFIC EARLY
RETIREMENT INCENTIVE PROGRAM**

WHEREAS, due to the changes in the healthcare environment and resulting challenges being experienced by WCCHS and the resulting need to address workforce reductions, the Wyoming County Board of Supervisors has determined to offer to Wyoming County Community Hospital full-time employees covered by Schedules WCCHS, A, B, C, and E excluding all other County Departments, (hereinafter “employees”), an early retirement incentive; now therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors hereby approves and shall offer Wyoming County Community Hospital employees as defined above an early retirement incentive as described herein.

EARLY RETIREMENT INCENTIVE

A. Eligible Employees. Any full-time “employee” as defined herein of the Wyoming County Community Hospital who has met all of the below requirements shall be eligible for the early retirement incentive referred to herein.

- a) be in full-time employment status as of July 31, 2015; and
- b) be at least fifty-five (55) years of age as of July 31, 2015; and
- c) have at least thirty (30) years of service with the County of Wyoming as of July 31, 2015; and
- d) be eligible for retirement under the relevant provisions of the New York State and Local Employees' Retirement System.

B. Incentive Payment and Effective Date of Retirement. Said employee shall receive a total payment in the gross amount of \$20,000.00 payable in four (4) equal installments of \$5,000.00, and subject to applicable payroll withholdings, in calendar years 2015 and 2016. Retirement shall be effective between July 31, 2015 and October 15, 2015.

C. Schedule of Payments. Four installment payments in the gross amount of \$5,000.00

each, and subject to applicable payroll withholdings, shall be made on or about November 30, 2015, February 29, 2016, May 31, 2016 and August 31, 2016.

D. In addition to all conditions listed under paragraphs A and B of this Early Retirement Incentive Program, any such separating employee shall be required to file a retirement application, from Wyoming County employment, with the New York State and Local Employees' Retirement System with an effective date of retirement between July 31, 2015 and October 15, 2015.

GENERAL CONDITIONS

Employees wishing to take advantage of the early retirement incentive described in this resolution shall be required to contact the Human Resource Director in person no later than September 15, 2015 and make a written election to participate in this incentive.

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

August 18, 2015

NOTICE OF ELECTION
COUNTY OF WYOMING WCCHS EARLY RETIREMENT
INCENTIVE ACCEPTANCE

Name of Employee: _____ Department: _____

By executing this Notice of Election, the undersigned acknowledges the terms and conditions for the Early Retirement Incentive Program set forth and approved by the Board of Supervisors Resolution #15-____, a copy of which is attached hereto and incorporated herein, dated August 18, 2015 and hereby irrevocably elects the retirement incentive.

I elect to receive a \$20,000 cash payment, subject to applicable payroll withholdings payable in four (4) equal installments of \$5,000.00, and subject to applicable payroll withholdings in the calendar years 2015 and 2016, with payments made on or about November 30, 2016, February 29, 2016, May 31, 2016 and August 31, 2016.

Dated: _____

 (Name of Employee)

{State of New York}
 {County of Wyoming}

On the _____ day of _____ in the year _____ before me, the Undersigned personally appeared

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

 Notary Public

#30

RESOLUTION NO. 15-301
(August 18, 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

Regular Meeting

- **UNIVERSITY OF ROCHESTER MEDICAL CENTER** (a division of the University of Rochester), 601 Elmwood Avenue, PO Box 670, Rochester, NY 14642
 - Administrative services agreement in an amount not to exceed four hundred thousand dollars (\$400,000.00); effective through December 31, 2015.
- **HOWARD ANG, MD**, with an office at 400 North Main Street, Warsaw, NY 14569
 - Anesthesia services on each work day and call coverage and anesthesia services on nights and weekends fifty percent (50%) of the time during those two (2) months, in an amount not to exceed twenty-one thousand five hundred thirty dollars (\$21,530.00) per month; effective July 1, 2015 through August 31, 2015 Revenue generated by provider will be retained by WCCHS.
- **WAHL MEDIA, INC.**, 580 Packetts Landing, Fairport, NY 14450 t
 - Media buying services, not to exceed one hundred thousand dollars (\$100,000.00) per year; effective July 1, 2015 through December 31, 2015

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
242

RESOLUTION NO. 15-302
(August 18, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULE "D" AMENDED

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

August 18, 2015

- Set the salary of the **Director of Veteran Services** at \$45,000.00 annually (which is an increase of \$2,500.00 annually in accordance with an offer of employment letter dated 08/29/14 that indicates eligibility for the increase contingent upon satisfactory performance and meeting pre-established goals after one year of employment); effective September 15, 2015.

#32

By Mr. Kushner, Chairman of the Finance Committee:

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 18th day of August, 2015, a proposed local law entitled, “Local Law Introductory No. F Year 2014, **“A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2015,”** and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the **8th day of September, 2015 at 2:30 PM in the Supervisors' Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.**

Carried: XXX Ayes: 1357 Noes: Absent: 140 (Bennington) Abstain:
102 (Sheldon)
 242

INTRODUCTORY LOCAL LAW NO. F - 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 Director of Veteran Services shall be increased by \$2,500.00/annually for a total salary of \$45,000.00/annually.

Section 2. All salaries set forth above shall be effective as of September 15, 2015.

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

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

DATED at Warsaw, New York
August 18, 2015 (Introduced)
Cheryl J. Ketchum,^{CMC}
Board Clerk

Prior to the adjournment of the meeting, Chairman Berwanger asked Clerk Ketchum if she would like to make an introduction. Clerk Ketchum introduced Cassandra Horton, who joined the Board of Supervisors at the table today, as an Intern with the County through the American Legion Auxiliary, Girls State. Ms. Horton is about to complete her required 40 hours. It was a pleasure having her in the office! She was a tremendous help!!

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:46 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

August 18, 2015

REGULAR SESSION
(September 8, 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, Supervisors Jerry Davis, T/Covington, Sandy King, T/Pike and John Knab, T/Sheldon. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

Richard Spencer

Richard (Dick) Spencer was born in 1932 and raised in Perry before moving to Manhattan while in grammar school. At fifteen, Dick enlisted in the New York Army National Guard where he practiced marching, drills and military maneuvers. He worked hard selling newspapers and delivering groceries for a local drug store. Not long after his seventeenth birthday, while "upset at his mom", he transferred from the Army National Guard to the Active Duty Army in 1949.

Mr. Spencer attended Basic training at Fort Dix, NJ, named in honor of Major General John Adams Dix, a War of 1812 veteran, and who later became a U. S. Senator and Secretary of the Treasury. Mr. Spencer was sent to Fort Lewis, WA as a heavy weapons operator assigned to the 4th Regiment Combat Team. During the Korean War, his Division was deployed to Alaska before the Territory achieved official Statehood. He was stationed at Fort Ellison and Fort Ladd; currently named Fort Wainwright, Alaska. His unit prepared for a potential Russian Invasion where the mission was to hold the lines for reinforcements that could be there within 48 hours. Mr. Spencer was honorably discharged from the Army in 1952. For his courage and valor, he earned the:

National Defense Medal;
 Overseas Service Medal; and the
 Good Conduct Medal

Mr. Spencer came back to Perry, married and raised four children. He worked for Robinson Cutlery alongside his grandfather for several years. In the 1960's,

Regular Meeting

he and the family moved to the State of Wyoming to learn and work as a farmer. In 1975, Dick returned to Wyoming County, NY with a plenty of experience in the field of agriculture gained while out West. He was employed at Mellanbacher's farm for years until formally retiring in 1998. However, Mr. Spencer does not go down easy. For many years, he continued to volunteer time at "Table Rock" and "VanSlyke" farms.

At 83 years young, Mr. Spencer enjoys splitting firewood, riding and repairing 4-wheelers, hunting from the backyard, shoveling snow off the roof and, if needed, still reports to work at a moment's notice. He is always the "last load out of the field".

Mr. Spencer and his wife Linda, who is also a farmer, host a blockbuster party every Fourth of July attended by over 20 grandchildren and too many great-grandchildren to number. Known as a good neighbor, he may pull you out of a ditch, lend tools and equipment or plow the snow from a driveway. He is happiest when working.

The pledge was said by all.

Chairman Berwanger invited Town of Genesee Falls Supervisor, M. Vasile to join him in the presentation of the customary certificate of appreciation to Mr. Spencer and an opportunity to address the Board.

Mr. Spencer thanked the board for this opportunity.

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

Communications ~

The Chairman asked Clerk Ketchum if any communications were received. Clerk Ketchum responded there was none for the month.

Open Public Hearing ~

- Local Law No. 6, Year 2015 (Introductory F, Year 2015) Entitled, "***A Local Law Providing Salaries for Certain County Officers for the Year 2015***"

The Chairman explained that there will be an opportunity for public comment later in the meeting.

#1

**RESOLUTION NO. 15-304
(September 08, 2015)**

September 8, 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:

Board of Supervisors			
From: 01.31.1010.4.40301 Prof. Svc. Contracts To: 01.31.1010.8.89001 Medical/Hospitalization Reason: To cover additional Supervisor 08/2015 through 12/2015.	\$5,419.40	\$5,419.40	
Board of Supervisors Total			\$5,419.40
Health Department			
From: 01.38.4011.4.40301 Prof. Svc. Contracts To: 01.38.4011.1.10202 Temporary Reason: To cover part-time student aide (seasonal). 100% Grant Funded through the NYSDOH Bureau of Water Supply Protection through the Drinking Water Enhancement Program (Resolution #15-197). No County Levy.	\$910.26	\$910.26	
Health Department Total			\$910.26
Planning Department			
From: 01.42.6422.4.40601 Ag Center Rent To: 01.42.6421.4.40601 Planning Rent Reason: Transfer funds from Ag Center budgeted Rent to Planning rent to cover the cost of the Planning Department space for the remainder of 2015.	\$18,576.00	\$18,576.00	
Planning Department Total			\$18,576.00

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

#2

RESOLUTION NO. 15-305 (September 08, 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:

Animal Control			
To: 01.37.3510.4.40803 Building Supplies w/ 01.09.3510.2705 Donations	\$2,000.00	\$2,000.00	
Reason: To purchase new dog pens with received donations.			
Animal Control Total			\$2,000.00

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

Mr. Kehl, T/Attica, Vice-Chairman of the Audit Committee, presented bills totaling **\$3,661,214.32** for the month of **August 2015**.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 15-306 (September 08, 2015)

By Ms. Grant, Chairman of Human Services Committee:

YOUTH COURT MONTH PROCLAIMED

WHEREAS, Throughout September more than 1,200 Youth Court programs operate in the nation's juvenile justice systems and will celebrate "National Youth Court" month; and

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

WHEREAS, Youth Courts empower youth through involvement in community solutions by developing skills in leadership, decision-making, and problem solving. Youth learn the appropriate use of peer pressure and are given

September 8, 2015

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

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

RESOLUTION NO. 15-307
(September 08, 2015)

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
JULIE CATON, Ph.D. ON BEHALF OF WYOMING COUNTY
DEPARTMENT OF SOCIAL SERVICES**

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1396 **Noes:** **Absent:** 53 (Covington) **Abstain:**
 48 (Pike)
102 (Sheldon)
 203 Total

After the passage of resolutions #3 and #4 Chairman Berwanger invited Supervisor Grant to the podium to present the Youth Court Month proclamation. Supervisor Grant invited Jamie Hudson from the Youth Bureau to join her to receive the proclamation.

Ms. Hudson thanked the Board of Supervisors, school districts, Probation Department and local police agencies for supporting Youth Court. She also acknowledged the youth volunteers. Ms. Hudson closed by thanking Supervisor Tarbell who helped get this up and running in 1997.

There was a motion by Ms. Ryan, T/Warsaw, to combine resolutions #5 and #6. A voice vote was taken and all voted aye.

#5

RESOLUTION NO. 15-308 (September 08, 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, Resolution Number 14-371 was amended by the Board of Supervisors on January 20, 2015 by Resolution Number 15-014 to reflect the following changes:

- B. **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

September 8, 2015

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):

- **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).

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):

- **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; and

WHEREAS, That Resolution Number 14-371 was further amended by Resolution Number 15-048 on February 10, 2015 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):

- 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; and

WHEREAS, Resolution Number 14-371 was further amended by Resolution Number 15-281 on August 18, 2015 to include reflect the following:

C. **Wyoming County Community Hospital**, 400 North Main Street, Warsaw, NY 14569, contract renewal for the period of January 1, 2015 through December 31, 2015 for one hundred sixty-six thousand eight hundred twenty-five dollars (\$166,825.00):

- Increase contract by one thousand nine hundred fifty dollars (\$1,950.00) for a total of one hundred sixty-eight thousand seven hundred seventy-five dollars (\$168,775.00).
- E. **Hillside Children's Center**, 1183 Monroe Avenue, Rochester, NY 14620-1699, contract renewal for the period of January 1, 2015 through December 31, 2015 for ninety-one thousand two hundred twenty-five dollars (\$91,225.00):
 - Increase contract by two hundred thirty-two dollars (\$232.00) for a total of ninety-one thousand four hundred fifty-seven dollars (\$91,457.00).
- F. **Spectrum Human Services, Inc.**, 227 Thorn Ave., Orchard Park, NY 14127 to decrease the *amended contract amount* from five hundred eighty-two thousand eight hundred forty dollars (\$582,840.00) by fifteen thousand six hundred ninety-two dollars (\$15,692.00) to five hundred sixty-seven thousand one hundred forty-eight dollars (\$567,148.00):
 8. **Alcohol and Substance Abuse** decreased from two hundred twenty-five thousand twenty dollars (\$225,020.00) by seventeen thousand two hundred ninety-eight dollars (\$17,298.00) to two hundred seven thousand seven hundred twenty-two dollars (\$207,722.00).
 - Increase in Office of Mental Health State Aid for COLA's for direct staff by one thousand six hundred six dollars (\$1,606.00).
- G. **Living Opportunities of DePaul**, 2240 Old Union Road, Cheektowaga, NY 14227-2728 to increase the amended contract amount from three hundred five thousand six hundred eighty-one dollars (\$305,681.00) by six hundred ninety-seven dollars (\$697.00) to three hundred six thousand three hundred seventy-eight dollars (\$306,378.00):
 - **Supported Housing Slots** (20 slots) increased from one hundred eighty-five thousand eight hundred sixty dollars (\$185,860.00) by five hundred seventy-eight dollars (\$578.00) to one hundred eighty-six thousand four hundred thirty-eight dollars (\$186,438.00). Increase for COLA's for direct staff by one hundred nineteen dollars (\$119.00).
- I. **Camp Get-A-Way**, Western Region New York State, 18 West Buffalo Street, Warsaw, NY 14569, contract renewal period for January 1, 2015 through December 31, 2015 for twenty-five thousand dollars (\$25,000.00).
 - Increase contract by twenty-five thousand dollars (\$25,000.00) for a total of fifty thousand dollars (\$50,000.00).

All else remains the same; now therefore

BE IT RESOLVED, That Resolution Number 14-371 as amended by

September 8, 2015

Resolution Numbers 15-014, 15-048, and 15-281 be hereby further amended to reflect the following:

- D. **Mental Health Association of Rochester/Monroe County, Inc.,** 320 North Main Street, Rochester, NY for the period of January 1, 2015 through December 31, 2015 increased by one thousand six hundred sixty dollars (\$1,660.00). One hundred percent (100%) “State Aid” COLA for direct staff. Total contract amount for 2015 is two hundred sixty-seven thousand seven hundred thirty-five dollars (\$267,735.00). No County Levy.

All else remains the same.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#6

RESOLUTION NO. 15-309
(September 08, 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 INCORPORATED ON BEHALF OF THE
 COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a subcontract (grant funding award) with Health Research Incorporated, 150 Broadway, Suite 560, Menands, NY 12204. Said grant funding is for the Integrated Breast, Cervical and Colorectal Cancer Screening Program for clinical services in a *maximum* amount of eleven thousand dollars (\$11,000.00); effective June 30, 2015 through June 29, 2016.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#7

RESOLUTION NO. 15-310

Regular Meeting

(September 08, 2015)

By Mr. Leuer, Chairman of Planning Committee:

**JEREMY SATCHELL APPOINTED TO THE WYOMING COUNTY
BUSINESS CENTER (LDC) BOARD OF DIRECTORS**

BE IT RESOLVED, That Jeremy Satchell, 6654 Railroad Avenue, Bliss, NY 14024 is hereby appointed to the Wyoming County Business Center (LDC) Board of Directors to fill the unexpired three (3) year term formerly held by Mark Merrill; effective September 8, 2015 through May 9, 2018.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #8 and #14. A voice vote was taken and all voted aye.

#8

RESOLUTION NO. 15-311
(September 08, 2015)

By Mr. Copeland, Chairman of Public Safety Committee:

**PURCHASE OF FIVE (5) NEW PATROL CARS
APPROVED FOR THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the appropriate documents for the purchase of five (5) 2015 Ford Taurus Sedans, AWD, Police Interceptors through a state bid (Contract PC66390, Award 22737, Lot IV, Item 9) with Henderson Ford, 810 Ridge Road, Webster, NY 14580 on behalf of the Sheriff's Department in the amount of twenty-five thousand fifty-one dollars and twenty-eight cents (\$25,051.28) per vehicle not to exceed one hundred twenty-five thousand two hundred fifty-six dollars and forty cents (\$125,256.40).

Contingent upon the availability of funds.

Carried: XXX	Ayes: 1396	Noes:	Absent: 53 (Covington)	Abstain:
			48 (Pike)	
			<u>102 (Sheldon)</u>	
			203 Total	

September 8, 2015

RESOLUTION NO. 15-312
(September 08, 2015)

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
STATE OF NEW YORK UNIFIED COURT SYSTEM ON BEHALF OF
THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the State of New York – Unified Court System, 8th Judicial District, 92 Franklin Street, Third Floor, Buffalo, NY 14202-3902 on behalf of the Sheriff's Department. Said contract is for the provision of court security for County, Family and Supreme Court in a *maximum* amount of three hundred fifteen thousand dollars (\$315,000.00); effective April 1, 2015 through March 31, 2016. (Revenue contract)

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

#10

RESOLUTION NO. 15-313
(September 08, 2015)

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
STEUBEN COUNTY SHERIFF ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Steuben County Sheriff, 7007 Rumsey Street Extension, Bath, NY 14810 on behalf of the County Jail. Said contract is for prisoner housing of Wyoming County Inmates in an amount not to exceed eighty-five dollars (\$85.00) a day per prisoner; effective May 13, 2015 through May 12, 2016.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#11

**RESOLUTION NO. 15-314
 (September 08, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE
 ORLEANS COUNTY SHERIFF ON BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Orleans County Sheriff, 26 Platt Street, Albion, NY 14411 on behalf of the County Jail. Said contract is for housing of Orleans County Inmates at the Wyoming County Jail in the amount of eighty-five dollars (\$85.00) a day per prisoner; effective May 13, 2015 through May 12, 2016. (Revenue contract)

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#12

**RESOLUTION NO. 15-315
 (September 08, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

2016 STOP DWI PLAN APPROVED

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the 2016 Stop DWI Plan with the Governors Traffic Safety Committee, 6 Empire Plaza, Room 414, Albany, NY 12228 on behalf of Wyoming County's Stop DWI Program. The 2016 Stop DWI Plan Agreement is for continued work addressing the problem of impaired driving in a minimum amount of one hundred seven thousand three hundred seventy-five dollars (\$107,375.00); effective January 1, 2016 through December 31, 2016.

September 8, 2015

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#13

RESOLUTION NO. 15-316
(September 08, 2015)

By Mr. Copeland, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the New York State Division of Office of Homeland Security and Emergency Services, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of Emergency Services. Said grant award is for funding of FY2015 to support regional preparedness efforts in a minimum amount of fifty-two thousand five hundred dollars (\$52,500.00); effective September 1, 2015 through August 31, 2018.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#14

RESOLUTION NO. 15-317
(September 08, 2015)

By Mr. Copeland, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
 LEXIS NEXIS 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 a contract with Lexis Nexis, a division of Reed Elsevier, Inc., 9443 Springboro Pike, Miamisburg, OH 45342 on behalf of the District Attorney. Said contract is

for provision of online legal services in an amount not to exceed nine thousand one hundred eighty-one dollars and twenty cents (\$9,181.20); effective September 1, 2015 through January 31, 2019.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

There was a motion by Mr. Grant, T/Bennington, to combine resolutions #15 and #19. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 15-318
 (September 08, 2015)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
 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 the following contracts on behalf of Wyoming County Buildings and Grounds (Co. Bldgs.); effective September 8, 2015 through completion of project:

- **Imperial Door Controls Inc.**, 85 Oriskany Drive, Tonawanda, NY 14150 for the provision of installing handicap door operators at the:
 - Courthouse rotunda entrance in an amount not to exceed two thousand five hundred seventy-two dollars (\$2,572.00); and
 - Courthouse employee entrance in an amount not to exceed four thousand five hundred thirty-six dollars (\$4,536.00).
 - Projects are 100% reimbursable through the UCS contract.
- **Healthy Home Insulation Systems**, 2 Washington Street, Perry, NY 14530 for the provision of installing icynene closed cell spray foam insulation at the Health Department in an amount not to exceed four thousand eight hundred dollars (\$4,800.00).

Contingent upon the availability of funds.

September 8, 2015

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#16

RESOLUTION NO. 15-319
(September 08, 2015)

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

ANNUAL HIGHWAY SAND BID APPROVED

BE IT RESOLVED, That the attached yearly County Highway sand bids are hereby approved effective September 01, 2015 through August 31, 2016; and be it

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

Contingent upon the availability of funds.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#17

RESOLUTION NO. 15-320
(September 08, 2015)

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

**RIGHT OF WAYS FOR WEST PARK ROAD FOR DRAINAGE
 IMPROVEMENTS APPROVED**

WHEREAS, That the real property below located in the Town of Castile, Wyoming County, New York is needed to be acquired by the County of Wyoming for the replacement of drainage in the Village of Castile, as described on maps on file in the Office of the Wyoming County Superintendent of Highways:

WHEREAS, Said real property owners have agreed to graciously donate said real property so that said replacement may be completed; and

WHEREAS, It is necessary for the County to indemnify said property owners in connection with said replacement; now therefore

BE IT RESOLVED, That the County of Wyoming shall indemnify and hold harmless the property owners listed from any claim, charge, expense or liability arising from any action or omission taken by the County in connection with exercising its rights under the Easements given to the County of Wyoming by the property owners; and be it

FURTHER RESOLVED, That the County of Wyoming is authorized to accept the donation of said real properties; said conveyances to be completed upon the recording of an Easement from the real property owners to the County of Wyoming.

Carried: XXX Ayes: 1396 **Noes:** **Absent:** 53 (Covington) **Abstain:**
48 (Pike)
102 (Sheldon)
203 Total

#18

RESOLUTION NO. 15-321
(September 08, 2015)

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

RIGHT OF WAYS FOR FALLS ROAD BRIDGE APPROVED

WHEREAS, The real property below located in the Town of Sheldon, Wyoming County, New York is needed to be acquired by the County of Wyoming for the replacement of Sheldon Bridge #19, Falls Road over Sheldon Creek, as described on maps on file in the Office of the Wyoming County Superintendent of Highways;

<u>Property Owner</u>	<u>Tax Map No.</u>	<u>Surveyor Map & Parcel No.</u>		<u>Acreage</u>
Linda Casterline 465 Falls Road Strykersville, NY 14145; and	78.-1-32.22	PE Map # 2	Parcel #1	.08 ±

September 8, 2015

WHEREAS, The real property owners have agreed to graciously donate said real property so that the replacement may be completed; and

WHEREAS, It is necessary for the County to indemnify said property owners in connection with the identified replacement; now therefore

BE IT RESOLVED, That the County of Wyoming shall indemnify and hold harmless the property owners listed from any claim, charge, expense or liability arising from any action or omission taken by the County in connection with exercising its rights under the Easements given to the County of Wyoming by the property owners; and be it

FURTHER RESOLVED, That the County of Wyoming is authorized to accept the donation of said real properties; said conveyances to be completed upon the recording of an Easement from the real property owners to the County of Wyoming.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

#19

**RESOLUTION NO. 15-322
 (September 08, 2015)**

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

**CHAIRMAN AUTHORIZED TO SIGN PURCHASE CONTRACT
 REGARDING RIGHT OF WAY FOR FALLS ROAD BRIDGE**

WHEREAS, The real property purchase contracts in the Town of Sheldon needed for the replacement of Sheldon Bridge No 19, Falls Road over Sheldon Creek as described on maps on file in the Office of the Wyoming County Superintendent of Highways are hereby ratified and accepted for the following property:

Property Owner	Tax Map No.	Surveyor Map,	Parcel No. & Footage	Fee
Richard L. Fontaine	Map #1	Parcel #1	Fee Acquisition	+/-4,490sf \$ 0.00
Nancy A. Fontaine				
515 Falls Road				
Strykersville, NY 14145: and				

WHEREAS, Said real property owners have agreed to graciously donate said real property so that said replacement may be completed; and

Regular Meeting

WHEREAS, It is necessary for the County to indemnify said property owners in connection with said improvement; and

WHEREAS, The County of Wyoming shall indemnify and hold harmless the property owner listed from any claim, charge, expense or liability arising from any action or omission taken by the County in connection with exercising its rights under the Easement given to the County of Wyoming by the property owner; now therefore

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

FURTHER RESOLVED That the County of Wyoming is authorized to accept the donation of said real property; said conveyances to be completed upon the recording of an Easement from the real property owners to the County of Wyoming.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

Chairman Berwanger announced the non-consent resolution and explained that it meant that this resolution did not receive unanimous approval by the Committee but was approved and as such is presented as a non-consent resolution.

**Non Consent
#20**

**RESOLUTION NO. 15-323
(September 08, 2015)**

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

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO
EXTEND THE SNOW & ICE REMOVAL AGREEMENTS WITH
TOWNS AND VILLAGES FOR 2016/2017**

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

September 8, 2015

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on County roads for the winter season of **2016/2017**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2016/2017** ~ The base rate will be frozen at the 2015/2016 base rate. If the state snow index goes above 1.4 (as determined by NYS DOT calculations) the base rate will be increased by \$100/mile.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

There was a motion by Mr. Kushner, T/Eagle to withdraw resolution #21. A voice vote was taken and all voted aye.

#21

**RESOLUTION NO. 15-
 (September 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND USES OF
 TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES,
 AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT
 CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE
 STATE OF NEW YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first section of Section two of Resolution No. 80-284, as enacted November 25, 1990, as amended is amended to read as follows:

SECTION 1. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 through November 30, 2017, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 through November 30, 2017, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of

section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible

personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992 through November 30, 2017.

SECTION 5. Paragraph (B) of subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

September 8, 2015

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 through November 30, 2017, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on December 1, 2015.

Carried: Ayes: Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #22 through #27. A voice vote was taken and all voted aye.

#22

**RESOLUTION NO. 15-324
(September 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-211 AMENDED

WHEREAS, Resolution Number 15-211 entitled, “**POSITION EXTENSION APPROVED**,” passed by this Board of Supervisors on May 12, 2015 and provides the following:

Animal Control

Extend one (1) position of ***Laborer, Per Diem*** at the rate of \$10.00/hr. not to exceed \$3,000.00 annually;

now therefore

BE IT RESOLVED, That Resolution Number 15-211 be hereby amended to reflect a corrected title of ***Laborer, PT (Temp.) (Position Code #003.144)*** in Animal Control; and be it

FURTHER RESOLVED, To formally change the title of ***Laborer, PT (Temp.) (Position Code #003.144)*** to a ***Laborer (Per Diem) (position Code #003.144)*** in Animal Control for purposes of working on an as needed basis throughout the year in the amount of \$10/hr. not to exceed \$3,000 annually. All else remains unchanged.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

RESOLUTION NO. 15-325
(September 08, 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”:

County Health Department

- To allow for the payment of overtime to the ***Emergency Preparedness Coordinator (Wyo. Co.)*** according to Resolution #15-097 approving the Public Health Emergency Preparedness Ebola Preparedness and Response Activities grant from Health Research Inc., effective from April 1, 2015 through September 30, 2016.

District Attorney’s Office

- ATP Stipends plus corresponding fringe to be paid after January 1, 2016 as follows:

○ Assistant District Attorney (1 st)	\$15,000.00
○ Assistant District Attorney (2 nd)	3,500.00
○ Administrative Assistant to DA	3,230.00
○ Secretary to DA	<u>1,000.00</u>
Total	\$29,200.00
- ATP Stipends plus corresponding fringe to be paid after April 1, 2016 as follows:

○ Assistant District Attorney (1 st)	\$ 3,290.00
○ Assistant District Attorney (2 nd)	3,575.00
○ Administrative Assistant to DA	3,250.00
○ Secretary to DA	<u>1,250.00</u>
Total	\$11,365.00

 - **Note:** These amounts reflect a retirement rate of 20.8%. If that changes the amount of stipends will also change to cover the corresponding fringes.
- To conform with 2015-2016 OVS and VAWA Grants contracts:

September 8, 2015

- Set the salary of the ***Crime Victim's Program Coordinator (1.0 FTE)*** at \$47,475.00/annually;
- Set the salary of the ***Domestic Violence Coordinator (1.0 FTE)*** at \$30,276.00/annually
 - Said change to be effective on October 1, 2015.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

#24

RESOLUTION NO. 15-326
(September 08, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 13-151 AMENDED

WHEREAS, Resolution Number 13-151 entitled, “CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM” passed by this Board of Supervisors on April 9, 2013 and provides various contracts on behalf of the Wyoming County Community Health System as follows:

- **Philips Healthcare**, 22100 Bothell Everett Highway, Bothell, WA 98041-3003 for maintenance and service of the CT scanner, including required NYS testing in the amount of \$6,582.00/month not to exceed three hundred fifteen thousand nine hundred thirty-seven dollars (\$315,937.00) for the total 48 month contract period; effective May 04, 2013 through May 03, 2017
- **Fuji Film**, 419 West Avenue, Stamford, CT 06902 for a Emerald Synapse Critical service agreement related to hardware and software maintenance on the Picture Archiving and Communication System (PACS) in an amount not to exceed eighty-two thousand six hundred seventy-six dollars (\$82,676.00) for the total 20 month contract period; effective April 16, 2013 through December 31, 2014
- **Wyoming County Medical P.C. (Mashtaq Khan)**, 61 Laurel Lane, Williamsville, NY 14221
 - **90-day contract extension** to provide emergency medical services to the WCCHS Emergency Department in an amount not to exceed three hundred seventy-eight thousand four hundred

Regular Meeting

sixty-five dollars (\$378,465.00) with a 3% increase in hourly service rate and director fee rate; effective April 01, 2013 through June 30, 2013 or upon execution of a new 3 year contract

- **3-year contract** to provide emergency medical services to the WCHS Emergency Department; effective upon cancellation of the 90 day contract extension dated April 01, 2013 through June 30, 2013, for a three year period in an amount not to exceed four million six hundred sixty thousand nine hundred ninety-three dollars (\$4,660,993.00)

Contingent upon the availability of funds; and

WHEREAS, Resolution Number 13-151 was amended by the Board of Supervisors on February 11, 2014 by Resolution Number 14-101 to revise the agreement dated July 1, 2013 with **Wyoming County Medical P.C.** as follows:

- Wyoming County Community Hospital will no longer reimburse the Group for malpractice insurance as a term of the contract. Wyoming County Medical PC will purchase and maintain professional liability insurance to a limit of not less than one million three hundred thousand dollars (\$1,300,000.00) per claim and three million nine hundred thousand dollars (\$3,900,000.00) in the aggregate per policy year.
- In addition, the hourly compensation increased from one hundred seventy dollars (\$170.00) per hour to one hundred ninety-two dollars (\$192.00) per hour and Medical Director stipend increased from fifty-four thousand six hundred thirty-six dollars (\$54,636.00) per year to fifty-six thousand two hundred seventy-five dollars (\$56,275.00) per year; effective January 1, 2014; now therefore

BE IT RESOLVED, That Resolution Number 13-151 as amended by 14-101 be further amended to revise the hourly compensation from two hundred three dollars and sixty-nine cents (\$203.69) per hour to two hundred eighteen dollars and sixty-nine cents (\$218.69) per hour and Medical Director stipend increased from fifty-seven thousand nine hundred sixty-three dollars (\$57,963.00) per year to fifty-nine thousand seven hundred two dollars (\$59,702.00) per year. These amounts are above and beyond the contract escalation clause provisions, effective September 1, 2015 through June 30, 2016.

All else remains the same.

September 8, 2015

Carried: XXX **Ayes:** 1396 **Noes:** **Absent:** 53 (Covington) **Abstain:**
 48 (Pike)
102 (Sheldon)
 203 Total

#25

RESOLUTION NO. 15-327
(September 08, 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:

- **Congdon, Flaherty, O’Callaghan, Reid, Donlon, Travis & Fishlinger, Attorneys and Counselors At Law**, The Omni, 333 Earle Ovington Boulevard, Suite 502, Uniondale, NY 11553-3625 for legal services related to potential costs of skilled nursing facility structural costs not reimbursed by insurance company, cost is out of pocket expenses plus percentage of recovery. On losses less than one million dollars (\$1,000,000.00) in damages an amount not to exceed thirty percent (30%) of any settlement, trial, or verdicts. On losses greater than one million dollars (\$1,000,000.00) in damages an amount not to exceed one-third (1/3) of recovery or verdict up to one million dollars (\$1,000,000.00) and ten percent (10%) of recovery above one million dollars (\$1,000,000.00), effective September 08, 2015 through settlement or verdict.
- **Department of Corrections and Community Supervision (DOCCS)**, The Harriman State Campus, 1220 Washington Avenue, Albany, NY 12226-2050, to provide inpatient, outpatient, and emergency medical services to inmates with the DOCCS, zero dollars (\$0.00) reimbursed as negotiated in the contract, effective September 1, 2015 through August 31, 2017 with a one (1) year option to renew.

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

Regular Meeting

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
48 (Pike)
102 (Sheldon)
203 Total

Chairman Berwanger asked the Board Clerk if there were any written requests to speak at the public hearing. Board Clerk Ketchum responded that there was none.

September 8, 2015

Chairman Berwanger asked any Supervisor if they would like to comment on the proposed local law.

Supervisor Kushner addressed the Board by explaining that the local law pertained to the Director of Veteran Services and the stipulation in his employment letter that upon successful completion of his training and good evaluations, he would receive his full salary. Supervisor Kushner offered is congratulation to Mr. Perez for his successful completion of the standards the Board had set forth.

Chairman Berwanger again asked if there were any other comments concerning this local law from the public.

Close Public Hearing ~

Motion to close the Public Hearing was made by Supervisor May, T/Orangeville. Seconded by Supervisor Brick, T/Perry. Carried.

**Local Law
#28**

**RESOLUTION NO. 15-330
(September 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**LOCAL LAW NO. 6 (INTRODUCTORY F, YEAR 2015) ~ 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 18th day of September, 2015, a proposed local law of the County, designated as Local Law Introductory No. F, for the year 2015, entitled, **“County of Wyoming, Providing Salaries for Certain County Officers for the year 2015;”** and

WHEREAS, In accordance with the provisions of Resolution No. 15-303, there was a public hearing held by this Board of Supervisors on this 8th day of September, 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

Regular Meeting

BE IT ENACTED, That Local Law 6, Year 2015, County of Wyoming, New York, as presented to this Board on the 18th day of August 2015, is hereby enacted, by this Board, as follows:

INTRODUCTORY LOCAL LAW NO. F - 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 Director of Veteran Services shall be increased by \$2,500.00/annually for a total salary of \$45,000.00/annually.

Section 2. All salaries set forth above shall be effective as of September 15, 2015.

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

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

Carried: XXX Ayes: 1396 Noes: Absent: 53 (Covington) Abstain:
 48 (Pike)
102 (Sheldon)
 203 Total

There being no further business to come before this Board and in the absence of the two senior Supervisors, Senior Supervisor Kushner, T/Eagle, adjourned the meeting at 3:26 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

September 8, 2015

REGULAR SESSION
(October 13, 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 with the exception of Supervisors Leuer, T/Middlebury and Copeland, T/Wethersfield. Also present were County Attorney Jim Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

At 2:30 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Ed James

Mr. James grew up in Gainesville, NY and graduated from Letchworth Central School in 1965. Shortly after graduation, he headed to Parris Island, SC as a United States Marine Corps recruit. Parris Island was officially designated a Marine Corps Recruit Depot on November 1, 1915 and continues to be a training depot today.

Amidst the Vietnam War, Mr. James and his class completed basic training in 8 weeks instead of the usual 13 weeks. After training in communications at Camp Lejeune, he was off to Okinawa for jungle warfare and in April 1966 made an amphibious landing south of Da Nang, Vietnam as part of the 2nd Marines. Mr. James volunteered to stay in Vietnam for a total of 21 months as long as he could make it home for Christmas. He called his family Christmas morning for a ride home from the airport.

After service in Vietnam, Mr. James' next assignment was aboard a ship in the Mediterranean and then he went to Norfolk, Virginia to train Marines from Indianapolis. In June of 1969, Mr. James was honorably discharged at the rank of Sergeant and moved back to Wyoming County. For his courage and service to his country, Mr. James was awarded the:

National Defense Service Medal
 Vietnamese Service Medal with one Star
 Vietnamese Service Medal with 1960 Device
 Presidential Unit Citation
 Combat Action Ribbon

Regular Meeting

Good Conduct Medal
The Marine Rifle Marksmanship Badge

For the next 8 years, Mr. James worked for Archway in Perry running the ovens as a baker. He was then employed by D. J. Beardsley as an electrician for 10 years and then worked for Table Rock Farm until 2012 when he retired. Still not ready to slow down, he currently works part time for Cornell Cooperative Extension recycling agricultural plastic that is made into various plastic components that are shipped throughout New York State.

Mr. James resides in the town of Castile with his wife Donna and together they raised four children. Once he decides to officially retire, time will be spent riding his motorcycle and on various woodworking projects. Mr. James has served on the Board of Education at Letchworth School for 15 years, has been a part of the Castile Fire Department for over 35 years, and is a proud member of Castile's Wallace Jeffers American Legion Post 753.

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. James and an opportunity to address the Board. At which time, Mr. James thanked the Board for the designation and declined an opportunity to speak his peace on county government...

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

Before moving on with the agenda, Chairman Berwanger again called on Supervisor Tarbell, T/Castile to introduce three very special guests. Supervisor Tarbell, T/Castile introduced, all the way from Anchorage Alaska, Drs. Steven Tarbell, II and Justine Tarbell with his granddaughter, Claire.

Communications ~

1. ***Senator Gallivan*** is sponsoring ***A Round Table Discussion for Breast Cancer Survivors*** on Wednesday, October 21, 2015 from 1 – 3 pm in the Wyoming County Social Services Conference Room and a ***Breast Cancer Screening and Health Education Event*** on Thursday, October 29th from 3:00 – 7:00 PM at our very own Wyoming County Community Hospital

2. ***Rochester Transportation Service / Wyoming*** ~ has announced a change coming to the Blue and Purple Loop Express Service starting Monday, October 26, the 5 pm Express Service on the Blue (Attica) and Purple (Arcade) Loops will no longer run due to low ridership. All other trips will remain the same.

3. **Governor Andrew M. Cuomo** ~ along with Senator Gallivan and the Wyoming County Board of Supervisors are inviting citizens to participate in the ***New York State Citizen Preparedness Corps Training Program*** on Thursday, October 22, 2015 at 5 pm.

#1

**RESOLUTION NO. 15-331
(October 13, 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:

Information Technology			
From: 01.34.1681.2.20201 computers To: 01.34.1681.4.41410 Software Reason: Transfer funds to cover the cost of Software maintenance agreements.	\$10,000.00	\$10,000.00	
Information Technology Total			\$10,000.00
Historian			
Historian From: 01.46.7510.4.41010 Office Supplies Historical Property To: 01.46.7520.4.40101 Property Insurance Reason: To cover shortage in insurance increase for Historical Property.	\$113.50	\$113.50	
Historian Total			\$113.50
Public Health			
From: 01.38.4051.8.89001 Med. Hosp. Ins. 01.38.4051.8.89002 Health Reim Acct To: 01.38.4051.1.10601 Unused Benefit Time 01.38.4051.1.10602 Insurance Repudiation 01.38.4051.4.41204 Advertising Reason: To accommodate Aging Services Specialist no longer participating in County-Issued Health Insurance and instead Repudiating. Funds budgeted and reimbursed with the New York State Department of Health, Office of Health Insurance Programs/Bureau of Child Health Plus Policy and Exchange Consumer Assistance. Resolution #13-263.	\$1,408.32 <u>\$806.00</u>	\$777.81 \$155.00 \$1,281.51	
Public Health Total			\$2,214.32
Sheriff			
From: 01.37.3110.2.23001 Vehicles To: 01.37.3110.4.40509 Change over expense Reason: Decals and vehicle change over.	\$24,743.60	\$24,743.60	
Sheriff Total			24,743.60

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#2

RESOLUTION NO. 15-332
(October 13, 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:

Treasurer			
To: 01.49.8710.4.41802 Taxes on Co. Prop. <i>w/any Funds available</i> Reason: To cover 2015 School Taxes increased due to assessment increase.	\$2,662.04	\$2,662.04	
Treasurer Total			\$2,662.04
9-1-1			
To: 01.37.3020.1.10001 Salaries S/D/I 01.37.3020.4.42425 Dispatch Services 01.37.3020.8.83001 FICA 01.37.3020.8.85001 Medicare w/ 01.11.3020.3389 Other State Aid 911 Reason: To cover Sch. G Stipend for 911 Coordinator and Dispatch Services.	\$10,000.00 146,451.00 620.00 145.00	\$157,216.00	
9-1-1 Total			\$157,216.00
Sheriff			
To: 01.37.3112.4.40016H Internet Svc T974632 w/01.12.3112.43890H Homeland Sec. Grant T974632 Reason: To cover Homeland Security Expenses relating to the 2013 Grant budget	\$157.87	\$157.87	
Sheriff Total			\$157.87
County Attorney			
To: 01.34.1421.4.42305 Assigned Counsel Prog. <i>w/any funds available</i> Reason: To pay 2015 vouchers and balance accounts.	\$20,000.00	\$20,000.00	
County Attorney Total			\$20,000.00
Public Health			
To: 01.38.4010.4.40801 Cont. Bldg Repair Cty w/01.03.4010.1289 Other Dept. Income Reason: To cover Contracted County Building Repair, with previously un-budgeted revenue generated from the provision of social assessments for DSS Personal Care Assistance Clients per MOU using UAS-NY.	\$7,400.00	\$7,400.00	

October 13, 2015

To: 01.38.4010.4.40801 Contracted Bldg. Repair City w/01.11.4010.340104 Additional State Aid Reason: For contracted building repair – county, in connection with the NYSDOH's 2014-2015 Local Health Department (LHD) Performance Incentive Initiative.	\$13,000.00	\$13,000.00	
Public Health Total			\$20,400.00
Emergency Services			
To: 01.37.3640.4.40401 Training/Education w/01.09.3640.2705 Gifts and Donations Reason: For Grain Bin Extrication Demonstration 9/16/2015	\$2,850.00	\$2,850.00	
To: 01.37.3020.4.40011 Radio Maintenance w/01.08.3020.2680 Insurance Recovery Reason: Replace beacon and controller at the Arcade tower after a lightning strike.	\$4,435.00	\$4,435.00	
Emergency Services Total			\$7,285.00
Public Defender			
To: 01.32.1170.1.10001 Salary 01.32.1170.4.42496 ILS D5 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare w/01.11.1170.302505 ILS D5 in the amount of Reason: To cover cost of approved PD grants	\$26,150.00 2,450.00 1,622.00 380.00	\$30,602.00	
Public Defender Total			\$30,602.00

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling
\$2,293,988.25 for the month of **September 2015**.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

*There was a motion by Mr. Tarbell, T/Castile, to combine resolutions #3
through #11. A voice vote was taken and all voted aye.*

#3

RESOLUTION NO. 15-333
(October 13, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

**RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF
REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV
SERVICES**

WHEREAS, 51 of the 62 New York Counties are mandated by the 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 percent of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, The remaining 12.7 percent county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, For online transactions made through the state DMV website, county shares have been reduced to 2.3%; and

WHEREAS, Legislation (A.8386 by Assemblywoman Russell) has been introduced to raise this county share to 12.7% of revenues collected through transactions on the state website; and

WHEREAS, The Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, Increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

WHEREAS, There is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs to fulfill these DMV services needed for state residents, yet the State takes 87.3 percent of the revenue generated from providing these service; and

WHEREAS, The State Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Richie's bill 5.4964, which would raise the 12.7 percent county share up to a 25 percent share; and

WHEREAS, The counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in state DMV operational budget that occurs from an increased county revenue should be made whole through the State General Fund.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the state Legislature to require a substantial increase of the county DMV revenue share with the State; and be it

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

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

#4

RESOLUTION NO. 15-334
(October 13, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

**RESOLUTION CALLING FOR STATE LEGISLATION AMENDING
THE VEHICLE AND TRAFFIC LAW'S DEFINITION OF AN ALL-
TERRAIN VEHICLE (ATV)**

WHEREAS, Currently New York's Vehicle and Traffic Law defines that an all-terrain vehicle (ATV) may be no wider than 70 inches and no heavier than 1,000 pounds; and

WHEREAS, Advancements in technology and safety in the years since this law was written have seen the creation of vehicles commonly referred to as Utility Vehicles (UTV); and

WHEREAS, UTVs, also called "side-by-sides," are often heavier than traditional models of ATV's due to added safety features such as roll-over bars and seat belts; and

WHEREAS, By modifying the definition of ATV's, users would be

WHEREAS, 8.1792 (Ritchie) amends the definition of ATVs by adding a provision to Vehicle and Traffic Law Section 2281 that would increase the allowable weight of an ATV to one thousand five hundred pounds; and

WHEREAS, The intent of S.1792 (Ritchie) is to update the regulation in New York State to keep pace with changes in technology in the ATV industry and conform with the regulations of neighboring states that allow registration of such vehicles; and

WHEREAS, Allowing safer ATV's to register in New York will increase state and local revenue through new registrations, as well as boost sales of these vehicles throughout the State; moreover, this bill will promote more recreational opportunities in New York, spurring the local economy and encouraging families and young people to develop an appreciation for the outdoors.

NOW, THEREFORE, BE IT RESOLVED, the Wyoming County Board of Supervisors does hereby urge the State of New York to amend New York's Vehicle and Traffic Law to allow for the registration of new model ATV's and UTV's in order to increase safety for New York residents as well as increase economic and tourism opportunities; and be it

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#5

RESOLUTION NO. 15-335
(October 13, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

RESOLUTION CALLING ON THE STATE TO INCREASE INDIGENT LEGAL DEFENSE SYSTEM FUNDING

October 13, 2015

WHEREAS, The United States Supreme Court held in Gideon v. Wainwright that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS, In 1965 the State of New York delegated this state responsibility to counties; and

WHEREAS, The decision to place responsibility at the county level in the State of New York has resulted in a system by which the county and local property taxpayers are burdened with the vast majority of cost for this state responsibility; and

WHEREAS, The shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover over 80 percent of the cost; and

WHEREAS, Implementation of the constitutional right to counsel under Gideon is a state, not county, obligation; and

WHEREAS, The State and multiple counties were sued, and ultimately settled the Hurrell-Harring, et. al v. State of New York, which sought to transform the indigent defense system and called for more government funding to be invested in the system; and

WHEREAS, The Hurrell-Harring settlement requires the parties involved in the suit to provide additional indigent defense services and costly increases including first arraignment counsel, case load caps for public defenders, and additional staff and support for public defenders; and

WHEREAS, The enacted 2015-16 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 it 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

NOW, THEREFORE, BE IT RESOLVED, That Wyoming County Board of Supervisors supports increased state funding to the indigent legal 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 the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Patrick Gallivan and New York State Assemblyman David DiPietro, and the New York State Association of Counties and all others deemed necessary and proper.

#6

(October 13, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

**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

October 13, 2015

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.

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, That the Wyoming County Board of Supervisors supports a continuation and increased appropriation of State financial support to local transit systems negatively impacted by regional Medicaid transportation contracts; and

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

RESOLUTION NO. 15-337
(October 13, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

**RESOLUTION URGING GOVERNOR CUOMO AND THE 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 ability to create municipal health insurance consortiums to jointly self-fund their health plans at a significantly lower cost for taxpayers; and

WHEREAS, These plans would reduce costs and increase flexibility while ensuring quality coverage for counties, municipalities, and local government employees; and

WHEREAS, Many towns, such as towns in Niagara and Schenectady counties, 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; and

WHEREAS, The onerous regulations of Article 47 have allowed only one consortium to form since 1991; and

WHEREAS, Current State Insurance Law §§ 4237-a and 3231 prohibits local governments with fewer than 50 employees from purchasing stop-loss insurance policies; and

October 13, 2015

WHEREAS, These measures have not moved through the legislative process without just and public cause.

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

#8

By Mr. Tarbell, Chairman of Human Resource Committee:

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

Regular Meeting

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 law suits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500 percent; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and

WHEREAS, The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in 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 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, This negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues

with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

WHEREAS, Federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions to be in place for people working at a height above the ground and allows an outlet for

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and be it

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

RESOLUTION NO. 15-339
(October 13, 2015)

Regular Meeting

struggle with historically high costs over the near term; and

WHEREAS, The provisions of the Taylor Law and the Triborough Amendment, and mandates for new employee leave benefits contribute to higher personnel costs to counties; and

WHEREAS, Wyoming County recognizes and supports recent efforts by the Governor to decrease the costs to municipalities associated with binding arbitration; and

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 Wyoming County Board of Supervisors call for Taylor Law reforms that include:

- Further reducing or eliminating the costs and use of interest/binding arbitration;
- An arbitration panel shall consider an employer's ability to pay when making award determinations and in no event shall an award cause the municipality to exceed, or further exceed, the property tax cap;
- 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 PERS to those persons who have not been employers 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

BE IT FURTHER RESOLVED, 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

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

#10

Regular Meeting

#11

By Mr. Tarbell, Chairman of Human Resource 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 Wendy Sisson, P. O. Box 242, Geneseo, NY 14454 on behalf of the County Attorney. Said contract is for legal services to the Wyoming County Department of Social Services in an amount not to exceed ten thousand dollars (\$10,000.00); effective September 1, 2015 through December 31, 2015. Term of contract shortened to coincide with terms of other County Attorney department contracts.

Contingent upon the availability of funds.

#12

By Ms. Grant, Chairman of Human Services Committee:

October 13, 2015

COSTS FOR EARLY INTERVENTION SERVICES THAT WERE PROVIDED AND PAID FOR PRIOR TO THE STATE FISCAL AGENT ADMINISTRATIVE TAKEOVER AND REMAIN OUTSTANDING

WHEREAS, Prior to 2013, counties funded 100 percent of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, The state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, Due to limitations of the NYSDOH NYEIS system, and inaccuracies in reporting and data that continue since its launch in 2010, counties have sought to settle these outstanding reimbursements for almost three years, but are reliant on the Department of Health (DOH) to provide data to identify the exact claims outstanding; and

WHEREAS, DOH and a special work group of counties that has been in place for over two years, has made minimal progress due to a lack of dedicating resources and prioritizing the issue by DOH; and

WHEREAS, This initial work is finding that up to 20 percent of claims submitted by counties for state share reimbursement remain outstanding after several years for a variety of NYEIS computer system technical problems; and

WHEREAS, Some of these unreimbursed claims are nearly five years old; and

WHEREAS, Counties estimated that tens of millions of dollars remain unreimbursed by the state as a result.

NOW, THEREFORE BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Department of Health and the Division of Budget to dedicate the resources to the repayment of these outstanding claims to all counties including New York City a top priority with payments issued in the first quarter of the 2016 state fiscal year; and be it

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#13

RESOLUTION NO. 15-343
(October 13, 2015)

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE DEPARTMENT OF HEALTH AND
THE DIVISION OF BUDGET TO REQUIRE PROVIDERS TO
MAXIMIZE REIMBURSEMENT BY ALL THIRD-PARTY PAYERS**

WHEREAS, Prior to 2013, counties funded 100 percent of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and

WHEREAS, The state implemented a State Fiscal Agent administrative model in April 2013 that centralized billing and contracting at the state level, rather than at the county level; and

WHEREAS, The State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the NYS Department of Health's Early Intervention System; and

WHEREAS, Counties cannot afford to wait any longer for reimbursement from the state, while also trying to maintain the state imposed property tax cap; and

WHEREAS, Recent problems have arisen under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires and a lack of follow through by providers when insurers ask for more information; and

WHEREAS, Any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, these claims then fall to the state and counties to pay.

NOW, THEREFORE BE IT RESOLVED, That New York State implement policies and procedures to ensure that provider claims are filed in a timely manner to commercial insurance providers and Medicaid; and be it

October 13, 2015

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

Regular Meeting

FURTHER RESOLVED, That the State needs to provide incentives that will help increase the utilization of existing school bus fleets and other transportation systems so that preschool special education is more cost effective for the State and the counties; and be it

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

#15

RESOLUTION NO. 15-345
(October 13, 2015)

By Ms. Grant, Chairman of Human Services Committee:

**RESOLUTION URGING THE GOVERNOR AND STATE
LEGISLATURE TO CONTINUE TO CLOSELY MONITOR
PRESCHOOL SPECIAL EDUCATION RATE-SETTING REFORMS AS
THEY ARE IMPLEMENTED, AND TO BUILD A SINGLE STATEWIDE
FISCAL MANAGEMENT SYSTEM THAT IS ACCESSIBLE TO
COUNTIES IN ORDER TO IMPROVE OVERSIGHT AND
ACCOUNTABILITY**

WHEREAS, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as 4410 of the Education Law; and

WHEREAS, The original law included a provision to limit the county fiscal responsibility to 25 percent by the 1993-94 school year; and

October 13, 2015

WHEREAS, The fiscal sharing goals of the original state legislation were never achieved and counties are currently required to fund 40.5 percent of this \$1.8 billion state and federal designed program; and

WHEREAS, Due to the significant fiscal responsibility borne by counties in New York that other counties across the nation are not required to provide, the New York State Association of Counties has worked closely with the State to improve program administration and service delivery, while controlling costs; and

WHEREAS, We applaud the Governor and the Legislature for directing the State Education Department to develop a new rate-setting methodology for special education itinerant services that was put into effect on July 1, 2015 that is designed to ensure that services ordered are delivered to the maximum degree possible and also to equalize provider reimbursement rates in established regions of the state; and

WHEREAS, This new regional rate-setting system and other reforms will likely impose significant new costs in some counties as rates are equalized; and

WHEREAS, The State lacks a statewide information technology system that is accessible to counties; and

WHEREAS, The existing IT system the State uses to administer this program cannot monitor, in real time and with a high level of confidence, how efficiently or effectively the program is operating.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to provide sufficient resources to state agencies responsible for administering this program to ensure that important reforms currently being implemented can be closely monitored; and be it

FURTHER RESOLVED, Counties believe that an essential part of this monitoring requires the State to build and develop an efficient statewide computer system that is accessible to counties and allows for real time and accurate reporting; and be it

FURTHER RESOLVED, The Legislature and Governor should capitalize a hold harmless transition fund with a portion of one-time surplus funds currently available to the state to address any significant cost increases experienced by some counties as the state transitions to the new rate-setting methodologies; and be it

#16

By Ms. Grant, Chairman of Human Services Committee:

WHEREAS, There have been numerous proposals, including as part of the 2015-16 State Budget, 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, 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 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; and

October 13, 2015

WHEREAS, The District Attorney's Association of the State of New York has provided recommendations to state legislative leaders on their proposals to reform the juvenile justice system including;

- 1) providing local prosecutorial consent for the removal of all violent felonies and some non-violent felonies from criminal court to family court,
- 2) not allowing adjustment for violent and serious non-violent felonies,
- 3) any new presumption for granting youthful offender status should be limited to certain classes of non-violent felony offenses,
- 4) reduced sentencing should not be offered for certain violent crimes, and
- 5) ensuring that some level of secure detention options be maintained for certain cases; and

WHEREAS, These recommendations are intended to preserve the delicate balance between offender rehabilitation and offender accountability and public safety.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors calls on the State of New York 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, 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 for infrastructure and services under child welfare and probation services, and to identify mental health and drug and alcohol issues and strategies to minimize absences without leave from the education system; and be it

FURTHER RESOLVED, That recommendations from local district attorneys should be provided due consideration and inclusion if the reform proposal moves forward; 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 be it

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

RESOLUTION NO. 15-347
(October 13, 2015)

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
MAINTAIN THEIR GOAL OF NOT SHIFTING NEW COSTS TO COUNTIES
AS THE STATE CONTINUES ITS IMPLEMENTATION OF THE STATE
TAKEOVER OF MEDICAID ADMINISTRATIVE COSTS**

WHEREAS, County officials continue to collaborate with state health department officials on the rollout and implementation of the state takeover of local Medicaid administration, it has become increasingly apparent that

October 13, 2015

FURTHER RESOLVED, The State should not reduce counties' administrative funding caps without a verifiable and commensurate reduction in local administrative responsibilities to avoid cost shifts; and no district shall be required to perform Medicaid functions unless performance of those functions is cost and liability neutral to the district; and be it

FURTHER RESOLVED, The Department of Health should continue to provide specific time frames to counties and New York City to ease the transition of personnel currently associated with the Medicaid program on the local level; and be it

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

#18

By Ms. Grant, Chairman of Human Services Committee:

Regular Meeting

**LEVELS TO 65 PERCENT UNDER THE EXISTING OPEN-ENDED
CHILD WELFARE FINANCING MECHANISM**

WHEREAS, The current 62 percent state /38 percent county preventive, protective, adoption funding stream reflects a reduction in the State's financial commitment to the well-being of children; and

WHEREAS, The reduction of state funding for these Child Welfare programs was implemented during the height of the Great Recession to help the state balance its budget; and

WHEREAS, That reduction made it more difficult and costly for counties to provide services designed to keep children safe and to provide them with permanent homes and reduced stays in foster care; and

WHEREAS, In 2014, according to the Office of Children and Family Services, New York counties and New York City investigated over 150,000 CPS reports involving more than 250,000 children, while more than 20,300 children were cared for in the foster care system; and

WHEREAS, The safety and welfare of children should remain a state priority; and

WHEREAS, The prior uncapped child welfare funding stream at 65 percent state share provided counties with critical fiscal support allowing for the development of innovative community-based programs that led to a dramatic reduction in the number of children in the foster care system; and

WHEREAS, The gradual, but steady, pullback in State funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net and youth detention and treatment creates an environment in which the state is directly moving away from its constitutional requirement to care for the needy, effectively forcing this State constitutional responsibility on county government and local property taxpayers; and

WHEREAS, New York State enacted a two percent property tax cap that further exacerbates local budget pressures while cost growth in unfunded state mandates continues to outstrip allowable growth under the tax cap, which will be .73 percent in 2016.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors firmly believes the State should renew its commitment to the well-being of children

October 13, 2015

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

#19

By Ms. Grant, Chairman of Human Services Committee:

WHEREAS, The Food and Nutrition Act of 2008 limits able-bodied adults without dependents (ABAWD) eligibility for the Supplemental Nutrition Assistance Program (SNAP) to 3 months in any 36 month period, unless the individual meets ABAWD work requirements or is otherwise exempt; and

WHEREAS, The broad application of these statewide waivers will be ending for most states within the next year; and

Regular Meeting

will fall to counties in New York State; and

WHEREAS, The new federal rules require the identification all ABAWDs potentially subject to the new rules and to notify each recipient in advance of approaching deadlines and work requirements, determine which 36-month clock they will use to implement and track ABAWD participation, ensure system tracking capability and ensure appropriate work participation programs and options are available to recipients; and

WHEREAS, Tens of thousands of recipients will need to be identified, notified, tracked and provided assistance to maintain their SNAP eligibility; and

WHEREAS, Since this federal law change the state has aggressively sought to maximize SNAP utilization while providing no funding for the local administration of this program and has reduced administrative funding for other Human Services Programs; and

WHEREAS, The "flexible" funding intent of the Flexible Fund for Family Services (FFFS) has proven to be highly inflexible as state imposed set asides and existing child welfare commitments and numerous state reimbursement cuts in nearly all human services programs sharply limits county funding to implement the significant new administrative burden the new ABAWD work rules will require.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to provide fiscal assistance to counties to support the additional staff and systems technology necessary to perform these functions; and be it

FURTHER RESOLVED, That counties will require technical assistance to improve and simplify the ABAWD tracking system, determining which counties are labor surplus areas or otherwise eligible for a continued waiver, as well as reviewing options related to the statewide 15 percent exemption option; and be it

FURTHER RESOLVED, That it is incumbent upon the New York State Office of Temporary and Disability Assistance to submit any and all possible ABAWD waiver and exemption options to the federal government; and be it

FURTHER RESOLVED, That the state should maintain local flexibility for job site development in meeting these new federal rules; and be it

FURTHER RESOLVED, We also urge the state to help counties develop and/or identify appropriate jobs in which to place recipients; and be it

October 13, 2015

#20

#21

Regular Meeting

- **NYS Advocate Program, Division of Youth Advocate Programs, Inc.** 2007 North Third Street, Harrisburg, PA 17102, for the Wyoming County Reunification Program, to provide strength-based, wrap-around services into an intense community-based program for the reunification of foster care children with their families in the amount not to exceed sixty-five thousand dollars (\$65,000.00); effective October 1, 2015 through March 31, 2016.
- **Adecco**, 230 East Main Street, Arcade NY 14009 for the provision of one Energy Resource Aide for the upcoming HEAP season in an amount not to exceed twenty thousand dollars (\$20,000.00); effective October 1, 2015 through September 30, 2016. This is an ongoing Memorandum of Understanding Agreement to use as needed.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

RESOLUTION NO. 15-352
(October 13, 2015)

RESOLUTION NUMBER 15-226 AMENDED

October 13, 2015

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**

38 (Wethersfield)

100 Total

Regular Meeting

WHEREAS, Wyoming County is stronger when all citizens become aware of domestic violence prevention; and

NOW, THEREFORE, The Board of Supervisors does hereby proclaim the Month of October 2015 as **DOMESTIC VIOLENCE AWARENESS MONTH** in Wyoming County, and commend this observance to the citizens of this county.

Chairman Berwanger invited Supervisor Grant, T/Bennington to the podium to present the Domestic Violence Awareness Month proclamation. Supervisor Grant asked if there was a representative from the Department of Social Services in the audience as Commissioner Rumsey is not available to attend today's meeting. There being none, she read the proclamation and offered to deliver the proclamation to the department. Supervisor Grant commented on the programs the department delivered in recognition of Domestic Violence

#24

October 13, 2015

RESOLUTION SUPPORTING AN END TO EXECUTIVE ADMINISTRATIVE CUTS, AN INCREASE IN THE BASE GRANT, PER CAPITA RATE, AND STATE AID FORMULA THAT CONSTITUTE ARTICLE 6 STATE AID REIMBURSEMENT FOR MANDATED GENERAL PUBLIC HEALTH WORK UNDERTAKEN BY LOCAL HEALTH DEPARTMENTS AS POPULATION HEALTH PARTNERS OF NEW YORK STATE

WHEREAS, The prevention and population health activities of local health departments in NYC and 57 other counties in New York State are essential to the overall health of the state's residents and communities and crucial to the success of the state's Medicaid Redesign efforts; and

WHEREAS, Unhealthy community environments lead to incidents such as the recent outbreak of Legionnaire's Disease in the Bronx that resulted in the deaths of 12 individuals whose general health was compromised by underlying medical conditions that are aggravated by poor air quality and other characteristics of an unhealthy environment; and

WHEREAS, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola that may arrive from other nations via global travelers at any time; and

WHEREAS, Stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health law is necessary for the protection of all communities within New York State; and

WHEREAS, Article 6 of the Public Health Law currently provides a base grant with 100% reimbursement of either a set amount or a per capita rate of local health department expenditures on core public health services, and then State reimbursement for 36 percent of LHD costs beyond the base grant; and

WHEREAS, The state has reduced its annual appropriations for Article 6 public health spending by 40 percent over the last several years; and

WHEREAS, New York State does not allow local government to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6; and

WHEREAS, In state fiscal year 2011-12, the State eliminated the allowance of state aid for so-called "optional services" by local health departments, such as early intervention (mandated services), medical examiners,

dental health services, some environmental health activities, certified home health agencies, and more; and

WHEREAS, Administrative actions by the New York State Department of Health (NYSDOH) such as the reduction since 2012, and eventual elimination, of revenue offset; the refusal to cover costs associated with the contribution that other local governmental offices make to the work of their local health department (i.e. "MILOR"); and a recent refusal to cover technical assistance in rural counties for well water and septic tank problems that can compromise the sanitation and health of communities throughout rural areas of the state; and

WHEREAS, The reduction and eventual elimination of the revenue offset and other administrative actions leads to a reduction in the generation of fee and penalty revenue that, in turn increases the need for local budget cuts, including staff reductions that compromise the capacity of local governments to ensure the provision of the core services necessary to protect the public's health; and

WHEREAS, NYSDOH has frequently applied changing and inconsistent standards in what it allows as state aid claims without advance notice, from quarter to quarter, region to region, or county to county; and

WHEREAS, Inflation-adjusted payments by New York State for Article 6 state aid to local health departments have declined since 2011, and as a result, local expenditures for public health services and subsequent claims for such state aid, have declined dramatically, with New York City claims alone dropping by \$85 million and state aid payments to New York City declining by \$120 million; and

WHEREAS, Executive administrative reductions to Article 6 State aid reimbursement have a negative impact on the ability of local health departments to protect the public including assisting the state and New York City in enforcing new regulations intended to reduce the incidence and risk of Legionnaire's Disease;

- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases such as Ebola;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches and other recreational venues;

- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE;
- monitoring the public health impact of an influx of unaccompanied minors from Central America into the United States and specifically, New York State;
- monitoring and responding to international health threats and emergencies; among other public health needs; and

WHEREAS, Local health departments deserve respect for their dedication to public health and their expertise in population health; and

WHEREAS, Local health departments require adequate state funding as key partners of the New York State Department of Health in population health efforts to achieve statewide goals set in the New York State Prevention Agenda; and

WHEREAS, The current limits on base grants and state aid combined with increasing administrative cuts and disallowances are creating a cascading negative financial impact on local health departments and eroding their local public health infrastructure; and

WHEREAS, New York State has imposed a cap on property taxes that further restricts the ability of local government to fund core public health services.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor to compensate, within the 2016-17 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

- Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of state aid to local health departments;
- Increase the base grant with 100% reimbursement of local expenditures on core public health services for partial service counties from \$500,000 to \$550,000; for full service counties from \$650,000 to 750,000; and the per capita rate of the base grant from 65 cents per capita to \$1.30 per capita;
- Increase the State Aid reimbursement rate for local health department expenditures beyond the base grant from 36 percent to 38 percent;
- Reimbursement for new state mandated activities required of Local Health Departments at 100%.

#25

By Mrs. Ryan, Chairman of Public Health Committee:

WHEREAS, Lyme Disease is a common but frequently misunderstood illness that, if not caught early and treated properly, can cause serious health problems; and

WHEREAS, Lyme disease was first discovered in New York State on Long Island and in the Hudson Valley region. However, over recent years, the number of Lyme and tick-borne disease cases have spread to the northern and western areas of the state; and

WHEREAS, New York currently has the highest number of reported (confirmed) cases of Lyme disease in the United States. According to the New York State Department of Health, over 95,000 cases have been confirmed in New York State since 1986, and 7,587 cases of Lyme were diagnosed in 2013; and

WHEREAS, The possibility of being bitten by a deer tick is greater during specific times of the year when ticks are most active. Young deer ticks, called nymphs, are active from mid-May to mid-August and are about the size of poppy seeds. Adult ticks, which are approximately the size of sesame seeds, are most active from March to mid-May and from mid-August to November. Both nymphs and adults can transmit Lyme disease; and

WHEREAS, Ticks can be active any time the temperature is above freezing. And due to the unusually harsh winters, the abundant and long-lasting

October 13, 2015

snow cover likely provided insulation to allow ticks to survive through the winter; and

WHEREAS, Diagnosis of Lyme disease takes into account the following factors: history of possible exposure to ticks in areas where Lyme disease is known to occur; signs and symptoms of the illness; and the results of blood tests used to detect whether the patient has antibodies to Lyme disease bacteria; and

WHEREAS, While the impact of Lyme disease is widespread, a large number of cases remain unreported or undiagnosed. The Center for Disease Control (CDC), as of **2012**, there were estimated to be nearly **30,000** new cases of Lyme disease each year, however, only 10,000 cases were actually reported; and

WHEREAS, There are more than a dozen tick-borne illnesses in the United States, in addition to Lyme disease; one tick may carry more than one disease resulting in people receiving more than one "co-infection" from a single tick bite; and

WHEREAS, In the New York State budget in 2014-15, \$100,000 was allocated for the creation of the 21st Century Work Group for disease elimination and reduction. A bill was later passed by both houses of the legislature and signed into law to create the work group, the new law specifically requires a study of the severity, frequency of occurrence and likelihood of reoccurrence, existing animal vaccines and potential human vaccines for various diseases including Lyme disease; and

WHEREAS, In February of 2015, Senate Majority Leader Dean Skelos appointed Senator Sue Serino, a former Dutchess County Legislature as Chair of the Senate Task Force on Lyme and Tick-Borne Diseases; and

WHEREAS, In 2015 both houses of the legislature passed a resolution proclaiming May 2015 as Lyme Disease Awareness Month in the State of New York. In the Resolution, the Legislature asked the following; call on the CDC to reevaluate its guidance on Lyme and other tick-borne disease; and call on the National Institute of Health, Department of Defense, and other federal agencies to provide more funding for this disease in light of the high number of cases found each year.

NOW, THEREFORE, BE IT RESOLVED That the Wyoming County Board of Supervisors calls on the Governor, the Legislature, and the Department of Health to provide support and financial resources for statewide awareness on the threat of Lyme Disease, and other tick-borne diseases; and be it

#26

By Mrs. Ryan, Chairman of Public Health Committee:

WHEREAS, Article 41 of the Mental Hygiene Law charges the Local Governmental Unit (LGU) with the responsibility for the planning, development, implementation and oversight of services to individuals with mental illness, substance use disorders and developmental disabilities at the local level; and

WHEREAS, SPOA is designed to identify, screen and assign Care Coordination and Wraparound Services to eligible high-need/high-risk children and youth with a serious emotional disturbance (SED) and/or behavioral disorder and their families; and

October 13, 2015

WHEREAS, Services include: Home and Community Based Waiver, Intensive Case Management, Supported Case Management, Family Based Treatment, and Community Residences; and

WHEREAS, The primary goals of Children's SPOA include maintaining high-need/high-risk children in the community with their families, reducing out-of-home placements, facilitating the earlier return of children and youth already placed out-of-home, increasing access to community-based services, utilizing an individualized care model with a strength-based approach and assuring active parent involvement at all levels of SPOA.

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

#27

RESOLUTION NO. 15-357
(October 13, 2015)

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
SUB AGREEMENTS 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 Navigator Grant; effective October 1, 2015 through September 30, 2016 as follows:

- Wyoming County Chamber of Commerce ~ \$10,000.00
- Wyoming County Community Action ~ \$47,675.50

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: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#28

RESOLUTION NO. 15-358
(October 13, 2015)

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
INTER-MUNICIPAL AGREEMENTS WITH ALLEGANY,
CATTARAUGUS, CHAUTAUQUA, ERIE, GENESEE, NIAGARA AND
ORLEANS COUNTIES ON BEHALF OF THE COUNTY HEALTH
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, with the approval of the County Attorney, are hereby authorized to sign applicable and appropriate inter-municipal agreements for providing mutual aid during a public health emergency on behalf of the County

October 13, 2015

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#29

WHEREAS, While funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors supports the historic commitment New York State has made toward farmland preservation; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to sustain this level of funding in future state budgets and continue New York's significant commitment to farmland preservation; and be it

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#30

RESOLUTION NO. 15-360
(October 13, 2015)

By Mr. Brick, Chairman of Agriculture Committee:

**RESOLUTION SUPPORTING NEW YORK STATE'S COMMITMENT
TO AGRICULTURE LOCAL ASSISTANCE PROGRAMS AND URGING
THE GOVERNOR AND STATE LAWMAKERS TO INCREASE
FUNDING FOR THESE CRUCIAL LOCAL PROGRAMS**

WHEREAS, New York State's funding for agriculture local assistance programs has not seen an increase in many years; and

WHEREAS, Annually, the executive proposed state budget does not include funding for these core programs, leaving it to the legislature to restore funding before the budget is enacted; and

October 13, 2015

WHEREAS, The enacted 2014/15 state budget increased funding for certain agriculture local assistance programs by more than \$12 million over the Governor's initial proposal; and

WHEREAS, The following chart illustrates the funding for many agriculture local assistance programs:

Program	2015/16 Executive Proposed Budget	2015/16 Enacted Budget
Ag. Child Care (Migrant)	\$6,521,000	\$7,521,000
Core Diagnostic Lab	\$4,425,000	\$5,425,000
Quality Milk (Mastitis)	\$1,174,000	\$1,174,000
NYS Cattle Health Assurance	\$360,000	\$360,000
Johnes Disease	\$480,000	\$480,000
Rabies Prevention	\$50,000	\$610,000
Avian Disease	\$252,000	\$252,000
Farm Family Assistance	\$384,000	\$800,000
Integrated Pest Management	\$500,000	\$500,000
Geneva Experiment Station ~ Seed Inspection	\$128,000	\$128,000
Geneva Experiment Station ~ Hop Testing	\$40,000	\$200,000
Golden Nematode	\$62,000	\$62,000
Future Farmers of America	\$192,000	\$392,000
Ag in Classroom	\$80,000	\$80,000
Association of Ag Educators	\$66,000	\$66,000
NYS Apple Growers Association	\$206,000	\$750,000
Wine / Grape Foundation	\$713,000	\$1,019,000
Farm Viability Institute	\$400,000	\$1,900,000
Pro Daily	0	\$1,200,000
Agriculture Domestic Arts	0	\$500,000
Dairy Excellence Programs (Dairy Profit Teams)	\$150,000	\$150,000
Maple Producers Association	0	\$213,000

Tractor Rollover Program	0	\$250,000
Northern NY Ag Development	0	\$600,000
Eastern Equine Encephalitis	0	\$175,000
NYS Turfgrass Association	0	\$150,000
North Country Vaccine Program	0	\$25,000
Christmas Tree Farmers Assn	0	\$125,000
NYS Berry Growers Association	0	\$320,000
Genesee Livingston Steuben Wyoming Ag.	0	\$100,000
NY Corn and Soybean Growers	0	\$75,000
Cornell Honeybee Research	0	\$50,000
Cornell Maple Research	0	\$125,000
Apple Research and Development	0	\$500,000
Cornell Onion Research	0	\$50,000
Cornell Vegetable Research	0	\$100,000
Island Harvest	0	\$20,000
Wood Products Council	0	\$100,000
Grown on Long Island	0	\$100,000
Quality Assurance and Control	0	\$250,000
Precision Agriculture Study	0	\$100,000
Long Island Deer Fence Grants	0	\$200,000
Regional Food Hubs	0	\$1,064,000
FVI ~ Daily Profit Teams	0	\$220,000
Farm to School	0	\$250,000
Senior Farmers Market Nutrition	0	\$500,000
Farm Drain Tile Revolving Loan Fund	0	\$500,000
NYC Animal Control and Shelters (Mobile	0	\$250,000
School Local Food Program Competitive Fund	0	\$250,000
TOTAL	\$16,183,000	\$30,231,000

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors calls on the Governor to strengthen his commitment to

October 13, 2015

agriculture in New York by presenting a budget that funds each of these important agriculture local assistance programs; and be it

FURTHER RESOLVED, Governor Cuomo and State Legislators should commit to increasing these funds on a continual basis in order to ensure these critical programs retain the funding needed to continue important programs that assist farmers and communities that rely on agriculture; and be it

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

[illegible]

#31

RESOLUTION NO. 15-361
(October 13, 2015)

By Mr. Brick, Chairman of Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tail deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2015 through April 1, 2016, under Article 7, Section 122 of the New York State Agriculture and Markets Law. ***A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler;*** and be it

FURTHER RESOLVED, That notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry, New York
Daily News, Batavia, New York

and be it

#32

By Mr. Brick, Chairman of Agriculture Committee:

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2016 through Midnight, December 31, 2016, under Article 7, Section 122 of the New York State Agriculture and Markets Law. A dog shall not be deemed to be in violation of such order if accompanied by and under the full control of the handler; and be it

Perry Herald, Perry, New York
Daily News, Batavia, New York

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

#33

October 13, 2015

RESOLUTION NO. 15-363
(October 13, 2015)

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

**RESOLUTION CALLING ON THE STATE TO AMEND THE NEW
YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE
ACT AND CALLING ON THE DEC TO PROMULGATE
REGULATIONS REQUIRED UNDER THE LAW**

WHEREAS, The New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State Legislature in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and

WHEREAS, The Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and

WHEREAS, While the Act intended to place the burden of electronics recycling on the manufacturers of electronic devices, the Act failed to stipulate adequate education requirements to inform the public of the process by which they could recycle their electronics with the manufacturers; and

WHEREAS, The Act created a ban on disposal of electronic waste in landfills, effective January 2015, which resulted in a growing number of planning units throughout New York's counties bearing more of the financial responsibility for continued e-scrap collection in their communities; and

WHEREAS, The Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and

WHEREAS, Once manufacturers have met their performance standard (goal), which in a number of cases is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to cash-strapped local governments; and

WHEREAS, While the NYS Department of Environmental Conservation (DEC) indicates there are no longer performance goals, some

RESOLUTION NO. 15-364
(October 13, 2015)

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

**RESOLUTION SUPPORTING EFFORTS TO INCREASE ACCESS TO
BROADBAND THROUGHOUT NEW YORK STATE AND CALLING ON
GOVERNOR CUOMO TO ACCELERATE THE IMPLEMENTATION
OF THE NEW NY BROADBAND PROGRAM**

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, educational systems and government processes 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 low return on investment of running cable to low populated areas, and 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; and

WHEREAS, The "New NY Broadband Program" was enacted in the 2015 /16 state budget and allocates \$500 million to incentivize the private sector and local governments to expand quality high-speed internet services in unserved and underserved areas.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the "New NY Broadband Program" as enacted in the 2015 /16 state budget, and calls on Governor Cuomo and leadership within the New York State Broadband Program Office to expedite the creation of and deployment of the New NY Broadband Program and ensure that rural, unserved and underserved areas are prioritize when funding is allocated; and be it

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

#35

RESOLUTION NO. 15-365
(October 13, 2015)

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

**RESOLUTION CALLING FOR STATE LEGISLATION AUTHORIZING
INDUSTRIAL DEVELOPMENT AGENCY FINANCING OF CIVIC
FACILITY PROJECTS ON A PERMANENT BASIS AND ALLOWING
INDUSTRIAL DEVELOPMENT AGENCIES TO ISSUE GRANTS AND
LOANS**

WHEREAS, The New York State Legislature enacted amendments to the general municipal law in 1997, authorizing county-wide industrial development agencies (IDAs) to utilize their tax exempt bonding authority to finance construction of civic facilities, including not-for-profit hospitals, continuing care residential facilities for the elderly, and college dormitories; and

WHEREAS, This financing mechanism provided non-profit hospitals, and residential care facilities with significant savings on costs for construction on new medical facilities, since financing through local IDAs is considerably less expensive than the financing available through other sources; and

WHEREAS, IDA authority to offer this financing expired in 2008 after the State Legislature failed to renew the enabling legislation; and

WHEREAS, IDAs can offer tax incentives, including tax-exempt financing, but IDAs cannot finance not-for-profit or civic facility projects, and are limited in their ability to acquire property at less than fair market value or to make outright loans or grants to private interests; and

WHEREAS, Current law often forces municipalities to form multiple entities to undertake economic development projects, which makes it difficult to have a comprehensive and streamlined approach to local economic development; and

WHEREAS, IDA reform was accomplished in 2015 to establish greater transparency, accountability and new reporting requirements for local

October 13, 2015

WHEREAS, Local Industrial Development Agencies have been and continue to be major players in promoting economic development in New York State; and

NOW THEREFORE BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the enactment of Industrial Development Agency reform legislation in which local Industrial Development Agencies can permanently finance civic facilities projects that will benefit communities; and be it

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

There was a motion by Mr. Tarbell, T/Castile, to combine resolutions #36 through #42. A voice vote was taken and all voted aye.

Regular Meeting

(October 13, 2015)

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND
THE 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 provide 911 services in New York State by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire and police assistance; and

WHEREAS, Counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS, These changes are a fundamental shift toward an IP based 911 system that is commonly referred to as Next Generation 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 NYS Public Service Commission (PSC) conducted a telecommunications study on 911 that required 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

October 13, 2015

WHEREAS, The NYS Public Service Commission (PSC), intends to Work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 911 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG911 in New York State, while maintaining their oversight of 911 system affordability and reliability as it pertains to providers of 911 services; and

WHEREAS, A New York State effort to provide coordinated leadership in the area of 9-1-1 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 9-1-1 system that will better serve its citizens for years to come; and

WHEREAS, Leadership from New York State is crucial to ensure success and to prevent future tragedies related to the 911 network in NYS.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 9-1-1 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency **9-1-1** calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the State Legislature and the Governor to enable a State 9-1-1 Department that would:

- Provide funding; Issue RFPs and award contracts as necessary to support 9-1-1;
- Establish standards for 9-1-1;
- Apply for and distribute Federal Grant Funds;
- Coordinate and provide training for 9-1-1 directors, supervisors and call takers;
- Provide public education;
- Provide necessary networks to support 9-1-1 both in a legacy and NG9-1-1 environment;
- Provide a statewide ESInet to support interoperability within and outside of New York State;
- Create, maintain and distribute GIS databases;
- Create and maintain NG9-1-1 and other appropriate databases to support 9-1-1 efforts;
- Provide and propose appropriate regulation, legislation, and tariffs to support 91-1;

- Represent New York State in efforts to support and advance 9-1-1 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC;
- Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques, and standards;
- Help manage Civil Service exams;
- Manage the TERT program;
- Provide legal expertise in 9-1-1 related matters;
- Serve as the liaison to 9-1-1 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.);
- Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field; and
- The creation of a state advisory board that would include a representative of emergency/ public safety in each county; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices as essential to preserving current resources for 911 services; and

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#37

RESOLUTION NO. 15-367
(October 13, 2015)

By Mr. Tarbell, Vice-Chairman of Public Safety 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

October 13, 2015

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 driver's license is to help verify identity, prevent fraud and identity theft, and to increase public 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 48 other states in our nation; and be it

#38

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

WHEREAS, In 2009, Governor Paterson signed into law the "Department of Health Oversight Law" (A.903/S.3842) as Chapter 419 of the laws of 2009 that requires the New York Department of Health (DOH) to conduct annual reviews of HIV and hepatitis C care in state and local correctional facilities; and

October 13, 2015

WHEREAS, The State enacted this new law without providing financial support to counties to be able to provide this new level of care and treatment to individuals diagnosed with these diseases.

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

#39

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

WHEREAS, Under current law and federal regulations, Immigration and Customs Enforcement (ICE) may issue detainers to local jails requesting that inmates about to be released from custody be held for an additional 48 hour

WHEREAS, At least two federal appellate courts have concluded that such federal detainees provide no basis for a county jail to hold such inmates for ICE review, and instead have subjected Sheriffs and counties to financial penalties if they chose to honor ICE detainees; and

WHEREAS, Some cities and counties across the United States have passed local laws or resolutions not only prohibiting Sheriffs and jail administrators from complying with such federal detainees, but also from even notifying ICE of the impending release of an inmate who may be in violation of federal immigration law and policies; now therefore

BE IT RESOLVED, That upon the review and recommendation of Public Safety Committee that the Wyoming County Board of Supervisors opposes efforts to impose "sanctuary status" on any county which would prevent the notification to ICE of the impending release of an inmate who may be in violation of federal immigration law and policies; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors oppose any efforts to use county funds or resources to assist ICE to enforce federal immigration laws; and be it

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#40

RESOLUTION NO. 15-370
(October 13, 2015)

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

RESOLUTION CALLING ON GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO PASS LEGISLATION THAT WOULD PROMOTE THE USE OF VIDEO CONFERENCING FOR COURT APPEARANCES FOR INMATES HELD AT A COUNTY JAIL

October 13, 2015

WHEREAS, Expanded use of video conferencing for court appearances would save much time and county taxpayer expense by avoiding transporting inmates to court for minor or routine matters, make courtrooms safer, and avoid problems which might happen when inmates are transported by auto or van to a court room many miles away from the jail.

FURTHER RESOLVED, That the applicable judge in the presiding court, and not the inmate, should make the determination as to whether video conferencing is appropriate for the particular court appearance to be made; and be it

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

Regular Meeting

WHEREAS, In 2009 the State Legislature amended section 611 of the correction law to specify that women prison and jail inmates who are in labor cannot be restrained by handcuffs during transport to the place where they will give birth or during labor, delivery and recovery absent extraordinary circumstances; and

WHEREAS, A bill, S.983-A Montgomery/A.6430-A Perry, which passed the legislature and is awaiting delivery to the Governor for his action, adds substantial restrictions to the restraint of any pregnant inmate, requires approval by the sheriff or jail superintendent for any such restraints of pregnant inmates, requires detailed reports to state agencies, extends the restrictions on the use of restraints against not only pregnant inmates but also to those inmates for eight weeks postpartum, and requires certain notifications to these pregnant and postpartum inmates, and finally prevents the Sheriff responsible by law for the safety and security of the inmate to be present in the delivery room when the child is born; and

WHEREAS, These restrictions will create many security threats and reduce efforts to provide officer safety because all inmates, regardless of their health status, have to be appropriately restrained to protect themselves, the public, and the correction officers responsible for safety and security; and

WHEREAS, Sheriffs and jail administrators are the subject matter experts who have been entrusted with the care and custody of these inmates, and they, and not the State Legislature, should determine in each case the appropriate level of restraint needed for inmates; and

WHEREAS, The extension of such restrictions to all pregnant and postpartum inmates (up to eight weeks) will greatly diminish the ability of the Sheriff and jail administrators to maintain safety and security, and will be very costly to county taxpayers since other security measures, including added personnel, may be needed to properly transport these inmates.

NOW, THEREFORE, BE IT RESOLVED, That upon the review and recommendation of the Public Safety Committee the Wyoming County Board of Supervisors oppose this legislation and ask the Governor to veto this bill when it is delivered to him for executive action; and be it

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

October 13, 2015

#42

RESOLUTION NO. 15-372
(October 13, 2015)

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH THE NEW YORK STATE DIVISION OF OFFICE OF
HOMELAND SECURITY AND EMERGENCY SERVICES 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 acceptance award with the New York State Division of Office of Homeland Security and Emergency Services, 1220 Washington Avenue, State Office Building Campus, Building 7A, Suite 710, Albany, NY 12242 on behalf of Emergency Services. Said grant award is for the funding of the 2014-15 Hazardous Materials Emergency Preparedness in a minimum amount of three thousand nine hundred seventeen dollars (\$3,917.00); effective October 1, 2014 through January 31, 2016. Grantees must provide twenty percent (20%) of the total project cost.

Chairman Berwanger explained why there were 67 resolutions in today's packet. He said that the NYS Association of Counties, during their recent fall conference, has asked counties to support the packet of resolutions taken up during the conference. Many may wonder why we would support a few that don't seem to be relevant to Wyoming County, but in the grand scheme of things they really do...

#43

RESOLUTION NO. 15-373
(October 13, 2015)

By Mr. Davis, Chairman of Public Works Committee:

**RESOLUTION URGING THE MEMBERS OF THE NEW YORK STATE
CONGRESSIONAL DELEGATION TO SECURE ADEQUATE
FEDERAL HIGHWAY FUNDING FOR LOCALLY-OWNED ROADS,
BRIDGES AND CULVERTS IN A MULTI-YEAR SPENDING PLAN**

WHEREAS, This year, the nation's transportation system faced two looming crises: the expiration of the current surface transportation authorization law, Moving Ahead for Progress in the 21st Century Act (MAP-21); and the dwindling solvency of the Highway Trust Fund; and

WHEREAS, In response, the U.S. Senate approved its version of a longer-term spending plan, Developing a Reliable and Innovative Vision for the Economy Act (DRIVE), a six-year authorization of highway, transit and safety programs that provides three years of guaranteed funding for the Highway Trust Fund, with the US House expected to draft its own version; and

WHEREAS, This is the type of multi-year spending plan necessary to support local infrastructure, but it does not address the underlying fiscal condition of the Highway Trust Fund; and

WHEREAS, The Highway Trust Fund is replenished with revenues from the federal gasoline tax, which is at a flat rate of 18.4 cents, not indexed with inflation. The revenues from this tax have not been able to provide adequate funding, and with lawmakers unwilling to raise the gasoline tax, the Highway Trust Fund has relied on inconsistent cash injections from the General Fund; and

WHEREAS, The failure of current federal transportation funding programs to direct necessary investment to the needs of locally-owned highways and bridges, and inadequate revenues from the gasoline tax is leading to shortfalls in the federal Highway Trust Fund, which is putting tremendous pressure on the State and local governments to adequately address their transportation needs.

NOW, THEREFORE, BE IT RESOLVED, That the next Federal transportation plan be a multi-year program that will adequately provide the necessary investment in locally-owned highway, 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

October 13, 2015

FURTHER RESOLVED, This plan should increase support to county road and bridge projects by maintaining the set-aside for off-system bridges and continuing states' ability to reduce the set-aside requirement if there are insufficient off-system bridge needs, and by providing more funding for locally-owned on-system roads and bridges by increasing the overall funding level for the Surface Transportation Program (STP) to enhance flexibility for the use of funds and/or allow the use of National Highway Performance Program (NHPP) funding for Federal-aid eligible roads and bridges, and continuing the STP sub-allocation to local governments but increase the share to greater than 50 percent; and be it

FURTHER RESOLVED, That as Congress deliberates a longer term transportation plan they preserve critical components found in the MAP-21 authorization that provides flexible funding that may be used by states and localities for projects to preserve or improve conditions on any Federal-aid highway and bridge projects on any public road; and be it

FURTHER RESOLVED, The next multi-year plan build on reforms from MAP-21 that strive to expedite project delivery by maintaining the categorical exclusion for projects receiving limited federal assistance (\$5 million or less), and simplifying the process for pursuing categorical exclusions; and be it

FURTHER RESOLVED, That Congress ensure the long-term solvency of the Highway Trust Fund by considering revenue sources that will better capture all users of the nation's highways and account for all vehicles, or increasing the gasoline tax. Congress should also consider reducing allowable administrative costs in order to direct more funding toward highway improvement funding; and be it

FURTHER RESOLVED, That the next multi-year plan include a minimum threshold for funding to local governments, in order to guarantee funding reaches local levels of government; and be it

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

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

#44

RESOLUTION NO. 15-374

Regular Meeting

(October 13, 2015)

By Mr. Davis, Chairman of Public Works Committee:

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO
PROVIDE ADEQUATE FUNDING TO COUNTIES TO ALLOW
THEM TO PROPERLY MAINTAIN THEIR INFRASTRUCTURE**

WHEREAS, The state has yet to develop a new 5-year Transportation Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS, The Consolidated Local Street and Highway Improvement Program (CHIPS) funding level for 2015-16 SFY Budget is \$438 million, Marchiselli (the state matching funds available for federally-aided local road and bridge projects) has remained flat for over a decade at \$39.1 million, which is inadequate and leads to project delays and threatens reimbursements for design cost, and there is no dedicated funding for badly needed state aid to local bridge and culvert programs; and

WHEREAS, New York State has allocated only \$50 million in this budget to supplement CHIPS through an Extreme Winter Recovery Appropriation distributed by formula to over 1000 municipalities throughout the state despite having more than \$6 billion from bank settlement revenues; and

WHEREAS, This budget also includes a 5-year, \$750 million State and Local Bridge Program of which the first year \$150 million appropriation reportedly has funded only state-owned bridge projects, and an additional \$300 million in DOT capital over the next 2 years to fund state and local bridge and pavement projects a list of which has yet to be released as part of a memorandum of understanding; and

WHEREAS, New York has no dedicated funding source for a permanent state capital program for airports, and must rely on annual appropriations in the state budget for funding critical airport projects—a total of \$ to million each of the last three years through the Airport Improvement and Revitalization (AIR'99) Program and for the state match of federal Airport Improvement Program (AIP) grants—inadequate to meet the capital needs of airports considering that there are some 90 eligible public-use airports across the state that compete for these funds; and

WHEREAS, Locally owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000

October 13, 2015

WHEREAS, The 1-86 interstate project has yet to be completed since its inception in the 1.980s, nor has the 'Roof-top Highway' made any serious advances.

FURTHER RESOLVED, A significant portion of the substantial unallocated bank settlements received by the State be used to fund locally owned and maintained infrastructure; and be it

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

#45

Regular Meeting

RESOLUTION NUMBER 15-293 AMENDED

WHEREAS, Resolution Number 15-293 entitled, “**RIGHT OF WAYS FOR STARR ROAD BRIDGE PROJECT APPROVED**,” passed by this Board of Supervisors on August 18, 2015 on behalf of the Highway Department and included, in part, the following:

<u>Property Owner/Tax Map No.</u>	<u>Surveyor Map & Parcel No. Acreage</u>		
James J. Steger 024.00-02-3	PE Map #3	Parcel #1	.009 ±
6203 W. Middlebury Road	TE Map #3	Parcel #2	.038 ±
Wyoming, NY 14591	PE Map #3	Parcel #3	.071 ±

now therefore,

BE IT RESOLVED, That Resolution Number 15-293 be hereby amended to authorize the Chairman to sign an amended contract with James J. Steger to reflect the following revisions:

<u>Property Owner/Tax Map No.</u>	<u>Surveyor Map & Parcel No. Acreage</u>		
James J. Steger 024.00-02-3	PE Map #3	Parcel #1	.095 ±
6203 W. Middlebury Road	TE Map #3	Parcel #2	.023 ±
Wyoming, NY 14591	PE Map #3	Parcel #3	.071 ±
All else remains the same.			

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#46

RESOLUTION NO. 15-376 (October 13, 2015)

By Mr. Davis, Chairman of Public Works Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to accept the “Onondaga County Contract Bid Award, Reference Number 7823 (Furnish Trucks (heavy duty class 8) Cab-Chassis Type w/ Dump Bodies, Snow Plows and Associated Options/Accessories) – item #4 for the purchase of a 2016 Kenworth T880 series truck and one (1) Brandon 17’-6 steel dump body” and

October 13, 2015

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

RESOLUTION NO. 15-377
(October 13, 2015)

RESOLUTION NUMBER 15-295 AMENDED

BE IT RESOLVED, That Resolution Number 15-295 be hereby amended for additional construction management services in an amount not to exceed twenty-five thousand dollars (\$25,000.00) for a total contract amount not to exceed forty-five thousand dollars (\$45,000.00). All else remains the same.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**

38 (Wethersfield)

100 Total

#48

RESOLUTION NO. 15-378
(October 13, 2015)

By Mr. Davis, Chairman of Public Works Committee:

WYOMING COUNTY COMMUNITY HOSPITAL RENOVATIONS CAPITAL IMPROVEMENT PROJECT COMPLETE

BE IT RESOLVED, That the Wyoming County Board of Supervisors recognizes and accepts that the capital renovations project to the Wyoming County Community Hospital, as established on March 9, 2010 by resolution number 10-138 has been completed and has paid all vendors and suppliers in full for their final invoice payments.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

There was a motion by Mr. Kushner, T/Eagle to withdraw Resolution #65, and to pull Resolution #62 from the consent agenda for a separate vote. He then asked to have Resolutions #49 through #61, #63, #64, #66 and #67 voted on. Hearing no objections, Chairman Berwanger approved the motion.

#49

RESOLUTION NO. 15-379
(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING STATE LEGISLATIVE LEADERS TO
IMPLEMENT FISCAL REFORMS THAT WILL LEAD TO PERMANENT
AND HISTORIC PROPERTY TAX REDUCTION BY ASSUMING THE
COST OF STATE PROGRAMS THAT COUNTIES ARE CURRENTLY
REQUIRED TO PAY FOR UNDER STATE LAW**

WHEREAS, State legislative leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as

October 13, 2015

the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

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, a temporary two-year property tax freeze program and a new temporary tax rebate check program; and

WHEREAS, Over the next several years the State will have implemented state tax rebate check programs and tax breaks for select special interest groups and industrial sectors, not including STAR, that will exceed \$3 billion on an annual basis — none of which will actually reduce any homeowner's or small businesses' property tax bills; 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 going back 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 these 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 is in line with the Governor's and legislative leaders' 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

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 contributing greatly to the disparity between property taxes in New York State and other states; and

WHEREAS, Cornell University researchers have documented in numerous reports how New York's practice of shifting fiscal responsibilities from the State to lower levels of government including counties creates fiscal imbalances between New York and other states in relation to property taxes; and

WHEREAS, The Pew Charitable Trust also documented in a report this year that New York State relies on locally raised taxes to support state initiatives and programs on a scale that dwarfs other states — relying on locally raised taxes to subsidize the State budget by a factor of more than 15 times the next nearest state; and

WHEREAS, The practice of using local revenues to subsidize the State Budget is the number one reason why New York's property taxes are the highest in the nation; and

WHEREAS, The State also extends this requirement on New York City taxpayers that also dedicate a large amount of locally raised 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 to enact a

October 13, 2015

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

#50

**RESOLUTION CALLING ON STATE LEGISLATIVE LEADERS TO
REFORM THE HOME RULE REVENUE PROCESS BY ENACTING A
FOUR-YEAR AUTHORIZATION PERIOD FOR ALL LOCAL SALES
TAX EXTENDERS**

WHEREAS, Locally raised revenues are necessary to implement and deliver State mandated programs as well as local public health and safety,

WHEREAS, Counties often share the local sales tax with other local governments, where more than one out of every four local sales tax dollars collected are shared with cities, towns, 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 approach \$2 billion in 2015.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board 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 communities, to determine the mix of locally raised revenues they deem least burdensome; and

BE IT FURTHER RESOLVED, The State should, upon the next renewal of local sales tax rates, provide a four-year (rather than a two-year) authorization for all counties; and

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#51

RESOLUTION NO. 15-381
(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE STATE TO ENSURE DEDICATED
LOCAL CASINO REVENUES ADEQUATELY COVER ADDITIONAL
EXPENSE**

October 13, 2015

WHEREAS, In November 2013, New York State voters approved a constitutional amendment to allow private casino gaming in the state, within specific guidelines; and

WHEREAS, The state will distribute 80 percent of the net gaming revenues retained by the state for state education aid above the state education formula; and

WHEREAS, Under the law the host municipalities (host municipality and the host county) split 10 percent of net private gaming revenues and every county in an Indian exclusivity zone will share a portion of Native American gaming facility revenues; and

WHEREAS, Private casino operations will begin in the near future and current levels municipalities will receive under state statute may not be sufficient to offset increased costs and other burdens associated with gaming; and

WHEREAS, The Division of the Budget projects the Upstate New York Gaming and Economic Development Act will produce \$238 million, annually, in additional aid for education or property tax relief across the entire State, plus an additional \$192 million in annual local government aid; and

WHEREAS, NYSAC supports the dedicated local funding as casino expansion will increase local service costs in multiple areas such as local infrastructure and highway needs as well as law enforcement; and

WHEREAS, Counties are restricted in raising revenue to fund those mandated programs due to the State imposed property tax cap which has forced cuts in local programs and services, including staff reductions, in order to pay for those state mandated programs and services; and

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors calls on Governor Cuomo and members of the State Legislature to ensure the dedicated revenue stream is sufficient to adequately cover and pay for all increased costs and other burdens which local governments will incur by reason of casino gaming operations; and be it

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#52

RESOLUTION NO. 15-382
(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION OPPOSING THE UNITED STATES SENATE BILL S-1879
TITLED "INTERIOR IMPROVEMENT ACT"**

WHEREAS, United States Senate bill S-1879 was introduced on July 29, 2015 as the "Interior Improvement Act"; and

WHEREAS, This bill amends the 1934 Indian Reorganization Act and purports to fix perceived inequities in the United States Supreme Court decision in *Carcieri v. Salazar*, 555 U.S. 379; and

WHEREAS, The Supreme Court in Carciere correctly applied the spirit and intent of the 1934 Act by limiting its effects to tribes whose lands were previously subject to alienation under prior Congressional Acts, permitting restoration of lands to control by those tribes; and

WHEREAS, In eliminating the term "any recognized tribe now under Federal Jurisdiction" from the 1934 Act and replacing it with "any federally recognized tribe", the proposed bill permits the Secretary of the Interior to grant trust acquisitions anywhere and for the benefit of any Indian or Indian tribe by the Federal Administration controlling the Department of the Interior at the time of the application, all without Congressional oversight at the Secretary's discretion; and

WHEREAS, The proposed bill fails to provide meaningful local input to the land to trust process, permitting the Secretary to disregard local municipal comment and ignore an Indian tribe's failure to obtain cooperative agreements with local municipal governments that might minimize the disruptive impact of trust acquisition or even worse, to determine that a local municipality's failure to agree to tribal demands in connection with such application constitutes a failure to bargain in good faith; and

WHEREAS, Empowering the Secretary with such discretion would in effect, create a virtual administrative veto over local objections to tribal trust acquisitions and would permit the Secretary, based on political or other considerations to authorize Federal, Indian controlled enclaves into heavily

October 13, 2015

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming County Board of Supervisors opposes Senate bill S-1879 and respectfully urges the strongest opposition to this bill from New York's Congressional delegation and from the United States Senate as a whole; and be it

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

#53

By Mr. Kushner, Chairman of the Finance Committee:

WHEREAS, Private casino projects and licenses represent an unprecedented economic opportunity for regional areas in many parts of the State of New York, and

Regular Meeting

WHEREAS, The State of New York and the Gaming Commission has a duty to uphold and enforce these laws and binding agreements regarding gaming exclusivity zones, gaming licenses, and gaming projects.

NOW THEREFORE BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the State of New York and the New York State Gaming Commission to ensure that any activities or efforts seeking to impede the lawful exercise of exclusive private gaming rights awarded in any region are not in violation of any binding agreements or laws, and be it

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#54

RESOLUTION NO. 15-384

(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO
GRADUALLY RESTORE THE 50/50 STATE/COUNTY SHARING FOR
THE SAFETY NET PROGRAM AND TO INCREASE SHELTER
GRANT REIMBURSEMENTS TO COUNTIES**

WHEREAS, The 2011-12 State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71 percent county/29 percent state, severing the historic 50 percent state/50 percent county partnership; and

WHEREAS, This continues a long line of state legislative actions that have transferred the State's constitutional and fiscal responsibility to care for the needy to county taxpayers, while providing counties virtually no control over eligibility for services and benefit levels; and

WHEREAS, The Safety Net funding shift also builds upon recent trends where the State has leveraged significant savings from maximizing

October 13, 2015

available federal resources largely for state financial plan purposes only, at the expense of local property taxpayers; and

WHEREAS, The net effect of this state practice forced local property taxes to be higher than they should because available savings are being spent by the state rather than being used to lower the cost of state mandates that can provide direct relief to local property taxpayers; and

WHEREAS, Nearly half of the states do not have Safety Net programs and New York is one of only it states that provide benefits to childless adults that do not have some disability; and

WHEREAS, Most other states do not require counties to fund such a large share of public assistance costs; and

WHEREAS, Counties in New York are required to finance the vast majority of Safety Net costs, putting in twice as much funding as the State; and

WHEREAS, For the first half 2015, State data indicates that county Safety Net costs have increased by nearly nine percent over the prior year; and

WHEREAS, Counties believe that the rising cost of providing shelter assistance to recipients is a major contribution to this increase; and

WHEREAS, The reduction of State funding support for Safety Net Assistance is part of a larger trend where the State has reduced its fiscal commitment for nearly every public assistance program 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 returning to the community.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to gradually restore the historic 50/50 state/county cost sharing for the Safety Net program over a five year period, starting with an increase in county reimbursement for shelter assistance in order to help lower the local property tax burden for homeowners and small businesses; and be it

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

RESOLUTION NO. 15-385
(October 13, 2015)

RESOLUTION CALLING FOR A CONSTITUTIONAL CONVENTION IN 2017

WHEREAS, Our State and nation have changed in ways that could not even have been imagined over 50 years ago when New York last attempted to modify the constitution through a people's convention in 1967; and

WHEREAS, The next constitutional convention vote will be on the November 2017 statewide election ballots; and

WHEREAS, Since the 2008 recession the state has shifted a range of program costs to counties, placed a cap on property taxes, and enacted an efficiency program requiring local governments to share services in order for homeowners to receive state rebates; and

WHEREAS, Local governments have fewer resources for local needs, while the demands and requirements of the state have not been reduced, relaxed or otherwise compromised to offset the reductions in local resources; and

WHEREAS, There is a renewed call for reforming the state's governmental system in ways that will increase the accountability of the state to local governments and all of the people of New York State.

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors encourages the voters in New York to vote in favor of a constitutional convention, which will be on statewide ballots in November 2017 as a way to reform New York State government and ask that

October 13, 2015

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

#56

**CHAIRMAN, COUNTY TREASURER AND DIRECTOR OF
INFORMATION TECHNOLOGY AUTHORIZED TO SIGN A
CONTRACT WITH ACS, A XEROX COMPANY, ON BEHALF OF ALL
WYOMING COUNTY DEPARTMENTS**

- 2016 – in an amount not to exceed \$1,275,927.96
 - 0% increase over 2015
- 2017 – 1 ½ % increase over 2016
- 2018 – 1 ½ % increase over 2017
- 2019 – 1 ½ % increase over 2018
- 2020 – 1 ½ % increase over 2019

Regular Meeting

Contingent upon the availability of funds.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#57

RESOLUTION NO. 15-387
(October 13, 2015)

#59

By Mr. Kushner, Chairman of the Finance Committee:

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

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

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

Serial # 9	Douglas J. Ronan , 42 Haskell Ave., Arcade, NY 14009 has offered \$46,000 for property located at 319 North Street , in the Town of Arcade. Tax Map # 183.9-1-22
Serial # 89	Joseph and Dawn Kobylanski , 156 W. Main Street, Attica, NY 14011 has offered \$22,000 for property located at 163 W. Main Street , in the Town of Attica. Tax Map # 6.17-1-1
Serial # 110	David VanValkenburg , 50 Market Street, Attica, NY 14011 has offered \$7,000 for property located at 52 Market Street , in the Town of Attica. Tax Map # 6.10-2-15
Serial # 111	Upstate Automotive Properties, LLC. , 36 Main Street, Attica, NY 14011 has offered \$31,000 for property located at 46 Jefferson Street , in the Town of Attica. Tax Map # 6.11-3-83
Serial # 115	Ralph Janes , 4 Market Street, Attica, NY 14011 has offered \$34,750 for property located at 1578 Exchange Road , in the Town of Attica. Tax Map # 45.-2-13
Serial # 156	Ralph Janes , 4 Market Street, Attica, NY 14011 has offered \$113,000 for property located at 1197 Clinton Street Road , in the Town of Bennington. Tax Map # 16.-1-42

October 13, 2015

Serial # 219	Michael Woolley , 4720 Poplar Tree Road, Gainesville, NY 14066 has offered \$26,000 for property located at 90 South Main Street , in the Town of Castile. Tax Map # 147.10-3-19
Serial # 238	Thomas Sylvester , 7891 Water Street Road, Perry, NY 14530 has offered \$1,000 for property located at Lot #8, South Hillcrest , in the Town of Castile. Tax Map # 111.20-4-42.11
Serial # 247	Chris Hirstetter , 149 Dartwood Drive, Cheektowaga, NY 14227 has offered \$7,750 for property located at 4401 Old Orchard Drive , in the Town of Castile. Tax Map # 111.20-2-79
Serial # 261	Vannaco Properties, LLC , 43 Genesee Street, Warsaw, NY 14569 has offered \$10,250 for property located at 4366 Columbine Way #259 , in the Town of Castile. Tax Map # 111.20-3-17
Serial # 271	Martha George , 4 N Main Street, Castile, NY 14427 has offered \$3,500 for property located at 34 Spring Street , in the Town of Castile. Tax Map # 147.14-2-3
Serial # 320	Russell Ellis , 3600 Socha Way, Port Orange, FL 32129 has offered \$27,500 for property located at 11 North Main Street , in the Town of Gainesville. Tax Map # 133.16-1-16
Serial # 333	Michael H Woolley , 4720 Poplar Tree Road, Gainesville, NY 14066 has offered \$30,000 for property located at 36 Bigelow Ave. , in the Town of Gainesville. Tax Map # 134.8-1-29
Serial # 356	Bennie R. & Emma Hershberger , 7804 Banks Rd, Gainesville, NY 14066 has offered \$12,500 for property located at 4013 Dutton Road , in the Town of Gainesville. Tax Map # 110.1-1-5
Serial # 433	Anthony J. George , 1938 Almeter Road, North Java, NY 14113 has offered \$325 for property located at Perry Road , in the Town of Gainesville. Tax Map # 105.3-2-2
Serial # 456	John Dennee , 37 Rose Street, Lancaster, NY 14086 has offered \$25 for property located at Block F , in the Town of Java. Tax Map # 140.8-6-15
Serial # 457	John Dennee , 37 Rose Street, Lancaster, NY 14086 has offered \$7,500 for property located at 74 Midland Drive , in the Town of Java. Tax Map # 140.8-4-32
Serial # 466	Dana Crosby , 7641 Byron Holley Road, South Byron, NY 14557 has offered \$3,000 for property located at 18 Gulf Road , in the Town of Middlebury. Tax Map # 36.7-4-34
Serial # 471	BobbyJoe Frost , 3298 Crittenden Road, Alden, NY 14004 has offered \$8,500 for property located at Sherman Ave. , in the Town of Middlebury. Tax Map # 36.8-1-25.12
Serial # 483	BobbyJoe Frost , 3298 Crittenden Road, Alden, NY 14004 has offered \$500 for property located at Gulf Road , in the Town of Middlebury. Tax Map # 36.7-3-2

Serial # 502	Evan Traxler , 1905 Canaway Road, Warsaw, NY 14569 has offered \$9,000 for property located at 1953 Canaway Road , in the Town of Middlebury. Tax Map # 62.-1-6.1
Serial # 547 & 548	Dawn & Joseph Kobylanski , 156 W. Main Street, Attica, NY 14011 has offered \$10,750 for property located at 2464 State Route 238 , in the Town of Orangeville. Tax Map # 72.-1-2.2 & 72.-1-3
Serial # 570	Nicole Catherine, LLC. , 43 Genesee Street, Warsaw, NY 14569 has offered \$25,000 for property located at 113 N. Main Street , in the Town of Perry. Tax Map # 88.20-2-28
Serial # 605	Sylvia Miszczuk Anthoney Previty , 4298 Route 39, Bliss, NY 14024 has offered \$25 for property located at 68 Water Street , in the Town of Perry. Tax Map # 100.8-2-48
Serial # 611	David J. & Linda M. Elliott , 3185 Simmons Road, Perry, NY 14530 has offered \$22,000 for property located at 37 Olin Avenue , in the Town of Perry. Tax Map # 88.20-2-16
Serial # 615	Nicole Catherine, LLC. , 43 Genesee Street, Warsaw, NY 14569 has offered \$19,750 for property located at 6785 Route 20A , in the Town of Perry. Tax Map # 75.-1-9
Serial # 667	Ryan Hopkins , 12 East Koy Road, Pike, NY 14130 has offered \$22,750 for property located at 4873 Route 39 , in the Town of Pike. Tax Map # 168.-1-50.2
Serial # 668	Robert Baker , 60 Wright Street, Bradford, PA 16701 has offered \$9,250 for property located at Dewitt Road , in the Town of Pike. Tax Map # 188.-2-17
Serial # 720	Herbert & Linda Heinrich , 3922 Lefort Road, Strykersville, NY 14145 has offered \$19,500 for property located at 6894 Lefort Road , in the Town of Sheldon. Tax Map # 102.-1-5.11
Serial # 728	Vannaco Properties, LLC. , 43 Genesee Street, Warsaw, NY 14569 has offered \$9,000 for property located at 19 Clinton Street , in the Town of Warsaw. Tax Map # 85.7-2-60
Serial # 745	Russel F. Ellis , 3600 Socha Way, Port Orange, FL 32129 has offered \$21,000 for property located at 69 Butternut Street , in the Town of Warsaw. Tax Map # 82.12-1-4.1
Serial # 767	Lisa M Hurlburt , 21 Elm Street, Warsaw, NY 14569 has offered \$2,400 for property located at Buck Road , in the Town of Warsaw. Tax Map # 84.-2-24
Serial # 778	Hans R Kunze , 6340 LaGrange Road, Wyoming, NY 14591 has offered \$7,000 for property located at Rte 19 N , in the Town of Warsaw. Tax Map # 61.-2-50.11
Serial # 782	Warsaw Development , 2071 Crittenden Road, Alden, NY 14004 has offered \$500 for property located at Rte 19S , in the Town of Warsaw. Tax Map # 85.-1-21.112

Serial # 811	Donald J. Conrad , 5041 Youngers Road, North Java, NY 14113 has offered \$18,500 for property located at 5201 Youngers Road , in the Town of Wethersfield. Tax Map # 129.-2-8
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RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a Treasurer's Deed to the purchaser, providing payment of said purchase price is received by him on or before November 10, 2015.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#60

RESOLUTION NO. 15-390
(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES

WHEREAS, The Real Property Tax Law requires that all Wyoming County School Districts return their respective unpaid 2015-2016 school taxes to the County Treasurer for inclusion in the following year's town and county levy; and

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

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

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#61

RESOLUTION NO. 15-391

Regular Meeting

- Contingent upon the availability of funds.

#64

By Mr. Kushner, Chairman of the Finance Committee:

Regular Meeting

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 cover the upcoming work over the next two years associated with long-term monitoring and reporting to the New York State Department of Environmental Conservation according to the approved site management plan (SMP); now therefore

BE IT RESOLVED, That the County is authorized to expend an additional twenty five thousand forty-nine dollars and sixty-one cents (\$25,049.61) for the aforesaid monitoring and related services to be provided by the County's engineering firm, URS.

Carried: XXX Ayes: 1499 Noes: Absent: 62 (Middlebury) Abstain:
38 (Wethersfield)
100 Total

#65

RESOLUTION NO. 15-
(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

POSITIONS CREATED AND ABOLISHED APPROVED

BE IT RESOLVED, That the following position is hereby created,
 extended, reclassified and/or reassigned in the following Wyoming County

Departments:

Human Resources:

- Abolish the full position of **Human Resource Assistant**, full time (position code #0011434) on Salary Schedule S at \$35,000.00/annually; effective October 14, 2015;

October 13, 2015

#66

By Mr. Kushner, Chairman of the Finance Committee:

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":

- Provide a one-time stipend for the ***Director of Fire and Emergency Management*** to cover 911 Coordinator responsibilities through the FY14 PSAP Operations Grant in the amount of \$10,000.00;
 - payment needs to be completed prior to the grant expiration of December 31, 2015.

- Public Defender \$2,000.00
- Asst. Public Defender 2nd \$12,000.00
- Asst. Public Defender 1st \$6,575.00
- Asst. Public Defender 3rd \$4,075.00
- Secretary to the Public Defender, PT \$1,500.00
 - Said amounts are annual; effective January 1, 2015 – December 31, 2017. Funds are provided through the 2015 ILS Distribution “5” Grant

Contingent upon the availability of funds.

#67

Regular Meeting

(October 13, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND USES OF
TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES,
AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT
CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE
STATE OF NEW YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 through November 30, 2017, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 through November 30, 2017, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

October 13, 2015

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 through November

30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 through November 30, 2017, the tax shall be at the rate of four percent, and on and after December 01, 2017, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

October 13, 2015

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 through November 30, 2017, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

Carried: XXX **Ayes:** 1499 **Noes:** **Absent:** 62 (Middlebury) **Abstain:**
 38 (Wethersfield)
 100 Total

Regular Meeting

REGULAR SESSION
(November 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 2:40 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

Andrew R. Allbright

Andrew R. Allbright was born in Warsaw, New York and raised in Pike where he attended the Letchworth Central School System. Participating in the FFA program, he learned welding and how to work on small engines. Mr. Allbright joined the Army National Guard in 2003 to seek a career in aviation. Upon completion of Basic Training, he was sent to Army Aviation Logistics Training at Fort Eustace, Virginia to learn helicopter repair. Fort Eustace, previously known as Mulberry Island, is where Pocahontas, the daughter of an Algonquian chief was born in 1598.

In Spring of 2007, his National Guard Unit was mobilized and deployed to Afghanistan in support of "Operation Enduring Freedom". There, he was part of a team that helped keep the fleet of choppers safe and flying. As much as Mr. Allbright enjoyed turning the wrenches and troubleshooting aircraft, it was the camaraderie and closeness shared by troops in the field that was most rewarding. He found leaving his young family behind the most difficult aspect of deployment.

For his courage and valor to his country, he earned the:

Afghanistan Campaign Medal with Campaign Star
 Army Reserve Components Achievement Medal
 National Defense Service Medal
 Global War on Terrorism Medal
 Army Service Ribbon
 Overseas Service Ribbon

Regular Meeting

Armed Forces Reserve Medal with “M” Device
 Nato Medal
 Aviation Badge

Currently, Mr. Albright along with wife Lorie and three children live in the Village of Warsaw. These days he still enjoys rock climbing, practicing his religious freedom and spending as much time as possible with his family. Today, November 10th, is Mr. Albright’s thirty-second birthday.

The pledge was said by all.

Chairman Berwanger invited Town of Warsaw Supervisor, Becky Ryan to join him in the presentation of the customary certificate of appreciation to Mr. Albright and an opportunity to address the Board. At which time, Mr. Albright thanked the Board for welcoming him here today and stated he is always amazed at the appreciation shown for his service.

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

POW / MIA Day Recognition Ceremony ~

Chairman Berwanger reminded everyone that tomorrow is Veteran’s Day and in honor of this day, Director Perez asked his very good friend, Mr. Francis “Beanie” Head to perform the POW/MIA Recognition Ceremony. He will be assisted by Mr. Albright.

Mr. Head thanked the Board for the opportunity and Director Perez for the invitation to perform the ceremony. Mr. Head addressed the attendees...

The history of this ceremony was brought into power by the American Legion and is used quite regularly at meetings, social functions and, as of today, upon request. I am here today as I have done this a lot and am the Chaplin for the 8th District American Legion, covering eight western NYS counties. This is of great pride for me to perform this today.

I call your attention to a small table which occupies a place of dignity and honor. It is set for one, symbolizing the fact that members of our armed forces are absent from our midst today.

They are commonly called “prisoners of war” and “missing in action”.

We Americans should always remember those great men and women who answered the nations call to serve the cause of freedom in a special way.

We call them comrades. They are unable to be with their loved ones and families, we join together to pay humble tribute to them, and to bear witness to their continued absence.

November 10, 2015

The table is small, symbolizing the frailty of one prisoner, alone against his or her suppressors.

The tablecloth is white, symbolic of the purity of their intentions to respond to their Country's call to arms.

The single rose in the vase signifies the blood that many have shed in sacrifice to ensure the freedom of our beloved United States of America. This rose also reminds us of the family and friends of our missing comrades who keep the faith, while awaiting their return.

The red ribbon on the vase represents the red ribbons worn on the lapels of the thousands who demand with unyielding determination a proper accounting of our comrades who are not among us tonight.

A slice of lemon on the plate reminds us of their bitter fate.

The salt sprinkled on the plate reminds us of the countless fallen tears of families as they

wait.

The glass is inverted, they cannot toast with us this night.

The chair is empty, they are not here.

The candle is reminiscent of the light of hope which lives in our hearts to illuminate their way home, away from their captors, to the open arms of a grateful nation.

The American Flag reminds us that many of them may never return and have paid the extreme sacrifice to ensure our freedom.

Let us pray to the supreme commander that all of our comrades will soon be back within our ranks.

Let us remember and never forget their sacrifices.

May God forever watch over them and protect them and their families.

Chairman Berwanger thanked Chaplin Head.

Chairman Berwanger then introduced Wyoming County Sheriff Rudolph and noted that a couple months ago there was an incident in the County that certainly showed the value of the County's Veteran Services Agency and particularly Director, Rick Perez. The Chairman asked Sheriff Rudolph to share the letter that he wrote...



Sheriff of Wyoming County
151 N Main Street
Warsaw NY 14569

COPY
 Gregory J. Rudolph
 Sheriff
grudolph@wyomingco.net

David P. Linder
Undersheriff
dlinder@wyomingco.net

Phone (585) 786-8989
Fax (585) 786-8961
Jail: (585) 786-8808
Fax (585) 786-8573

September 22, 2015

A.D. Berwanger
 Chairman of the Wyoming County Board of Supervisors
 143 North Main Street
 Warsaw, NY 14569

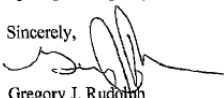
Re: Director of Veterans Services, Rick Perez

Mr. Chairman,

On September 21, 2015, the Wyoming County Sheriff's Office and the New York State Police assisted the Warsaw Police Department with a critical incident on Liberty Street in the Village of Warsaw. A barricaded gunman with mental health problems was threatening suicide and to "shoot police" if confronted. It was soon discovered the man was a Vietnam Combat Veteran and was in crisis. I immediately called Wyoming County Veteran Services Director, Rick Perez. Director Perez was on scene within fifteen minutes and made immediate phone contact with the Veteran. Director Perez was able to establish that Veteran to Veteran trust and assured the Veteran "he would be taken care of." After about forty-five minutes and putting himself in harm's way, Director Perez was able to peacefully talk the Veteran out of his apartment and cooperatively surrender to police. Director Perez did not end there, he then called the VA to make good on his promise and work to get our Veteran the care he needs.

Director Perez' caring and unselfish actions were undoubtedly the cause of this peaceful outcome in this very tense and critical incident. Director Perez' commitment to Veterans was unmistakable and honorable. I couldn't be prouder as the Sheriff, a Veteran and Department Head to have Director Perez as colleague and more importantly, we are all fortunate to have him fighting so diligently for our Veterans.

Sincerely,


 Gregory J. Rudolph
 Sheriff

Dedicated and Humble Service Since 1841

On behalf of the Board of Supervisors, Chairman Berwanger thanked Director Perez for making us proud and doing his job so well.

Chairman Berwanger also thanked all Veterans who have served in the military and making this a great county, God bless you all!

Communications ~

November 10, 2015

- Correspondence from Executive Director of NYSAC, Stephen J. Acquario



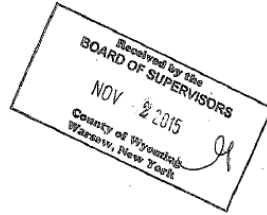
NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

540 Broadway, 5th Floor, Albany, New York 12207 | Phone: (518) 465-1473 | Fax: (518) 465-0506 | www.nysac.org

President: Hon. Maggie Brooks, Monroe County | Executive Director: Stephen J. Acquario, Esq.

October 30, 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 Resolution Nos. 15-333 – 15-340, 15-342-15-349, 15-354-15-356, 15-259-15-360, 15-363-15-371, 15-373-15-374, 15-379-15384. Please be assured that these resolutions will be reviewed by the NYSAC staff member assigned to the program area and referred to the appropriate NYSAC Standing Committee.

Should you have further questions or concerns, please feel free to contact Dave Lucas or me at (518) 465-1473.

Sincerely,

Stephen J. Acquario
Executive Director

- Correspondence from New York State Assemblyman, David DiPietro



DAVID DIPETRO
Assemblyman 147th District

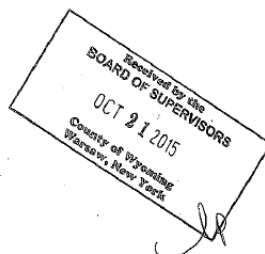
THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Small Business Committee

COMMITTEES
Alcoholism and Drug Abuse
Economic Development, Job Creation,
Commerce and Industry
Labor
Transportation

October 19, 2015

Lisa A. Perez, Deputy Clerk
Wyoming County Board of Supervisors
143 North Main Street
Warsaw, NY 14569



Dear Mrs. Perez;

This letter acknowledges the receipt, of the following Wyoming County Board of Supervisors certified resolutions passed by the Board of Supervisors on October 13th, 2015 received in the Assembly District Office on October 19th, 2015:

Res.#s 15-333 15-334 15-335 15-336 15-337
 15-338 15-339 15-340 15-342 15-343 15-344 15-345 15-346 15-347
 15-348 15-349 15-354 15-355 15-356 15-359 15-360 15-363 15-364 15-365
 15-366 15-367 15-368 15-369 15-370 15-371 15-373 15-374 15-379 15-380
 15-381 15-382 15-383 15-384 15-385

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 147th Assembly District. Please let me know if I may be of additional assistance. Thank you.

Sincerely,

David DiPietro, Assemblyman
147th District of the State of New York

DJD/sa

Board Clerk Ketchum then provided the Supervisors the link to unlock their webmail. Use <https://webmail.wyomingco.net> and then sign in as usual.

#1

RESOLUTION NO. 15-397
(November 10, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

November 10, 2015

FUNDS TRANSFERRED TO VARIOUS 2015 ACCOUNTS

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

Department of Social Services			
From: 01.39.6010.1.10201 Part Time	\$1,426.69		
To: 01.39.6010.2.23001 Motor Vehicle		\$1,426.69	
Reason: To Transfer funds to cover the purchase of 2 vehicles.			
Department of Social Services Total			\$1,426.69
Water Resource Agency			
From: 01.48.8310.1.10001 Salaries-Fixed S/D/I	\$1,099.66		
01.48.8310.1.10101 Full Time CSEA Contract	2,900.34		
To: 01.48.8310.4.40704 Lab-Basic Public & Municipal		\$4,000.00	
Reason: To cover associated lab expenses due to the increased use of the WCWRA Sampling program.			
Water Resource Agency Total			\$4,000.00
Jail			
From: 01.37.3150.4.41803 Pmt to other counties	\$31,929.08		
01.37.3150.8.81001 Retirement	\$16,000.00		
To: 01.37.3150.1.10301 Overtime		\$47,929.08	
Reason: To cover anticipated expenses through the end of the year.			
Jail Total			\$47,929.08
Highway			
From: 04.53.5110.1.10101 FT CSEA contract	\$25,000.00		
04.53.5110.8.83001 FICA	1,550.00		
04.53.5110.8.85001 Medicare	362.50		
To: 04.53.5142.1.10101 FT CSEA contract		\$25,000.00	
04.53.5142.8.83001 FICA		1,550.00	
04.53.5142.8.85001 Medicare		362.50	
Reason: To cover the snow costs for the remaining season for dispatch, snow fence, etc.			
Highway Total			\$26,912.50

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

#2

RESOLUTION NO. 15-398 (November 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:

Regular Meeting

Public Defender			
To: 01.32.1170.4.42495 ILS QICR Grant w/ 01.11.1170.302504 QICR Grant Reason: To cover costs approved for the QICR Grant w/ 01.11.1170. 302504 QICR Grant.	\$5,000.00	\$5,000.00	
Public Defender Total			\$5,000.00
Sheriff			
To: 01.37.3110.1.10201 Part time contracts 01.37.3110.1.10301 Overtime 01.37.3110.1.10601 Unused Benefit time w/01.03.3110.1289 Dept Income Other 01.08.3110.2650 Scrap 01.08.3110.2680 Insurance Recovery 01.09.3110.2701 Refund Prior Year Reason: Expense related.	\$20,000.00 16,400.00 10,000.00 \$8,011.00 460.00 27,462.00 10,467.00		
Sheriff Total			\$46,400.00
Emergency Services			
To: 01.37.3645.2.20401G Misc. Equipment 01.37.3645.2.23001G Motor Vehicles w/01.12.3645.43890G Federal Aid HSG2015 Reason: To appropriate 2015 grant funds.	\$7,500.00 45,000.00	\$52,500.00	
Emergency Services Total			\$52,500.00
Probation			
To: 01.37.3141.4.42101 Law Enf. Supplies w/01.03.3141.1515 Bail Reserve Reason: Purchase of a new metal detector. Current one no longer works and is not fixable.	\$4,304.25	\$4,304.25	
Probation Total			\$4,304.25

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

Mr. Knab, T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$1,946,333.03** for the month of **October 2015**.

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

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

#3

RESOLUTION NO. 15-399 (November 10, 2015)

By Mr. Tarbell, Chairman of Human Resource Committee:

PETTY CASH INCREASED IN COUNTY CLERK'S OFFICE

November 10, 2015

BE IT RESOLVED, That the Petty Cash fund in the County Clerk's Office be hereby increased from two hundred dollars (\$200.00) to four hundred dollars (\$400.00); effective immediately.

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

#4

**RESOLUTION NO. 15-400
(November 10, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
ELECTION SYSTEMS AND SOFTWARE ON BEHALF OF THE
BOARD OF ELECTIONS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Election Systems and Software, 6055 Paysphere Circle, Chicago, IL 60674 on behalf of the Board of Elections. Said contract is for the annual maintenance of software in an amount not to exceed five thousand thirty-seven dollars and sixty-three cents (\$5,037.63); effective December 1, 2015 through November 30, 2016.

Contingent upon the availability of funds.

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

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #9. A voice vote was taken and all voted aye.

#5

**RESOLUTION NO. 15-401
(November 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

FAMILY CAREGIVERS MONTH PROCLAIMED

WHEREAS, During this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who

are chronically ill, elderly, or disabled. Caregivers reflect family and community life at its best. They are among our County's most important natural resources; and

WHEREAS, The need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

WHEREAS, Family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, civic and business organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, does hereby proclaim **November 2015** as **FAMILY CAREGIVERS MONTH** in Wyoming County

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

#6

**RESOLUTION NO. 15-402
(November 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

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

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

- Reimbursement of Direct Care Worker up to two percent (2%) of salary increases in a **maximum** amount of three thousand four hundred thirty-three dollars (\$3,433.00); effective January 1, 2015 through March 31, 2015.

November 10, 2015

- Reimbursement of Direct Care Worker up to two percent (2%) of salary increases in a maximum amount of twenty-seven thousand three hundred sixteen dollars (\$27,316.00); effective April 1, 2015 through March 31, 2016.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#7

RESOLUTION NO. 15-403**(November 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH
SANTO BENTIVEGNA, PH D 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 Santo Bentivegna, Ph.D., Blossom Medical Center, 780 Blossom Road, Rochester, NY 14610 on behalf of the Department of Social Services. Said contract is for providing mental health/psychological evaluation for children, youth and families in making determinations in Child Protective Services, Family Court and preventive cases in an amount not to exceed ten thousand nine hundred seventy-five dollars (\$10,975.00) per year; effective January 1, 2015 through December 31, 2015.

Contingent upon the availability of funds.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#8

RESOLUTION NO. 15-404**(November 10, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**EQUIPMENT PURCHASE APPROVED FOR 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 execute a New York State Mini Bid award with Webster Ford, Inc., d/b/a as Henderson Ford, 810 Ridge Road, Webster,

NY 14580 on behalf of the Department of Social Services. Said award is for the purchase of a new, SUV mid-size 2016 Ford Escape SE 4WD in an amount not to exceed twenty-one thousand eight hundred fifty-two dollars and ninety-nine cents (\$21,852.99).

Contingent upon the availability of funds.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#9

RESOLUTION NO. 15-405
(November 10, 2015)

By Ms. Grant, Chairman of Human Services Committee:

NATIONAL ADOPTION AWARENESS MONTH PROCLAIMED

WHEREAS, November 2015 is National Adoption Awareness Month and is designed to provide us with an opportunity to acknowledge the families and staff who are involved in adoption activities throughout the year. The focus this year is on those children currently in foster care; and

WHEREAS, Deciding to open their hearts and homes to a child, adoptive and foster care families demonstrate great compassion and provide hope and love to these children. National Adoption Awareness Month and National Adoption Day, November 21, 2015, help to raise public awareness of the fact that there are children available who are waiting for caring families; and

WHEREAS, There are currently seven children eligible for adoption and approximately forty-one children in Wyoming County in foster care. The valuable contributions of foster care and adoptive parents are recognized as they continually strive to improve the quality of life for the children brought into their lives; now therefore;

BE IT RESOLVED, That November 2015 is hereby proclaimed **NATIONAL ADOPTION AWARENESS MONTH** in Wyoming County; and be it

FURTHER RESOLVED, That it is the desire of this Board of Supervisors and Wyoming County Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

November 10, 2015

After the passage of resolutions #5 through #9, Chairman Berwanger invited Supervisor Grant to the podium to present the Family Caregivers Month proclamation. Supervisor Grant invited Office for the Aging Director Andrea Aldinger to join her at the podium to read the proclamation.

Director Aldinger offered that this proclamation was especially important to her because as of June this year, she became a family caregiver. She acknowledged that being a caregiver is very different from what someone can tell you about how to be one. She offered that at one time or another, everyone will be a caregiver to someone else and it is the most important job you will ever have, taking care of a loved one. She thanked the Board of Supervisors for the proclamation.

Supervisor Grant, T/Bennington offered that the Office for the Aging does a great job offering support and information to caregivers. The newsletter has valuable information about available services and encourages caregivers to take care of themselves which is a critical part of being a caregiver.

Supervisor Grant invited Social Services Commissioner, David Rumsey, to join her at the podium while she read the National Adoption Awareness Month proclamation. Commissioner Rumsey thanked the Board of Supervisors for their continued support. He reported that all of the seven children eligible for adoption are in pre-adoptive placement which is very good news.

There was a motion by Ms. Ryan, T/Warsaw, to combine resolutions #10 through #14. A voice vote was taken and all voted aye.

#10

RESOLUTION NO. 15-406

(November 10, 2015)

By Mrs. Ryan, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN 2016 RENEWAL CONTRACTS 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 the following contracts for FY 2016 on behalf of Mental Health:

A. **Livingston/Wyoming Arc**, 18 Main Street, Mt. Morris, NY 14510, contract renewal for Sheltered Workshop Program for the mentally ill population in an amount not to exceed forty-nine thousand, six hundred seventy-one dollars (\$49,671.00); effective January 1, 2016 through December 31, 2016.

B. Suburban Adult Services, Inc., 960 West Maple Court, Elma, NY 14059, contract renewal for Sheltered Work in an amount not to exceed thirty-eight thousand ninety dollars (\$38,090.00); effective January 1, 2016 through December 31, 2016

C. Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY 14569, contract renewal in an amount not to exceed one hundred seventy-one thousand five hundred seventy-three dollars (\$171,573.00); effective January 1, 2016 through December 31, 2016 as follows:

1. PAO screenings ~ \$24,653.00
2. Forensic case management ~ \$25,808.00
3. Jail based Chemical Dependency services in the jail ~ \$3,000.00
4. MICA/Homeless ~ Case Management ~ \$11,364.00
5. Crisis Outreach Program ~ \$68,375.00
6. Mobile Treatment Team ~ \$17,265.00
7. Case Management AOT ~ \$21,108.00

D. Mental Health Association of Rochester/Monroe County, Inc., 320 North Goodman Street, Rochester, NY 14607, contract renewal in an amount not to exceed two hundred sixty-seven thousand nine hundred seventy-five dollars (\$267,975.00); effective January 1, 2016 through December 31, 2016 as follows:

1. Consumer Run Thrift Store ~ \$31,049.00
2. Drop-in Center ~ \$90,988.00
3. Transportation Program ~ \$45,785.00
4. MICA & Social Club ~ \$26,646.00
5. Peer Advocacy ~ \$11,546.00
6. Temporary Housing ~ \$10,125.00
7. Enhanced Recovery Supports Program ~ \$51,836.00

E. Hillside Children's Center, 1183 Monroe Avenue, Rochester, NY 14620 1699, contract renewal in an amount not to exceed ninety one thousand one hundred and one dollars (\$91,101.00); effective January 1, 2016 through December 31, 2016 as follows:

1. Crisis Respite for Children ~ \$17,986.00
2. GLOW Family Support ~ \$31,683.00
3. Home Based Crisis Intervention ~ \$14,432.00
4. Coordinated Children's Services ~ \$23,500.00
5. Customized Services ~ \$3,500.00

F. Spectrum Human Services, Inc., 227 Thorn Avenue, Orchard Park, NY 14127, contract renewal in an amount not to exceed five hundred sixty-five thousand five hundred forty-two dollars (\$565,542.00); effective January 1, 2016 through December 31, 2016 as follows:

1. Mental Health Clinic, Crisis ~ \$22,408.00
2. Adult ICM/SCM/SPOA ~ \$63,616.00
3. Child & Youth ICM/SPOA ~ \$32,589.00
4. RIV-POEMS ~ \$115,728.00
5. Co-Occurring Disorders Coordinator and Case Management ~ \$16,179.00
6. Forensic/Uncompensated Care ~ \$47,388.00
7. PROS ~ \$59,912.00
8. Alcohol and Substance Abuse Treatment ~ \$207,722.00

G. Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227-2728, contract renewal in an amount not to exceed three hundred five thousand eight hundred seventeen dollars (\$305,817.00); effective January 1, 2016 through December 31, 2016 as follows:

1. Four Bed Treatment Apartments ~ \$4,957.00
2. Supported Housing (20 slots) ~ \$185,860.00
3. Crisis/Respite Bed ~ \$2,500.00
4. Adult Crisis Transitional Housing ~ \$112,500.00

H. Coordinated Care Services, Inc. of Rochester, 1099 Jay Street, Building J, Rochester, NY 14611-1153, contract renewal in an amount not to exceed three hundred seventy-eight thousand five hundred ninety-six dollars (\$378,596.00); effective January 1, 2016 through December 31, 2016 as follows:

1. Service Coordination ~ \$146,950.00
2. Dual Diagnosis Coordination ~ \$60,758.00
3. Performance Measurements ~ \$8,778.00
4. Substance Abuse Prevention ~ \$160,610.00
5. Technical Assistance ~ \$1,500.00

I. Camp Get-A-Way, Western Region New York State, 18 West Buffalo Street, Warsaw, NY 14569, contract renewal in an amount not to exceed fifty thousand dollars (\$50,000.00); effective January 1, 2016 through December 31, 2016.

All contracts contingent upon the availability of funds.

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

**RESOLUTION NO. 15-407
(November 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A CONTRACT WITH FREED MAXICK CPA'S, PC ON BEHALF OF
THE COUNTY HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a contract with Freed Maxick CPA's PC, 420 Main Street, Suite 800, Buffalo, NY 14202 on behalf of the County Health Department. Said contract is for the preparation of the 2014 Diagnostic and Treatment Center (AHCF) Medicaid Cost Report in an amount not to exceed five thousand five hundred dollars (\$5,500.00) plus direct expenses; effective November 1, 2015 through completion and upload of the cost report. Contingent upon the availability of funds.

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

**RESOLUTION NO. 15-408
(November 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
A GRANT ACCEPTANCE AWARD WITH THE GOVERNOR'S
TRAFFIC SAFETY COMMITTEE ON BEHALF OF THE COUNTY
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a grant acceptance award with the Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228 on behalf of the County Health Department. Said contract is for the funding of the Child Passenger Safety program in a minimum amount of seven thousand dollars (\$7,000.00); effective October 1, 2015 through September 30, 2016.

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

**RESOLUTION NO. 15-409
(November 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

RESOLUTION NUMBER 15-100 AMENDED

November 10, 2015

WHEREAS, Resolution Number 15-100 entitled, **“CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN SUB AGREEMENT WITH LIVINGSTON COUNTY HEALTH DEPARTMENT ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on March 10, 2011 and 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 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; now therefore

BE IT RESOLVED, That Resolution Number 15-100 be hereby amended to increase the maximum reimbursable amount by two thousand eight hundred sixty-two dollars (\$2,862.00) for a total of thirty-eight thousand five hundred forty-six dollars (\$38,546.00) based on NYSDOH COLA award. All else remains the same.

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

**RESOLUTION NO. 15-410
(November 10, 2015)**

By Mrs. Ryan, Chairman of Public Health Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
211 ADVISORY BOARD**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the 211 Advisory Board for a term of one year; effective January 01, 2016 through December 31, 2016 as follows:

- **Alex Pierce**, (Wyoming County Community Action), 6470 Route 20A, Suite 1, Perry, NY 14530-9799
- **David Rumsey** (Department of Social Services), 466 North Main Street, P. O. Box 231, Warsaw, NY 14569
- **Laura Paolucci** (County Health Department), 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550

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

There was a motion by Mr. Brick, T/Perry, to combine resolutions #15 and #16. A voice vote was taken and all voted aye.

RESOLUTION NO. 15-411
(November 10, 2015)

By Mr. Brick, Chairman of Agriculture Committee:

**RESOLUTION URGING ENACTMENT OF LEGISLATION TO
ESTABLISH AND FUND A NEW YORK ALL-TERRAIN VEHICLE
TRAIL SYSTEM**

WHEREAS, Recreational use of all-terrain vehicles (ATVs) is an increasingly popular individual and family outdoor activity in New York State; and

WHEREAS, Safe and lawful opportunities for ATV use are limited due to the lack of a developed and maintained ATV trail system; and

WHEREAS, Other states have extensive ATV trail systems that draw thousands of ATV riders from several states within their regions; and

WHEREAS, Increased ATV rider opportunities would result in increased tourism and economic activity in New York State, particularly in Upstate New York communities where economic opportunities are limited, but there is an abundance of land; and

WHEREAS, ATV riders buy local, supporting host communities through the purchase of gas, food, lodging, and equipment; and

WHEREAS, New York's snowmobile trail system has resulted in an estimated annual spending in New York State of \$868 million; and

WHEREAS, The purchase of ATVs, spending on local amenities and trail improvements on private lands would result in more tax revenue for localities and New York State; and

WHEREAS, A planned, dedicated trail system will be safer than non-maintained trails and roads and help avoid user conflicts with hikers, snowmobilers and others; and

WHEREAS, A dedicated trail system will help limit trespassing on public and private property and ATV use on sensitive lands.

NOW, THEREFORE, BE IT RESOLVED, The Wyoming County Board of Supervisors does hereby urge the State of New York to create by

November 10, 2015

statute a New York State All-Terrain Vehicle Trail System which would be funded by ATV registrations, rider fees and any other monies to ensure a sustainable and safe ATV trail system in New York that would promote tourism and economic activity; and be it

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

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

**RESOLUTION NO. 15-412
(November 10, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

**REVIEW OF AGRICULTURAL DISTRICT NO. 2
AND SET PUBLIC HEARING**

WHEREAS, This Board is conducting a review of Agricultural District No. 2 located in the Towns of Eagle, Gainesville, Wethersfield and a few parcels in the Town of Warsaw and Pike as authorized under Article 25AA of Agricultural Districts Law; and

WHEREAS, The review process was initiated with a 30-day review period and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports and recommendations regarding District No. 2; and

WHEREAS, This Board is required to hold a Public Hearing prior to making a finding whether the Districts should be continued, terminated, or modified; now therefore

BE IT RESOLVED, That a Public Hearing will be held by the Board of Supervisors of Wyoming County, State of New York, at the Wyoming County Government Center in Warsaw, on the 8th day of December, 2015 at 2:30 PM regarding Wyoming County Agricultural District No. 2 located in the Towns of Eagle, Gainesville, Wethersfield and a few parcels in the Town of Warsaw and Pike to consider the recommendations of the Agricultural and Farmland Protection Board and the County Planning Board; and be it

FURTHER RESOLVED, That the District Review Report, including a map showing the proposed modifications and recommendations of the

Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board will be available for public review at Wyoming County Soil & Water, located at 31 Duncan Street Ext., in the Village of Warsaw, The Clerk to the Board of Supervisors' Office, 143 North Main Street, Suite 220, Warsaw, NY 14569, the County Planning Department, 6470 Route 20A, Suite 4, Perry NY 14530 and the Clerks of the Towns of Wethersfield, Gainesville, Eagle, Pike and Warsaw. All property owners whose properties were recommended for addition or removal from the district received a letter in early June stating the change and notifying them that they could provide comments at the public comment day held in late June or at the public hearing.

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

After the passage of resolutions #15 and #16, Chairman Berwanger invited Supervisor Brick, T/Perry to the podium to present the Cornell Cooperative Extension certificates of recognition for the great work they have done this year.

Supervisor Brick acknowledged the below recipients:

Meritorious Service Award recognizes the member who has demonstrated innovative youth programming and leadership in the NAE4-HA Association at the state, regional, and/or national level and has served for 15 or more years in 4-H programs:

- New York State and National Winner ~ Roxane Dueppengiesser

Achievement in Service Award recognizes the member who has been creative and innovative in programming efforts with demonstrated results and has served more than 3 years, but less than 7 years in 4-H programs:

- New York State and National Winner ~ Tanya Nickerson

Special Service Award recognizes members who have developed a new technique in programming, worked successfully with new audiences, and/or have been innovative in utilizing resources, people and situation with one to five years of service in 4-H programs.

- New York State Winner ~ Nate Smith

Excellence in Club Support encourages and recognizes the efforts of Extension professionals who support and strengthen their 4-H club program. Programs receiving this award may have taken several years to implement or may be short-term, single year efforts.

- New York State and Northeast Region Winners ~ Roxanne Dueppengiesser, Holly Harwood, Tanya Nickerson, Nate Smith, Jessie Nickerson and Shawn Tiede

Periodical Publication an information piece designed to inform, update, and make reader respond in a positive way. Winning entries may include newsletters, magazines, tabloids, etc.

- New York State, Northeast Region and National Winners ~ Nate Smith, Tanya Nickerson and Emily Vandenbosch
 - *Show Times*

Promotional Package to attract audience's attention and make them respond in a positive way. Winning entries must consist of pieces such as video and brochure, electronic media, or any other combination of promotional pieces.

- New York State, Northeast Region and National Winners ~ Nate Smith and Jessie Nickerson
 - *Duck Derby*

Executive Director Shawn Tiede explained that these awards were given at the National 4~H Conference in Portland about a week or so ago. At that time, he was elected President of the National Association of Extension 4~H Agents which has 3,800 members across the country. Tanya Nickerson is currently the president of the NYS Association of Cornell Cooperative Extension 4~H Educators. This is a very exciting time for Wyoming County! These awards, which there is a lot of them, is uncommon and to have two of them in the same state, much less two in the same county is pretty much unheard of. This is a reflection of the support of the program in Wyoming County. Director Tiede said the year was finished with 1,012 4~H members. He thanked the Board for their continued support.

There was a motion by Mr. Leuer, T/Middlebury to combine resolutions #17 through #21. A voice vote was taken and all voted aye.

#17

RESOLUTION NO. 15-413 (November 10, 2015)

By Mr. Leuer, Chairman of Planning Committee:

2016 MATCHING FUNDS PROGRAM APPROVED ON BEHALF OF THE WYOMING COUNTY CHAMBER OF COMMERCE

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby approve taking part in the 2016 Matching Funds Program for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Chamber of Commerce as the official tourist promotion agency for the County of Wyoming and as the

agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#18

RESOLUTION NO. 15-414

(November 10, 2015)

By Mr. Leuer, Chairman of Planning Committee:

SMALL BUSINESS SATURDAY PROCLAIMED

WHEREAS, Small business is the backbone of the American economy and since the birth of this country has represented opportunity, independence, and the fulfillment of dreams for generations of its citizens; and

WHEREAS, Small business owners who work long hours, juggling family and career responsibilities and serving as community volunteers, are integral to our country's prosperity and to the vibrancy of our community. These entrepreneurs are vital to our country's economy, creating over sixty percent of our nation's new jobs over that past two decades; and

WHEREAS, Through the opportunities offered by the men and women who own and operate the almost one thousand small businesses including family farms in Wyoming County, many of our residents are able to pursue their dreams of a better life; and

WHEREAS, To recognize "Small Business Saturday" which is Saturday, November 28, 2015, a day to celebrate and support small businesses that create jobs, boost the economy, and invigorate neighborhoods around the country to encourage shopping locally; and

WHEREAS, The Wyoming County Board of Supervisors wishes to recognize small businesses for the key role they play in keeping our local economy strong and urging all our citizens to join in this observance, as we celebrate the accomplishments of small business owners and their employees and encourage the development of new small businesses; now therefore

BE IT RESOLVED, that Saturday, November 28th, 2015 is hereby designated as **SMALL BUSINESS SATURDAY** in Wyoming County in conjunction with the Wyoming County Chamber & Tourism and communities across the Wyoming County, the State of New York, and the United States who

November 10, 2015

have declared this as an important day in celebration and recognition of small business.

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

**RESOLUTION NO. 15-415
(November 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

**LARRY KILBURN APPOINTED TO THE WYOMING COUNTY
WATER RESOURCE AGENCY BOARD OF DIRECTORS**

BE IT RESOLVED, That Larry Kilburn 1379 Bray Road, Arcade, NY 14009 is hereby appointed to the Wyoming County Water Resource Agency Board of Directors to fill the vacant unexpired term formerly held by Mark Merrill through December 31, 2017.

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

**RESOLUTION NO. 15-416
(November 10, 2015)**

By Mr. Leuer, Chairman of Planning Committee:

ENTREPRENEURSHIP WEEK PROCLAIMED

WHEREAS, Around the world entrepreneurs are the innovators and job creators who bring ideas to life, drive economic growth and expand human welfare; and

WHEREAS, Entrepreneurs demonstrate, as the backbone of our economy, --that if you have a good idea and work hard enough, the American dream is within your reach; and

WHEREAS, Entrepreneurs translate their vision into products and services providing a viable business which is critical in implementing one of Wyoming County's economic development growth strategies; and

WHEREAS, Entrepreneurial programs provide guidance and support as entrepreneurs begin their journey and launch their innovative idea; and

WHEREAS, The Wyoming County Board of Supervisors recognizes the importance of tomorrows ideas and the future of our economy by supporting programs such as FastTrac New Venture for Aspiring and Early Stage Entrepreneurs , a Professional Entrepreneurship Development Program, offered through The Wyoming County Business Center, Inc.; and

WHEREAS, Entrepreneurship Week gives us the opportunity to acknowledge the dedication and participation of the FastTrac New Venture Program through its program directors, facilitators, coaches, sponsors and guest speakers over the past 5 years, since the program's inception, and the determination of the past 94 graduates that have opened 47 businesses and created over 75 jobs; and

WHEREAS, The celebration of Global Entrepreneurship Week from November 16-22nd, 2015 recognized by the Ewing Marion Kauffman Foundation, the largest foundation in the world devoted to entrepreneurship, along with National Entrepreneurship Day, enriches the awareness of the need of Entrepreneurs through our community, country and world; now therefore

BE IT RESOLVED, That November 16th ~ 22nd, 2015 is hereby designated as

ENTREPRENEURSHIP WEEK

in Wyoming County, New York in conjunction with the Wyoming County Business Center, Inc. as an affiliate of the Ewing Marion Kauffman Foundation providing entrepreneurs a Professional Entrepreneurship Development Program.

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

#21

RESOLUTION NO. 15-417 (November 10, 2015)

By Mr. Leuer, Chairman of Planning Committee:

MEMBERS APPOINTED / REAPPOINTED TO THE WYOMING COUNTY PLANNING BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Wyoming County Planning Board:

Voting Members

Three (3) years term effective January 1, 2016 through December 31, 2018

- David Dutton (T/Arcade), 136 Liberty St, Arcade, NY 14009

November 10, 2015

(reappointment)

- Roger Weiss, (T/Eagle), 3917 Route 39, Bliss, NY 14024
(reappointment)
- Rebecca Johnson, (T/Java), 656 Minkel Road, Strykersville, NY 14145
(reappointment)

Alternate Member #1

One (1) year term effective January 1, 2016 through December 31, 2016

- Lee Frette (T/Perry) 3692 Shearman Road, Perry, NY 14530

Alternate Member #2

One (1) year term effective January 1, 2016 through December 31, 2016

- Gerald R. Pfeifer (T/Warsaw) 261 Linwood Avenue, Warsaw, NY 14569

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

After the passage of resolutions #17 through #21, Chairman Berwanger invited Supervisor Leuer, T/Middlebury to the podium to present the Small Business Saturday proclamation. Wyoming County Chamber of Commerce President Scott Gardner was invited to join him for the presentation and read the proclamation.

President Gardner thanked the Board for the Proclamation, for their recognition of November 28th as Small Business Saturday and acknowledging the importance of small businesses lend to the economy of Wyoming County. Shopping locally is very important to the local economy and to generate sales tax which we so desperately need for the financial health of the County.

President Gardner acknowledge that it is very appropriate that this proclamation comes so close to Veterans Day as we truly could not have a strong and vibrant economy without the sacrifices of those that have come before us to serve this great nation and keep us free to able to have the ability to open small businesses. Thank you to all Veterans and to the ones here today!

President Gardner then read the Entrepreneurship Week Proclamation. IDA Program Manager Jennifer Tyczka, on behalf of the Wyoming County Business Center, thanked the Board of Supervisors for acknowledging the fast-track Entrepreneurship Program and they look forward to a successful program.

#22

**RESOLUTION NO. 15-418
(November 10, 2015)**

Regular Meeting

By Mr. Copeland, Chairman of Public Safety Committee:

RESOLUTION NUMBER 15-205 AMENDED

WHEREAS, Resolution Number 15-205 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF THE SHERIFF’S DEPARTMENT,**” passed by this Board of Supervisors on May 12, 2015 and, in part, provides for the following:

- **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;

now therefore,

BE IT RESOLVED, That Resolution Number 15-205 be hereby amended to correct the effective dates of the NYS Governor Traffic Safety Council grant application to October 1, 2014 through September 30, 2015. All else remains the same.

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#23

RESOLUTION NO. 15-419 (November 10, 2015)

By Mr. Davis, Chairman of Public Works Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE TRAFFIC SAFETY BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Traffic Safety Board for a ***term of three (3) years; effective November 14, 2015 through November 13, 2018:***

- **Paul Korzelius** (Town of Eagle) 4201 East Hillside Road, Bliss, NY 14024
- **John Hurst** (Town of Middlebury) 51 Main Street, Wyoming, NY 14591
- **Harry Pankow** (Town of Castile) 5878 Glen Iris Road, Castile, NY 14427

November 10, 2015

- **Dennis Hare** (Town of Gainesville) 5757 School Road, Castile, NY 14427
- **James Kemp** (Town of Genesee Falls) 6025 Denton Corner Road, Castile, NY 14427
- **Daniel George** (Town of Java) 4720 State Road Route 98, North, Java, NY 14113

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

There was a motion by Chairman Berwanger, T/Arcade to vote on resolution #34 separately and to combine resolutions #24 through #33 and resolutions #35 through #39. A voice vote was taken and all voted aye.

#24

**RESOLUTION NO. 15-420
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN
2016 MEDICARE HEALTH INSURANCE RATES FOR RETIREES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Medicare PPO renewal rates for Retired County Employees for **2016** as follows:

- **Univera Medicare ~ PPO High Option**
 - Single - \$445.10
- **Univera Medicare ~ PPO Low Option**
 - Single \$407.78
- **Excellus Medicare PPO**
 - Single \$410.69
- **MVP Medicare Gold Anywhere ~ Buy Up Option**
 - Single \$305.30
- **MVP Medicare Gold Anywhere ~ Standard Option**
 - Single \$286.50

Contingent upon the availability of funds.

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

#25

**RESOLUTION NO. 15-421
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

Regular Meeting

2016 WORKERS' COMPENSATION COSTS APPROVED

BE IT RESOLVED, That the cost of Workers' Compensation Insurance for the Participants covered by the Wyoming County Workers' Compensation Pool as based upon the 2016 budget of \$3,158,002.00 (total budget of \$3,200,632.00 minus a \$42,630.00 inter-fund transfer) are as follows:

TOWNS

Arcade	\$41,241
Attica	38,769
Bennington	58,988
Castile	42,646
Covington	28,884
Eagle	35,902
Gainesville	38,511
Genesee Falls	22,619
Java	35,938
Middlebury	39,822
Orangeville	33,506
Perry	35,694
Pike	30,106
Sheldon	49,082
Warsaw	48,752
Wethersfield	31,523
Total	\$611,983

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

COUNTY & OUTSIDE AGENCIES

County Government	\$317,341
County Highway Department	205,826
Wyom. Co Community Hospital	766,223
Community Action	38,508
Wyom. Co. Volunteer Fire Depts	358,189
Soil & Water Conservation	4,795
Total	\$1,690,882

November 10, 2015

VILLAGES

Arcade	\$103,733
Attica	77,661
Castile	10,219
Gainesville	38
Perry	84,295
Silver Springs	10,044
Warsaw	124,585
Wyoming	8,123
Total	\$418,698

SCHOOL DISTRICTS

Attica Central School	\$157,706
Perry Central School	89,573
Pioneer Central School	151,682
Warsaw Central School	5,898
Wyoming Central School	31,580
Total	\$436,439

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

**RESOLUTION NO. 15-422
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

2016 EQUALIZATION TABLE PRESENTED AND TABLED

BE IT RESOLVED, That the 2016 Equalization Table is hereby presented; and be it

FURTHER RESOLVED, That its adoption be tabled for at least one (1) day.

2016 EQUALIZATION TABLE

Advisory Equalization Rates	Town	Taxable Assessed Value with Partial Exemptions Added	Full Value at State Rates	% of Co. Tax to be paid by each Town	Taxable Assessed Value
94.00%	Arcade	211,264,415	224,749,378	0.103425127	211,256,56
100.00%	Attica	177,725,261	177,725,261	0.081785578	177,719,86
45.00%	Bennington	114,691,396	254,869,769	0.117285923	114,667,86
98.00%	Castile	229,932,506	234,625,006	0.107969692	229,903,95
100.00%	Covington	79,527,161	79,527,161	0.036596794	79,526,661
100.00%	Eagle	60,790,402	60,790,402	0.027974516	60,777,952
95.00%	Gainesville	89,688,386	94,408,827	0.043445037	89,688,386
100.00%	Genesee	29,365,008	29,365,008	0.013513184	29,362,008
85.00%	Java	114,717,667	134,961,961	0.062106770	114,702,66
97.00%	Middlebury	86,118,999	88,782,473	0.040855902	86,118,399
98.00%	Orangeville	89,736,053	91,567,401	0.042137470	89,736,053
100.00%	Perry	194,700,149	194,700,149	0.089597079	194,678,19
100.00%	Pike	55,070,757	55,070,757	0.025342451	55,070,757
86.00%	Sheldon	135,074,455	157,063,320	0.072277370	135,049,35
98.00%	Warsaw	237,826,808	242,680,416	0.111676629	237,825,30
100.00%	Wethersfield	52,176,293	52,176,293	0.024010477	52,162,593
	TOTALS	1,958,405,716	2,173,063,583	1.000000000	1,958,246,

30-Oct-15

FINANCE COMMITTEE

Joseph Kushner
Becky Ryan
Steve Tarbell
John Knab
Jerry Davis

Ellen Grant
John Copeland
James Brick
Dan Leuer
Susan May

Carried: XXX

Ayes: 1599

Noes:

Absent:

Abstain:

#27

RESOLUTION NO. 15-423 (November 10, 2015)

November 10, 2015

By Mr. Kushner, Chairman of the Finance Committee:

**JANIS COOK REAPPOINTED WYOMING COUNTY
BUDGET OFFICER**

BE IT RESOLVED, That Janis Cook, 6 East Court Street, Warsaw NY 14569 be hereby reappointed as Wyoming County Budget Officer for a two (2) year term; effective January 1, 2016 through December 31, 2017.

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

**RESOLUTION NO. 15-424
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

Mr. Kushner, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 01, 2015 through September 30, 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 **\$208,429.61** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$25,179.21	\$5,639.21	\$19,540.00
Attica	\$21,510.92	\$4,195.48	\$17,315.44
Bennington	\$21,640.64		\$21,640.64
Castile	\$19,137.12	\$1,396.71	\$16,622.29
Perry Village		\$1,118.12	
Covington	\$4,046.84		\$4,046.84
Eagle	\$6,557.68		\$6,557.68
Gainesville	\$10,282.12	\$325.64	\$8,880.79
Silver Springs Village		\$1,075.69	
Genesee Falls	\$625.85		\$625.85
Java	\$10,041.69		\$10,041.69

Middlebury	\$7,856.83	\$690.61	\$7,166.22
Orangeville	\$11,522.89		\$11,522.89
Perry	\$18,934.67	\$4,424.08	\$14,510.59
Pike	\$7,172.43		\$7,172.43
Sheldon	\$10,715.68		\$10,715.68
Warsaw	\$30,156.18	\$9,216.55	\$20,939.63
Wethersfield	\$3,048.86		\$3,048.86
Total:			\$180,347.52
Grand Totals: \$208,429.61			

Let This Be Your Warrant for Such Payment: **\$208,429.61** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 10th day of November 2015.

s/Cheryl J. Ketchum, Clerk
Board of Supervisors

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

**RESOLUTION NO. 15-425
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 14-284 AMENDED

WHEREAS, Resolution Number 14-284 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AVISON YOUNG (DANIEL J. BIZZOCO, MAI, CRE, FRICS/SENIOR VICE PRESIDENT) ON BEHALF OF THE BOARD OF SUPERVISORS,**” passed by this Board of Supervisors on August 18, 2015 and provides for review of pertinent documents relating to a proposed economic development project in the Town of Java, New York; now therefore

BE IT RESOLVED, That Resolution Number 14-284 be hereby amended to increase the original retainer amount of ten thousand dollars (\$10,000.00) by two thousand three hundred fifty-six dollars (\$2,356.00). All else remains the same.

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

November 10, 2015

RESOLUTION NO. 15-426
(November 10, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. G
YEAR 2015

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 10th day of November, 2015, a proposed local law entitled, “Local Law Introductory No. G Year 2015, **“A LOCAL LAW PURSUANT TO CHAPTER 97-2011 OF THE LAWS OF THE STATE OF NEW YORK AND SECTION 3-C OF THE GENERAL MUNICIPAL LAW OVERRIDING TAX LEVY LIMIT FOR FISCAL YEAR 2016”**; and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on *the 8th day of December, 2015 at 2:30 PM in the Supervisors’ Chambers, 2nd Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.*

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

INTRODUCTORY LOCAL LAW NO. G - YEAR 2015

**A Local Law to Override the Tax Levy Limit Established in General
Municipal Law 3-C for Fiscal Year 2016**

Section 1. Legislative Intent

Due to the continued financial obligations compelled by the State of New York upon the County of Wyoming in the form of mandated governmental services that are not fully funded by the State, the County, in addition to providing said services, also must provide other important services to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined, and to allow the County of Wyoming to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” contained in General Municipal Law §3-c.

Regular Meeting

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

Section 3. Tax Levy Limit Override

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

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

DATED at Warsaw, New York
November 10, 2015 (Introduced)
Cheryl J. Ketchum,^{CMC}
Clerk to the Board

#31

RESOLUTION NO. 15-427 (November 10, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

DATE OF PUBLIC HEARINGS FOR THE CONSIDERATION OF THE 2016 TENTATIVE COUNTY BUDGET SET

BE IT RESOLVED, That two (2) Public Hearings upon the Tentative Budget of the County for the fiscal year and calendar year 2016 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 N. Main Street, in the Village of Warsaw, NY 14569, on ***Tuesday, December 1st, 2015 at 11:30 AM and at 7:00 PM*** and that copies of that tentative County

November 10, 2015

Budget will be available at the Public Hearing and after 3:00 P.M. on November 13, 2015, in accordance with Section 354(2) of the County Law of this State, at the office of the Clerk of the Board of Supervisors; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and be it

FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on December 1, 2015.

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

**RESOLUTION NO. 15-428
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-300 AMENDED

WHEREAS, Resolution Number 15-300 entitled, “**APPROVING WYOMING COUNTY / WYOMING COUNTY COMMUNITY HOSPITAL (WCCHS) SPECIFIC EARLY RETIREMENT INCENTIVE PROGRAM,**” passed by this Board of Supervisors on August 18, 2015 and offers to Wyoming County Community Hospital full-time employees covered by Schedules WCCHS, A, B, C, and E, excluding all other County Departments an early retirement incentive; now therefore

BE IT RESOLVED, That Resolution Number 15-300 be hereby amended to reflect a revised expiration date of October 16, 2015 from October 15, 2015. All else remains the same.

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

**RESOLUTION NO. 15-429
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

POSITION ABOLISHED APPROVED

Regular Meeting

BE IT RESOLVED, That the following position is hereby abolished in the following Wyoming County Departments:

Jail

Abolish one (1) position of Program Director (Chaplain) P-T, (position code #041.190), (20 hrs./wk.) on Wyoming County Sheriff's Employees Assoc. grade 3 at \$20.54/hr.; effective December 31, 2015.

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

**RESOLUTION NO. 15-430
(November 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 counsel, is hereby authorized and directed to sign the following contracts on behalf of the Wyoming County Community Health System:

- **Pronexus**, 171 Sully's Trail, Pittsford, NY 14534 to extend the professional services contract for an additional three (3) months to provide interim management services for the CFO position ~ Amy Ellingworth ~ during the transition with the new Director of Finance in an amount not to exceed one hundred ten dollars (\$110.00) per hour or fifty-five thousand dollars (\$55,000.00 total, plus out-of-pocket costs; effective October 1, 2015 through December 31, 2015.
- **M*Modal Services, LTD.**, 5000 Meridian Blvd, Suite 200, Franklin, TN 37067 to provide medical transcription and editing services for Medical Records and Radiology in an amount not to exceed one hundred seventy thousand dollars (\$170,000.00) per year and five hundred ten thousand dollars (\$510,000.00) per three (3) years; effective February 1, 2016 through February 1, 2019 with automatic renewal for successive one (1) year periods.
- **Fujifilm Medical System, USA**, 419 West Avenue, Stamford, CT 06902

November 10, 2015

for the Radiology Information System (RIS) and the RIS/HIS Interface in an amount not to exceed nineteen thousand eight hundred dollars (\$19,800.00) per year and fifty-nine thousand four hundred dollars (\$59,400.00) per three (3) years; effective January 1, 2016 through December 31, 2018.

- **Fujifilm Medical System, USA**, 419 West Avenue, Stamford, CT 06902 for the Emerald Preferred Service Agreement #104882-7 for three (3) cassette readers, three (3) computers and three (3) monitors including one (1) preventive maintenance per service agreement on equipment, all replacement parts, labor and travel in an amount not to exceed thirty-five thousand five hundred ninety-six dollars and seventy-eight cents (\$35,596.78) per year and one hundred six thousand seven hundred ninety dollars and thirty-three cents (\$106,790.33) per three (3) years; effective January 1, 2016 through December 31, 2018.
- **Buffalo Orthopaedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221 to exercise the one (1) year renewal option (original Resolution No. 14-145) for the Orthopaedic Service Line Management Agreement as according to the terms of the written contract; effective May 1, 2015 through April 30, 2016.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1599 **Noes:** **Absent:** **Abstain:** #36

**RESOLUTION NO. 15-431
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 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 and, in part, provides for the following:

- **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.

now therefore;

BE IT RESOLVED, That it has been determined that the approved contract with **Morrison Management Specialists, Inc.** will not be executed and should be rescinded immediately.

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #37

**RESOLUTION NO. 15-432
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-327 AMENDED

WHEREAS, Resolution Number 15-327 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on September 8, 2015 and, in part, provides for the following:

- **Congdon, Flaherty, O’Callaghan, Reid, Donlon, Travis & Fishlinger, Attorneys and Counselors At Law**, The Omni, 333 Earle Ovington Boulevard, Suite 502, Uniondale, NY 11553-3625 for legal services related to potential costs of skilled nursing facility structural costs not reimbursed by insurance company, cost is out of pocket expenses plus percentage of recovery. On losses less than one million dollars (\$1,000,000.00) in damages an amount not to exceed thirty percent (30%) of any settlement, trial, or verdicts. On losses greater than one million dollars (\$1,000,000.00) in damages an amount not to exceed one-third (1/3) of recovery or verdict up to one million dollars (\$1,000,000.00) and ten percent (10%) of recovery above one million dollars (\$1,000,000.00), effective September 08, 2015 through settlement or verdict;

now therefore

November 10, 2015

BE IT RESOLVED, It has been determined that the proposed contract with **Congdon, Flaherty, O’Callaghan, Reid, Donlon, Travis & Fishlinger, Attorneys and Counselor at Law**, will not be executed and should be rescinded immediately

All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain: #38

**RESOLUTION NO. 15-433
(November 10, 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 24, 2014 and provides various contracts on behalf of the Wyoming County Community Health System and, in part, provides for the following:

- **Buffalo Orthopaedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221:
 - For the period March 27, 2014 through October 31, 2014 professional services of physicians and physician assistants to perform office and surgery services in the field of Orthopaedic Medicine at WCCHS in the Hospital’s orthopaedic clinic and performing orthopaedic surgery. For the period May 1, 2014 through October 31, 2014 services will be comprised of services per an agreed upon schedule in an amount equivalent to at least 3.5 provider days per week paid at a rate of \$300,000 for that six month period. In addition, services during the period March 27, 2013 through April 30, 2014 would be provided based on availability as agreed to by WCCHS management and paid on a per diem basis based on days worked at the rate of \$3,648 for a full day shift.
 - One year **Orthopaedic Service Line Management Agreement** to provide clinical management, leadership, and direction to the orthopaedic service line as well as certain administrative, professional direction, and management oversight, as defined in the contract, of the

orthopaedic service line, not to exceed \$200,000 annually. Contract to have a provision that contract would be cancelled if Buffalo Orthopaedic Group was not providing orthopaedic services at WCCHS. Contract to become effective on or about May 1, 2014 upon the receipt of a valuation of the agreement confirming its fairness acceptable to WCCHS attorney and the start of Buffalo Orthopaedic Group's provision of full level of services; now therefore;

BE IT RESOLVED, That Resolution Number 14-145 be hereby amended to add April 30, 2015 as the expiration date of the one (1) year **Orthopaedic Service Line Management Agreement** with Buffalo Orthopaedic Group, LLC as according to the terms of the written contract.

All else remains the same.

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

**RESOLUTION NO. 15-434
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-263 AMENDED

WHEREAS, Resolution Number 15-263 entitled, **“CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,”** passed by this Board of Supervisors on July 14, 2015 and provides various contracts on behalf of the Wyoming County Community Health System and, in part, provides for the following:

- **Buffalo Orthopaedic Group, LLP**, 192 Park Club Lane, Williamsville, NY 14221
 - Professional Services Agreement ~ Extend the current agreement for an additional three (3) year term beginning November 1, 2015 under the same terms and conditions as the current contract EXCEPT for the addition of the provision of four (4) one (1) week periods per year of twenty-four (24) hours a day seven (7) days a week on-call coverage for emergency orthopaedic cases in Hospital's Emergency Department and in-patient floors in accordance with the requirements identified in Exhibit A. Compensation for the additional four (4) weeks of on-call coverage for emergency orthopaedic cases to be paid at the rate of

November 10, 2015

\$3,384.33/week. Call coverage dates to be coordinated with Dr. Lindsey Clark.

- **Orthopaedic Service Line Management Agreement** ~ Extend the current agreement or an additional three (3) year term beginning November 1, 2015 under the same terms and conditions as the current contract; now, therefore

BE IT RESOLVED, That Resolution Number 15-263 be hereby amended to add October 31, 2108 as the expiration date of the three (3) year **Orthopaedic Service Line Management Agreement** with Buffalo Orthopaedic Group, LLC as according to the terms of the written contract. All else remains the same.

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

**RESOLUTION NO. 15-435
(November 10, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES “S”, “D” AND “C” AMENDED

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

Salary Schedule “S”:

Human Resource

- Set the salary of the ***Human Resource Assistant, full time*** (position code 001.434) in the Human Resource Department at \$32,000.00/annually; effective October 26, 2015.

Salary Schedule “D”:

Fire and Building Code Enforcement

- Extend the ***Code Enforcement Officer’s*** stipend to provide administrative oversight of the Planning Department; effective January 1, 2016 through December 31, 2016 at \$17,171.00 annually.

Salary Schedule “C”:

Wyoming County Community Health System

- Set the salary of the ***Nursing Facility Administrator*** at \$115,000.00 per year; effective September 15, 2015.

- In six (6) months from the effective date, the Nursing Facility Administrator will be evaluated by the CEO and the Nursing Facility Administrator from The Highlands at Brighton with a report back to the BOM Compensation Committee.

Carried: XXX Ayes: 1175 Noes: 172 Arcade Absent: Abstain:
 164 Attica
 88 Java
424 Total

Chairman Berwanger announced that he had some very special recognitions to make. Recently the Board of Supervisors along with the Board of Managers offered an early retirement option to a specific group of retirees. Ten of these retirees chose to take advantage of this option. All were invited here today and we have three with us. The County employees who recently retired are:

- William Bark 31 plus years of service
- Laura Dutton 48 plus years of service
- Nancy Dembowski 36 plus years of service
- Patricia Gilliland 35 plus years of service
- Charlotte Hamon 44 plus years of service
- Lori Merrill 35 plus years of service
- Susan Neeley 35 plus years of service
- Cynthia Spencer 31 plus years of service
- Karen Tallman 41 plus years of service
- Rita Jones 29 plus years of service

Laura Dutton was invited up with Supervisor Kushner, T/Eagle. Karen Tallman came to the podium with her husband and Supervisor David Tallman, T/Gainesville and Charlotte Hamon with Supervisor May, T/Orangeville. Chairman Berwanger acknowledged that these retirees have a total of more than 365 years of service and acknowledged each of these women here today as caring and committed individuals. He gave each a chance to address the Board.

- **Laura Dutton** said she started her career in 1960 at the hospital as a student nurse. She spoke about her experiences in nursing school and how she went to school all week long and worked as staff on the weekends. She wore many hats, worked all throughout the hospital and certainly enjoyed it. Her next endeavor is to write a book, so stay tuned! She thanked the Board for their support over the years. She is still involved in the Rescue Squad in her community so she will still be involved in healthcare.

- **Charlotte Hamon** began with explaining about a comical cartoon that has always stayed with her. She said that she has given her all to Wyoming County and in return has received everything from Wyoming County for who she is today. She has been fortunate enough to purchase property, own a home, raise two sons and pursue a career that is in every fiber of her being. She has cared for patients from the cradle to the grave. She thanked the Board from the bottom of her soul for the privilege to work for Wyoming County.
- **Karen Tallman** remembered that she would walk from the monument after getting a ride from a woman in Bliss. She came from the typewriter age through the computer era with medical records. Her job was always a challenge and said she always had to be up for that challenge. She acknowledged that Wyoming County has always been good to her and thanked the Board.

Before adjourning the meeting, Chairman Berwanger acknowledged recent article in the pull out section of the Buffalo News about the Central House in Java. Owner Jennifer Hoffman remodeled the place and serves all homemade food. It is a great place to eat and it is a great article. He gave a copy to Wyoming County Chamber of Commerce President Scott Gardner.

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:38 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

**SPECIAL SESSION
(December 1, 2015)
Tuesday
11:30 AM**

The special 2016 budget hearing session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except M. Vasile, T/Genesee Falls. Also present were M. Dadd for the County Attorney's office, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum, Deputy Clerk to the Board, Lisa Perez, Supervisor Elect, Brian Becker, T/Castile and several county department heads and contract agency directors.

At 11:30 AM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the meeting is:

David Rumsey
Navy Veteran ~ Social Services Commissioner

The pledge was said by all.

Chairman Berwanger introduced Budget Officer Cook to present the 2016 proposed Budget.

Wyoming County 2016 Budget

December 1, 2015

Presented by: Janis Cook, Budget Officer

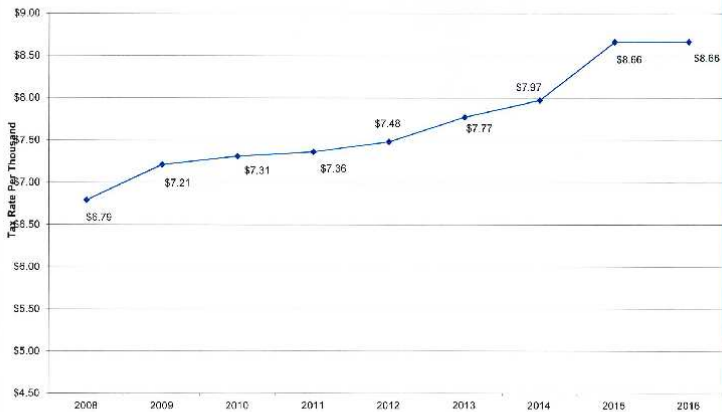
Summary of Proposed 2016 Budget

- Proposed budget - \$123,289,676
- Proposed tax levy - \$18,812,000
 - ▢ An increase of \$624,785 or 3.44% over 2015 Adopted tax levy
- Taxable Valuation - \$1,958,246,587
 - ▢ An increase of 1.79%
- Proposed tax rate @ 100% assessment - \$8.66 per thousand
 - ▢ No change from the 2015 rate @ 100%

2016 Property Tax Levy and Rate

	2015	2016	Amt change from prior yr	% change from prior yr
Property Tax Levy	\$ 18,187,214.81	\$ 18,812,000.00	\$ 624,785.19	3.44%
Taxable Valuation	\$ 1,923,852,474	\$ 1,958,246,587	\$ 34,394,113.00	1.79%
Full Valuation	\$ 2,100,884,256	\$ 2,173,063,583	\$ 72,179,327.00	3.44%
Property Tax Rate **100% Equalization in both FY 2015 & 2016	\$ 8.66	\$ 8.66	\$ -	0.00%

Tax Rate 2008 - 2016



General County Levy	Adopted 2015	Tentative 2016	2016 Inc / (Dec)	2016 Percentage Inc / -Dec
Revenue	103,387,316.97	103,377,676.21	(9,640.76)	-0.01%
Expenses	124,537,355.78	123,289,676.21	(1,247,679.57)	-1.00%
Reserve to offset	2,962,824.00	1,400,000.00	(1,562,824.00)	-52.75%
Allow For Uncollectable Taxes	0.00	300,000.00	300,000.00	
Total General County Levy	18,187,214.81	18,812,000.00	624,785.19	3.44%
Special District Levy				
Town Balances	109.88	16,771.55	16,661.67	15163.51%
Board of Elections	21,531.00	21,778.00	247.00	1.15%
Recycling	1,855,749.90	1,763,957.00	(91,792.90)	-4.95%
Worker's Comp	622,619.00	611,983.00	(10,636.00)	-1.71%
Total Levy All Districts	20,687,224.59	21,226,489.55	539,264.96	2.61%
NYS Tax Levy Limitation		20,896,977.00	209,752.41	1.01%
Over / (Under) Allowable Cap		329,512.55		

Property Tax Cap Calculation

2015 Tax Levy	18,187,215.00
+ Special District Levy	<u>2,500,010.00</u>
2015 Total Adjusted Tax Levy	20,687,225.00
x Tax Base Growth Factor (Provided by NYS)	1.0035
	<u>20,759,630.00</u>
+ PILOTS in 2015 (est.)	<u>357,328.00</u>
	21,116,958.00
x Allowable Levy Growth (0.73%)	<u>1.0073</u>
	21,271,112.00
- PILOTS in 2016 (est.)	<u>374,135.00</u>
ESTIMATED TOTAL TAX CAP	\$20,896,977.00
Amount Allowed to Increase Tax Levy	\$209,752.00
	1.01%

Supervisor Leuer, T/Middlebury questioned Budget Officer Cook on the impact the County's Tax Cap Efficiency Plans made on the tax cap. Budget Officer Cook confirmed submission of the county's plan and their acceptance by the State

Comptroller's office. She added that efficiency plans were allowed to include past activities to a certain point which allowed Wyoming County to include the sale of the Certified Home Health Agency in 2013.

General Fund Recap

General Fund ONLY		Adopted 2015	Tentative 2016	Change Amount Inc / (Decrease)
Total Revenues		40,134,046.99	39,407,681.21	(726,365.78)
.1	Personal Svc	14,129,403.65	13,886,714.54	(242,689.11)
.2	Capital	368,100.00	228,100.00	(140,000.00)
.4	Contractual	29,213,205.27	28,468,608.78	(744,596.49)
.6	Principal Pmt	1,044,642.20	1,192,842.20	148,200.00
.7	Interest Pmt	504,872.59	472,766.31	(32,106.28)
.8	Fringe	8,287,344.09	7,983,953.46	(303,390.63)
.9	Transfers	7,273,694.00	6,686,695.92	(586,998.08)
Total Expenditures		60,821,261.80	58,919,681.21	(1,901,580.59)
Fund Balance		(2,500,000.00)	(1,000,000.00)	1,500,000.00
Allowance for Taxes			300,000.00	300,000.00
Levy		18,187,214.81	18,812,000.00	624,785.19

Highway & Machinery Fund Recap

Highway & Machinery ONLY		Adopted 2015	Tentative 2016	Change Amount Inc / (Decrease)
Total Revenues		8,794,294.00	9,035,435.00	241,141.00
.1	Personal Svc	1,359,111.00	1,397,248.28	38,137.28
.2	Capital	224,500.00	0.00	(224,500.00)
.4	Contractual	6,701,790.00	7,090,834.72	389,044.72
.6	Principal Pmt	0.00	0.00	0.00
.7	Interest Pmt	0.00	0.00	0.00
.8	Fringe	971,717.00	947,352.00	(24,365.00)
.9	Transfers	0.00	0.00	0.00
Total Expenditures		9,257,118.00	9,435,435.00	178,317.00
Fund Balance		462,824.00	400,000.00	(62,824.00)
Levy		0.00	0.00	0.00

Hospital Fund Recap

Hospital Fund ONLY		Adopted 2015	Tentative 2016	Change Amount Inc / (Decrease)
Total Revenues		50,631,141.00	51,056,486.00	425,345.00
.1	Personal Svc	21,013,758.00	20,804,111.00	(209,647.00)
.2	Capital	700,000.00	1,000,000.00	300,000.00
.4	Contractual	15,420,136.56	16,665,617.56	1,245,481.00
.6	Principal Pmt	1,238,000.00	1,103,000.00	(135,000.00)
.7	Interest Pmt	906,061.44	882,189.44	(23,872.00)
.8	Fringe	11,353,185.00	10,601,568.00	(751,617.00)
.9	Transfers	0.00	0.00	0.00
Total Expenditures		50,631,141.00	51,056,486.00	425,345.00
Fund Balance		0.00	0.00	0.00
Levy		0.00	0.00	0.00

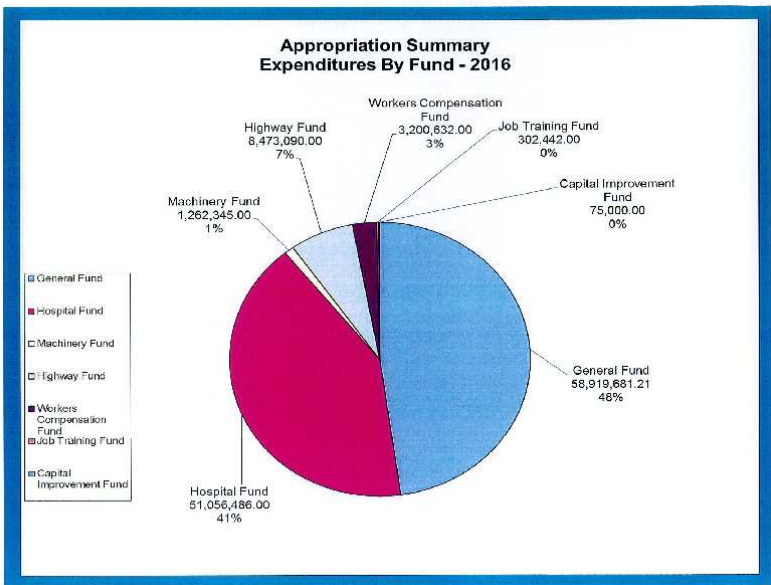
STATE MANDATES

Just a sampling below account for 104% of our County Tax Levy!!!!

Mandates	2016 Budget	Percent of Levy
Medicaid (inc. IGT)*	6,795,000.00	
All other mandated DSS Programs**	3,574,132.00	
NYS Retirement Contribution	5,537,269.00	
Community Colleges	1,625,000.00	
Probation	588,761.00	
Indigent Defense	245,769.00	
Special Ed Pre-K	970,731.00	
Early Intervention	227,953.00	
Total Levy	19,564,615.00	
2016 Tentative Levy	18,812,000.00	104%

*The Medicaid Levy for both years includes a budgeted \$1.5 M local share of estimated IGT funding.

**Public Assistance, Safety Net, Child Welfare



SUMMARY OF 2016 BUDGET BY FUNCTION					
FUNCTION	APPROPRIATIONS	STATE & FEDERAL AID	REVENUES	TAX LEVY / SURPLUS	% OF TAX LEVY / SURPLUS
General Governmental Support	\$0.00	\$225,000.00	\$17,682,934.98	(\$17,907,934.98)	-99.9%
Legislative	\$721,535.84	\$0.00	\$600.00	\$720,935.84	3.6%
Judicial	\$1,523,160.46	\$717,042.88	\$75,000.00	\$735,117.00	3.7%
Finance	\$1,087,585.90	\$0.00	\$852,912.00	\$234,673.90	1.2%
Staff	\$3,638,688.27	\$80,856.00	\$1,585,055.00	\$1,872,757.77	9.0%
Special Items	\$202,203.00	\$0.00	\$0.00	\$202,203.00	1.0%
Education	\$3,651,452.92	\$1,085,720.00	\$0.00	\$2,565,732.92	13.0%
Public Safety	\$10,688,272.34	\$517,158.48	\$651,400.47	\$9,219,718.19	46.3%
Health	\$5,109,436.96	\$3,733,517.88	\$961,416.03	\$714,403.05	3.6%
Social Services (Less Medicaid)	\$11,660,902.86	\$7,504,821.00	\$471,000.00	\$3,674,131.86	18.0%
Social Services (Medicaid / MMS)	\$8,755,000.00	\$0.00	\$0.00	\$6,785,000.00	34.1%
Economic Development	\$1,015,000.00	\$0.00	\$180,000.00	\$835,000.00	4.2%
Other	\$183,804.94	\$11,629.00	\$4,700.00	\$167,475.94	0.8%
Economic Assistance	\$1,470,333.68	\$868,703.00	\$103,027.00	\$498,603.68	2.5%
Recreation	\$200,338.28	\$37,776.00	\$13,000.00	\$149,562.28	0.8%
Culture	\$89,187.30	\$0.00	\$3,880.00	\$85,317.30	0.4%
Adult Recreation	\$99,000.00	\$99,000.00	\$0.00	\$0.00	0.0%
General Environment	\$2,000,257.50	\$0.00	\$1,650,021.00	\$350,236.50	1.8%
Natural Resources	\$531,934.44	\$0.00	\$8,000.00	\$523,934.44	2.6%
Employee Benefits	\$5,000.00	\$0.00	\$5,000.00	\$0.00	0.0%
Debt Service	\$1,665,608.51	\$13,402.13	\$0.00	\$1,652,206.38	8.3%
Interfund Transfers	\$6,689,085.02	\$0.00	\$0.00	\$6,689,085.02	33.8%
Highway Funds	\$4,435,435.00	\$2,577,305.00	\$6,508,130.00	\$400,000.00	2.0%
Hospital Funds	\$51,066,486.00	\$1,789,512.00	\$49,256,974.00	\$0.00	0.0%
JTPA Funds	\$302,442.00	\$302,442.00	\$0.00	\$0.00	0.0%
Compensation	\$3,200,632.00	\$0.00	\$3,200,632.00	\$0.00	0.0%
Machinery BAN Fund	\$300,000.00	\$0.00	\$300,000.00	\$0.00	0.0%
Capital	\$75,000.00	\$0.00	\$75,000.00	\$0.00	0.0%
TOTALS:	\$123,280,676.21	\$19,490,066.05	\$83,887,590.16	\$19,812,000.00	100.0%
Less Surplus:					
General Fund				\$1,000,000.00	
Machinery Fund				\$0.00	
County Road Fund				\$400,000.00	
Compensation				\$0.00	
Capital				\$0.00	
Subtotal Surplus Applied				\$1,400,000.00	
Plus Allowance for Uncollectable Taxes:				\$300,000.00	
TAX LEVY:				\$18,812,000.00	

Appropriation Summary General Fund Expenditures - 2016

General Government

Education

Public Safety

Public / Mental Health

Social Services

Medicaid

Office for the Aging

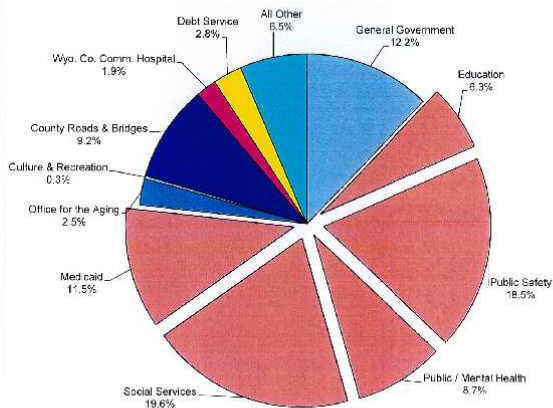
Culture & Recreation

County Roads & Bridges

Wyo. Co. Comm. Hospital

Debt Service

All Other



Revenue Summary General Fund Revenue By Source - 2016

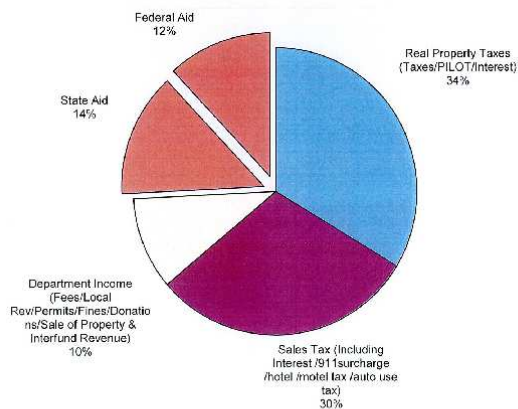
Real Property Taxes
(Taxes/PILOT/Interest)

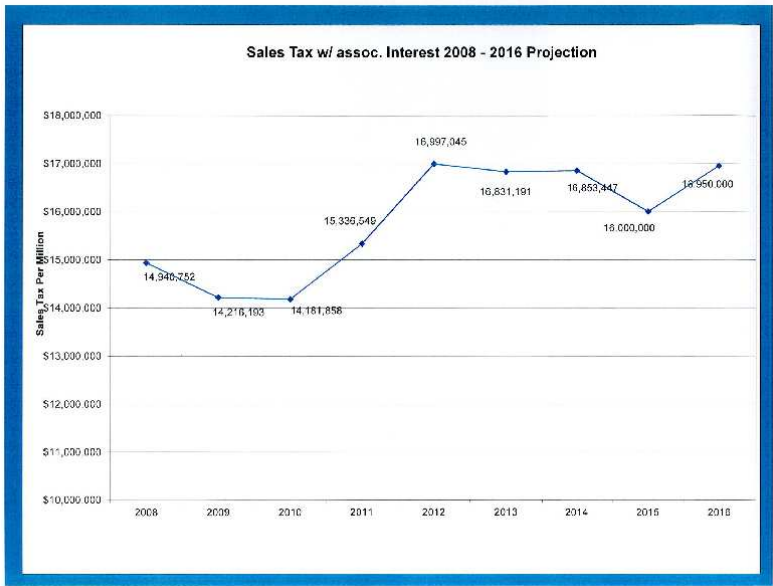
Sales Tax (Including Interest
/911 surcharge /hotel/motel
tax /auto use tax)

Department Income
(Fees/Local
Rev/Permits/Fines/Donations/
Sale of Property & Interfund
Revenue)

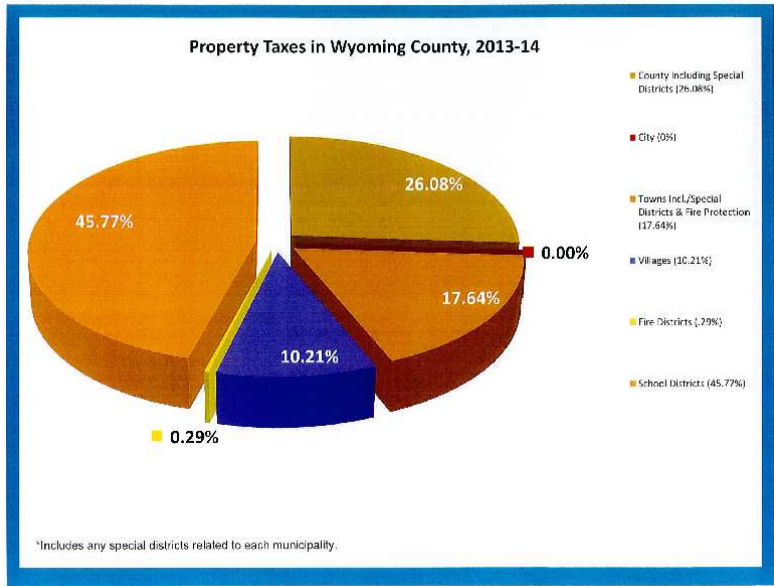
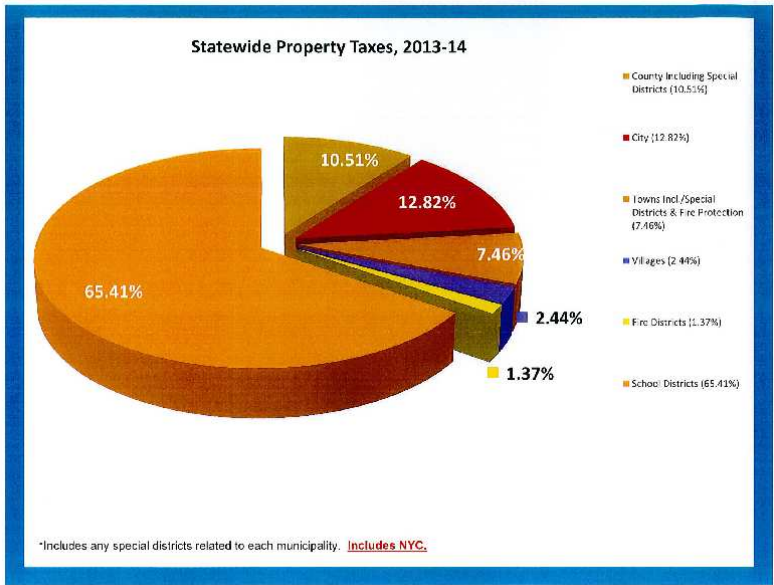
State Aid

Federal Aid





Contract Agencies	2016 Allocation
Wyoming County Chamber of Commerce (Tourism)	\$135,984.00
Wyoming County Business Education Council	\$4,300.00
Wyoming County Business Center	\$60,000.00
Wyoming County Arts Council	\$11,432.00
Wyoming County Wildlife Federation	\$904.32
Wyoming County Soil and Water	\$128,130.12
Cornell Cooperative Extension	\$364,400.00
Wyoming County Fair Association	\$18,000.00
Total Budgeted Expenditures	723,150.44
Percentage of Total Levy:	3.84%



Mandate Relief from Albany?

Please contact your local representatives to request mandate relief so that Wyoming County can continue to focus on the priorities that make our county great.

Starting With:

NYS Governor

Hon. Andrew M. Cuomo
Executive Chambers
State Capitol Building
Albany, NY 12224
(518) 474-8390

Contact Information:

- NYS Senator (59th District)
Hon. Patrick M. Gallivan
947 Legislative Office Building
Albany, NY 12247
(518) 455-3471
- NYS Assemblyman (147th District)
Hon. David DiPietro
543 Legislative Office Building
Albany, NY 12248
(518) 455-5314
- 4729 Transit Road, Suite 7
Depew, NY 14043
(716) 656-8544
- 411 Main St.
E. Aurora, NY 14052
(716) 655-0951
- 143 North Main St., Room 103
Warsaw, NY 14569
(585) 786-5048

Thank You!

- **If you have any questions please feel free to contact me at:**

Janis Cook

Wyoming County Budget Officer

Phone: (585) 786-8804

JCook@wyomingco.net

- **Your Town Supervisor**

At the conclusion of the presentation Chairman Berwanger opened the meeting up to Questions from the Supervisors and gallery.

There being no questions Chairman Berwanger opened the meeting up to public comment. Board Clerk Ketchum informed the Supervisors that a written request to address the Board on the 2016 Budget had not been received so Chairman Berwanger opened the opportunity to address the Board up to those in attendance. Past Town of Castile Supervisor E. Joseph Gozelski asked Chairman Berwanger to confirm what he had heard about a letter writing campaign by Wyoming County Farm Bureau members to restore County Contract agencies to 2015 funding levels. Additionally, he spoke specifically in favor of services provided by Cornell Cooperative Extension and Soil and Water. To that end Chairman Berwanger offered clarification by holding up a folder full of form letters (104 letter count) from Farm Bureau members indicating their willingness to pay the .82% increase in levy to maintain all contract agencies.

Chairman Berwanger stated that contract agency funding was reduced by 20% affecting 8 agencies (those listed on the chart provided by Budget Officer Cook). He explained that a letter was sent to the Directors of the Contract Agencies a week or so ago because Supervisors were only hearing negativity towards an increase in the tax rate. The .82% increase is approximately \$150K. The letter instructed Directors to have taxpayers indicate to the Supervisors, in writing, their willingness to pay the increased tax levy to maintain county contract agencies.

The Farm Bureau letter campaign with 104 letters from members is impressive! Chairman Berwanger read the letter submitted by McCormick Farms. That letter was a template for the others so they all read the same but each letter was signed. Marquart Bros. submitted a letter signed by Tom Marquart. Chairman Berwanger reminded attendees that the purpose of the public hearing was to garner input from the community.

As a reminder, Chairman Berwanger provided the following statistics Capital Improvement Projects over that past 8 years

Better Pavement Program:

\$12.472 million

- Middle Reservation Road
- East Main Street Road
- Barber Road
- Hermitage Road
- Wyoming Road
- Weaver Road
- Castile Center Road
- DeWitt Road
- Liberty Street
- Telegraph Road
- Exchange Street
- Perry Road

County Highway Building renovations

\$1.323 million

Department of Social Services Building renovations

\$4.532 million

Hospital Projects

\$1.525 million (408 North Main)

\$30.161 million (WCCH)

E911 upgrade

\$1.771 million

Voice Over IP System/Upgrade to telecommunications

\$191K

For a total of \$51.976 million over that past 8 years

Supervisor Gozelski added that he hopes County Contract Agencies will be restored because of the vital services they provide to the county.

Supervisor Kushner, T/Eagle added that it is his opinion that county departments need to be restored before the contract agencies realize any restoration. Supervisor Kushner also explained the county's ability to restore agencies at a later date, preferably after the county receives the much hoped for \$20 million grant for debt defeasement.

Pat McCormick, Wyoming County Farm Bureau President provided a response to Supervisor Kushner's above statement and agreed that all of the Contract Agencies are important but that Agriculture is the backbone of the county. He agreed that everyone is struggling and that Ag. Producers who greatly rely on the direct services of Cooperative Extension and Soil and Water are struggling too. He warned the Supervisors not to be too short sighted and added that some of the biggest tax payers in the county are farmers and are in support of the necessary increase to keep the contract agencies funded at 2015 levels. Mr. McCormick reminded the Supervisors the Agriculture drives the economy in Wyoming County and he added that every contract agency is supportive of bringing money into the county.

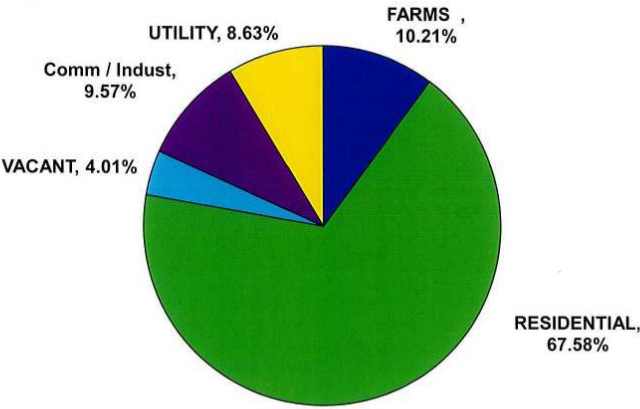
To help explain Mr. McCormick's comments Chairman Berwanger shared the following presentation provided by RPTS Director Kirsch at this morning's Finance Committee Meeting. The Chairman explained that the report depicts who is paying what share of taxes in the county...

(A)

2016 COUNTY TAX LEVY
BY PROPERTY USE

Calculated Using
Taxable Assessed Values
prepared by: Real Property Dept

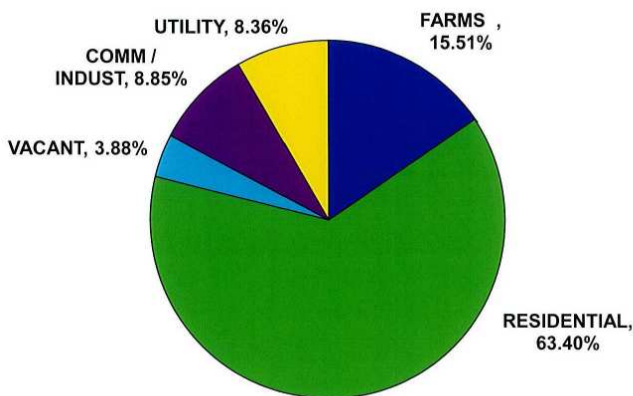
	FARMLAND & FARMS	IMPROVED RESIDENTIAL	VACANT	Comm / Indust	UTILITY
County	221,854,589	1,468,402,078	87,160,395	208,038,360	187,412,407
Tax %	10.21%	67.58%	4.01%	9.57%	8.63%
Arcade	3.98%	65.20%	4.51%	22.77%	3.54%
Attica	6.43%	73.42%	2.69%	6.63%	10.83%
Bennington	7.18%	79.31%	4.07%	2.63%	6.82%
Castile	11.29%	74.02%	2.82%	4.42%	7.45%
Covington	21.28%	51.41%	2.62%	7.19%	17.50%
Eagle	7.89%	72.34%	11.68%	2.88%	5.21%
Gainesville	10.23%	61.57%	4.86%	11.59%	11.76%
Genesee Falls	13.73%	45.58%	5.69%	5.07%	29.93%
Java	14.71%	71.96%	3.49%	5.20%	4.65%
Middlebury	10.12%	61.97%	4.50%	10.93%	12.48%
Orangeville	11.49%	66.08%	6.24%	1.52%	14.67%
Perry	12.80%	64.35%	1.72%	11.78%	9.35%
Pike	22.48%	62.36%	5.14%	4.56%	5.47%
Sheldon	17.13%	63.67%	2.26%	7.26%	9.67%
Warsaw	4.06%	64.24%	2.74%	21.05%	7.91%
Wethersfield	15.13%	59.79%	17.31%	3.95%	3.82%



2016 COUNTY ASSESSMENT (excluding wholly exempt property) BY PROPERTY USE

Calculated Using Full Assessed Values
Of All Tax Paying Property

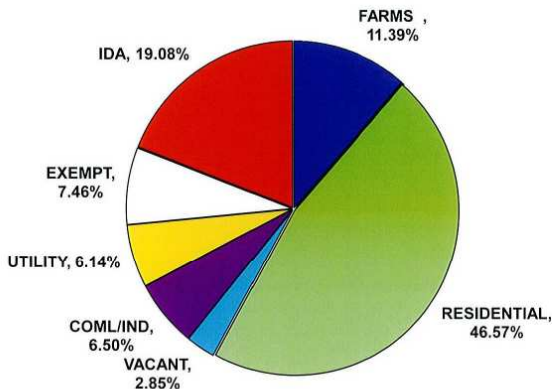
	FARMLAND & FARMS	IMPROVED RESIDENTIAL	VACANT	COMM / INDUST	UTILITY
County	374,115,956	1,529,391,025	93,586,901	213,532,767	201,728,554
Tax %	15.51%	63.40%	3.88%	8.85%	8.36%
Arcade	5.67%	64.49%	4.46%	21.76%	3.61%
Attica	7.95%	71.96%	2.67%	6.39%	11.03%
Bennington	8.40%	78.49%	4.02%	2.58%	6.52%
Castile	15.98%	70.33%	2.69%	4.10%	6.90%
Covington	34.32%	43.45%	2.27%	5.89%	14.07%
Eagle	14.14%	66.98%	11.30%	2.77%	4.82%
Gainesville	16.06%	56.43%	5.15%	11.07%	11.30%
Genesee Falls	21.60%	40.12%	5.23%	5.05%	28.00%
Java	16.21%	70.69%	3.38%	4.94%	4.77%
Middlebury	16.55%	58.13%	4.24%	9.87%	11.21%
Orangeville	16.41%	62.73%	5.96%	1.44%	13.46%
Perry	25.72%	55.44%	1.53%	9.73%	7.59%
Pike	38.24%	49.39%	4.50%	3.79%	4.08%
Sheldon	19.73%	61.89%	2.25%	6.92%	9.21%
Warsaw	6.09%	63.07%	2.72%	20.60%	7.52%
Wethersfield	24.88%	44.50%	13.09%	3.82%	13.72%



2016 COUNTY ASSESSMENT VALUE (including wholly exempt property) BY PROPERTY USE

prepared by: Real Property Dept

County	FARMLAND & FARMS	IMPROVED RESIDENTIAL	VACANT	COML/IND	UTILITY	EXEMPT	IDA
County	34,025,100	43,078,400	2,246,400	5,837,948	13,948,772	245,141,034	626,509,946
ASSESSMENT %	11.39%	46.57%	2.85%	6.50%	6.14%	7.46%	19.08%
Arcade	4.93%	56.00%	3.87%	18.90%	3.14%	6.44%	6.72%
Attica	6.15%	55.65%	2.06%	4.95%	8.53%	22.66%	0.00%
Bennington	8.23%	76.90%	3.93%	2.53%	6.38%	2.03%	0.00%
Castile	14.36%	63.21%	2.42%	3.68%	6.21%	9.59%	0.55%
Covington	33.30%	42.16%	2.20%	5.71%	13.65%	0.88%	2.09%
Eagle	4.46%	21.15%	3.57%	0.87%	1.52%	0.96%	67.47%
Gainesville	12.84%	45.12%	4.12%	8.85%	9.03%	20.04%	0.00%
Genesee Falls	19.97%	37.10%	4.84%	4.67%	25.89%	7.53%	0.00%
Java	14.79%	64.48%	3.08%	4.50%	4.36%	2.46%	6.33%
Middlebury	15.12%	53.11%	3.87%	9.02%	10.24%	8.63%	0.00%
Orangeville	6.39%	24.43%	2.32%	0.56%	5.24%	0.81%	60.26%
Perry	23.37%	50.39%	1.39%	8.85%	6.89%	8.52%	0.60%
Pike	36.08%	46.59%	4.25%	3.58%	3.85%	5.66%	0.00%
Sheldon	9.14%	28.68%	1.04%	3.21%	4.27%	1.47%	52.20%
Warsaw	4.93%	51.13%	2.21%	16.70%	6.10%	18.27%	0.66%
Wethersfield	10.94%	19.57%	5.76%	1.68%	6.03%	1.26%	54.75%



At 12:08 PM A motion to close the Public Hearing was provided by Supervisor Kushner, T/Eagle. Second by Supervisor Brick, T/Perry. All Aye. Carried.

Announcements:

- Christmas Tree Lighting at the Skilled Nursing Facility at 5 PM this evening
- 2nd Public Hearing on the 2016 Budget is to be held this evening at the Government Center at 7 PM

Special Meeting

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 12:10 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

December 1, 2015

**SPECIAL SESSION
(December 1, 2015)
Tuesday
7:00 PM**

The special 2016 budget hearing session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except E. Grant, T/Bennington and M. Vasile, T/Genesee Falls. Also present were M. Dadd for the County Attorney's office, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum, Supervisor Elect, Brian Becker, T/Castile and several county department heads and contract agency directors.

At 7:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the meeting is:

Mark Dadd
Former Naval Officer ~ Wyoming County Justice

The pledge was said by all.

Chairman Berwanger introduced Budget Officer Cook to present the 2016 proposed Budget.

See December 1, 2015 11:30 AM Special Session for budget slides...

At the conclusion of the presentation Chairman Berwanger opened the meeting up to Questions from the Supervisors and gallery.

An unidentified gentleman from the gallery questioned if there are specific areas of the budget that are identified for state mandate relief? Budget Officer Cook explained that there are several unfunded mandated programs that are specifically identified by counties to the state. The New York State Association of Counties, several years ago, identified the top 9 and launched a "9 for 90" program to bring a keen awareness to the state legislature on the financial burden just these 9 mandated programs alone bring to counties. Chairman Berwanger offered additional clarity by explaining the county's responsibility for paying its share of the Medicaid payment each week. He explained that the state automatically withdraws those funds from the county's accounts and he explained that other counties tried to refuse making those Medicaid payments but the state retaliated by

withholding other reimbursements and sales tax payments back to those counties... The county simply has no choice but to comply.

Supervisor Kushner, T/Eagle explained the mandated payments to Community Colleges and Open enrollment of students.

Kate Hemstreet from the USDA questioned if those cuts to contract agencies were somehow tied to their rents at the new Ag. and Business Center. Chairman Berwanger explained that they were not.

Hearing no more questions from Supervisors and the gallery Chairman Berwanger officially opened the Public Comment period.

Before entertaining comments Chairman Berwanger explained the memo sent to County Contract Agencies explaining that the Supervisors need to hear from the constituency, in writing, that they would be willing to pay more taxes to sustain contract agencies into 2016 at 2015 funding levels. He added that through the series of public informational meetings this past summer the message was consistent, people did not want their services decreased and they didn't want their taxes increased. Hence, the proposed budget before the Supervisors today.

Chairman Berwanger explained the receipt of 105 letters from Wyoming County Farm Bureau members. The 105th letter being hand delivered just this evening by Gus Youngers. He said that despite the letters to the editor by Harold Hopkins' about all of the things wrong with Wyoming County 105 people are willing to pay a little extra in their taxes to sustain these agencies!!!

There was some discussion about a few towns in the county, Pike being one of them, that will actually experience a \$.29 (or thereabouts) decrease in their tax rate. See below chart.

2016 Wyoming County Proposed Tax Rate by Town

Town	2015	2016	Increase / Decrease	% Inc. / Dec.	2016 Equal Rate
Arcade	9.018	9.210	0.192	2.13%	94.00%
Attica	8.657	8.657	0.000	0.00%	100.00%
Bennington	18.424	19.242	0.818	4.44%	45.00%
Castle	8.658	8.835	0.177	2.04%	98.00%
Covington	8.657	8.657	0.000	0.00%	100.00%
Eagle	8.658	8.659	0.000	0.00%	100.00%
Gainesville	8.657	9.113	0.455	5.26%	95.00%
Genesee Falls	8.835	8.658	-0.177	-2.00%	100.00%
Java	10.067	10.186	0.119	1.18%	85.00%
Middlebury	8.657	8.925	0.268	3.09%	97.00%
Orangeville	8.657	8.834	0.177	2.04%	98.00%
Perry	8.658	8.658	0.000	0.00%	100.00%
Pike	8.926	8.657	-0.268	-3.00%	100.00%
Sheldon	9.729	10.088	0.359	3.49%	86.00%
Warsaw	8.657	8.834	0.177	2.04%	98.00%
Wethersfield	9.020	8.659	-0.361	-4.00%	100.00%
AVERAGE:	9.496	9.816	0.120	1.28%	

As a reminder, Chairman Berwanger provided the following statistics on Capital Improvement Projects over that past 8 years.

Chairman Berwanger stated that in 20 years the Board of Supervisors have restored every building

Better Pavement Program:

\$12.472 million

Middle Reservation Road

East Main Street Road

Barber Road

Hermitage Road

Wyoming Road

Weaver Road

Castile Center Road

DeWitt Road

Liberty Street

Telegraph Road

Exchange Street

Perry Road

County Highway Building renovations

\$1.323 million

Department of Social Services Building renovations

\$4.532 million

Hospital Projects

\$1.525 million (408 North Main)

\$30.161 million (WCCH)

E911 upgrade

\$1.771 million

Voice Over IP System/Upgrade to telecommunications

\$191K

For a total of \$51.976 million over that past 8 years. Buildings weren't safe to be in before their restoration and there are still 6 roads left to complete in the Better Pavement Program.

During the informational meetings people attending showed their support of Wyoming County Community Hospital. Emergency Room visits in 2014 were 11,888 and year to date for 2015 are at 10,218.

Chairman Berwanger shared the reports prepared by RPTS Director, Jim Kirsch, for the Finance Committee meeting earlier today. See below...



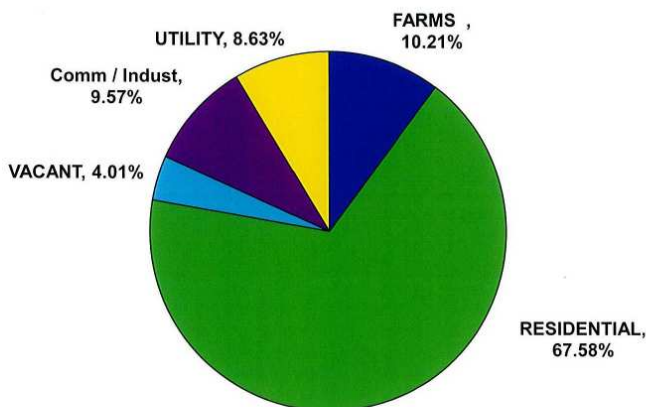
2016 COUNTY TAX LEVY BY PROPERTY USE

Calculated Using

Taxable Assessed Values

prepared by: Real Property Dept

	FARMLAND & FARMS	IMPROVED RESIDENTIAL	VACANT	Comm / Indust	UTILITY
County	221,854,589	1,468,402,078	87,160,395	208,038,360	187,412,407
Tax %	10.21%	67.58%	4.01%	9.57%	8.63%
Arcade	3.98%	65.20%	4.51%	22.77%	3.54%
Attica	6.43%	73.42%	2.09%	6.03%	10.83%
Bennington	7.18%	79.31%	4.07%	2.63%	6.82%
Castile	11.29%	74.02%	2.82%	4.42%	7.45%
Covington	21.28%	51.41%	2.62%	7.19%	17.50%
Eagle	7.89%	72.34%	11.68%	2.88%	5.21%
Gainesville	10.23%	61.57%	4.86%	11.59%	11.76%
Genesee Falls	13.73%	45.58%	5.69%	5.07%	29.93%
Java	14.71%	71.96%	3.49%	5.20%	4.65%
Middlebury	10.12%	61.97%	4.50%	10.93%	12.48%
Orangeville	11.49%	66.08%	6.24%	1.52%	14.67%
Perry	12.80%	64.35%	1.72%	11.78%	9.35%
Pike	22.48%	62.36%	5.14%	4.56%	5.47%
Sheldon	17.13%	63.67%	2.26%	7.26%	9.67%
Warsaw	4.06%	64.24%	2.74%	21.05%	7.91%
Wethersfield	15.13%	59.79%	17.31%	3.95%	3.82%

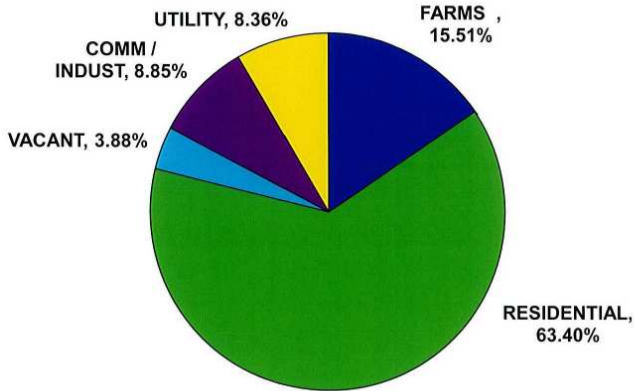


December 1, 2015

2016 COUNTY ASSESSMENT (excluding wholly exempt property) BY PROPERTY USE

Calculated Using Full Assessed Values
Of All Tax Paying Property

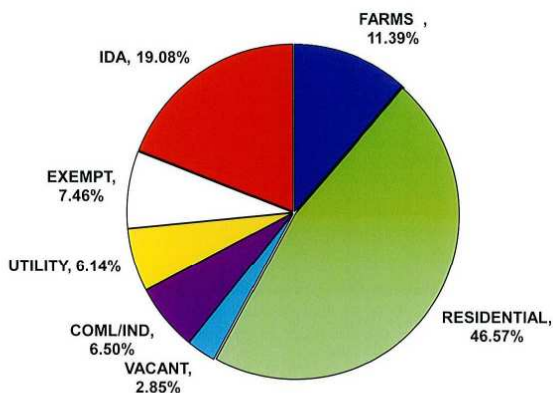
	FARMLAND & FARMS	IMPROVED RESIDENTIAL	VACANT	COMM / INDUST	UTILITY
County	374,115,956	1,529,391,025	93,586,901	213,532,767	201,728,554
Tax %	15.51%	63.40%	3.88%	8.85%	8.36%
Arcade	5.67%	64.49%	4.46%	21.76%	3.61%
Attica	7.95%	71.96%	2.67%	6.39%	11.03%
Bennington	8.40%	78.49%	4.02%	2.58%	6.52%
Castile	15.98%	70.33%	2.69%	4.10%	6.90%
Covington	34.32%	43.45%	2.27%	5.89%	14.07%
Eagle	14.14%	66.98%	11.30%	2.77%	4.82%
Gainesville	16.06%	56.43%	5.15%	11.07%	11.30%
Genesee Falls	21.60%	40.12%	5.23%	5.05%	28.00%
Java	16.21%	70.69%	3.38%	4.94%	4.77%
Middlebury	16.55%	58.13%	4.24%	9.87%	11.21%
Orangeville	16.41%	62.73%	5.96%	1.44%	13.46%
Perry	25.72%	55.44%	1.53%	9.73%	7.59%
Pike	38.24%	49.39%	4.50%	3.79%	4.08%
Sheldon	19.73%	61.89%	2.25%	6.92%	9.21%
Warsaw	6.09%	63.07%	2.72%	20.60%	7.52%
Wethersfield	24.88%	44.50%	13.09%	3.82%	13.72%



2016 COUNTY ASSESSMENT VALUE (including wholly exempt property)
BY PROPERTY USE

prepared by: Real Property Dept

County	FARMLAND & FARMS	IMPROVED RESIDENTIAL	VACANT	COML/IND	UTILITY	EXEMPT	IDA
County	34,025,100	43,078,400	2,246,400	5,837,948	13,948,772	245,141,034	626,509,946
ASSESSMENT %	11.39%	46.57%	2.85%	6.50%	6.14%	7.46%	19.08%
Arcade	4.93%	56.00%	3.87%	18.90%	3.14%	6.44%	6.72%
Attica	6.15%	55.65%	2.06%	4.95%	8.53%	22.66%	0.00%
Bennington	8.23%	76.90%	3.93%	2.53%	6.38%	2.03%	0.00%
Castile	14.36%	63.21%	2.42%	3.68%	6.21%	9.59%	0.55%
Covington	33.30%	42.16%	2.20%	5.71%	13.65%	0.88%	2.09%
Eagle	4.46%	21.15%	3.57%	0.87%	1.52%	0.96%	67.47%
Gainesville	12.84%	45.12%	4.12%	8.85%	9.03%	20.04%	0.00%
Genesee Falls	19.97%	37.10%	4.84%	4.67%	25.89%	7.53%	0.00%
Java	14.79%	64.48%	3.08%	4.50%	4.36%	2.46%	6.33%
Middlebury	15.12%	53.11%	3.87%	9.02%	10.24%	8.63%	0.00%
Orangeville	6.39%	24.43%	2.32%	0.56%	5.24%	0.81%	60.26%
Perry	23.37%	50.39%	1.39%	8.85%	6.89%	8.52%	0.60%
Pike	36.08%	46.59%	4.25%	3.58%	3.85%	5.66%	0.00%
Sheldon	9.14%	28.68%	1.04%	3.21%	4.27%	1.47%	52.20%
Warsaw	4.93%	51.13%	2.21%	16.70%	6.10%	18.27%	0.66%
Wethersfield	10.94%	19.57%	5.76%	1.68%	6.03%	1.26%	54.75%

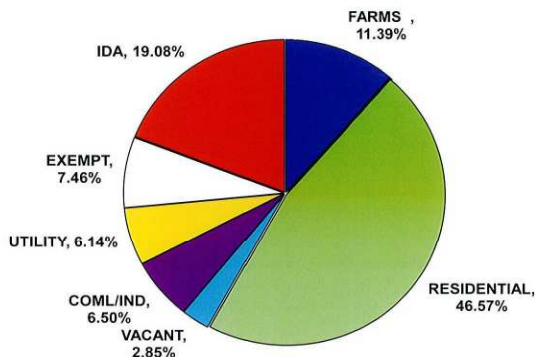


December 1, 2015

2016 COUNTY ASSESSMENT VALUE (including wholly exempt property)
BY PROPERTY USE

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ASSESSMENT %	11.39%	46.67%	2.85%	6.50%	6.14%	7.46%	19.08%
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Attica	6.15%	55.65%	2.06%	4.95%	8.53%	22.66%	0.00%
Bannington	8.23%	76.90%	3.93%	2.53%	6.38%	2.03%	0.00%
Castile	14.36%	63.21%	2.42%	3.68%	6.21%	9.59%	0.55%
Covington	33.30%	42.16%	2.20%	5.71%	13.65%	0.88%	2.09%
Eagle	4.46%	21.15%	3.57%	0.87%	1.52%	0.96%	67.47%
Gainesville	12.84%	45.12%	4.12%	8.85%	9.03%	20.04%	0.00%
Genesee Falls	19.97%	37.10%	4.84%	4.67%	25.89%	7.53%	0.00%
Java	14.79%	64.48%	3.08%	4.50%	4.36%	2.46%	6.33%
Middlebury	15.12%	53.11%	3.87%	9.02%	10.24%	8.63%	0.00%
Orangeville	6.39%	24.43%	2.32%	0.56%	5.24%	0.81%	60.26%
Perry	23.37%	50.39%	1.39%	8.85%	6.89%	8.52%	0.60%
Pike	36.08%	46.59%	4.25%	3.58%	3.85%	5.66%	0.00%
Sheldon	9.14%	28.68%	1.04%	3.21%	4.27%	1.47%	52.20%
Warsaw	4.93%	51.13%	2.21%	16.70%	6.10%	18.27%	0.66%
Wethersfield	10.94%	19.57%	5.76%	1.68%	6.03%	1.26%	54.75%



Chairman Berwanger expressed his disappointment in the lack of community response to the public hearings. The Ag. Community was the only sector of the community that showed any interest.

Gus Youngers questioned Director Kirsch's calculation and whether or not houses were left on the farm values...

Brad Almeter, Sheldon Farm family and Vice President of Wyoming County Farm Bureau asked attendees what percentage of the community is not affected by Agriculture.

Supervisor Kushner, T/Eagle thanked the Supervisors who participated in the formulation of the 2016 proposed budget. (At 7:40 PM Supervisor Kehl exited the meeting). He continued by explaining that if the county receives the \$20 million for hospital debt relief these things can all be restored to some degree. He called the 2016 Budget a “Defensive Budget” in that if the county does not receive the \$20 million for hospital debt relief there will be a huge tax rate increase to follow in 2017. He spoke to the lack of funds and the suspension of the Better Pavement Program. Roads make agriculture work! The saying goes, “How goes agriculture, goes the economy.” Supervisor Kushner expressed a concern for the aging population and their ongoing ability to pay increased property taxes.

Supervisor Leuer, T/Middlebury commented that in listening to Pat McCormick earlier today and other departments plus the receipt of the 105 letters speaks volumes. He added that he would not support a 2016 budget that does not provide some type of restoration to the contract agencies that promote agriculture. He also spoke to jeopardizing matching dollars for contract agencies and stated that county departments are not revenue generators like the Contract Agencies are and he added that we need to support those agencies that support agriculture and the farm family.

Supervisor Leuer, T/Middlebury questioned when was the last time the county received 105 letters from any demographic? Chairman Berwanger answered with he’s been with the county for 20 years and he’s never seen it...

Joe Gozelski thanked Supervisor Leuer for his comments and stated that almost everyone in the county benefits from these agencies.

Gus Youngers questioned the county’s ability to mandate drug testing for social services recipients. Chairman Berwanger explained that counties tried to create legislation that would mandate drug testing but the state legislators deemed it unlawful.

At 7:54 PM A motion to close the Public Hearing was provided by Supervisor Tallman, T/Gainesville. Second by Supervisor Knab, T/Sheldon. All Aye. Carried.

There being no further business to come before this Board, Senior Supervisor Knab, T/Sheldon, adjourned the meeting at 7:55 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

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

December 1, 2015

**REGULAR SESSION
(December 8, 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:

Chance W. Sampson

Mr. Chance Sampson is the youngest of three siblings born at Wyoming County Community Hospital. Mr. Sampson grew up in rural Wyoming County where he enjoyed hunting, trapping and fishing with his dad and brother. Prior to military service Mr. Sampson was employed as a logger and construction worker, gaining knowledge and experience from his dad and local Amish workers. One day, while watching coverage of "Desert Storm", Mr. Sampson decided to follow his dream of leaving home and becoming United States Marine. He thought it a great opportunity to help other people.

Upon completion of Marine Corp basic training and Advanced Technical School, Mr. Sampson deployed to Kuwait and Iraq to participate in "Operation Iraqi Freedom." There he was assigned to the military police and worked in counter-intelligence. Mr. Sampson volunteered for a covert advanced party to Forward Operating Base, Kalsu, named after former Buffalo Bills player Bob Kalsu who was killed while serving in Vietnam. His unit spread out into "no go zones" where the enemy found sanctuary. They ran the IED gauntlet to keep up the endless search for insurgents and weapons storage facilities. Mr. Sampson was driven by a sense of camaraderie and patriotism. In addition to an Honorable Discharge, for his courage and valor to his country, he earned the:

Combat Action Ribbon
Global War on Terrorism Service Medal
Marine Corps Good Conduct Medal
Iraq Campaign Medal
Sea Service Deployment Ribbon

Special Meeting

Navy Unit Commendation
National Defense Service Medal
2 Meritorious Masts
Rifle Sharpshooter Badge
Pistol Marksmanship Badge

Currently, Mr. Chance Sampson is a Wyoming County Sheriff Deputy ready to deal with any dangerous situation he may encounter when duty calls. He “fell in love at first sight” with his wife of 11-years Shelly, who is a talented photographer. Together they have a 6-year old daughter and 1½-year old son. Mr. Sampson enjoys weight lifting, hunting, fishing and especially his family.

The pledge was said by all.

Chairman Berwanger invited Town of Perry Supervisor, James Brick to join him in the presentation of the customary certificate of appreciation to Mr. Sampson while thanking him for his service to this great country.

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

Chairman Berwanger explained the long-standing tradition of the Board to give the visiting Veteran a chance to share any words he would like to impart on the Board of Supervisors at which time he gave the floor to Mr. Sampson.

Mr. Sampson thanked the Board for the opportunity and stated it is an honor to be here. He also thanked the Board for their continued support of local law enforcement agencies. He stated that it is a very dangerous world out there and this country is no different. It is only a matter of time before more happens here with major routes like Route 39 and 20A where drug trafficking takes place along with soft targets such as Buffalo Hill. He mentioned the recent incident in Leroy where first responders were shot at...it is only a matter of time. He thanked the Board again for their continued support.

Communications ~

Chairman Berwanger asked Clerk Ketchum if any communications were received. Clerk Ketchum responded there was one letter from Assemblyman David DiPietro acknowledging receipt of Res. No. 15-411 passed by the Board of Supervisors on November 10, 2015 and is included in the Board packet.

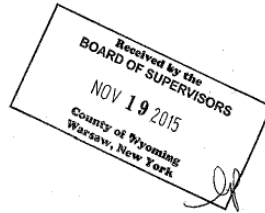


DAVID DIPIETRO
Assemblyman 147th District

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



November 16th, 2015

Lisa A. Perez, Deputy Clerk
Wyoming County Board of Supervisors
143 North Main Street
Warsaw, NY 14569

Dear Mrs. Perez;

This letter acknowledges the receipt, of the following Wyoming County Board of Supervisors certified resolution passed by the Board of Supervisors on November 10th, 2015 received in the Assembly District Office on November 16th, 2015:

Res.#s 15-411

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 147th Assembly District. Please let me know if I may be of additional assistance. Thank you.

Sincerely,

David DiPietro, Assemblyman
147th District of the State of New York

DJD/sa

□ 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

Open Public Hearings ~

- Agricultural District No. 2
- Local Law No. 7, Year 2015 (Introductory G, Year 2015) Entitled,
"A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2016"

The Chairman explained that there would be an opportunity for public comment
Special Meeting

on both later in the meeting.

#1

**RESOLUTION NO. 15-436
(December 08, 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:

Information Technology			
From: 01.34.1681.2.20201 Computers To: 01.34.1681.4.41410 Software Reason: To cover the cost of software purchase.	\$5,000.00	\$5,000.00	
Information Technology Total			\$5,000.00
Social Services			
From: 01.40.6101.4.42248 Medical Assistance To: 01.39.6055.4.42272 Day Care 100% 01.39.6055.4.42273 Day Care 75% Reason: To cover 2015 costs.	\$63,500.00	\$26,500.00 37,000.00	
Social Services Total			\$63,500.00
Mental Health			
From: 01.38.4220.4.42306 Other 01.38.4324.4.42306 Other To: 01.38.4220.2.20401 Misc. Equip. 01.38.4324.2.20401 Misc. Equip. Reason: To cover the cost of Toshiba 5560C Printer, as discussed in Public Health Meeting 11/25/2015, CSB approved 11/17/2015.	\$3,582.00 2,388.00	\$3,582.00 2,388.00	
Mental Health Total			\$5,970.00

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

#2

**RESOLUTION NO. 15-437
(December 08, 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:

December 1, 2015

Treasurer			
To: 01.33.1364.4.40301 Professional Service <i>w/any funds available</i>	\$10,000.00	\$10,000.00	
Reason: To pay legal fees for Synergy litigation of tax liens approved by Finance Committee; not to exceed \$10,000.00.			
Treasurer Total			\$10,000.00
District Attorney			
To: 01.32.1166.1.10101 Full time CSEA 01.32.1166.4.40402 Conference 01.32.1166.4.40405 Employee Exp. 01.32.1166.8.81001 Retirement 01.32.1166.8.82002 CSEA Disability 01.32.1166.8.83001 FICA 01.32.1166.8.85001 Medicare 01.32.1166.8.89001 Medical Ins 01.32.1166.8.89002 Health Reim. Acct <i>w/01.12.1166.4389 Fed. Block Grant/OVS C1-00336</i>	\$5,220.00 20.00 40.00 650.00 20.00 324.00 76.00 420.00 300.00	\$7,070.00	
Reason: To cover budged funds from OVS-C100336.			
To: 01.32.1169.1.10101 Full time CSEA 01.32.1169.4.40405 Employee Exp. 01.32.1169.8.81001 Retirement 01.32.1169.8.82002 CSEA Disability 01.32.1169.8.83001 FICA 01.32.1169.8.85001 Medicare 01.32.1169.8.89001 Medical Ins. 01.32.1169.8.89002 Health Reim. Acct. <i>w/01.12.1169.4389 Fed. Block Grant/OVS C1-00006</i>	\$11,500.00 41.00 2,162.00 30.00 747.00 167.00 2,200.00 900.00	\$17,747.00	
Reason: To cover budged funds from OVS-C100006.			
District Attorney Total			\$24,817.00
Emergency Services			
To: 01.37.3020.4.41401 Maintenance Agreement <i>w/01.02.3020.114001 Wireless Surcharge</i>	\$9,500.00	\$9,500.00	
Reason: For necessary maintenance agreement			
Emergency Services Total			\$9,500.00
Probation			
To: 01.37.3140.8.81001 Retirement Expense <i>w/01.11.3140.308905 606 State Aid</i>	\$1,668.32	\$1,668.32	
Reason: To provide additional funds to cover retirement expenses.			
Probation Total			\$1,668.32
Highway			
To: 04.53.5110.4.41904 Bituminous Products <i>w/04.11.5110.3501 Consolidated Hwy Aid</i>	\$182,000.00	\$182,000.00	
Reason: To cover cost of pave projects from the Extreme Winter Recovery/CHIPS which was received but not reported in the 2015 budget.			
Highway Total			\$182,000.00

County Attorney			
To: 01.34.1421.4.42305 Assigned Counsel Program <i>w/any funds available</i>	\$30,000.00	\$30,000.00	
Reason: To pay 2015 vouchers and balance accounts.			
County Attorney Total			\$30,000.00
Mental Health			
To: 01.38.4323.4.42411 Misc. MH Programs <i>w/01.11.4323.3490 State Aid</i>	\$1,611.00	\$1,611.00	
Reason: 4323 line adjustment for the cola funding for direct staff received from NYS Office of Mental Health. Res. No. 15-281. Remainder of funding processed on a previous appropriation to the PAO at WCCH. 100% State Aid. No county levy.			
To: 01.38.4323.4.41204 Advertising <i>w/01.09.4323.2705 Gifts and donations</i>	\$500.00	\$500.00	
Reason: To appropriate funding received through donations for the suicide awareness walk, and the luminaire donations.			
To: 01.38.4323.4.42420 Psycho/Social (MH) <i>w/01.11.4323.3490 State Aid</i>	\$797.00	\$797.00	
Reason: For non-cola funding received from NYS Office of Mental Health. 100% State aid. No County levy.			
To: 01.38.4325.4.42468 Transportation Program <i>w/01.11.4325.3490 State Aid</i>	\$863.00	\$863.00	
Reason: For non-cola funding received from NYS Office of Mental Health. 100% State aid. No County levy.			
Mental Health Total			\$3,771.00
Animal Control			
To: 01.37.3510.4.40803 Bldg. Supplies/Repair <i>w/01.09.3510.2705 Gifts & Donations</i>	\$1,250.00	\$1,250.00	
Reason: To cover the cost of approved dog pen purchase w/ 01.09.3510.2705 Gifts and Donations.			
Animal Control Total			\$1,250.00

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

Mr. Knab T/Sheldon, Chairman of the Audit Committee, presented bills totaling **\$3,848,369.12** for the month of **November 2015**.

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

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #3 and #4. Hearing no objection resolution titles were read.

#3

**RESOLUTION NO. 15-438
(December 08, 2015)**

By Mr. Copeland, Chairman of Public Safety Committee:

December 1, 2015

RESOLUTION NUMBER 13-200 AMENDED

WHEREAS, Resolution Number 13-200 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE DEPARTMENT OF HOMELAND SECURITY EMERGENCY SERVICES OFFICE OF INTEROPERABLE AND EMERGENCY COMMUNICATIONS ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES**” passed by this Board of Supervisors on June 11, 2013 and provides for the signing of a grant acceptance award the Department of Homeland Security Emergency Services Office of Interoperable and Emergency Communications, State Campus, Building 7A, Suite 710, 1220 Washington Avenue, Albany, NY 12242 on behalf of Wyoming County Emergency Services. Said grant funding is for the Statewide Interoperable Communications Program for Fiscal Year 2013-2014 in a minimum amount of one million seven hundred seventy-one thousand two hundred thirty-six dollars (\$1,771,236.00); effective February 4, 2013 through *February 3, 2014*; and

WHEREAS, That Resolution Number 13-200 was amended on January 14, 2014 by this Board of Supervisors by Resolution Number 14-034 to extend the expiration date to *February 3, 2015*; and

WHEREAS, That Resolution Number 13-200 as amended by Resolution Number 14-034 was further amended by Resolution Number 14-424 on December 9, 2014 to extend the expiration date to *February 3, 2016*; now therefore

BE IT RESOLVED, That Resolution Number 13-200 be hereby further amended to extend the expiration date to *February 3, 2017*.

All else remains the same.

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

#4

RESOLUTION NO. 15-439
(December 08, 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 FOR THE YEAR 2016

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

Special Meeting

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, 2016 through December 31, 2016.
- **Alternatives to Incarceration Program** in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2016 through December 31, 2016.
- **Part-Time Secretary to the Wyoming County Public Defender's Office** in an amount not to exceed fifteen thousand dollars (\$15,000.00) a year, plus an additional Stipend from the Indigent Legal Services contract in the amount of one thousand two hundred eighty-six dollars (\$1,286.00) for a total amount not to exceed sixteen thousand two hundred eighty-six dollars (\$16,286.00); effective January 1, 2016 through December 31, 2016.

Contingent upon the availability of funds.

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

Discussion ~

- Basic Life Support (BLS) and Advance Life Support (ALS) Protocols

Chairman Berwanger invited Emergency Services Director Santoro, Commission of Public Health and County Medical Director, Dr. Collins and County Fire Coordinator Streicher to the podium for a quick summary.

Dr. Collins explained the several levels of ambulance services that are provided in Wyoming County, from Basic Life Support (BLS) to Advance Life Support (ALS). They have been working with the County concerning the declining volunteer force. It is a national issue and Wyoming County has been fortunate regarding the number of volunteers providing coverage for calls. The number of volunteers has shrunk and many of the services provided by those volunteers are now being augmented by paid services. There is a continuing increase in the number of calls for emergency services and a continuing decline in the number of volunteers that are able to provide those services. There are some departments that are having difficulties in answering the calls but some are continuing to do okay. This needs to be addressed and some solutions developed for BLS and ALS calls. A number of different options are being

considered; from what residents need from a healthcare standpoint and what the volunteers can continue to do.

Emergency Services Director Santoro described some of the short-term changes that have been made. There is now an ambulance at the hospital 24/7. Also, the fly car (a non-transport vehicle that has a paramedic in it) that was based out of Sheldon from 8 a.m. to midnight, seven days a week, and the fly car from Arcade that was available from about 8 a.m. to 4 p.m. each day, Monroe Ambulance has agreed to exchange a fly car for a full time ambulance which is currently running out of Sheldon from about 7 a.m. to 5:30 p.m. This is same type of ambulance service which is provided by Medic 80 that can provide BLS or ALS services depending upon the call. This is just during the day so it is a short-term solution until we figure out what our options are going forward. One solution is to apply for some grant funding to have someone assist us in developing the steps to move forward and offer better training. Nothing is set in stone, just some things that are being looked at for the future.

Chairman Berwanger stated that there are two schools of thought among members of the fire departments when dispatching BLS versus ALS services. Supervisors Brick, T/Perry and Tallman, T/Gainesville both feel strong about not using this service. Supervisors B. Kehl, T/Attica and Kushner, T/Eagle feel it is the right way to go.

Supervisor Tallman stated he opposes this because of the fact the Town of Gainesville pays three separate fire departments and three different squads for this service already. Once you start putting paramedics on BLS calls that means they will not be available for ALS calls. Once Medic 80 starts doing the calls, it will down play the volunteers. Supervisor Tallman said this should be a matter for a public hearing.

Supervisor Brick, T/Perry stated it should be up to the departments if they want Medic 80 to take their calls – it should not be a matter for the Board of Supervisors.

Director Santoro explained that the County holds the CON (Certificate of Need).

Supervisor Kushner, T/Eagle stated that the big picture is that you can't get volunteers and he does not see that changing. In fact, it will only get worse. Supervisor Kushner has made a suggestion to the political powers that a tax credit should be given to volunteers. It is a very demanding course to be an EMT. The number of required hours has increased significantly. The state does not understand what the rural areas are going through. He hopes we do not go to Medic 80 right away.

Supervisor Kehl, T/Attica stated this is an ongoing issue and the bottom line is the concerns throughout the County regarding service. If it takes three calls to get an ambulance to someone, you are talking about 30 minutes. You should not be waiting that long for an ambulance. There is no cost to the County to go to Medic 80; it is a cost to the people who use the service. He agreed that it is hard to pay the taxes for this service and also a bill from Medic 80. I will pay the bill instead of waiting. It is unfortunate that we do not have 24/7 coverage. We can't force people to volunteer.

Dr. Collins said that that issue is getting the service to people who are in need of it. Hopefully with the insurance changes, the out-of-pocket expense is minimal.

County Fire Coordinator Streicher spoke about importance of having the service available if you need it.

Chairman Berwanger stated that one of the things brought to Senator Gallivan's attention was the number of hours required which are continually increased by someone who lives in an urban area. Senator Gallivan will look into this with an effort to get the number of hours reduced. It is getting harder and harder to recruit volunteers when you consider the time constraint imposed by training and also the actual time spent on the calls as well. The number of calls from various communities were discussed and reflect why a paid operation has been brought in to deal with this. Chairman Berwanger said this issue needed to be brought to the public's attention and it was a good discussion.

#5

**RESOLUTION NO. 15-440
(December 08, 2015)**

By Mr. Davis, Chairman of Public Works Committee:

**TODD GADD REAPPOINTED AS COUNTY HIGHWAY
SUPERINTENDENT**

BE IT RESOLVED, That Todd Gadd, 618 Clinton Street, Cowlesville, New York 14037 is hereby reappointed to the position of County Highway Superintendent, *pursuant to County Highway Law §100, for a term of four (4) years; effective October 1, 2015 through September 30, 2019.*

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

Chairman Berwanger congratulated Superintendent Gadd on his reappointment and asked if he had any comments on his confirmation. Superintendent Gadd

December 1, 2015

thanked the Board.

There was a motion by Mr. Tarbell, T/Castile, to combine resolutions #6 through #10. Hearing no objection resolution titles were read.

#6

**RESOLUTION NO. 15-441
(December 08, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

2015 ELECTION EXPENSES APPORTIONED

BE IT RESOLVED, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2015 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships within Wyoming County as follows:

Town	No. Enrolled Voters	Amount of Levy	Special Election	@ \$.8706
Arcade	2,540	\$2,211.00		2,211.00
Attica	2,593	\$2,258.00		2,258.00
Bennington	2,312	\$2,013.00		2,013.00
Castile	1,913	\$1,666.00		1,666.00
Covington	768	\$669.00		669.00
Eagle	794	\$691.00		691.00
Gainesville	1,468	\$1,278.00		1,278.00
Genesee Falls	295	\$257.00		257.00
Java	1,407	\$1,225.00		1,225.00
Middlebury	964	\$839.00		839.00
Orangeville	897	\$781.00		781.00
Perry	2,774	\$2,415.00		2,415.00
Pike	677	\$589.00		589.00
Sheldon	1,716	\$1,494.00		1,494.00
Warsaw	3,329	\$2,898.00		2,898.00
Wethersfield	567	\$494.00		494.00

Special Meeting

Total	25,014	\$21,778.00	21,778.00
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*Very truly yours,
Board of Elections*

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

#7

**RESOLUTION NO. 15-442
(December 08, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS
ON BEHALF OF THE COUNTY ATTORNEY FOR THE YEAR 2016**

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

- **Mark H. Dadd Law Office, PLLC**, 166 Main Street, Attica, New York 14011 for legal services in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2016 through December 31, 2016.
- **Wendy Sisson**, P.O. Box 242, Geneseo, New York 14454 for legal services to the Wyoming County Department of Social Services in an amount not to exceed thirty thousand dollars (\$30,000.00); effective January 1, 2016 through December 31, 2016.

Contingent upon the availability of funds.

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

#8

**RESOLUTION NO. 15-443
(December 08, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH
EDUCATIONAL RESOURCE ASSOCIATES ON BEHALF OF THE
HUMAN RESOURCE DEPARTMENT**

December 1, 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 Educational Resource Associates, 216 East Main Street, Batavia, NY 14020 on behalf of the Human Resource Department. Said contact is for an Employee Assistance program in the amount not to exceed eleven thousand seven hundred ninety-one dollars (\$11,791.00) per year; effective January 1, 2016 through December 31, 2016.

Contingent upon the availability of funds.

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

#9

**RESOLUTION NO. 15-444
(December 08, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CSEA
EMPLOYEE BENEFIT FUND ON BEHALF OF THE HUMAN
RESOURCE DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with CSEA Employee Benefit Fund, a Trust, with offices located at One Lear Jet Lane, Suite One, Latham, NY 12110-2395 on behalf of the Human Resource Department. Said contact is to provide vision benefits to CSEA General Unit employees and non-union employees in Schedules C, D, S, I, G; effective January 1, 2016 through June 30, 2017.

Contingent upon the availability of funds.

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

#10

**RESOLUTION NO. 15-445
(December 08, 2015)**

By Mr. Tarbell, Chairman of Human Resource Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and County Labor Attorney is hereby authorized and directed to sign a Memorandum of Understanding by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreement as follows:

- Relocate one position of **R.P.N. 1st Assist** from the 2015 Schedule WCCH Wage Scale grade 18B to a newly created grade 20B.

All else remains unchanged.

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

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #11 through #17. Hearing no objection resolution titles were read.

#11

**RESOLUTION NO. 15-446
(December 08, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Office For the Aging Advisory Council for a term of three (3) years; effective January 1, 2016 through December 31, 2018:

Agency Reps

Three (3) year term effective January 1, 2016 through December 31, 2018

- Donald Eichenauer, Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY 14569
- Deb Goss, Home Care & Hospice, 450 North Main Street, Warsaw, NY 14569

Unexpired vacant three (3) year term effective January 1, 2016 through December 31, 2017

- Jennifer Howard (replacing Beth Schafer) Wyoming County Department of Social Services, 466 North Main Street, Warsaw, NY 14569

Town Reps

Three (3) year term effective January 1, 2016 through December 31, 2018

- Bonnie Stockholm (T/Attica), 38 West Main Street, Attica, NY 14011

December 1, 2015

- Linda Little (T/Castile), P.O. Box 134, Castile, NY 14427
- Gail Meyer (T/Gainesville), 5312 Hardy's Road, Gainesville, NY 14066
- Judy Goff (T/Pike), P.O. Box 126, Pike, NY 14130
- Rebecca Ryan (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569
- Robert Johannes (T/Wethersfield), 4205 Shaw Road, Gainesville, NY 14066
- Carol Glor (T/Middlebury), 1253 State Route 19, Wyoming, NY 14591

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

#12

**RESOLUTION NO. 15-447
(December 08, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING FOR
THE YEAR 2016**

BE IT RESOLVED, That the Chairman of this Board and the Director of Aging and Youth with the approval of the County Attorney are hereby authorized and directed to sign the following various contracts on behalf of the Office For the Aging for 2016:

- **The Pine Lounge**, 164 Clinton Street, Cowlesville, NY 14037 for Congregate Meals to seniors 60+ variable depending on use. Not to exceed 2016 budget; effective January 1, 2016 through December 31, 2016.
- **Susan Schell**, 3408 South Main Street, Warsaw, NY 14569 for dietician services to OFA as required by NYSOFA and the Older Americans Act in an amount not to exceed eighteen thousand dollars (\$18,000.00); effective January 1, 2016 through December 31, 2016.
- **The Cloister**, 171 North Maple Street, Warsaw, NY 14569 for Respite Services to caregivers in Wyoming County as part of the Title III-E grant ~ variable depending on use. Not to exceed 2016 budget; effective January 1, 2016 through December 31, 2016.
- **Wyoming County Skilled Nursing Facility** for Medical Respite services to caregivers in Wyoming County as part of the Title III-E grant ~ variable depending on use. Not to exceed 2016 budget; effective January 1, 2016 through December 31, 2016.

- **Eagle Inn**, 3129 Route 39, Bliss, NY 14024 for Congregate Meals to seniors 60+ ~ variable depending on use. Not to exceed 2016 budget; effective January 1, 2016 through December 31, 2016.
- **Community Care of WNY**, 1225 West State Street, Olean, NY 14760 for In-Home Services to residents 60+ in Wyoming County ~ services to be provided based on need. Not to exceed 2016 budget; effective January 1, 2016 through December 31, 2016.
- **Doyle Medical Monitoring**, 792 Calkins Road, Rochester, NY 14623 for PERS services to seniors 60+ in Wyoming County in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2016 through December 31, 2016.
- **Legal Services for the Elderly, Disabled or Disadvantaged of WNY**, 237 Main Street, Suite 1015, Buffalo, NY 14203-2717 for legal services to residents 60+ in Wyoming County in an amount not to exceed seven thousand dollars (\$7,000.00); effective January 1, 2016 through December 31, 2016.

Contingent upon the availability of funds.

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

#13

**RESOLUTION NO. 15-448
(December 08, 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 on behalf of the Wyoming County Office for the Aging. Said contract is the funding for Title's IIIB, C1, C2, D, E, EISEP, CSE, CSI, WIN, HIICAP, TRANS, Title V in an *approximate amount* of six hundred thirteen thousand six hundred seventeen dollars (\$613,617.00); effective January 1, 2016 through December 31, 2016 and April 1, 2016 through March 31, 2017.

December 1, 2015

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

#14

**RESOLUTION NO. 15-449
(December 08, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
WYOMING COUNTY YOUTH BOARD**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Wyoming County Youth Board:

Community Members

Three (3) year term effective January 1, 2016 through December 31, 2018

- Rachel Webster, 2584 Coe Road, Perry, NY 14530
- Tricia Janes, 33 Watkins Avenue, Perry, NY 14530
- Robert Farnsworth, P.O. Box 297, Pike, NY 14130

Youth Members

One (1) year term effective January 1, 2016 through December 31, 2016

- AC Casseri, 3721 Krotz Road, Warsaw, NY 14569
- Bethany Messe, 7646 Route 39, Perry, NY 14530
- Jake Kramell, 6590 Cowie Road, Wyoming, NY 14591

Agency Members

Two (2) year term effective January 1, 2016 through December 31, 2017

- Julie Calvert, Mental Health Department, Partners for Prevention, 338 North Main Street, Warsaw, NY 14569
- Ivan Carrasquillo, Sheriff's Department, 151 North Main Street, Warsaw, NY 14569
- Samantha Willard, (replacing Amanda Daniel) Probation Department, 143 North Main Street, Warsaw, NY 14569

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

#15

**RESOLUTION NO. 15-450
(December 08, 2015)**

By Ms. Grant, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED
TO AWARD BID AND SIGN A CONTRACT WITH WEBSTER FORD,
INC. (D/B/A HENDERSON FORD) ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, with the approval of the County Attorney, are hereby authorized and directed to award a bid and sign a contract with Webster Ford, Inc., d/b/a Henderson Ford, 810 Ridge Road, Webster, NY 14580 on behalf of the Department of Social Services. Said contract is for one (1) new, mid-size 2016 Ford Fusion SE in an amount not to exceed nineteen thousand five hundred seventy-three dollars and seventy cents (\$19,573.70); effective October 30, 2015 through date of purchase. Contingent upon the availability of funds.

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

#16

**RESOLUTION NO. 15-451
(December 08, 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 FOR THE YEAR 2016**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, with the approval of the County Attorney, are hereby authorized and directed to sign a contract with the following agencies on behalf of the Department of Social Services:

Bentivegna, Santo, Ph.D. Variable amounts depending on services provided
Mental Health/Psychological Evaluations Not to exceed \$12,000/year
Effective January 1, 2016 through December 31, 2016

Accord Corporation Variable amounts depending on services provided
Residential Domestic Violence Not to exceed \$10,000/year
Effective January 1, 2016 through December 31, 2016

Chances & Changes, Inc. Variable amounts depending on services provided
Residential Domestic Violence Not to exceed \$15,000/year
Effective January 1, 2016 through December 31, 2016

December 1, 2015

Day Care Contracts ~

Contracts are variable amounts depending on services provided; effective January 1, 2016 through December 31, 2016.

- Early Bird Child Care Center
- Sandy Geercken
- GLOW YMCA, Inc. (Batavia)
- Grandma's Luv'n Care, Inc.
- Little Lights Child Care Center
- Kelly McLaughlin
- Ms. Jean's Child Care
- Mudpies and Milestones (WCCA, Inc.)
- Precious People Day Care
- Rainbow's End Early Childhood Learning Center
- Linda Smith
- Sara Smith
- The ARC of Livingston-Wyoming, d/b/a KidStart
- Wyoming County YMCA School-Age Child Care

Contract is a variable amount depending on services provided; effective October 27, 2015 through December 31, 2016.

- Kathy Park

Personal Care/Private Duty Nursing Contracts ~

Contracts are variable amounts depending on services provided; effective January 1, 2016 through December 31, 2016.

- Aurora Home Care, Inc.
- Center for Disability Rights
- Home Care & Hospice
- Patricia Ralston
- VNA Life Line ~ VNA Home Care Service
- WNY Independent Living, Inc. ~ Independent Living of the Genesee Region

Funeral Services ~

Contracts are variable amounts depending on services provided; effective January 1, 2016 through December 31, 2016.

- Eaton~Watson Funeral Home, LLC
- Harmon~Watson Funeral Home
- Marley Funeral Home, LLC
- Robinson and Hackemer Funeral Home, Inc.
- W.S. Davis Funeral Home, Inc.

Contingent upon the availability of funds.

Special Meeting

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

#17

**RESOLUTION NO. 15-452
(December 08, 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 FOR THE YEAR 2016**

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, with the approval of the County Attorney, are hereby authorized and directed to sign a contract with the following agencies on behalf of the Department of Social Services:

- **Allegany Rehabilitation Association, Inc.**, 4222 Bolivar Road, Wellsville, NY 14895 for court ordered mental health evaluations and counseling in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 1, 2016 through December 31, 2016.
- **Spectrum Human Services**, 227 Thorn Avenue, PO Box 631, Orchard Park, NY 14127-0631 for court ordered mental health evaluations and counseling in an amount not to exceed thirteen thousand six hundred thirty dollars (\$13,630.00); effective January 1, 2016 through December 31, 2016.
- **Planned Parenthood ~ RESTORE Sexual Assault Services**, 114 University Avenue, Rochester, NY 14605 for domestic violence hotline and advocate in an amount not to exceed twenty thousand dollars (\$20,000.00); effective January 1, 2016 through December 31, 2016.

Contingent upon the availability of funds.

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

#18

**RESOLUTION NO. 15-453
(December 08, 2015)**

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

December 1, 2015

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN
VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF THE
COUNTY HEALTH DEPARTMENT FOR THE YEAR 2016**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health, with the approval of the County Attorney, are hereby authorized and directed to sign the following Contracts and Agreements for the year 2016 on behalf of the County 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, 2016 through December 31, 2016

Not to exceed amount budgeted

Extension of Current Agreement Terms

ACM Laboratories

Per Price List

Clinical Laboratory testing services (MWHS)

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

Extension of Current Agreement Terms

Microbac Laboratories

Per Price List

Environmental Laboratory (water testing services)

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

Extension of Current Agreement Terms

Erie County Public Health Laboratory

Per Price List

Environmental Laboratory (water testing services)

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

Extension of Current Agreement Terms

Susan Schell, RD

\$45.00/hour PH

Registered Dietician Services

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

Extension of Current Agreement Terms

Denise Goodberlet, NP

\$55.00/hour

PH Nurse Practitioner Services

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

Extension of Current Agreement Terms

Scott Treutlein, MD

\$6,000.00/year

Special Meeting

MWHS Medical Director

Extension of Current Agreement Terms
January 1, 2016 through December 31, 2016**County of Monroe**

Per Price List

Medical Examiner Services

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

WCJW

Per Price List

Radio Advertising

TBD based on usage

January 1, 2016 through December 31, 2016

Not to exceed amount budgeted

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

#19

**RESOLUTION NO. 15-454
(December 08, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

RESOLUTION NUMBER 14-275 AMENDED

WHEREAS, Resolution Number 14-275 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS WITH ANDREW R. BOLDT ON BEHALF OF WYOMING COUNTY REFORESTATION**,” passed by this Board of Supervisors on August 12, 2014 to award a bid and sign contracts with Andrew R. Boldt, 4929 Creek Road, Springville, NY 14141 on behalf of Wyoming County Reforestation. Said bid is for the purchase of timber in Stands 1 and 5 located on the Dale Road Tract, in the Town of Middlebury, NY in a minimum amount of four thousand one hundred dollars (\$4,100.00); effective eighteen (18) months from date of contract execution; now therefore

BE IT RESOLVED, That Resolution Number 14-275 be hereby amended to extend the expiration date to February 29, 2016 from October 1, 2015 to allow Andrew Boldt more time to harvest timber purchased from the Dale Road Tract. The outstanding amount due of three thousand six hundred dollars (\$3,600.00) will be paid in full prior to harvest per original agreement. A five hundred dollar (\$500.00) deposit was received when the original contract was approved. All else remains the same.

Carried: XXX Ayes: 1599 Noes: Absent: Abstain:**Public Hearing/Agricultural District No. 2 ~***Chairman Berwanger announced the comment period for the public hearing*

December 1, 2015

regarding Agricultural District No. 2. Chairman Berwanger introduced Kimberly Fallbo, a District Technician from Wyoming County Soil and Water Conservation. She has been working diligently on the redistricting of Ag District No. 2 and has some modifications.

Technician Fallbo showed the Board the map of Ag District No. 2 explaining the proposed changes to said district.

Chairman Berwanger pointed out that this district includes portions of the Towns of Eagle, Gainesville and Wethersfield with a few parcels from the Towns of Warsaw and Pike.

Chairman Berwanger asked Clerk Ketchum if there were any written requests to speak at the public hearing. Clerk Ketchum responded that there was none.

- Comment Period
 - None heard
- Close the Hearing

Motion to close the Public Hearing was made by Supervisor Grant, T/Bennington. Seconded by Supervisor King, T/Pike. Carried.

#20

**RESOLUTION NO. 15-455
(December 08, 2015)**

By Mr. Brick, Chairman of Agriculture Committee:

FINDING TO MODIFY AGRICULTURAL DISTRICT NO. 2

WHEREAS, This Board has conducted the review of Agricultural District Agricultural District No. 2 located in the Towns of Eagle, Gainesville, Wethersfield and a few parcels in the Town of Warsaw and Pike; and

WHEREAS, The review process was initiated with a 30-day review process and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify District No. 2; and

WHEREAS, This Board has received these reports and their recommendation to modify the District and this Board has held the required Public Hearing; and

WHEREAS, This Board has reviewed the Review Plan and the

Special Meeting

Environmental Assessment Form; and

WHEREAS, This Board must make a finding whether the District should be continued, terminated or modified, now therefore

BE IT RESOLVED, That this Board determines that no unique circumstances exist which increase the likelihood of environmental significance and the proposed modification of Wyoming County Agricultural District No. 2 will not have a significant adverse environmental impact; and be it

FURTHER RESOLVED, That this Board does hereby make the finding Wyoming County Agricultural District No. 2 should be modified by adding eleven thousand six hundred thirty-one and one-half (11,631.50) acres and removing five hundred ninety-nine and one-tenth (599.10) acres as recommended by the County Agricultural and Farmland Protection Board and the County Planning Board; and be it

FURTHER RESOLVED, That the copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board be forwarded to the Commissioner of Agriculture and Markets for recertification as required by the New York State Agriculture and Markets Law.

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

Chairman Berwanger thanked Ms. Fallbo for all her hard work and acknowledged District Manager Greg McKurth for his input as well. There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #21 through #35. Hearing no objection resolution titles were read.

#21

**RESOLUTION NO. 15-456
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

LIFT THE 2016 EQUALIZATION TABLE AND ADOPT

BE IT RESOLVED, That the 2016 Equalization Table, which was tabled on November 10, 2015, be lifted from the table, and be it

FURTHER RESOLVED, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2016 is hereby adopted as presented.

December 1, 2015

2016 EQUALIZATION TABLE					
Advisory Equalization Rates	Town	Taxable Assessed Value with Partial Exemptions Added	Full Value at State Rates	% of Co. Tax to be paid by each Town	Taxable Assessed Value
94.00%	Arcade	211,264,415	224,749,378	0.103425127	211,256,565
100.00%	Attica	177,725,261	177,725,261	0.081785578	177,719,861
45.00%	Bennington	114,691,396	254,869,769	0.117285923	114,667,867
98.00%	Castile	229,932,506	234,625,006	0.107969692	229,903,956
100.00%	Covington	79,527,161	79,527,161	0.036596794	79,526,661
100.00%	Eagle	60,790,402	60,790,402	0.027974516	60,777,952
95.00%	Gainesville	89,688,386	94,408,827	0.043445037	89,688,386
100.00%	Genesee Falls	29,365,008	29,365,008	0.013513184	29,362,008
85.00%	Java	114,717,667	134,961,961	0.062106770	114,702,667
97.00%	Middlebury	86,118,999	88,782,473	0.040855902	86,118,399
98.00%	Orangeville	89,736,053	91,567,401	0.042137470	89,736,053
100.00%	Perry	194,700,149	194,700,149	0.089597079	194,678,199
100.00%	Pike	55,070,757	55,070,757	0.025342451	55,070,757
86.00%	Sheldon	135,074,455	157,063,320	0.072277370	135,049,355
98.00%	Warsaw	237,826,808	242,680,416	0.111676629	237,825,308
100.00%	Wethersfield	52,176,293	52,176,293	0.024010477	52,162,593
	TOTALS	1,958,405,716	2,173,063,583	1.000000000	1,958,246,587

2015 FINANCE COMMITTEE

Joseph Kushner, Ellen Grant, Becky Ryan, John Knab, Susan May,
John Copeland, Stephen Tarbell, James Brick, Dan Leuer

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

#22

RESOLUTION NO. 15-457 (December 08, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO EXTEND BID WITH PRINTER
COMPONENTS, INC. ON BEHALF OF ALL WYOMING COUNTY
DEPARTMENTS**

Special Meeting

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to extend the bid awarded by Resolution Number 14-429 and sign contracts with Printer Components, Inc., 155 Perinton Parkway, Fairport, NY 14450 on behalf of all County Departments. Said bid is to provide toner and toner supplies for all Wyoming County Departments in an amount not to exceed awarded bid pricing; effective December 9, 2015 through December 8, 2016. (1 of 2 allowable renewals)

Contingent upon the availability of funds.

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

#23

**RESOLUTION NO. 15-458
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

SALARY SCHEDULES “C” AND “S” AMENDED

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

Salary Schedule “C”:

Wyoming County Community Health System

- Place title of *Network Admin II (WCCH)* on Salary Schedule C and set the salary at \$60,000.00 annually; effective December 8, 2015.

Salary Schedule “S”:

Board of Supervisors

- Increase the salary of the *Deputy Clerk to the Board of Supervisors* by 2½ percent according to the Salary Plan that indicates an increase after a favorable evaluation after one-year employment. The new salary is set at \$46,125.00 from \$45,000.00; effective April 8, 2015 payment to begin with first payroll in 2016.

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

#24

**RESOLUTION NO. 15-459
(December 08, 2015)**

December 1, 2015

By Mr. Kushner, Chairman of the Finance Committee:

2015 TOWN BALANCES APPROVED

BE IT RESOLVED, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted; and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2016 Tax Rolls of the respective towns:

Town	Debit	Credit
Arcade	0	
Attica	0	
Bennington	0	
Castile	14,886.96	
Covington	0	
Eagle	0	
Gainesville	460.12	
Genesee Falls	379.98	
Java	22.20	
Middlebury	67.56	
Orangeville	0	
Perry	513.53	
Pike	32.44	
Sheldon	408.76	
Warsaw	0	
Wethersfield	0	
Total	16,771.55	

MUNICIPALITY	RECYCLE	UNIT	TOTAL
Castile	Seasonal Garbage	219	\$26,001.87
	Year Round Garbage	1264	\$300,149.44
Gainesville	Seasonal Garbage	18	\$2,137.14
	Year Round Garbage	815	\$193,529.90
Genesee Falls	Seasonal Garbage	15	\$1,780.95
	Year Round Garbage	191	\$45,354.86
Middlebury	Seasonal Garbage	9	\$1,068.57
	Year Round Garbage	592	\$140,576.32
Orangeville	Seasonal Garbage	22	\$2,612.06
	Year Round Garbage	485	\$115,168.10
Perry	Seasonal Garbage	7	\$831.11
	Year Round Garbage	1852	\$39,775.92
Pike	Seasonal Garbage	18	\$2,137.14
	Year Round Garbage	420	\$99,733.20
Sheldon	Seasonal Garbage	10	\$1,187.30
	Year Round Garbage	890	\$211,339.40
Warsaw	Seasonal Garbage	3	\$356.19
	Year Round Garbage	612	\$145,325.52
Wethersfield*	Seasonal Garbage	55	\$2,695.00
	Year Round Garbage	331	\$32,434.69
TOTAL			
*Subsidized by Town			
Garbage Total			\$1,764,194.68

Dated: December 2, 2015

Cheryl D. Mayer, Treasurer

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

**RESOLUTION NO. 15-460
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RECYCLING FEES LEVIED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2016 as indicated in the amount of \$1,764,194.68 (one million seven hundred sixty-four thousand one hundred ninety-four dollars and sixty-eight cents):

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

#26

**RESOLUTION NO. 15-461
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX WARRANTS

WHEREAS, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board; and

WHEREAS, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board; now therefore

BE IT RESOLVED, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls; warrants to be returned on or before April 1, 2016.

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

#27

**RESOLUTION NO. 15-462
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

Special Meeting

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

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL §§550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §554 (9) during the year 2016; and be it

FURTHER RESOLVED, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refunds, in an amount not to exceed one thousand dollars (\$1,000.00) (RPTL §556 (8) (a)) during the year 2016.

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

#28

**RESOLUTION NO. 15-463
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

WAGES SET FOR SEASONAL MEO AT COUNTY HIGHWAY

BE IT RESOLVED, That the hourly wage the position of Motor Equipment Operator (Seasonal) (position code 090.163) be hereby set at a rate of \$12.75 per hour; effective May 18, 2015.

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

#29

**RESOLUTION NO. 15-464
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

RESOLUTION NUMBER 15-301 AMENDED

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

December 1, 2015

- **UNIVERSITY OF ROCHESTER MEDICAL CENTER** (a division of the University of Rochester), 601 Elmwood Avenue, PO Box 670, Rochester, NY 14642
 - Administrative services agreement in an amount not to exceed four hundred thousand dollars (\$400,000.00); effective through December 31, 2015.
- **HOWARD ANG, MD**, with an office at 400 North Main Street, Warsaw, NY 14569
 - Anesthesia services on each work day and call coverage and anesthesia services on nights and weekends fifty percent (50%) of the time during those two (2) months, in an amount not to exceed twenty-one thousand five hundred thirty dollars (\$21,530.00) per month; effective ***July 1, 2015 through August 31, 2015*** Revenue generated by provider will be retained by WCCHS.
- **WAHL MEDIA, INC.**, 580 Packetts Landing, Fairport, NY 14450
 - Media buying services, not to exceed one hundred thousand dollars (\$100,000.00) per year; effective July 1, 2015 through December 31, 2015; and

WHEREAS, That Resolution Number 15-301 was previously amended by the Board of Supervisors on September 8, 2015 by Resolution Number 15-329 to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***September 1, 2015 through October 31, 2015***; now therefore

BE IT RESOLVED, That Resolution Number 15-301 as amended by 15-329 be hereby further amended to extend the agreement with **Howard Ang, MD**, for an additional two (2) month period; effective ***November 1, 2015 through December 31, 2015***.

All else remains the same.

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

#30

**RESOLUTION NO. 15-465
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON

Special Meeting

**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:

- **Fujifilm**, 419 West Avenue, Stamford, CT 06902 to provide a 3-year Emerald Synapse Critical Service Agreement for PACS software and hardware maintenance, including technical assistance center remote on-line diagnostics 24/7 in amounts not to exceed fifty-six thousand nine hundred fifty-nine dollars (\$56,959.00) for Year 1; sixty-eight thousand one hundred forty-three dollars (\$68,143.00) for Year 2; and sixty-eight thousand one hundred forty-three dollars (\$68,143.00) for Year 3 for a total 3-year cost of one hundred ninety-three thousand two hundred forty-five dollars (\$193,245.00); effective January 1, 2016 through December 31, 2018.
- **Department of Corrections and Community Supervision (DOCCS)**, The Harriman State Campus, 1220 Washington Avenue, Albany, NY 12226-2050 to provide the professional services of an orthopaedic surgeon to inmates with the DOCCS effective August 26, 2015 with no expiration date; agreement is open-ended. Costs will be reimbursed as negotiated in Attachment No. 3 of said agreement as follows:
 - One thousand one hundred fifty dollars (\$1,150.00) per half (½) day clinic with a maximum of ten (10) patients and one hundred twenty-five percent (125%) of the prevailing Medicare rates for any procedures.
- **University Of Rochester Medical Faculty Group**, a division of the University of Rochester, with offices at 601 Elmwood Avenue, Rochester, NY 14642
 - for professional medical services of one (1) or more qualified, Board Certified/Eligible physicians specializing in OB-GYN to provide Laborist Services at WCHS two (2) weeknights per month and one (1) weekend per month in an amount not to exceed eight thousand four hundred dollars (\$8,400.00) per month. For any partial months during the term, cost based on actual hours worked at the rate not to exceed one hundred dollars (\$100.00) per hour plus mileage in accordance with

IRS reimbursement rates for each trip made by physician(s) to Wyoming County Community Health System; effective on or about November 15, 2015 through November 30, 2017.

- for professional medical services of a licensed nurse practitioner to provide OB-GYN services at WCCHS two (2) days per week (Mondays and Wednesdays) in an amount not to exceed three thousand seven hundred twenty-eight dollars and seventy-five cents (\$3,728.75) per month, partial months will be prorated; effective on or about December 1, 2015 through December 31, 2016.

Contingent upon the availability of funds.

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

#31

**RESOLUTION NO. 15-466
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

**RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING
TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL
BUDGET OF TOWNS OF WYOMING COUNTY**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2015; now therefore

BE IT RESOLVED, That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	\$39,004.00	\$341,977.14	\$380,981.14
ATTICA	\$ -	\$261,493.00	\$261,493.00
BENNINGTON	\$ -	\$ -	\$ -

CASTILE	\$24,580.00	\$266,481.00	\$291,061.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$7,172.00	\$175,390.00	\$182,562.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$13,350.00	\$273,157.00	\$286,507.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$20,659.03	\$220,676.06	\$ 241,335.09
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$21,344.00	\$306,622.00	\$327,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
TOTALS:	\$126,109.03	\$1,845,796.20	\$1,971,905.23

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

December 1, 2015

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT & Sidewalk	WATER/SEWER & RECYCLE FEE	RELEVIED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 81,000.00		*** \$ 132,109.39		\$ 213,109.39
ATTICA		\$ 74,000.00				\$ 74,000.00
BENNINGTON		B \$ 94,000.00			* \$ 1,651.54	
		C \$ 78,030.00	\$ 2,050.00	* \$ 44,400.00		
		HC \$ 28,931.00				
		V \$ 9,069.17				\$ 258,131.71
CASTILE		\$ 70,000.00	\$ 6,000.00	** \$ 224,706.00	* \$ 3,916.52	\$ 304,622.52
COVINGTON		PA \$ 76,557.00				
		WY \$ 14,680.00		* \$ 350.00		
		PE \$ 5,750.00				\$ 97,337.00
EAGLE	\$ 179,992.00		\$ 5,500.00	* \$ 6,900.00	* \$ -	\$ 192,392.00
GAINESVILLE		G \$ 48,450.00				
		SS \$ 17,544.00				
		C \$ 1,600.00				\$ 67,594.00
GENESEE FALLS		\$ 32,300.00	\$ 8,400.00			\$ 40,700.00
JAVA	NJ \$ 3,319.98	NJ \$ 38,201.61	NJ \$ 2,600.00	* \$ 12,396.00	* \$ 3,246.11	
		S \$ 62,335.71	JC \$ 300.00			\$ 122,399.41
MIDDLEBURY		F1 \$ 62,870.00				
		F2 \$ 13,769.00				\$ 76,639.00
ORANGEVILLE		V \$ 50,734.23				
		O \$ 16,614.00	L3 \$ 700.00			\$ 68,048.23
PERRY	F3 \$ 3,875.33	F4 \$ 47,000.00	PC \$ 1,600.00	* \$ 15,580.00		
				** \$ 26,172.00		\$ 94,227.33
PIKE	F1 \$ 40,700.00		L1 \$ 7,300.00		* \$ 1,255.40	\$ 52,375.40
			S1 \$ 3,120.00			
SHELDON	V \$ 10,041.15	ST \$ 35,211.12	L1 \$ 5,000.00	* \$ 67,187.00	* \$ 1,697.50	
		NJ \$ 7,865.20	L2 \$ 3,000.00			
		V \$ 35,682.06	L3 \$ 850.00			
		SH \$ 108,243.22	L9 \$ 1,560.00			
		HC \$ 29,804.00				\$ 306,141.25
WARSAW		\$ 57,585.00		* \$ 5,209.00	* \$ 1,130.48	\$ 112,729.48
				** \$ 48,805.00	** \$ -	
WETHERSFIELD		G \$ 30,894.00				
		NJ \$ 19,880.00				
		B \$ 18,500.00				\$ 69,274.00
TOTALS:	\$ 237,928.46	\$ 1,267,100.32	\$ 47,980.00	\$ 583,814.39	\$ 12,897.55	\$ 2,149,720.72
* = WATER ** = SEWER *** = RECYCLING						

and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	\$193,105.00	\$334,406.52	\$527,511.52
ATTICA	\$195,000.00	\$250,243.00	\$445,243.00

BENNINGTON	\$ 225,333.00	\$638,052.00	\$863,385.00
CASTILE	\$205,652.00	\$186,352.00	\$392,004.00
COVINGTON	\$215,483.00	\$340,031.00	\$555,514.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$176,546.00	\$219,602.00	\$396,148.00
GENESEE FALLS	\$117,858.00	\$259,943.00	\$377,801.00
JAVA	\$131,647.00	\$393,100.00	\$524,747.00
MIDDLEBURY	\$170,238.00	\$227,887.00	\$398,125.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$205,308.53	\$283,521.31	\$488,829.84
PIKE	\$197,449.00	\$295,265.00	\$492,714.00
SHELDON	\$26,840.00	\$226,234.00	\$253,074.00
WARSAW	\$372,226.00	\$330,923.00	\$703,149.00
WETHERSFIELD	\$33,220.00	\$45,400.00	\$78,620.00
TOTALS:	\$2,465,905.53	\$4,030,959.83	\$6,496,865.36

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

#32

**RESOLUTION NO. 15-467
(December 08, 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 April 1, 2015 through September 30, 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

December 1, 2015

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling thirty-two thousand seven hundred four dollars and thirty-eight cents (\$32,704.38) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$3,950.83
Attica	\$3,375.25
Bennington	\$3,395.61
Castile	\$3,002.78
Covington	\$634.99
Eagle	\$1,028.95
Gainesville	\$1,613.35
Genesee Falls	\$98.20
Java	\$1,575.62
Middlebury	\$1,232.81
Orangeville	\$1,808.05
Perry	\$2,971.02
Pike	\$1,125.41
Sheldon	\$1,681.38
Warsaw	\$4,731.77
Wethersfield	\$478.36
Grand Totals:	\$32,704.38

Let this be your Warrant for Such Payment: **\$32,704.38** (thirty-two thousand seven hundred four dollars and thirty-eight cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8th day of December, 2015.

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

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

#33

**RESOLUTION NO. 15-468
(December 08, 2015)**

Special Meeting

By Mr. Kushner, Chairman of the Finance Committee:

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

WHEREAS, The Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution; and

BE IT RESOLVED, That the *Annual Organizational Meeting* of the Wyoming County Board of Supervisors will be set for ***Monday, January 4, 2016, at 2:00 PM***, in the Supervisors' Chambers located in the Wyoming County Government Center, 2nd Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

#34

RESOLUTION NO. 15-469 (December 08, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

DATE OF JANUARY 12, 2016 REGULAR SESSION CHANGED

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

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors for the month of January 2016 will be held on ***Tuesday, January 19, 2016 at 2:30 PM*** in the Supervisors' Chambers located in the Wyoming County Government Center, 2nd Floor, at 143 North Main Street, Village of Warsaw, Warsaw, New York 14569.

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

#35

RESOLUTION NO. 15-470 (December 08, 2015)

By Mr. Kushner, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THERON A. FOOTE, ATTORNEY AT LAW (MASON MEYER) ON BEHALF OF THE COUNTY TREASURER

December 1, 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 Theron A. Foote, Attorney at Law (Mason Meyer), 23 West Court Street, Warsaw NY 14569 on behalf of the County Treasurer. Said contract is for REM tax foreclosure proceeding services in an amount not to exceed three hundred seventy-five dollars (\$375.00) per parcel plus customary legal fees for advertising, filings, etc.; effective January 1, 2016 through December 31, 2016.

Contingent upon the availability of funds.

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

Public Hearing/Local Law No. 7 (Introductory G) Year 2015 ~

Chairman Berwanger announced the comment period for the public hearing regarding Local Law No. 7 (Introductory G) Year 2015. The Chairman explained the adoption of this law is subject to a 60% majority of the Board. He also asked Clerk Ketchum if there were any request to speak at this public hearing. Clerk Ketchum responded there was none.

- Comment Period
 - None heard
- Close the Hearing

Motion to close the Public Hearing was made by Supervisor Kehl, T/Attica. Seconded by Supervisor Copeland, T/Wethersfield. Carried.

**60% Majority
Local Law
#36**

**RESOLUTION NO. 15-471
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

LOCAL LAW NO. 7 (INTRODUCTORY G, YEAR 2015) ~ YEAR 2015, “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2016” ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 10th day of November, 2015, a proposed local law of the County, designated as Local Law Introductory No. G, for the year 2015, entitled, **“A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2016;”** and

Special Meeting

WHEREAS, In accordance with the provisions of Resolution No. 15-426, there was a public hearing held by this Board of Supervisors on this 8th day of December, 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 7, Year 2015, County of Wyoming, New York, as presented to this Board on the 10th day of November 2015, is hereby adopted, as advertised, enacted and passed by this Board in its form as follows:

LOCAL LAW NO. 7 ~ YEAR 2015

A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2016

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. Legislative Intent

Due to the continued financial obligations compelled by the State of New York upon the County of Wyoming in the form of mandated governmental services that are not fully funded by the State, the County, in addition to providing said services, also must provide other important services to our citizens.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the County of Wyoming pursuant to General Municipal Law §3-c, and to allow the County of Wyoming to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined, and to allow the County of Wyoming to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” contained in General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the county legislature to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the county legislature.

Section 3. Tax Levy Limit Override

December 1, 2015

The Wyoming County Board of Supervisors, is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its separation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

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

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

Chairman Berwanger asked if there were any questions or comments concerning Resolution #37, Supervisor Leuer, T/Middlebury was acknowledged and given the floor.

Supervisor Leuer, T/Middlebury made a motion to modify the 2016 budget to restore funding for the contract agencies, such as Cooperative Extension, the Chamber, Soil and Water and all other associated contract agencies that had their funding reduced by 20% as result of this budget.

Chairman Berwanger explained the motion to modify the 2016 budget would require a unanimous consent from the balance of the Board of Supervisors.

Chairman Berwanger asked if there are any members of this Board of Supervisors that wished to follow through with the unanimous consent and restore funding to the contract agencies.

Chairman Berwanger acknowledged that Supervisor Leuer, T/Middlebury is the only Supervisor in favor, and as such, is not unanimous and the same will not be presented on the floor.

Supervisor Kushner, T/Eagle stated that as this budget has been hashed over and even though he empathizes with the contract agencies, he acknowledged that the budget has devastated our own departments and annihilated the highway budget. Supervisor Kushner recommended that if at all possible we

vote yes on the budget with the contingency that if the money for the hospital does surface, which he hopes it does, the funding for the contract agencies be restored and also consider at least restoring highway. From there, the Board should look at the rest very carefully. If this money does not come through, 2017 will be devastating.

Supervisor Leuer, T/Middlebury stated that he has heard this is a defensive budget but is wondering whom exactly does it defend? Does it defend the agricultural community within the County? Over 150 letters from Farm Bureau members have been received by this Board indicating their support for restoring funding to the contract agencies. This is a fairly large constituency in this County. Does the budget defend the travelling public? No, we have cut funding for roads. Does the budget defend the business community? No, we have cut funding for the Chamber and Tourism. Whom exactly does this budget defend?

Supervisor Kushner, T/Eagle said it is quite simple - it defends the taxpayers from increasing taxes. That is all we have done, increased and increased. We are an aging population in Wyoming County and you may not think a \$1.00 extra per \$1,000 is a big deal but to someone on a fixed income it is. That is why it is called a defensive budget.

Supervisor Davis, T/Covington stated that when he was the Chairman of Finance for a few years, the budgets were simple to do. We had to start this one last February and held several public meetings. We came up with a budget and he is supporting the budget and agrees with Supervisor Kushner, if we get the money for the hospital, we can restore some of the funding. Senior citizens that are barely making ends meet cannot afford another large tax increase.

Supervisor Brick, T/Perry stated that he supports the budget even though he sits on the Board of three of the contract agencies. Farmers are having to learn to work with \$4 corn instead of \$6 and \$15 milk instead of \$25... things are not as rosy as they used to be and the agencies need to find some efficiencies.

Supervisor Ryan, T/Warsaw stated that she supports the budget. She acknowledged it was a very long and difficult road and some tough decisions had to be made. She sits on one of the contract agency board and they had a long and difficult discussion. She agrees with restoring funding if the money for the hospital is received.

Supervisor Tarbell, T/Castile stated that he finds it interesting that a year ago we were crucified for raising taxes and this year we basically kept the tax rate the same in some towns and now we are being crucified for not raising the taxes. He also supports restoring funding if the money for the hospital is received.

Chairman Berwanger acknowledged the 150+ letters received that support a tax increase to fund the contract agencies. He stated his position is similar to what the other Supervisors have said, that he is hopeful that the hospital will receive the money and will vote for the budget with the condition that once the money has arrived, the contract agencies are funded, at least partially. He thanked the people who took the time to send in the letters and those who attended the public meetings. As was stated often by former Supervisor Herman, "you have to decide between the wants and the needs"...

#37

**RESOLUTION NO. 15-472
(December 08, 2015)**

By Mr. Kushner, Chairman of the Finance Committee:

TENTATIVE 2016 BUDGET FOR WYOMING COUNTY ADOPTED

BE IT RESOLVED, That the tentative budget for the year 2016, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2016, which requires the raising by tax levy in the amount of eighteen million eight hundred twelve thousand dollars (\$18,812,000.00); and be it

FURTHER RESOLVED, That the said sum of eighteen million eight hundred twelve thousand dollars (\$18,812,000.00) be hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation; and be it

FURTHER RESOLVED, That the several amounts specified in such budget in the column entitled "ADOPTED", and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2016.

Carried: XXX Ayes: 1537 Noes: 62 Absent: Abstain:

Special Recognition ~

Members of the Board of Supervisors

Chairman Berwanger acknowledged that it is a bittersweet day with three of the current Supervisors retiring and to mark this occasion, the Board has a plaque to present to each...

Supervisor Knab, T/Sheldon

- Sixteen years of service from 2000 ~ 2015
 - *Supervisor Knab acknowledged that the first 10 years were really enjoyable but the years since have become tougher and tougher. He has enjoyed serving on the Board of Supervisors.*

Supervisor Tarbell, T/Castile

- Four years of service from 2012 ~ 2015
 - *Supervisor Tarbell said that he was very fortunate to be hire by this County in 1979 as ever since then it has opened up a lot doors. He is very thankful and honored to be part of this County. Working on the budget and making cuts is a very difficult thing to do especially when you know many of these people. He shared that a year and a half after he was hired in 1979 there were big budget cuts and he lost his job at the Sheriff's Department. He was lucky enough to be able to come back and knows what it is like to be a victim of budget cuts. It is not fun. He thanked the Board for everything.*

Supervisor Kushner, T/Eagle

- Fifteen years of service from 2001 ~ 2015
 - *Supervisor Kushner stated that it has been an honor and a privilege. He has found it to be challenging and sometimes very frustrating. He thanked the people that have meant the world to him. First, all the elected officials, from the Sheriff to the County Clerk and the Department Heads who have done an incredible job. He has been fortunate to work with four very closely and they have been extraordinary. He acknowledged the privilege of working with the Supervisors, Budget Dir. Cook, Clerk Ketchum and Deputy Clerk Perez. He has taken a look back at those people who have supported his Town – Congressman Reynolds, Assemblyman Burling, Senator Volker. Now it is Senator Gallivan supporting not only the Town of Eagle but all of Wyoming County. He saved his last thank you to an individual that has been a mentor, a colleague but most importantly a dedicated provider for Wyoming County, for what he has done in the past, present and in the future and most importantly, a great friend...Chairman, thank you.*

Chairman Berwanger thanked them all for their service.

There being no further business to come before this Board, retiring Senior Supervisor Knab, T/ Sheldon adjourned his last meeting at 3:36 PM with a rap

on his desk. All were invited to a light luncheon reception in the Supervisors' Committee room.

Respectfully submitted,

Cheryl J. Ketchum

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

2

211 Advisory Board

Appointments

A. Pierce, D. Rumsey, L.
Paolucci, Res. #15-410..... 226

A

Agricultural Districts

Agricultural District No. 2 Presented
and Public Hearing Set, Res.
#15-412..... 228

Agriculture Districts

District 2 Review, Res. #15-455 302

Animal Control

Confinement of Dogs in Wyoming
County Authorized, Res. #15-362
..... 161

Order of Protection for Deer

Approved, Res. #15-361 160

Appointments

211 Advisory Board

A. Pierce, D. Rumsey, L.
Paolucci Res. #15-410..... 226

Budget Officer

J. Cook, Res. #15-423 239

County Auditor

J. Cook, Res. #15-265 20

Highway

County Highway

Superintendent

T. Gadd, Res. #15-440 289

Office for the Aging

Advisory Council

D. Eichenauer, D. Goss, J.
Howard, B. Stockholm, L.
Little, G. Meyer, J. Goff,

B. Ryan, R. Johannes, C.

Glor , Res. #15-446 293

Planning Department

County Planning Board

D. Dutton, R. Weiss, R.
Johnson, L. Frette, G.
Pfeifer, Res. #15-417... 233
J. Satchell, Res. #15-310 90

Traffic Safety Board

P. Korzelius, J. Hurst, H.
Pankow, D. Hare, J. Kemp, D.
George, Res. #15-419..... 235

Wyo. Co. Industrial Development Agency

Board of Directors

J. Hardie, Res. #15-257 13

Wyo. Co. Water Resource Agency

Board of Directors

L. Kilburn, Res. #15-415.. 232

Youth Bureau

Youth Board

R. Webster, T. Janes, R.
Farnsworth, AC Casseri, B.
Messe, J. Kramell, J.
Calvert, I. Carrasquillo, S.
Willard, Res. #15-449 . 296

Audit of Monthly Bills

06/2015 6
07/2015 47
08/2015 85
09/2015 118
10/2015 217
11/2015 285

B

Bid Awards

Buildings and Grounds (Co. Bldgs.)

NewEnergy, Inc., Res. #15-259	14
Fire and Building Code Enforcement	
2016 Ford Escape, Res. #15-258	14
Highway	
Onondaga County Bid Award for 2016 T880 Kenworth and Brandon 17'-6 steel dump body, Res. #15-376	181
Social Services	
2016 Ford Fusion SE, Res. #15-450	296
Board of Elections	
2015 Election Expenses	
Apportioned, Res. #15-441 ...	290
Contracts / Agreements	
Elections Systems and Software, Res. #15-400	218
Board of Supervisors	
2016 Equalization Table Lifted from the Table and Adopted, Res. #15-456	303
2016 Equalization Table Presented and Tabled, Res. #15-422	238
Authorize Chairman and Clerk to Sign Tax Warrants #15-461 ..	308
Borrowing	
Resolution Authorizing the Cost of Investigation and Initial Repair of Deteriorated Infrastructure at the Wyoming County Community Health System in and for the County of Wyoming, New York, at a Maximum Estimated Cost of \$500,000, and Authorizing the Issuance of \$300,000 Bonds of Said County to Pay the Cost Thereof, Res. #15-271	26
Contracts / Agreements	

Theron A. Foote, Attorney at Law (Mason Meyer), Res. #15-470	317
Contracts / Agreements Amended	
Avison Young (Daniel J. Bizzoco, MAI, CRE, FRICS/Senior Vice President) (Res. #14-284), Res. #15-425	241
Date of January 12, 2016 Regular Session Changed, Res. #15-284	317
Date of Public Hearing and Special Board Meeting for the Consideration of the 2016 Tentative County Board Set, Res. #15-427	243
Date Set for Annual Organizational Meeting, Res. #15-468	316
Location and Time of August 2015 Regular Session Changed, Res. #15-253	10
Meetings	
Regular Session	
08/18/15	39
09/08/15	82
10/13/15	114
11/10/15	210
12/08/15	280
Special Session	
12/01/15 AM	253
12/01/15 PM	272
Proclamations	
Wyoming County Fair Week, Res. #15-273	41
Resolutions	
In Support of Efforts to Establish the Charlotte House Comfort Care in Wyoming County, Res. #15-279	50
Levying Taxes and Assessments Required for Purpose of	

Annual Budget of Towns of Wyoming County, Res. #15-466	312
Sales Tax Extension	
Additional 1% to Expire on 11/30/2015, Res. #15-395	204
Additional 1% to Expire on 11/30/2017, (WITHDRAWN), Res. #15-XXX.....	72, 100
Semi-Annual Mortgage Tax Report, Res. #15-424	240
Semi-Annual Revenue Sharing, Res. #15-467	315
Standard Work Day and Reporting Resolution, Res. #15-266.....	20
Tentative 2016 Budget for Wyoming County Adopted, Res. #15-472.....	322
Voluntary Clean-Up Agreement with the New York State Department of Environmental Conservation for Long Term Monitoring According to the Approved Site Management Plan, Res. #15-393	202
Budget Office	
Appropriations	
2015	
07/14/15, Res. #15-247	5
08/18/15, Res. #15-275	45
09/08/15, Res. #15-305	84
10/13/15, Res. #15-332	117
11/10/15, Res. #15-398	216
12/08/15, Res. #15-437	283
Positions	
Reassigned	
One (1) position of Keyboard Specialist (position code #031.056), Res. #15-267 21	
Presentation of the 2016 Budget	253, 272

Transfers

2015

07/14/15, Res. #15-246	4
08/18/15, Res. #15-274	45
09/08/15, Res. #15-304	83
10/13/15, Res. #15-331	116
11/10/15, Res. #15-397	215
12/08/15, Res. #15-436	283

Budget Officer

Appointments

J. Cook, Res. #15-423	239
-----------------------------	-----

Buildings and Grounds (CIP)

Contracts / Agreements

Lend Lease (US) Construction, Inc., Res. #15-295	69
--	----

Contracts / Agreements Amended

Lend Lease (US) Construction Inc., (Res. #15-295), Res. #15-377	182
---	-----

Positions

Reassigned

One (1) position of Keyboard Specialist (position code #031.056), Res. #15-267 21	
---	--

Buildings and Grounds (Co. Bldgs.)

Bid Awards

NewEnergy, Inc., Res. #15-259	14
-------------------------------------	----

Contracts / Agreements

Clark Patterson Lee, Res. #15-296	69
Healthy Homes Insulation Systems, Res. #15-318	95
Imperial Door Controls, Inc., Res. #15-318	95
T.C.C.T., Inc., Res. #15-291 ...	65
Warren's Commercial Cleaning, Inc., Res. #15-291	65

Contracts / Agreements Amended

T.C.C.T., Inc. (Res. #14-280), Res. #15-261	15
---	----

Warren's Commercial Cleaning,
Inc. (Res. #14-280), Res. #15-
261 15

Grants

New York State Unified Court
System, Res. #15-260..... 15

C

Capital Improvement Projects

Wyo. Co. Comm. Hospital

Project Complete, Res. #15-378
..... 183

Chamber of Commerce

Matching Funds Program

2016 Approved, Res. #15-413
..... 230

County Attorney

Contracts / Agreements

Mark H. Dadd, Law Office,
PLLC, Res. #15-442..... 291
Michael DeFreitas, Esq., Res.
#15-276..... 47
Wendy Sisson, Res. #15-341 131
Wendy Sisson, Res. #15-442 291

County Clerk

Petty Cash Increased in County
Clerk's Office, Res. #15-399 217

County Insurance

2016 Workers' Compensation Costs
Approved, Res. #15-421 236

Contracts / Agreements

Excellus, Res. #15-420 236
Health Now Brokerage Concepts,
Res. #15-388 196
MVP, Res. #15-420..... 236
TRIAD Group, LLC, Res. #15-
388 196
Univera, Res. #15-420 236
Health Insurance (Current and
Retired Employees)

Blue Cross/Blue Shield and The
Alliance of WNY (2016-
2017), Res. #15-387 195

D

District Attorney

Contracts / Agreements

Lexis Nexis, Res. #15-317 94

Grants Amended

New York State Office of Victim
Services (Res. #14-278), Res.
#15-290 63

E

Emergency Services

Grants

New York State Division of
Homeland Security and
Emergency Services, Res.
#14-74 94
New York State Division of
Office of Homeland Security
and Emergency Services, Res.
#15-372 176

Grants Amended

Department of Homeland
Security Emergency Services
Office of Interoperable and
Emergency Communications,
(Res. #13-200), Res. #15-438
..... 285

F

Fire and Building Code Enforcement

Bid Awards

2016 Ford Escape, Res. #15-258
..... 14

H

Highway

Annual Highway Sand Bid	
Approved, Res. #15-319	96

Appointments

County Highway

Superintendent

T. Gadd, Res. #15-440	289
-----------------------------	-----

Bid Awards

Onondaga County Bid Award for 2016 T880 Kenworth and Brandon 17'-6 steel dump body, Res. #15-376	181
---	-----

Contracts / Agreements

County Highway Superintendent Authorized to Extend the Snow and Ice Removal Agreements with Towns and Villages for 2016/2017, Res. #15-323	99
---	----

Federal Aid and State "Marchiselli" Program Aid (Starr Road Bridge over Kelly Brook), Res. #15-292	66
---	----

Right of Way for Falls Road Bridge, Res. #15-322	98
---	----

Right of Ways for Falls Road Bridge Approved, Res. #15- 321	97
---	----

Right of Ways for West Park Road for Drainage Improvements Approved, Res. #15-320	96
--	----

Right-of-Way for Starr Rd., Res. #14-222	67
---	----

Contracts / Agreements Amended

Right of Way For Starr Road Bridge (Res. #15-293), Res. #15-375	180
---	-----

329

Wages Set for Seasonal MEO at

County Highway, Res. #15-463	309
---------------------------------------	-----

Human Resource

Contracts / Agreements

CSEA Employee Benefit Fund, Res. #15-444	292
Educational Resource Associates, Res. #15-443	291

Contracts / Agreements Amended

Hancock and Estabrook, LLP (Res. #15-157), Res. #15-248	6
---	---

Positions

Abolished

One (1) position of Human Resource Assistant (Position Code #001.434), (WITHDRAWN), Res. #15-XXX	203
--	-----

Created

One (1) position of Secretary to the Civil Service Commission, (WITHDRAWN), Res. #15-XXX	203
--	-----

I

Information Technology

Contracts / Agreements

ACS, A Xerox Company, Res. #15-386	194
Printer Components, Inc., Res. #15-457	304
Time Warner Cable, Res. #15- 299	71

L

Local Laws

Adopted

Local Law 5, (E) (Mortgage
Recording Tax Continuance),
Res. #15-272 35

Local Law 6, (F) (Salaries for
Certain County Officers for
the Year 2015), Res. #15-330
..... 112

Local Law 7, (G) (Tax Cap
Override for 2016), Res. #15-
471 318

Local Law X, (D) (Regulating
Animal Shelters), Res. #15-
WITHDRAWN 29

Introduced – Public Hearing Set

Local Law F (Salaries for Certain
County Officers for the Year
2015, Res. #15-303 80

Local Law G (Overriding Tax
Levy Limit for Fiscal Year
2016), Res. #15-426 241

M

Mental Health

Contracts / Agreements

Camp Get-A-Way, Western
Region New York State, Res.
#15-406 222

Coordinated Care Services, Inc.
of Rochester, Res. #15-406
..... 222

Hillside Children’s Center, Res.
#15-406 222

Living Opportunities of DePaul,
Res. #15-406 222

Livingston/Wyoming ARC, Res.
#15-406 222

Mental Health Association of
Rochester/Monroe County,
Inc., Res. #15-406 222

Spectrum Human Services, Inc.,
Res. #15-406 222

Suburban Adult Services, Inc.,
Res. #15-406 222

Wyo. Co. Comm. Hospital, Res.
#15-406 222

Contracts / Agreements Amended

Camp-Get-Away (Res. #14-371),
Res. #15-281 52

Hillside Children’ Center (Res.
#14-371), Res. #15-281 52

Living Opportunities of DePaul
(Res. #14-371), Res. #15-281
..... 52

Mental Health Association of
Rochester/Monroe County,
Inc., (Res. #14-38), Res. #14-
140 87

Spectrum Human Services (Res.
#14-371), Res. #15-281 52

Warsaw Property Management,
LLC (Res. #11-165), Res.
#15-282 54

Warsaw Property Management,
LLC., (Res. #11-165 & Res.
#14-024), (WITHDRAWN),
Res. #15-XXX..... 9

Warsaw Property, LLC (Res.
#14-024), Res. #15-283 55

Wyo. Co. Comm. Hospital (Res.
#14-371), Res. #15-281 52

N

**New York State Association of
Counties (NYSAC)
Fall Conference
Resolutions**

Calling for a Constitutional
Convention in 2017, Res.
#15-385 193

Calling for an Increase in the Share of Revenue Counties Retain for Providing State DMV Services, Res. #15- 333	118	Calling on State Legislative Leaders to Reform the Home Rule Revenue Process by Enacting a Four Year Authorization Period for All Local Sales Tax Extenders, Res. #15-380	186
Calling For State Legislation Amending the Vehicle and Traffic Law's Definition of an All-Terrain Vehicle (ATV), Res. #15-334...	120	Calling on the Governor to Veto S.983.A (Montgomery)/A.6430-A (Perry), Relating to the Restraint of Pregnant Female Prisoners During Childbirth, Res. #15-371	174
Calling for State Legislation Authorizing Industrial Development Agency Financing of Civic Facility Projects on a Permanent Basis and Allowing Industrial Development Agencies to Issue Grants and Loans, Res. #15-365	165	Calling on the Governor, The Legislature and the Department of Health to Provide Support and Financial Resources for Statewide Awareness on the Threat of Lyme Disease, and Other Tick Borne Diseases, Res. #15- 355.....	151
Calling on Governor Andrew M. Cuomo and the State Legislature to Plan for Next Generation 911 in New York State and Create a 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. #15-366	166	Calling on the State of New York to Provide Adequate Funding to Counties to Allow them to Properly Maintain Their Infrastructure, Res. #15- 374.....	178
Calling on Governor Cuomo and the New York State Legislature to Pass Legislation that Would Promote the Use of Video Conferencing for Court Appearances for Inmates Held at a County Jail, Res. #15-370	173	Calling on the State to Amend the New York State Electronic Equipment Recycling and Reuse Act and Calling on the DEC to Promulgate Regulations Required Under the Law, Res. #15-363	161
		Calling on the State to Assist Counties Regarding Jail	

Medical Costs for Providing HIV and Hepatitis C Treatment for Inmates, Res. #15-368. 171	Referral to the Comprehensive Array of Services Currently Available, Res. #15-356 153
Calling on the State to Ensure Dedicated Local Casino Revenues Adequately Cover Additional Expense, Res. #15-381 187	Calling Upon the Governor and the New York State Legislature to Refrain From Enacting New Public Employee Benefits Mandates, Res. #15-339 128
Calling on the State to Increase Indigent Legal Defense System Funding, Res. #15-335 121	Opposing the United States Senate Bill S.1879 Titled, "Interior Improvement Act", Res. #15-382 189
Calling on the State to Provide Additional Technical and Fiscal Assistance to Counties to Implement New Rules for Able- Bodied Adults Without Dependents Related to Work Participatio Requirements Under the Federal Supplemental Nutrition Assistance Program, Res. #15-349 142	Requesting the State Safeguard the Integrity of the Binding Agreements Regarding Gaming Exclusivity Zones, Res. #15-383 190
Calling on the State to Provide Pension Support for Veterans While Protecting Already Overburdened Local Taxpayers, Res. #15- 340 130	Requiring Updated Driver's License Photos Over a Reasonable Period of Time, Res. #15-367 169
Calling on the State, the Department of Health and the Governor of the State of New York to Ensure that with Changes in State Health Care Policies that Children and Adolescents with Serious Emotional Disturbances Have Access to the Local Government Unit (LGU) Single Point of Access (SPOA) for	Stating Opposition to Any Efforts to Use County Funds or Resources to Assist Immigration and Customs Enforcement (ICE) to Enforce Federal Immigration Laws, Res. #15-369 172
	Supporting an End to Executive Administrative Cuts, an Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitute Article 6 State Aid Reimbursement for Mandated General Public

Health Work Undertaken by Local Health Departments as Population Health Partners of New York State, Res. #15-354	147	Urging Governor Cuomo and the State Legislature to Amend State Insurance Law to Allow Shared Municipal Health Insurance Consortiums, Res. #15-337	125
Supporting Efforts to Increase Access to Broadband Throughout New York State and Calling on Governor Cuomo to Accelerated the Implementation of the New NY Broadband Program, Res. #15-364	163	Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that any Law Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims' Rights and Ensure Accountability in the Justice System, Res. #15- 346.....	137
Supporting Necessary Reforms for New York Labor Law§240 and §241, The Scaffold Law, Res. #15-338	126	Urging New York State to Renew its Commitment to Prevent and Protect Children from Abuse and Neglect by Restoring State Share Funding Levels to 65 Percent Under the Existing Open-Ended Child Welfare Financing Mechanism, Res. #15-348	140
Supporting New York State's Commitment to Agriculture Local Assistance Programs and Urging the Governor and State Lawmakers to Increase Funding for These Crucial Local Programs, Res. #15-360	157	Urging State Legislative Leaders to Implement Fiscal Reforms that Will Lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties are Currently Required to Pay for Under State Law, Res. #15-379	183
Winter Conference			
Resolutions			
Supporting New York State's Commitment to Farmland Preservation and Urging the Governor and State Lawmakers to Sustain Funding for this Important Program, Res. #15-359	156		
Urging Enactment of Legislation to Establish and Fund a New York All- Terrain Vehicle Trail System, Res. #15-411..	227		

Urging the Department of Health and the Division of Budget to Prioritize Reimbursing County Costs for Early Intervention Services That were Provided and Paid for Prior to the State Fiscal Agent Administrative Takeover and Remain Outstanding, Res. #15-342	131
Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement by All Third-Party Payers, Res. #15-343	133
Urging the Governor and Legislature to Gradually Restore the 50/50 State/County Sharing for the Safety Net Program and to Increase Shelter Grant Reimbursements to Counties, Res. #15-384	191
Urging the Governor and Legislature to Maintain Their Goal of Not Shifting New Costs to Counties as the State Continues its Implementation of the State Takeover of Medicaid Administrative Costs, Res. #15-347.....	139
Urging the Governor and State Legislature to Continue to Closely Monitor Preschool Special Education Rate-Setting Reforms as they are Implemented, and to Build a Single Statewide Fiscal Management System that is Accessible to Counties in Order to Improve Oversight and Accountability, Res. #15-345.....	135
Urging the Governor and State Legislature to Eliminate the County Fiscal Cap on Preschool Special Education Transportation Costs and to Incentivize the Use of Existing Bus Fleets and Transportation Systems, Res. #15-344	134
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. #15-336	123
Urging the Members of the New York State Congressional Delegation to Secure Adequate Federal Highway Funding for Locally Owned Roads, Bridges and Culverts in a Multi-Year Spending Plan, Res. #15-373	176

O

Office for the Aging

Appointments

Advisory Council

D. Eichenauer, D. Goss, J. Howard, B. Stockholm, L. Little, G. Meyer, J. Goff, B. Ryan, R. Johannes, C. Glor , Res. #15-446 293

Contracts / Agreements

Community Care of Western New York, Res. #15-447..	294
Doyle Medical Monitoring, Res. #15-447	294
Eagle Inn, Res. #15-447	294
Legal Services for the Elderly, Disabled or Disadvantaged of WNY, Res. #15-447	294
Susan Schell, Res. #15-447 ...	294
The Cloister, Res. #15-447 ...	294
The Pine Lounge, Res. #15-447	294
Wyoming County Community Action, Res. #15-250	7
Wyoming County Skilled Nursing Facility, Res. #15- 447	294

Grants

New York State Office for the Aging, Res. #15-402	219
New York State Office for the Aging, Res. #15-448	295

Positions**Created**

One (1) position of Student Aide (Temp.), Res. #15- 267	21
---	----

Proclamations

Family Caregivers Month, Res. #15-401	218
--	-----

P

Planning Department**Appointments****County Planning Board**

D. Dutton, R. Weiss, R. Johnson, L. Frette, G. Pfeifer, Res. #15-189... 233	
J. Satchell, Res. #15-310....	90

Contracts / Agreements**GLOW**

Solid Waste Management Committee, Res. #15-256	13
--	----

Wyoming County Community Action, Res. #15-287.....	61
---	----

Contracts / Agreements Amended

Wyoming County Community Action, (Res. #12-099), Res. #15-285	57
---	----

Grants

New York State Office of Community Renewal Grant Application, Res. #15-255..	12
--	----

Resolutions

In Support of a Grant Application with New York State Office of Community Renewal on Behalf of Planning and Development, Res. #15-25410	
---	--

Policies**County General**

Credit/Debit Card Acceptance Policy, Res. #15-269	22
Municipalities Utilizing Grant Writing Services, Res. #15- 286	58

Employee

2015 Early Retirement Incentive Program Amended, (Res. #15- 300), Res. #15-428	244
2015 Early Retirement Incentive Program, Res. #15-300.....	76
Cancer Screening Leave Policy, Res. #15-277	47

Positions**Abolished****Human Resource**

Human Resource Assistant (Position Code #001.434), (WITHDRAWN), Res. #15-XXX.....	203
--	-----

Sheriff

Jail

One (1) Position of
Program Director
(Chaplain) (P T)
(position code
#041.190), Res. #15-
429 244

Created

Human Resource

One (1) position of Secretary
to the Civil Service
Commission,
(WITHDRAWN), Res.
#15-XXX 203

Office for the Aging

One (1) Position of Case
Manager, FT, Res. #15-297
..... 70
One (1) position of Student
Aide (Temp.), Res. #15-
267 21

Extended

Animal Control

One (1) position of Laborer
(Per Diem) (Position Code
#003.144)(Res. #15-211),
Res. #15-324 104

Buildings and Grounds (CIP)

One (1) Position of Laborer,
(Temp.) (1.00 FTE)
through January 12, 2016,
Res. #15-297 70

Reassigned

Budget Office

One (1) position of Keyboard
Specialist (position code
#031.056), Res. #15-267 21

Buildings and Grounds (CIP)

One (1) position of Keyboard
Specialist (position code
#031.056), Res. #15-267 21

Probation

Contracts / Agreements

Automon, LLC, Res. #15-289. 62

Grants

Health Research Incorporated,
Res. #15-309 90
New York State Division of
Criminal Justice Services –
Office of Probation and
Correctional Alternatives,
Res. #15-288 62

Proclamations

Board of Supervisors

Wyoming County Fair Week,
Res. #15-273 41

Office for the Aging

Family Caregivers Month, Res.
#15-401 218

Social Services

Child Support Awareness Month,
Res. #15-278 51
Domestic Violence Awareness
Month, Res. #15-353 146
National Adoption Month, Res.
#15-405 221

Veterans Services

70th Anniversary of Veteran
Services in Wyoming County,
Res. #15-278 49

Wyo. Co. Business Center

Entrepreneurship Week, Res.
#15-416 232

Wyo. Co. Chamber of Commerce

Small Business Saturday, Res.
#15-414 231

Youth Bureau

Youth Court Month, Res. #15-
306 85

Public Defender

Contracts / Agreements

Wyoming County Attica Legal
Aid

Alternatives to Incarceration Program, Res. #15-439	286
Indigent Parolee Program, Res. #15-439	286
Part-Time Secretary to the Wyoming County Public Defender's Office, Res. #15-439	286

Public Health

Contracts / Agreements

ACM Laboratories, Res. #15-453	299
Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara and Orleans Counties, Res. #15-358	155
County of Monroe, Res. #15-453	299
Denise Goodberlet, NP, Res. #15-453	299
Erie County Public Health Laboratory, Res. #15-453.	299
Freed Maxick CPA's, Res. #15- 407	224
Microbac Laboratories, Res. #15- 453	299
PAS Outreach Technical Laboratory, Res. #15-453.	299
Scott Treutlein, MD, Res. #15- 453	299
Susan Schell, RD, Res. #15-453	299
WCJW, Res. #15-453	299
Wyoming County Chamber of Commerce (Sub-Agreements), Res. #15-357	154
Wyoming County Community Action (Sub-Agreements), Res. #15-357	154

Contracts / Agreements Amended

Livingston County Health Department, (Res. #15-100), Res. #15-409	225
---	-----

Grants

Governor's Traffic Safety Committee, Res. #15-408.	225
New York State Department of Health, Bureau of Early Intervention, Res. #15-284.	56

R

Real Property Tax Services

Corrections of Errors Approved

RPTS Director (under \$1,000), Res. #15-462	308
Sheldon (Varysburg Fire Department), Res. #15-270	25

Resolutions

15-246, Funds Transferred to Various 2015 Accounts	4
15-247, Funds Appropriated to Various 2015Accounts	5
15-248, Resolution Number 15-157 Amended	6
15-249, Chairman Authorized to Sign a Grant Application and Acceptance Award with the New York State Office of General Services on Behalf of Veterans Services	7
15-250, Chairman Authorized to Sign a Contract with Wyoming County Community Action on Behalf of Wyoming County Office for the Aging	7
15-251, Chairman/Commissioner of Social Services Authorized to Sign Various Welfare Management System Contracts on Behalf of Wyoming County Department of Social Services ..	8

15-252, Chairman/Commissioner of Social Services Authorized to Sign a Contract with Laboratory Corporation of America Holdings on Behalf of Wyoming County Department of Social Services.. 8

15-253, Location and Time of August 2014 Regular Session Changed 10

15-254, Resolution in Support of a Grant Application with New York State Office of Community Renewal on Behalf of Planning and Development 10

15-255, Chairman Authorized to Sign a New York State Office of Community Renewal Application 12

15-256, Chairman Authorized to Sign an Inter-Municipal Cooperative Agreement with GLOW Solid Waste Management Committee on Behalf of Wyoming County 13

15-257, James R. Hardie Appointed to the Wyoming County Industrial Development Agency Board of Directors..... 13

15-258, Chairman Authorized to Award Bid and Sign a Contract with Conroy Motor Corp. on Behalf of Wyoming County Fire and Building Code Enforcement 14

15-259, Chairman Authorized to Award Bid and Sign a Contract with Constellation newEnergy, Inc. on Behalf of Buildings and Grounds (Co. Bldgs.) 14

15-260, Chairman Authorized to Sign a Grant Application and Acceptance Award with New York State Unified Court System

on Behalf of Buildings and Grounds (Co. Bldgs.) 15

15-261, Resolution Number 14-280 Amended..... 15

15-262, Salary Schedule “C” Amended..... 17

15-263, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System 18

15-264, Chairman Authorized to Sign a Contract with the Department of Veterans Affairs on Behalf of the Wyoming County Community Health System..... 19

15-265, Janis Cook Appointed County Auditor 20

15-266, Standard Work Day and Reporting Resolution 20

15-267, Position Creation/Reassignment Approved 21

15-268, Chairman Authorized to Sign a Contract with Phillips Lytle (Richard Beers) on Behalf of the Wyoming County Treasurer 21

15-269, Credit/Debit Card Acceptance Policy Adopted 22

15-270, Correction of Errors in the Town of Sheldon Approved 25

15-271, A Resolution Authorizing the Cost of Investigation and Initial Repair of Deteriorated Infrastructure at the Wyoming County Community Health System in and for the County of Wyoming, New York, at a Maximum Estimated Cost of \$500,000, and Authorizing the Issuance of \$300,000 Bonds of

Said County to Pay the Cost Thereof.....	26	Early Intervention on the County Health Department	339 56
15-272, Local Law No. 5 (Introductory E, Year 2015) ~ 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," Adopted.....	35	15-285, Resolution Number 12-285 Amended.....	57
15-273, Wyoming County Fair Week Proclaimed	41	15-286, Policy for Municipalities Utilizing Grant Writing Services Provided by Wyoming County Water Resource Agency Approved	58
15-274, Funds Transferred to Various 2015 Accounts	45	15-287, Chairman Authorized to Sign a Lease Agreement with Wyoming County Community Action	61
15-275, Funds Appropriated to Various 2015 Accounts	45	15-288, Chairman Authorized to Sign a Grant Application and Acceptance Award with New York State Division of Criminal Justice Services – Office of Probation and Correctional Alternatives on Behalf of Probation.....	62
15-276, Chairman Authorized to Sign a Contract with Michael DeFreitas, Esq. on Behalf of the County Attorney	47	15-289, Chairman Authorized to Sign a Contract with Automon, LLC on Behalf of Probation....	62
15-277, Cancer Screening Leave Policy Adopted	47	15-290, Resolution Number 14-278 Amended.....	63
15-278, Commemorating the 70 th Anniversary of Veteran Services in Wyoming County.....	49	15-291, Chairman Authorized to Sign Various Contracts on Behalf of Buildings and Grounds (Co. Bldgs.).....	65
15-279, A Resolution in Support of Efforts to Establish the Charlotte House Comfort Care in Wyoming County.....	50	15-292, Authorizing the Implementation and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program Aid Eligible Costs, of a Transportation Federal Aid Project and Appropriating Funds Therefore.....	66
15-281, Resolution Number 14-371 Amended.....	52	15-293, Right-of-Way for Starr Road Bridge Project Approved	67
15-282, Resolution Number 11-165 Amended.....	54		
15-283, Resolution Number 14-024 Amended.....	55		
15-284, Chairman/Commissioner of Health Authorized to Sign Grant Application and Acceptance Award with the New York State Department of Health, Bureau of			

15-294, Resolution Number 15-041 Amended.....	68
15-295, Chairman Authorized to Sign a Contract with Lend Lease (US) Construction, Inc. on Behalf of Buildings and Grounds (CIP)	69
15-296, Chairman Authorized to Sign a Contract with Clark Patterson Lee on Behalf of Buildings and Grounds (CIP)..	69
15-297, Position Creation(s)/Extension Approved	70
15-298, Chairman Authorized to Sign Various Contracts on Behalf of County Treasurer	71
15-299, Chairman Authorized to Sign a Contract with Time Warsaw Cable on Behalf of Information Technology	71
15-300, Approving Wyoming County / Wyoming County Community Hospital (WCCHS) Specific Early Retirement Incentive Program	76
15-301, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System	78
15-302, Salary Schedule “D” Amended.....	79
15-303, Set Public Hearing – Introductory Local Law No. F Year 2015.....	80
15-304, Funds Transferred to Various 2015 Accounts.....	83
15-305, Funds Appropriated to Various 2015Accounts.....	84
15-306, Youth Court Month Proclaimed	85

15-307, Chairman/Commissioner of Social Services Authorized to Sign a Welfare Management System Contract with Julie Caton, Ph.D. on Behalf of Wyoming County Department of Social Services	86
15-308, Resolution Number 14-371 Amended.....	87
15-309 Chairman Authorized to Sign Grant Application and Acceptance Award with Health Research Incorporated on Behalf of the County Health Department	90
15-310, Jeremy Satchell Appointed to the Wyoming County Business Center (LDC) Board of Directors	90
15-311, Purchase of Five (5) New Patrol Cars Approved for the Sheriff’s Department.....	91
15-312, Chairman Authorized to Sign a Contract with the State of New York Unified Court System on Behalf of the Sheriff’s Department.....	92
15-313, Chairman Authorized to Sign a Contract with the Steuben County Sheriff on Behalf of the County Jail	92
15-314, Chairman Authorized to Sign a Contract with the Orleans County Sheriff on Behalf of the County Jail	93
15-315, 2016 Stop DWI Plan Approved	93
15-316, Chairman Authorized to a Sign Grant Acceptance Award with the New York State Division of Homeland Security	

and Emergency Services on Behalf of Emergency Services	94	15-330, Set Public Hearing – Introductory Local Law No. F Year 2015.....	112
15-317, Chairman Authorized to Sign a Contract with Lexis Nexis on Behalf of the District Attorney	94	15-331, Funds Transferred to Various 2015 Accounts.....	116
15-318, Chairman Authorized to Sign Various Contracts on Behalf of Buildings and Grounds (Co. Bldgs.).....	95	15-332, Funds Appropriated to Various 2015Accounts.....	117
15-319, Annual Highway Sand Bid Approved	96	15-333, Resolution Calling for an Increase in the Share of Revenue Counties Retain for Providing State DMV Services.....	118
15-320, Right of Ways for West Park Road for Drainage Improvements Approved.....	96	15-334, Resolution Calling For State Legislation Amending the Vehicle and Traffic Law’s Definition of an All-Terrain Vehicle (ATV)	120
15-321, Right of Ways for Falls Road Bridge Approved	97	15-335, Resolution Calling on the State to Increase Indigent Legal Defense System Funding	121
15-322, Chairman Authorized to Sign a Purchase Contract Regarding Right of Way for Falls Road Bridge on Behalf of County Highway.....	98	15-336, 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.....	123
15-323, County Highway Superintendent Authorized to Extend the Snow and Ice Removal Agreements with Towns and Villages for 2016/2017	99	15-337, Resolution Urging Governor Cuomo and the State Legislature to Amend State Insurance Law to Allow Shared Municipal Health Insurance Consortiums	125
15-324, Resolution Number 15-211 Amended.....	104	15-338, Resolution Supporting Necessary Reforms for New York Labor Law§240 and §241, The Scaffold Law.....	126
15-325, Salary Schedule “G” Amended.....	105	15-339, Resolution Calling Upon the Governor and the New York State Legislature to Refrain From Enacting New Public Employee Benefits Mandates.....	128
15-326, Resolution Number 13-151 Amended.....	106		
15-327, Chairman Authorized to Sign Various Contracts on Behalf of Wyoming County Community Health System.....	108		
15-328, Resolution Number 13-088 Amended.....	109		
15-329, Resolution Number 15-301 Amended.....	110		

15-340, Resolution Calling on the State to Provide Pension Support for Veterans While Protecting Already Overburdened Local Taxpayers.....	130
15-341, Chairman Authorized to Sign a Contract with Wendy Sisson on Behalf of the County Attorney	131
15-342, Resolution Urging the Department of Health and the Division of Budget to Prioritize Reimbursing County Costs for Early Intervention Services That were Provided and Paid for Prior to the State Fiscal Agent Administrative Takeover and Remain Outstanding.....	131
15-343, Resolution Urging the Department of Health and the Division of Budget to Require Providers to Maximize Reimbursement by All Third-Party Payers	133
15-344, Resolution Urging the Governor and State Legislature to Eliminate the County Fiscal Cap on Preschool Special Education Transportation Costs and to Incentivize the Use of Existing Bus Fleets and Transportation Systems	134
15-345, Resolution Urging the Governor and State Legislature to Continue to Closely Monitor Preschool Special Education Rate-Setting Reforms as they are Implemented, and to Build a Single Statewide Fiscal Management System that is Accessible to Counties in Order to Improve Oversight and Accountability.....	135

15-346, Resolution Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility and Ensure that any Law Changes Fully Recognize the Responsibility of Locally Elected District Attorneys to Promote Public Safety, Maintain Victims' Rights and Ensure Accountability in the Justice System	137
15-347, Resolution Urging the Governor and Legislature to Maintain Their Goal of Not Shifting New Costs to Counties as the State Continues its Implementation of the State Takeover of Medicaid Administrative Costs.....	139
15-348, Resolution Urging New York State to Renew its Commitment to Prevent and Protect Children from Abuse and Neglect by Restoring State Share Funding Levels to 65 Percent Under the Existing Open-Ended Child Welfare Financing Mechanism.....	140
15-349, Resolution Calling on the State to Provide Additional Technical and Fiscal Assistance to Counties to Implement New Rules for Able-Bodied Adults Without Dependents Related to Work Participatio Requirements Under the Federal Supplemental Nutrition Assistance Program	142
15-350, Chairman/Commissioner of Social Services Authorized to Sign Various Contracts on Behalf of the Department of Social Services.....	144

15-351, Chairman/Commissioner of Social Services Authorized to Sign Various Contracts on Behalf of the Department of Social Services.....	144	15-357, Chairman/Commissioner of Health Authorized to Sign Sub-Agreements on Behalf of the County Health Department ...	154
15-352, Resolution Number 15-226 Amended.....	145	15-358, Chairman/Commissioner of Health Authorized to Sign Inter-Municipal Agreements with Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara and Orleans Counties on Behalf of the County Health Department.....	155
15-353, Domestic Violence Awareness Month Proclaimed	146	15-359, Resolution Supporting New York State's Commitment to Farmland Preservation and Urging the Governor and State Lawmakers to Sustain Funding for this Important Program....	156
15-354, Resolution Supporting an End to Executive Administrative Cuts, an Increase in the Base Grant, Per Capita Rate, and State Aid Formula that Constitute Article 6 State Aid Reimbursement for Mandated General Public Health Work Undertaken by Local Health Departments as Population Health Partners of New York State	147	15-360, Resolution Supporting New York State's Commitment to Agriculture Local Assistance Programs and Urging the Governor and State Lawmakers to Increase Funding for These Crucial Local Programs	157
15-355, Resolution Calling on the Governor, The Legislature and the Department of Health to Provide Support and Financial Resources for Statewide Awareness on the Threat of Lyme Disease, and Other Tick Borne Diseases.....	151	15-361, Order of Protection for Deer Approved	160
15-356, Resolution Calling on the State, the Department of Health and the Governor of the State of New York to Ensure that with Changes in State Health Care Policies that Children and Adolescents with Serious Emotional Disturbances Have Access to the Local Government Unit (LGU) Single Point of Access (SPOA) for Referral to the Comprehensive Array of Services Currently Available	153	15-362, Confinement of Dogs in Wyoming County Authorized	161
		15-363, Resolution Calling on the State to Amend the New York State Electronic Equipment Recycling and Reuse Act and Calling on the DEC to Promulgate Regulations Required Under the Law	161
		15-364, Resolution Supporting Efforts to Increase Access to Broadband Throughout New York State and Calling on Governor Cuomo to Accelerated the Implementation of the New NY Broadband Program.....	163

15-365, Resolution Calling for State Legislation Authorizing Industrial Development Agency Financing of Civic Facility Projects on a Permanent Basis and Allowing Industrial Development Agencies to Issue Grants and Loans	165
15-366, Resolution Calling on Governor Andrew M. Cuomo and the State Legislature to Plan for Next Generation 911 in New York State and Create a New York State and Create a New York State 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services.....	166
15-367, Resolution Requiring Updated Driver's License Photos Over a Reasonable Period of Time	169
15-368, Resolution Calling on the State to Assist Counties Regarding Jail Medical Costs for Providing HIV and Hepatitis C Treatment for Inmates.....	171
15-369, Resolution Stating Opposition to Any Efforts to Use County Funds or Resources to Assist Immigration and Customs Enforcement (ICE) to Enforce Federal Immigration Laws	172
15-370, Resolution Calling on Governor Cuomo and the New York State Legislature to Pass Legislation that Would Promote the Use of Video Conferencing for Court Appearances for Inmates Held at a County Jail	173
15-371, Resolution Calling on the Governor to Veto S.983.A	

(Montgomery)/A.6430-A(Perry), Relating to the Restraint of Pregnant Female Prisoners During Childbirth.....	174
15-372, Chairman Authorized to Sign a Grant Acceptance Award with the New York State Division of Office of Homeland Security and Emergency Services on Behalf of Emergency Services	176
15-373, Resolution Urging the Members of the New York State Congressional Delegation to Secure Adequate Federal Highway Funding for Locally Owned Roads, Bridges and Culverts in a Multi-Year Spending Plan	176
15-374, Resolution Calling on the State of New York to Provide Adequate Funding to Counties to Allow them to Properly Maintain Their Infrastructure	178
15-375, Resolution Number 15-293 Amended.....	180
15-376, Chairman Authorized to Accept the " <i>Onondaga County Bid Award, Contract Reference Number 7823</i> " and Exercise the Right to " <i>Piggyback</i> " as an Eligible Political Subdivision under GML §103 (16).....	181
15-377, Resolution Number 15-295 Amended.....	182
15-378, Wyoming County Community Hospital Renovations Capital Improvement Project Complete	183
15-379, Resolution Urging State Legislative Leaders to Implement Fiscal Reforms that Will Lead to	

Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties are Currently Required to Pay for Under State Law ...	183	Rates on Behalf of Current and Retired County Employees ...	195
15-380, Resolution Calling on State Legislative Leaders to Reform the Home Rule Revenue Process by Enacting a Four Year Authorization Period for All Local Sales Tax Extenders	186	15-388, Chairman Authorized to Sign Various Contracts on Behalf of the County Insurance Office	196
15-381, Resolution Calling on the State to Ensure Dedicated Local Casino Revenues Adequately Cover Additional Expense	187	15-389, Approves Property Auction Sales	197
15-382, Resolution Opposing the United States Senate Bill S.1879 Titled, "Interior Improvement Act"	189	15-390, Relevy of Unpaid School and Village Taxes	200
15-383, Resolution Requesting the State Safeguard the Integrity of the Binding Agreements Regarding Gaming Exclusivity Zones	190	15-391, Resolution Number 13-088 Amended.....	200
15-384, Resolution Urging the Governor and Legislature to Gradually Restore the 50/50 State/County Sharing for the Safety Net Program and to Increase Shelter Grant Reimbursements to Counties	191	15-392, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System ...	201
15-385, Resolution Calling for a Constitutional Convention in 2017	193	15-393, Voluntary Clean-Up Agreement with the New York State Department of Environmental Conservation for Long Term Monitoring According to the Approved Site Management Plan.....	202
15-386, Chairman, County Treasurer and Director of Information Technology Authorized to Sign a Contract with ACS, A Xerox Company, on Behalf of All Wyoming County Departments	194	15-394, Salary Schedule "G" Amended.....	204
15-387, Chairman Authorized to Sign 2016 & 2017 Insurance		15-395, Increasing the Rate of Taxes on Sales and Uses of Tangible Personal Property and of Certain Services, and on Occupancy of Hotel Rooms and Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York	204
		15-396, Salary Schedule "C" Amended, DEFEATED	208
		15-397, Funds Transferred to Various 2015 Accounts.....	215
		15-398, Funds Appropriated to Various 2015Accounts.....	216
		15-399, Petty Cash Increased in County Clerk's Office.....	217

15-400, Chairman Authorized to Sign a Contract with Elections Systems and Software on Behalf of the Board of Elections	218
15-401, Family Caregivers Month Proclaimed	218
15-402, Chairman Authorized to Sign Various Grant Applications and Acceptance Awards with New York State Office for the Aging on Behalf of Wyoming County Office for the Aging .	219
15-403, Chairman/Commissioner Authorized to Sign a Welfare Management System Contract with Santo Bentivegna, Ph D on Behalf of the Department of Social Services	220
15-404, Equipment Purchase Approved for the Department of Social Services	220
15-405, National Adoption Awareness Month Proclaimed	221
15-406, Chairman Authorized to Sign 2016 Renewal Contracts on Behalf of Mental Health.....	222
15-407, Chairman/Commission of Health Authorized to Sign a Contract with Freed Maxick CPA's on Behalf of the County Health Department	224
15-408, Chairman/Commissioner of Health Authorized to Sign a Grant Acceptance Award with the Governor's Traffic Safety Committee on Behalf of the County Health Department ...	225
15-409, Resolution Number 15-100 Amended.....	225

15-410, Members Appointed/Reappointed to the 211 Advisory Board	226
15-411, Resolution Urging Enactment of Legislation to Establish and Fund a New York All-Terrain Vehicle Trail System	227
15-412, Review of Agricultural District No. 2 and Set Public Hearing	228
15-413, 2016 Matching Funds Program Approved on Behalf of the Wyoming County Chamber of Commerce.....	230
15-414, Small Business Saturday Proclaimed	231
15-415, Larry Kilburn appointed to the Wyoming County Water Resource Agency Board of Directors	232
15-416, Entrepreneurship Week Proclaimed	232
15-417, Members Appointed to the Wyoming County Planning Board.....	233
15-418, Resolution Number 15-205 Amended.....	234
15-419, Members Appointed/Reappointed to the Traffic Safety Board	235
15-420, Chairman Authorized to Sign 2016 Insurance Renewal Rates on Behalf of Retired County Employees	236
15-421, 2016 Workers' Compensation Costs Approved	236
15-422, 2016 Equalization Table Presented and Tabled	238

15-423, Janis Cook Reappointed Wyoming County Budget Officer	239	Defender's Office for the Year 2016	286
15-424, Semi-Annual Mortgage Tax Report	240	15-440, Todd Gadd Reappointed as County Highway Superintendent	289
15-425, Resolution Number 14-284 Amended.....	241	15-441, 2015 Election Expenses Apportioned	290
15-426, Set Public Hearing – Introductory Local Law No. G Year 2015.....	241	15-442, Chairman Authorized to Sign Various Contracts on Behalf of the County Attorney for the Year 2016.....	291
15-427, Date of Public Hearing and Special Board Meeting for the Consideration of the 2016 Tentative County Board Set..	243	15-443, Chairman Authorized to Sign a Contract with Educational Resource Associates on Behalf of the Human Resource Department	291
15-428, Resolution Number 15-300 Amended.....	244	15-444, Chairman Authorized to Sign a Contract with CSEA Employee Benefit Fund on Behalf of the Human Resource Department.....	292
15-429 Position Abolished Approved	244	15-445, Memorandum of Understanding by and Between CSEA and the County of Wyoming Approved.....	292
15-430, Chairman Authorized to Sign Various Contracts on Behalf of Wyoming County Community Health System.....	245	15-446, Members Appointed/Reappointed to the Office for the Aging Advisory Council.....	293
15-431, Resolution Number 15-070 Amended.....	246	15-447, Chairman Authorized to Sign Various Contracts on Behalf of the Office for the Aging for the Year 2016.....	294
15-432, Resolution Number 15-327 Amended.....	247	15-448, 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	295
15-433, Resolution Number 14-145 Amended.....	248	15-449, Members Appointed/Reappointed to the	
15-434, Resolution Number 15-263 Amended.....	249		
15-435, Salary Schedules “S”, “D” and “C” Amended	250		
15-436, Funds Transferred to Various 2015 Accounts	283		
15-437, Funds Appropriated to Various 2015Accounts.....	283		
15-438, Resolution Number 13-200 Amended.....	285		
15-439, Chairman Authorized to Sign Various Contracts With Wyoming County Attica Legal Aid on Behalf of the Public			

Wyoming County Youth Board	296
15-450, Chairman/Commissioner of Social Services Authorized to Award Bid and Sign a Contract with Webster Ford, Inc. (D/B/A Henderson Ford) on Behalf of the Department of Social Services	296
15-451, Chairman/Commissioner of Social Services Authorized to Sign Various Welfare Management System Contracts on Behalf of the Department of Social Services for the Year 2016	297
15-452, Chairman/Commissioner of Social Services Authorized to Sign Various Contracts on Behalf of the Department of Social Services for the Year 2016....	299
15-453, Chairman/Commissioner of Health Authorized to Sign Various Contracts and Agreements on Behalf of the County Health Department for the Year 2016.....	299
15-454, Resolution Number 14-275 Amended.....	301
15-455, Finding to Modify Agricultural District No. 2	302
15-456, Lift the 2016 Equalization Table and Adopt.....	303
15-457, Chairman Authorized to Extend Bid with Printer Components, Inc. on Behalf of all Wyoming County Departments	304
15-458, Salary Schedule "C" and "S" Amended	305
15-459, 2015 Town Balances Approved	305

15-460, Recycling Fees Levied..	308
15-461, Authorize Chairman and Clerk to Sign Tax Warrants...	308
15-462, RPTS Director Authorized to Approve Correction of Errors	308
15-463, Wages Set for Seasonal MEO at County Highway	309
15-464, Resolution Number 15-301 Amended.....	309
15-465, Chairman Authorized to Sign Various Contracts on Behalf of the Wyoming County Community Health System ...	310
15-466, Resolution of the Board of Supervisors Levying Taxes and Assessments Required for Purpose of Annual Budget of Towns of Wyoming County..	312
15-467, Semi Annual Revenue Sharing for the Towns.....	315
15-468, Date Set for Annual Organizational Meeting.....	316
15-469, Date of January 12, 2016 Regular Session Changed.....	317
15-470, Chairman Authorized to Sign a Contract with Theron A. Foote, Attorney at Law (Mason Meyer) on Behalf of the County Treasurer	317
15-471, LOCAL LAW NO. 7 (INTRODUCTORY G, YEAR 2015) ~ YEAR 2015, "A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C for Fiscal Year 2016" ADOPTED	318
15-472, Tentative 2016 Budget for Wyoming County Adopted ...	322
15-XXX (WITHDRAWN), Increasing the Rate of Taxes on Sales and Uses of Tangible	

Personal Property and of Certain Services and on Occupancy of Hotel Rooms and Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York	100
15-XXX, (WITHDRAWN) Positions Created and Abolished Approved	203
15-XXX, Increasing the Rate of Taxes on Sales and Uses of Tangible Personal Property and of Certain Services and on Occupancy of Hotel Rooms and Amusement Charges Pursuant to Article 29 of the Tax Law of the State of New York	72
15-XXX, Local Law No. 5 (Introductory D) – Year 2015, “A Local Law Regulating Animal Shelters,” Adopted	29
15-XXX, Resolution Number 11-165 Amended and Rescind Resolution Number 14-024	9

S

Salary Schedules Amended

“C”

DEFEATED, Res. #15-396...	208
Res. #15-262	17
Res. #15-435	250
Res. #15-458	305

“D”

Res. #15-302	79
Res. #15-435	250

“G”

Res. #15-267	21
Res. #15-325	105
Res. #15-394	204

“S”

Res. #15-435	250
--------------------	-----

Res. #15-458	305
Sheriff	
Bid Approved	
Henderson Ford, Res. #15-312	91
Contracts / Agreements	
State of New York Unified Court System, Res. #15-312.....	92
Grants Amended	
New York State Governor’s Traffic Safety Council (Res. #15-205), Res. #15-418....	234
Jail	
Contracts / Agreements	
Orleans County Sheriff, Res. #15-314	93
Steuben County Sheriff, Res. #15-313	92
Positions	
Abolished	
One (1) Position of Program Director (Chaplain) (P T) (position code #041.190) Abolished, Res. #15-429.....	244
Social Services	
Bid Awards	
2016 Ford Escape, Res. #15-404	220
2016 Ford Fusion SE, Res. #15-450	296
Contracts / Agreements	
Adecco, Res. #15-351	144
Allegany Rehabilitation Association, Inc., Res. #15-452	299
Delevan Latchkey – Yorkshire Pioneer CSD, Res. #15-350	144
Grandma’s Luv’n Care, Inc., Res. #15-350	144

Julie Caton, Ph.D., Res. #15-307	86
Kelly McLaughlin, Res. #15-251	8
Laboratory Corporation of America Holdings, Res. #15-252	8
NYS Advocate Program, Division of Youth Advocate Programs, Inc., Res. #15-351	144
Pioneer Latchkey Program, Res. #15-350	144
Planned Parenthood ~ RESTORE Sexual Assault Services, Res. #15-452	299
Santo Bentivegna, Ph D, Res. #15-403	220
Spectrum Human Services, Res. #15-452	299
Tonya Snooddy, Res. #15-251	8
Contracts / Agreements Amended	
Gustavus Adolphus (Res. #15-226), Res. #15-352	145
Hillside Family of Agencies Hillside Children's Center (Res. #15-226), Res. #15-352	145
Snell Farm Children's Center (Res. #15-226), Res. #15-352	145
New Directions (Res. #15-226), Res. #15-352	145
Proclamations	
Child Support Awareness Month Proclaimed, Res. #15-280 ..	51
Domestic Violence Awareness Month, Res. #15-353	146
National Adoption Month, Res. #15-405	221
WMS Contracts	

Accord Corporation, Res. #15-451	297
Bentivegna, Santo, Ph.D., Res. #15-451	297
Chances & Changes, Inc., Res. #15-451	297
Day Care Contracts	
Early Bird Child Care Center, Res. #15-451	297
GLOW YMCA, Inc. (Batavia), Res. #15-451297	
Grandma's Luv'n Care, Inc., Res. #15-451	297
Kathy Park, Res. #15-451	297
Kelly McLaughlin, Res. #15-451	297
Linda Smith, Res. #15-451297	
Little Lights Child Care Center, Res. #15-451 ...	297
Ms. Jean's Child Care, Res. #15-451	297
Mudpies and Milestones (WCCA, Inc.), Res. #15-451	297
Precious People Day Care, Res. #15-451	297
Rainbow's End Early Childhood Learning Center, Res. #15-451 ...	297
Sandy Geercken , Res. #15-451	297
Sara Smith, Res. #15-451	297
The ARC of Livingston-Wyoming, d/b/a KidStart, Res. #15-451	297
Wyoming County YMCA School-Age Child Care, Res. #15-451	297
Funeral Services	
Eaton~Watson Funeral Home, LLC, Res. #15-451	297

Harmon~Watson Funeral Home, Res. #15-451.....	297
Marley Funeral Home, LLC, Res. #15-451	297
Robinson and Hackemer Funeral Home, Inc., Res. #15-451	297
W.S. Davis Funeral Home, Inc., Res. #15-451	297

Personal Care/Private Duty

Nursing Contracts

Aurora Home Care, Inc., Res. #15-451	297
Center for Disability Rights, Res. #15-451	297
Home Care & Hospice, Res. #15-451	297
Patricia Ralston, Res. #15-451	297
VNA Life Line ~ VNA Home Care Service, Res. #15-451	297
WNY Independent Living, Inc. ~ Independent Living of the Genesee Region, Res. #15-451	297

Stop DWI

2016 Stop DWI Plan Approved, Res. #15-315	93
--	----

T

Traffic Safety Board

Appointments

P. Korzelius, J. Hurst, H. Pankow, D. Hare, J. Kemp, D. George, Res. #15-419.....	235
---	-----

Treasurer

2015 Town Balances Approved. #15-459	305
---	-----

Contracts / Agreements

ACS, A Xerox Company, Res. #15-386	194
Bid and Buy, Res. #15-986	71
Drescher and Malecki, LLP, Res. #15-986	71
Phillips Lytle (Richard Beers), Res. #15-268	21
Property Auction Sales. #15-389	197
Recycling Fees Levied. #15-460	308
Relevy of Unpaid School and Village Taxes, Res. #15-390	200

U

Union Agreements

CSEA

Positions

Reassigned

One (1) position of R.P.N. 1 st Asst., Res. #15-445	292
--	-----

V

Veterans Services

Grants

New York State Office of General Services, Res. #15- 249	7
--	---

Monthly Veteran

07/14/15 – Raymond Lewis Caryl.....	1
08/18/15 – Kimberly Sobus	39
09/08/15 – Richard Spencer	82
10/13/15 – Ed James	114
11/10/15 – Andrew R. Allbright	210
12/08/15 – Chance W. Sampson	280

Proclamations

Commemorating the 70 th Anniversary of Veteran Services in Wyoming County, Res. #15-278	49
---	----

Special Session Veteran

12/01/15 – David Rumsey	253
-------------------------------	-----

W

Wyo. Co. Business Center

Proclamations

Entrepreneurship Week, Res. #15-416	232
--	-----

Wyo. Co. Chamber of Commerce

Proclamations

Small Business Saturday, Res. #15-414	231
--	-----

Wyo. Co. Comm. Hospital

Contracts / Agreements

American Data Network, LLC, Res. #15-392	201
Buffalo Orthopedics Group, LLP, Res. #15-263	18
Congdon, Flaherty, O'Callaghan, Reid, Donlon, Travis & Fishlinger, Attorneys and Counselors At Law, Res. #15- 237	108
Daniel M. Downs, M.D., Res. #15-392	201
Daniel Pagnani, M.D., PLLC (or name of corporation yet to be formed), Res. #15-392	201
Department of Corrections and Community Supervision (DOCCS), Res. #15-327 ..	108
Department of Corrections and Community Supervision (DOCCS), Res. #15-465 ..	310
Fujifilm, Res. #15-465	310
Howard Ang, MD., Res. #15-301	78

Niagara Frontier Anesthesia Services, LLP (NFA), Res. #15-263	18
Pronexus, M*Modal Services LTD, Fujifilm Medical Systems, USA, Buffalo Orthopaedic Group, LLP, Res. #15-430	245
Pronexus, M*Modal Services LTD, Fujifilm Medical Systems, USA, Buffalo Orthopaedic Group, LLP, Res. #15-430	245
University of Rochester Medical Center, Res. #15-301	78
University Of Rochester Medical Faculty Group, Res. #15-465	310
Wahl Media, Inc., Res. #15-301	78

Contracts / Agreements Amended

Buffalo Orthopaedic Group, LLP, (Res. #15-263), Res. #15-434	249
Buffalo Orthopaedic Group, LLP, (Res. #14-145), Res. #15-433	248
Congdon, Flaherty, O'Callaghan, Reid, Donlon, Travis & Fishlinger, Attorneys and Counselor at Law, (Res. #15- 327), Res. #15-432	247
Howard Ang, MD (Res. #15- 301), Res. #15-464	309
Howard Ang, MD (Res. #15-301, Res. #15-329	110
Lend Lease (US) Construction, Inc. (Res. #15-041), Res. #15- 294	68
Morrison Management Specialists, Inc. (Res. #15- 070), Res. #15-431	246

Western New York Physicians
 PLLC (Res. #13-088, Res.
 #15-328 109

Western New York Physicians,
 PLLC (Res. #13-088), Res.
 #15-391 200

Wyoming County Medical , P.C.
 (Res. #13-151, Res. #15-326
 106

Grants

Department of Veterans Affairs,
 WNY Healthcare System,
 Res. #15-264 19

Wyo. Co. Industrial Development

Agency

Appointments

Board of Directors

J. Hardie, Res. #15-257 13

Wyo. Co. Reforestation

Contracts / Agreements Amended

Andrew R. Boldt, (Res. #14-
 275), Res. #15-454 301

Wyo. Co. Water Resource Agency

Appointments

Board of Directors

L. Kilburn, Res. #15-415.. 232

Y

Youth Bureau

Appointments

Youth Board

R. Webster, T. Janes, R.
 Farnsworth, AC Casseri, B.
 Messe, J. Kramell, J.
 Calvert, I. Carrasquillo, S.
 Willard, Res. #15-449 . 296

Proclamations

Youth Court Month, Res. #15-
 306 85