

**REGULAR SESSION**  
**(March 13, 2018)**

**Tuesday**

**2:30 PM**

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

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**JANE KEENAN-GAEDEKE**

Jane Keenan-Gaedeke grew up in Castile, New York. During her senior year in High School, her family moved to Canaseraga to rebuild an old grainery into a house. After graduating from Canaseraga Central in 1975, she joined the United States Air Force. Ms. Keenan-Gaedeke began basic training at Lackland Air Force Base on October 6, 1975.

Lackland is a United States Air Force base located in Bexar County, Texas and is under the jurisdiction of the 802d Mission Support Group, Air Education and Training Command (AETC) and an enclave of the city of San Antonio. It is the only entry processing station for Air Force enlisted Basic Military Training (BMT).

After graduating from basic training, Ms. Keenan-Gaedeke was stationed at Altus Air Force Base in Oklahoma where she received on the job training to become a *Vehicle Operator and Dispatcher*. Altus Air Force Base served as a scrap yard for hundreds of World War II era military aircraft. In 1945, the famous B-17F "Memphis Belle" was discovered at Altus awaiting disposal. The aircraft was saved and transferred to the city of Memphis, Tennessee, where it was displayed until 2005, when it was relocated to the National Museum of the United States Air Force at Wright-Patterson AFB in Ohio. The Altus Air Force Base sat idle for only a few years and with onset of the Korean War in June of 1950, it created the need for more men to fly and service aircraft. During the early years of the conflict, many World War II airfields were examined for reactivation. On August 1, 1953, Altus Air Force Base was reactivated as a training base for transport aircraft.

Ms. Keenan-Gaedeke also spent two months deployed to Rhyenman Air Force Base where she transported flight crews to and from their planes. Ms. Keenan-Gaedeke enjoyed her job and the state of Oklahoma.

Ms. Keenan-Gaedeke was released from active duty in October of 1979. For her service to her country, Ms. Keenan-Gaedeke earned the:

- **Air Force Good Conduct Medal**
- **Air Force Longevity Service Award**

After her military service, Ms. Keenan-Gaedeke spent time in North and South Carolina with her mother and sister. She was a police dispatcher for a time and then worked as a picture framer until she decided to relocate to her home town of Castile, New York in 1985 where she went into business for herself as a general contractor.

Ms. Keenan-Gaedeke met her husband in the late 80's and married in 1994. They moved to Perry in 1993 and have four cats, all rescued from orchards and barns in and around Perry. She is active in the community and enjoys hiking and outdoor activities in the area.

Ms. Keenan-Gaedeke was recently hired as the Assistant Director for Veteran Services of Wyoming County. She is excited to learn all there is to know about Veteran Services and act as a community liaison in Perry and surrounding areas. Her friendly face and "can do" attitude will compliment all the recent changes to the Veteran Service Office.

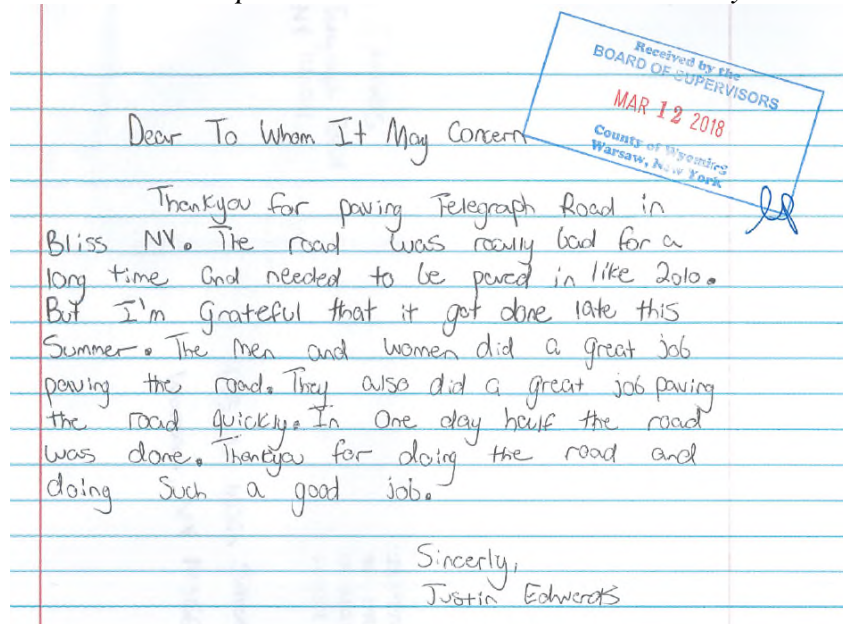
***The pledge was said by all.***

Chairman Berwanger invited Town of Perry Supervisor, J. Brick to join him in the presentation of the customary certificate of appreciation to Ms. Keenan-Gaedeke and an opportunity to address the Board. At which time, Ms. Gaedeke thanked the Board for the opportunity to serve veterans...

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

**COMMUNICATIONS ~**

*Clerk Ketchum explained that there are four (4) pieces of communications. One of which was just received and with the Chairman's permission would be read in its entirety.*



- 02/16/18 Correspondence from NYSAC Executive Director Stephen J. Acquario acknowledging receipt of Resolution No. 18-036.
- 02/21/18 Correspondence from Assemblyman David DiPietro and 02/16/18 Correspondence from NYSAC Executive Director Stephen J. Acquario, both acknowledging receipt of various resolutions from the NYSAC Conference.

**OPEN PUBLIC HEARING ~**

- “Local Law No. 2, Year 2018 (Introductory A, Year 2018) Entitled, “*A Local Law Providing Salaries for Certain County Officers for the Year 2018*”

*It was at this moment, Finance Committee Chair, Supervisor Brick, T/Perry requested to postpone the Public Hearing and consideration of Local Law Introductory A to the April 10, 2018 regular monthly meeting of the Wyoming County Board of Supervisors...*

#1

**RESOLUTION NO. 18-103  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2018 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2018 accounts as follows:

<b>Public Health</b>			
<b>From:</b> 01.38.4011.4.40502 Leasing <b>To:</b> 01.38.4011.2.23001 Motor Vehicles <b>Reason:</b> Transfer budgeted grant funds into the capital account for vehicle purchase rather than lease.	\$13,300.00	\$13,300.00	
<b>Public Health Total</b>			<b>\$13,300.00</b>
<b>Emergency Services</b>			
<b>From:</b> 01.37.3645.2.20201I Telecommunications Equipment <b>To:</b> 01.37.3645.4.41410I Software <b>Reason:</b> Software purchase.	\$15,439.00	\$15,439.00	
<b>Emergency Services Total</b>			<b>\$15,439.00</b>

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

#2

**RESOLUTION NO. 18-104  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2018 accounts as follows:

<b>Real Property Tax Services</b>			
<b>To:</b> 01.33.1355.1.10601 Unused Benefit Time <i>w/any funds available</i>	\$238.60	\$238.60	
<b>Reason:</b> In order to pay under budgeted Unused Benefit Time due to salary changes after budget submission.			
<b>Real Property Tax Services Total</b>			<b>\$238.60</b>
<b>Social Services</b>			
<b>To:</b> 01.39.6010.4.40805 Cleaning Private <i>w/any funds available</i>	\$3,000.00	\$3,000.00	
<b>Reason:</b> To cover the cost of weekly rug cleaning that was omitted from the 2018 budget in error.			
<b>Social Services Total</b>			<b>\$3,000.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4220.4.40932 Youth Contracts – MH w/01.03.4220.1289 Other Dept. Income	\$13,048.50	\$13,048.50	
<b>Reason:</b> Receipt of the You(th) Decide Grant.			
<b>Mental Health Total</b>			<b>\$13,048.50</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4011.2.23001 Motor Vehicles <i>w/any funds available</i>	\$5,681.00	\$5,681.00	
<b>Reason:</b> For vehicle purchase. \$13,300.00 approved & budgeted from NYSDOH DWE grant. Remaining \$5,681.00 is anticipated to be covered with 2018 Performance Incentive Award funds from NYSDOH.			
<b>To:</b> 01.38.4010.4.42440 Child Safety Seat w/01.12.4010.448912 Child Safety Seat	\$2,333.33	\$2,333.33	
<b>Reason:</b> Appropriate remaining funds from CPS grant (CFDA #20.616 Resolution 17-344, total grant award \$3,500.00).			
<b>Public Health Total</b>			<b>\$8,014.33</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1165.4.40301 Professional Services w/01.03.1165.1289 Other Departmental Income	\$500.00	\$500.00	
<b>Reason:</b> Appropriate DCJS SACP GLOW partnering funds received at the end of 2017 for video production services to promote “ <i>Start By Believing</i> ” video.			
<b>District Attorney Total</b>			<b>\$500.00</b>
<b>Public Defender</b>			
<b>To:</b> 01.32.1170.4.42493 ILS D3 w/01.11.1170.302501 ILS D3	\$22,325.62	\$22,325.62	
<b>Reason:</b> D-3 for reallocation of monies to fund new phone system, VOIP, computers and printers and PD office.			
<b>To:</b> 01.32.1170.4.42495 ILS QICR w/01.11.1170.302504 ILS QICR	\$51,154.08	\$51,154.08	
<b>Reason:</b> QICR to fund the investigator position until Second QICR contract is in place.			
<b>Public Defender Total</b>			<b>\$73,479.70</b>

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

**RESOLUTION NO. 18-105  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2017 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2017 accounts as follows:

<b>Hospital Fund</b>			
<b>To:</b> 02.56.4510.1.10101 Full Time CSEA	\$129,354.00		
02.56.4510.4.42501 Hospital Contractual	\$2,888,851.00		
w/02.03.4510.163501 Hospital IGT			
<b>Reason:</b> To cover 2017 expenses.			
<b>Hospital Fund Total</b>			<b>\$3,018,205.00</b>

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,783,958.87** for the month of **February 2018**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #8. Hearing no objection resolution titles were read.*

**RESOLUTION NO. 18-106  
(March 13, 2018)**

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

**RESOLUTION CALLING FOR THE FULL REPEAL OF THE NEW YORK STATE  
SCAFFOLD LAW OR REFORM TO INCLUDE A PURE STANDARD OF  
COMPARATIVE NEGLIGENCE**

**WHEREAS**, New York Labor Law §240 and §241, commonly known as the "Scaffold Law," outlines liability for injuries caused by an employee's fall from a height; and

**WHEREAS**, The laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

**WHEREAS**, The law was first imposed in 1885 at a time when worker safety was lacking in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

**WHEREAS,** The Scaffold Law has caused a dramatic increase in construction costs due to higher insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

**WHEREAS,** The Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500%; and

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

**WHEREAS,** The increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in neighboring states; and

**WHEREAS,** Not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find appropriate employment; and

**WHEREAS,** This negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

**WHEREAS,** Federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors is in support of Scaffold Law reform as well as meaningful protection of construction workers; and be it

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

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

**Carried:** XXX

**Ayes:** 1599

**Noes:**

**Absent:**

**Abstain:**

#5

**RESOLUTION NO. 18-107  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE STATE TO INCREASE THE SALARY CAP FOR RETIRED PUBLIC EMPLOYEES SEEKING COUNTY EMPLOYMENT**

**WHEREAS**, Under current state law a retired public employee may earn up to \$30,000 if retained/rehired to a state or local government position without this salary impacting their retirement benefits; and

**WHEREAS**, Any retired public employee salary amount over \$30,000 will result in a decrease in pension payments for the employee; and

**WHEREAS**, The \$30,000 cap was set in 2007, with the intent of minimizing misuse, while at the same time providing enough incentive for employees with broad experience and institutional knowledge to be retained in a government service capacity; and

**WHEREAS**, This cap has not been adjusted since 2007 and has eroded in value to inflation over the last decade; and

**WHEREAS**, Every county has unique challenges when hiring for certain skilled or knowledge based positions due to each county having different populations, economics, and demographics; and

**WHEREAS**, County governments are being asked to provide more services with less funding, a goal that becomes more difficult when those that best understand local government service needs are retiring and their continued connection to public service in a limited fashion is being deterred by state policies; and

**WHEREAS**, In 2017 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby calls on the Governor and the legislature to enact legislation supporting an increase in this earnings rate as part of their 2018-19 state budget negotiations; and be it

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

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

**#6**

**RESOLUTION NO. 18-108  
(March 13, 2018)**

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

**RESOLUTION URGING NEW YORK STATE TO FULLY FUND  
EARLY VOTING OPERATIONS**

**WHEREAS**, Under state law, counties in New York State manage, operate, and fund elections in New York State; and

**WHEREAS**, In his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo has proposed requiring every county to offer residents early voting opportunities through at least one early voting poll site during the 12 days leading up to Election Day; and

**WHEREAS**, The proposal will require counties to offer at least eight hours on weekdays and five hours on weekends to cast early ballots; and

**WHEREAS**, Counties must have one early voting poll site for every 50,000 residents, at a location determined by the bipartisan county board of elections, and subject to standards of accessibility and convenience; and

**WHEREAS**, County boards of elections will designate at least five polling places in each county, geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot; and

**WHEREAS**, These proposals will significantly increase costs to county boards of elections for staffing and securing early voting locations, printing and counting additional ballots, and meeting other legal elections requirements associated with maintaining polling stations over an extended period of time (rather than one day); and

**WHEREAS**, Under New York State law, counties have the authority to pass elections costs on to their municipal counterparts, which is done by more than half of counties; and

**WHEREAS**, The cost of early voting has been estimated at \$6.4 million per year; and

**WHEREAS**, The state-imposed property tax cap makes it difficult for local governments to absorb new costs of any kind; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the State to fund all costs associated with early voting; and be it

**FURTHER RESOLVED**, That the state consider removing the requirement unless they are able to fully fund; and be it

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



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

#7

**RESOLUTION NO. 18-109  
(March 13, 2018)**

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

**RESOLUTION IN SUPPORT OF NEW YORK STATE SENATE BILL S.07624 AND  
NEW YORK STATE ASSEMBLY BILL A.09792, AMENDING THE TAX LAW  
RELATING TO AUTHORIZING THE COUNTY OF WYOMING TO IMPOSE A  
COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON  
REAL PROPERTY, IN RELATION TO THE EXPIRATION THEREOF**

**WHEREAS**, A precedent has been set in previous legislation, which was signed into law that includes a specific date when the law expires. This bill specifically states that Chapter 185 of the Laws of 2005, amending the tax law relating to authorizing the county of Wyoming to impose a county recording tax on obligations secured by a mortgage on real property, as amended by chapter 182 of the laws of 2016, shall expire December 01, 2018; and

**WHEREAS**, Senate Bill S.07624 and Assembly Bill A.09792 have been introduced into the New York State Senate and Assembly respectively to amend the tax law in relation to the expiration thereof; and

**WHEREAS**, Pursuant to Article IX of the Constitution of the State of New York it is necessary for this legislature to enact a Home Rule Request for the passage of said legislation; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves and encourages the adoption and passage of said Senate Bill S.07624 and Assembly Bill A.09792 entitled "*An Act to amend chapter 185 of the laws of 2005, amending the tax law relating to authorizing the County of Wyoming to impose a county recording tax on obligations secured by a mortgage on real property, in relation to the expiration thereof,*" and hereby declares that a necessity exists for the passage of such bills in that the local legislative body of the County of Wyoming does not have the power to enact such legislation by local law; and

**BE IT FURTHER RESOLVED**, That a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

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

#8

**RESOLUTION NO. 18-110  
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
PEOPLESYSTEMS, INC. ON BEHALF OF HUMAN RESOURCE**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *PeopleSystems, Inc.*, P.O. Box 4816, Syracuse, NY 13221 on behalf of Human Resource. Said contract to provide an unemployment insurance services in an amount not to exceed three thousand two hundred ten dollars (\$3,210.00) annually; effective January 1, 2017 and will automatically renew from year to year until written notice is received from either party.

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 #9 through #19. Hearing no objection resolution titles were read.*

**#9**

**RESOLUTION NO. 18-111  
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN THE GLOW INFRASTRUCTURE FUNDING  
MEMORANDUM OF UNDERSTANDING ON BEHALF OF  
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 the *GLOW Infrastructure Funding Memorandum of Understanding* on behalf of Wyoming County Community Action. Said memorandum of understanding defines each partner's roles and responsibilities in the New York State Career Center System and ensures compliance as required by 20 CFR Part 678; effective upon approval from the New York State Department of Labor.

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

**#10**

**RESOLUTION NO. 18-112  
(March 13, 2018)**

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

**ROBERT MOLISANI APPOINTED TO THE  
GLOW WORKFORCE DEVELOPMENT BOARD**

**BE IT RESOLVED**, That *Robert Molisani*, Caledonia Mumford Central School District Superintendent, 99 North Street, Caledonia, NY 14423 be hereby appointed to the GLOW Workforce Development Board as a *Local Education Entity Representative* for an indefinite term effective March 13, 2018.

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

**RESOLUTION NO. 18-113  
(March 13, 2018)**

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

**RESOLUTION NUMBER 13-152 AMENDED**

**WHEREAS**, Resolution Number 13-152 entitled, “**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on April 9, 2013 and authorized awarding a bid and signing contracts with *Frontier Food Service*, PO Box 903, West Seneca NY 14224 for food service in an amount not to exceed \$5.09/congregate meals and home delivered meals; effective April 1, 2013 through March 31, 2018; now therefore

**BE IT RESOLVED**, That *Resolution Number 13-152* be hereby amended to increase the cost to \$5.20 per congregate meals and home delivered meals due to the minimum wage increase; effective January 1, 2018.  
All else remains the same.

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

**RESOLUTION NO. 18-114  
(March 13, 2018)**

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

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

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York State Office for the Aging*, 2 Empire State Plaza, Albany, NY 12223-1251 on behalf of the Wyoming Office for the Aging. Said grant to provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low-income subsidy program in a minimum

amount of thirteen thousand two hundred sixty-two dollars (\$13,262.00); effective September 30, 2017 through September 29, 2018.

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

**RESOLUTION NO. 18-115  
(March 13, 2018)**

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

**RESOLUTION NUMBER 18-014 AMENDED**

**WHEREAS**, Resolution Number 18-014 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH EAGLE INN ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on January 16, 2018 to provide congregate meals to seniors sixty (60) years old and older in Wyoming County as needed; effective January 16, 2018 through December 31, 2018; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-014* be hereby amended to correct the contracting party name to *KBAR Eagle Inn*.

All else remains the same.

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

**RESOLUTION NO. 18-116  
(March 13, 2018)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO WORK WITH NEW YORK'S CONGRESSIONAL DELEGATION TO ENSURE ANY CONGRESSIONAL EFFORTS TO PASS THE FAMILY FIRST PREVENTION SERVICES ACT ENSURES ESSENTIAL FISCAL RESOURCES ARE MAINTAINED TO SUPPORT FAMILIES IN NEED**

**WHEREAS**, The Family First Prevention Services Act, was considered in a prior Congress, but was not enacted; and

**WHEREAS**, There is a desire again to enact this legislation; and

**WHEREAS**, The legislation for is well intentioned in that it would for the first time allow federal Title IV-E reimbursement some preventive services to help children at risk of neglect or abuse; and

**WHEREAS,** The federal legislation also proposed extensive new reporting and information system requirements, eliminated federal funding for currently authorized services, imposed restrictive administrative and implementation barriers, put in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and

**WHEREAS,** Should this federal legislation advance, New York's Office of Children and Family Services estimates that New York State and its counties could lose up to \$250 million annually in currently available federal funds for child welfare; and

**WHEREAS,** The counties of New York fund a sizable percentage of these child welfare services with locally raised property taxes and other revenues; and

**WHEREAS,** New York State and its counties have provided prevention services for this population without any federal matching funds for decades and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and

**WHEREAS,** Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent letters to United States Senators' Charles E. Schumer and Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and

**WHEREAS,** Some of specific amendments requested included expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding not to exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to Families with Dependent Children (AFDC) delinking; and placement settings for 16-17-year-olds; and

**WHEREAS,** The loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the State Legislature to work closely with New York's Congressional Delegation to amend and improve the Family First Prevention Services Act so that early adopter states are not penalized by strict maintenance-of-effort provisions, that current federal reimbursement streams be maintained, and sufficient flexibility be provided to meet the unique circumstances in different states; and be it

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

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

**#15**

**RESOLUTION NO. 18-117**

(March 13, 2018)

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

**RESOLUTION CALLING ON THE GOVERNOR AND LEGISLATURE TO REVERSE THE FOSTER CARE COST SHIFT IMPLEMENTED IN THE 2017-18 STATE BUDGET**

**WHEREAS**, The 2017-18 state budget included a reduction in state reimbursement support for foster care that will cost counties and New York City more than \$62 million annually; and

**WHEREAS**, Counties and advocates strongly opposed the cut because it will require counties to make up the difference with cuts to other human services, including preventive services contracts; and

**WHEREAS**, Counties have extremely limited options to control foster care costs and placements due to the orders of judges and the growing substance abuse epidemics that are ravishing many communities across the state, forcing placements outside of the home as parents, and/or children struggle with beating their addiction; and

**WHEREAS**, Addressing the current opioid and heroin scourge brings with it longer and costlier stays in care that require intensive mental health, drug abuse and behavioral health counseling and treatment regimens; and

**WHEREAS**, In addition to more intensive services required in foster care today, the age of children entering the system is falling, triggering other critical and lengthy service needs; and

**WHEREAS**, The concurrent enactment of legislation that raises the age of criminal responsibility in New York from 16 to 18 will likely increase demand for foster care services; and

**WHEREAS**, This state foster care reimbursement cut is another in a long series of state funding cuts to human services programs including Safety Net, adoption subsidies, food stamp administration, child support enforcement, juvenile justice and reintegration programs for incarcerated individuals returning to the community; and

**WHEREAS**, The state funding cuts to foster care and these other programs impacts the ability of counties to provide critical prevention supports that can keep children and families at-risk out of the foster care system in the first instance, and undermines state and local efforts to achieve permanency for children; and

**WHEREAS**, The state foster care cut equaled 74 percent of the allowable property tax cap growth for the average county, and for 20 counties the cut was greater than their entire allowable property tax cap growth; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and Legislature to reverse the state reimbursement cuts to foster care enacted in the 2017-18 budget, and to also gradually restore funding cuts in other key human services programs; and be it

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

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

**#16**

**RESOLUTION NO. 18-118  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE STATE TO PAY FOR ANY REQUIRED  
INCREASES IN COST TO THE CHILD PROTECTIVE SERVICE PROGRAM**

**WHEREAS**, In 2017 the State Legislature passed a bill attempting to set a workload standards cap of no more than fifteen active cases per month per full time child protective services worker; and

**WHEREAS**, This bill was appropriately vetoed by the Governor, stating the bill was deficient due to applying a one-size-fits all approach across the State and perhaps more importantly, this bill was passed outside the State Budget process and allocated no funding to Counties for this potentially enormous increase in costs; and

**WHEREAS**, Child protective services are paid for by our county governments; and

**WHEREAS**, Every county has unique challenges providing this service such as geography, population, economics, and demographics that make one statewide case-cap standard illogical; and

**WHEREAS**, Due to the fact that each county has unique challenges, it is the county themselves and the county DSS commissioners that are best situated to understand and manage caseload assignments; and

**WHEREAS**, A one-size fits all standard of case-caps does not address the increased costs that this cap would cause, nor recognize case severity and oversight needs, along with each case worker's experience and skill level; and

**WHEREAS**, Counties cannot meet any new state unfunded mandates while maintaining the state-imposed property tax cap; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the Legislature to abstain from passing these types of caseworker cap bills without covering 100 percent of the costs to support these new positions; and be it

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

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

**#17**

**RESOLUTION NO. 18-119  
(March 13, 2018)**

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

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

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

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

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

**WHEREAS**, Problems continue to arise 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 lacks follow through by providers when insurers request additional documentation; and

**WHEREAS**, Prior to the state fiscal agent, counties were able to work directly with 3rd party insurance providers and families to maximize insurance payments; and

**WHEREAS**, Counties realized more payments from 3 party payers prior to the state fiscal agents reducing the county and state share of this cost; and



**WHEREAS,** Any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the state and counties resulting in higher costs for both the state and counties; and

**WHEREAS,** We continue to support proposals from the Governor that prioritize and require providers to adhere to current insurance regulations regarding payment of Early Intervention service claims to maximize commercial insurance collections; and

**WHEREAS,** We also ask that as part of these systems enhancement proposals, Medicaid revisit the Retro Re-Billing Process where the State identifies all claims that the counties and state pay including, but not limited to, waived services, and resubmit those to Medicaid to identify if a child's coverage changed. Medicaid should be billed in the first instance, so that counties don't have to pay upfront and then receive these monies many years later; and

**WHEREAS,** The State has implemented health insurance benefit changes in its Child Health Plus program that will likely reduce third party billing opportunities, resulting in higher costs for counties in the Early Intervention Program; and

**WHEREAS,** Under the statewide fiscal agent model counties remain concerned about program integrity efforts pursued by the fiscal agent and the Department of Health (DOH) through audits, and believe that third party collections are not being maximized based on the increasing drawdown of funds out of the escrow for many counties far in excess of what has been budgeted or caseload changes suggest should be the case; and

**WHEREAS,** While counties have been advised by DOH that they can pursue their own audits and collections to ensure program integrity, counties have no effective mechanism under the law, or leverage with providers, to recoup any audit findings as counties do not hold the provider contracts or have the ability to withhold payments as a way to recoup funds; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the State of New York to implement policies and procedures to ensure that provider claims are filed within 60 days to maximize commercial insurance Medicaid reimbursement; and be it

**FURTHER RESOLVED,** The State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the Governor's Budget for 2016-17, ensure providers and the State Fiscal Agent exhaust all appeals within the required timeline of the insurer before moving on to the next payer of record; and be it

**FURTHER RESOLVED,** The State should carefully review all benefit changes in state supported public health insurance programs such as Medicaid and Child Health Plus to ensure new costs are not shifted to the state and county public health programs when current benefits are eliminated or modified; and be it

**FURTHER RESOLVED,** The New York State Bureau of Early Intervention should develop an audit program outside of NYEIS for provider claims to ensure state and local funds are being spent appropriately; and be it

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

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

**RESOLUTION NO. 18-120  
(March 13, 2018)**

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

**RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO TAKE  
OVER THE FISCAL RESPONSIBILITY FOR COSTS ASSOCIATED WITH  
STUDENTS RECEIVING PRESCHOOL SPECIAL EDUCATION SERVICES IN  
INTEGRATED UNIVERSAL PREKINDERGARTEN PROGRAM CLASSROOMS**

**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,** Permanent state law requires counties to pay 30.5 percent of preschool special education costs, but each year the Governor and Legislature disregard this statutory threshold in annual appropriation bills and require counties to pay 40.5 percent of costs associated with preschool special education; and

**WHEREAS,** The State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100% with state resources, but excludes children with special needs; and

**WHEREAS,** A Special Class in an Integrated Setting (SCIS) often within a universal prekindergarten classroom is most consistent with federal and State law that requires preschool students with disabilities to be educated in the least restrictive environment; and

**WHEREAS,** Research has consistently shown that integrated classrooms provide numerous positive outcomes for special education students; and

**WHEREAS,** Such classrooms plainly highlight the inconsistencies of a bifurcated system that fully supports "mainstream" students with State funding while requiring counties to partially fund preschool special education students; and

**WHEREAS,** The increased placement of preschool special education students in integrated universal prekindergarten programs has added further strain on county taxpayers; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Legislature to take over the fiscal responsibility for costs associated with students receiving preschool special education services in integrated universal prekindergarten program classrooms, thereby fully funding all students being served in the same setting, encouraging further utilization of integrated settings, and providing relief to county taxpayers; and be it

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

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

**#19**

**RESOLUTION NO. 18-121  
(March 13, 2018)**

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

**RESOLUTION URGING THE STATE TO CLARIFY ITS HOMELESSNESS  
PREVENTION GOALS AND DEVELOP A MORE EFFECTIVE EMERGENCY  
SHELTER MODEL**

**WHEREAS,** Homelessness continues to be a major concern across the state; and

**WHEREAS,** The Governor continues to prioritize finding solutions for the homeless and affordable housing problems across the state; and

**WHEREAS,** While this commitment by the Governor is welcomed, there are still significant shortfalls in affordable housing and state and federal financial resources in many communities regarding emergency shelter; and

**WHEREAS,** Counties have a long-standing commitment to serve vulnerable children and adults in our communities; and

**WHEREAS,** Local social service districts focus scarce resources on achieving permanent housing, preventing homelessness and providing temporary placement; and

**WHEREAS,** Counties maintain that preventing homelessness in the first place is the best way to keep families safe and secure; and

**WHEREAS,** Significant state funding cuts in a wide array of social service programs over the last decade in conjunction with the state imposed property tax cap has restricted

counties' ability to pursue more aggressive prevention efforts that can reduce homelessness in the first instance; and

**WHEREAS**, Counties agree that providing safe, secure and sanitary emergency shelter is critically important; and

**WHEREAS**, Recent state directives, emergency rulemaking and data requests that focus on safety and security in emergency and temporary shelter situations are causing significant administrative burdens for counties without providing any additional financial support from the state to assist and comply with these demands, even though the state has added significant new staff of their own; and

**WHEREAS**, The new administrative needs are drawing resources away from services that are targeted to prevent homelessness in the first place and provide stability for families at risk; and

**WHEREAS**, Counties maintain that while it is important to provide help in a crisis, it is better policy to maintain stability and prevent emergencies by providing sufficient resources up front; and

**WHEREAS**, State policies are directing excessive attention on inspections of motels, hotels and shelters beyond what is required in state law to ensure health and safety, as well as conflict with inspections from the State Comptroller and local codes officials; and

**WHEREAS**, These increased state inspections are steering emergency shelter policy toward higher cost shelter options that do not currently exist in most counties in sufficient numbers, if at all; and

**WHEREAS**, Counties believe there is insufficient OTDA inspection training and a lack of clarity on inspection procedures; and

**WHEREAS**, The Governor has emphasized certain emergency homelessness measures to address public safety and health concerns such as the "Code Blue" initiative, however counties believe this initiative must be compliant with mental hygiene law; and

**WHEREAS**, This special focus in cold winter months is creating unintended consequences because they are promulgated under different rules that do not require visitors to follow local and state social service districts eligibility rules designed to help them overcome barriers (such as drug and alcohol abuse, mental health treatment and employment) which impede their ability over the long term to achieve permanent housing and stability; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and state agencies to provide more fiscal assistance to counties to meet new inspection demands and to help counties fund more services that can prevent homelessness in the first instance; and be it

**FURTHER RESOLVED,** Counties are seeking more clarity and training on inspection procedures focused on significant criteria so that health and safety is addressed and attention is not diverted to insignificant matters; and be it

**FURTHER RESOLVED,** In order to successfully prevent homelessness and improve stability for families, the state must share its long-term vision on what role the state and counties will play in responding to and alleviating the homelessness crisis in many communities and how it will be funded, including addressing housing affordability in communities where that is an especially acute problem; and be it

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

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

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #20 through #25. Hearing no objection resolution titles were read.*

**#20**

**RESOLUTION NO. 18-122  
(March 13, 2018)**

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

**DEVELOPMENTAL DISABILITIES AWARENESS MONTH PROCLAIMED**

**WHEREAS,** Nationwide, approximately 5 million people have developmental disabilities; and

**WHEREAS,** People with developmental disabilities share the desire to achieve personal success through education, meaningful work, family and community ties; and

**WHEREAS,** People with developmental disabilities deserve equal opportunities to enjoy, participate in and contribute to their local communities alongside their neighbors without disabilities; and

**WHEREAS,** Wyoming County is committed to recognizing that every person, regardless of perceived ability, has valuable strengths, infinite capacity to learn and make decisions, and the capability to make important contributions to their communities if given opportunities to do so; and

**WHEREAS,** Wyoming County is therefore committed to encouraging communities and other support structures to promote higher expectations and self-determination for individuals with disabilities; and

**WHEREAS**, Wyoming County is proud of the achievements and contributions of its citizens who have developmental disabilities and encourages continued progress toward empowerment in every aspect of community life, work, relationships, spirituality, and recreation; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, do hereby proclaim March 2018 as

**DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

in Wyoming County and urges all Citizens to give full support to efforts towards enabling people with developmental disabilities to live full and productive lives of inclusion in our communities.

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

**RESOLUTION NO. 18-123  
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK COUNCIL ON PROBLEM GAMBLING ON BEHALF OF MENTAL HEALTH**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the *New York Council on Problem Gambling*, 100 Great Oaks Boulevard, Albany, NY 12203 on behalf of Mental Health. Said grant to fund underage gambling prevention in a minimum amount of thirteen thousand forty-eight dollars and fifty cents (\$13,048.50); effective March 1, 2018 through October 31, 2018.

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

**RESOLUTION NO. 18-124  
(March 13, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH MCCLURG CHEVROLET BUICK, INC. ON BEHALF OF THE COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Health, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with McClurg Chevrolet Buick, Inc., 16 Parker

Lane, Perry, NY 14530 on behalf of County Health Department. Said contract is for the purchase of one (1) 2018 Chevrolet Malibu, LS in an amount not to exceed eighteen thousand nine hundred eighty-one dollars (\$18,981.00); effective through delivery of vehicle no later than March 30, 2018.

Contingent upon the availability of funds.

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

**#23**

**RESOLUTION NO. 18-125  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR TO PROVIDE STATE FUNDING TO SUPPORT THE TREATMENT AND TRANSITION SERVICES TO INDIVIDUALS WITH SUBSTANCE USE DISORDERS (SUD) WHO ARE INCARCERATED IN COUNTY JAILS**

**WHEREAS**, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and

**WHEREAS**, The state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and

**WHEREAS**; There remains a significant gap in the treatment and support in the continuum of care being developed by the state and that is available in local jails; and

**WHEREAS**, Individuals who suffer from SUD's frequently come into contact with the criminal justice system; and

**WHEREAS**, The link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails; and

**WHEREAS**, Alcohol and drugs are implicated in roughly 80 percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public order offenses; and

**WHEREAS**, According to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, that surveyed County Sheriffs indicated that of the individuals detained in their jail on drug-related charges, 68 percent had been in their jail before; and

**WHEREAS,** Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and

**WHEREAS,** Just over 50% of New York State localities report that they have no funding for SUD treatment services in their jails; and

**WHEREAS,** In NYS, counties bear the sole burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and

**WHEREAS,** 51 percent of jails have no funding for substance use disorder treatment services despite strong evidence that these services reduce crime, save money, and save lives and 53 percent of jails do not have the capacity to directly transition addicted inmates to community treatment programs upon re-entry; and

**WHEREAS,** A New England Journal of Medicine study found that in the first two weeks after release, former inmates with an opioid use disorder were 12.7 times more likely than other individuals to die of an overdose; and

**WHEREAS,** A comprehensive re-entry plan is critically important to minimizing the possibility of drug use, overdose and recidivism and that for those jails that do have some treatment services, those services are far outpaced by the escalating need for them; and

**WHEREAS,** The benefits of providing effective SUD services in the jail setting have proven significant where they occur and a handful of localities in New York State have been able to support a level of service through local funding are reaping significant benefits; and

**WHEREAS,** In Albany County, the jail-based Sheriffs Heroin Addiction Recovery Program (SHARP) provides SUD treatment during incarceration and support services after release, resulting in a 28% reduction in recidivism rate; and

**WHEREAS,** New York State's own analysis of the costs and benefits of jail-based SUD treatment found that communities realize a savings of \$2,846.00 per person served and that there are 13 fewer victimizations per 100 people served; and

**WHEREAS,** In the property tax cap era, a dedicated State funding stream to counties is desperately needed to provide SUD treatment services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and

**WHEREAS,** Counties are requesting funding of \$12.8 million annually to the LGU's to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for



the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and be it

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

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

**#24**

**RESOLUTION NO. 18-126  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH AND THE GOVERNOR TO ENSURE LONG TERM VIABILITY TO OMH FUNDED HOUSING PROGRAMS FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS THROUGH SUPPORT OF THE "BRING IT HOME" INITIATIVE**

**WHEREAS**, Safe and affordable housing with supports is an essential component of recovery for many people with serious mental illness; and

**WHEREAS**, The OMH funded housing system currently serves approximately 40,000 individuals with serious psychiatric disabilities, who often have significant medical conditions and substance use disorders; and

**WHEREAS**, The OMH community based housing programs include several levels of care including, Community Residences (CRs), Apartment Treatment Programs (Treatment Apartments), Supported Scatter-Site Housing (Supported Housing), Community Residence — Single Room Occupancy (CR-SRO), and Supported Single Room Occupancy (SP-SRO); and

**WHEREAS**, These OMH Housing program models were developed over 30 years ago in the late 1970's and early 1980's and the requirements for the services and the staff needed to provide the services reflect the needs of clients at that time; and

**WHEREAS**, These programs are expected and required to serve the clients with the highest and most challenging psychiatric needs, manage the health and mental health for many clients with a co-occurring substance use disorder, and manage complicated medication regimens to treat their behavioral and other co-morbid chronic conditions such as heart disease, diabetes, high blood pressure, high cholesterol and pulmonary disease; and

**WHEREAS**, The program models originally were not created to serve these clients and the state has consistently failed to provide adequate funding to effectively support services to those with the highest needs; and

**WHEREAS,** For example, the Community Residences and Supported Single Room Occupancy (SP-SRO's) programs have received a total increase of just 10% over the last 27 years — less than 3 tenths of a percent per year; and

**WHEREAS,** The licensed Community Residence program — the highest level of care in the state outside of a hospital - is struggling under minimal staff levels that were developed in 1984, when clients had much fewer and less challenging needs; and

**WHEREAS,** The County Directors of Community Services (DCSs) are responsible for operation of the Assisted Outpatient Treatment (AOT) programs in their counties which is the court-ordered outpatient treatment which includes ensuring safe and appropriate housing; and

**WHEREAS,** DCSs throughout the state report significant waiting lists for housing and it is becoming increasingly more difficult to find an OMH housing bed that both offers the high level of services needed and that is staffed appropriately to safely serve the population; and

**WHEREAS,** The insufficient housing reimbursement is further reducing capacity and cutting access to care as housing providers will be left no choice but to close a portion of their existing housing beds which will cut off access to this vital resource for AOT and other high-needs clients; and

**WHEREAS,** Decades without an adequate rate increases for OMH Housing has pushed housing providers to their tipping point where they will be forced to take down critically needed housing beds which will create a crisis situation; and

**WHEREAS,** The new supportive housing units the state has promised to develop will be funded at a much higher rate than the exact same existing units; and

**WHEREAS,** Housing is the single most significant social determinant to health outcome and if individuals cannot be housed safely, all other state investment in their recovery will be undermined; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the Governor and the Office of Mental Health to support the "Bring it Home" campaign's request for \$125 million in funding to preserve the long-term viability of the existing 40,000 units of OMH Housing and ensure New Yorkers with serious mental illness and other complex conditions have access to the housing they deserve; and be it

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

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

**#25**

**RESOLUTION NO. 18-127**  
**(March 13, 2018)**

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

**RESOLUTION SUPPORTING AN END TO ADMINISTRATIVE FUNDING 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 county health departments and New York City are essential to the overall health of the state's residents and communities, and crucial to the success of the state's Medicaid Redesign Team efforts; and

**WHEREAS**, Unhealthy community environments lead to incidents such as the discovery of PFOA in drinking water supplies in Rensselaer County and other areas of the state, which has presented significant disease risks to the residents of these communities; and

**WHEREAS**, New Yorkers can be, and have been, exposed to deadly communicable diseases such as Ebola, the harmful Zika virus, and other communicable diseases that may arrive from other nations via global travelers at any time; and

**WHEREAS**, Stable and timely funding to support core public health services delivered by local health departments under Article 6 of the Public Health Law is necessary for the protection of all communities within New York State; and

**WHEREAS**, Article 6 of the Public Health Law currently provides a base grant of either a set amount or a per capita rate of local health department (LHD) expenditures on core public health services, and then State reimbursement for 36% of LHD costs beyond the base grant; and

**WHEREAS**, The state has reduced its annual appropriations for Article 6 Public Health spending by 40% over the last several years; and

**WHEREAS**, New York State does not allow local government to recover any of its necessary expenditures on fringe benefits for local health department personnel who provide core public health services mandated under Article 6; and

**WHEREAS**, In state fiscal year 2011-12, the State eliminated the allowance of state aid for so-called "optional services" by local health departments, such as early intervention administration, medical examiners, dental health services, some environmental health activities, certified home health agencies, and more; and

**WHEREAS**, The reduction and potential 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**, New York State Department of Health (DOH) has frequently applied changing and inconsistent standards in what it allows as state aid claims; and

**WHEREAS**, State agency administrative reductions to Article 6 State Aid reimbursement have a negative impact on the ability of local health departments to protect the public, including:

- enforcing regulations intended to reduce the incidence and risk of Legionnaire's Disease;
- eliminating the HIV/AIDS epidemic;
- preventing and controlling the spread of communicable diseases;
- responding to the current heroin and opioid epidemic;
- ensuring the safety of the food we eat, the water we drink, and the air we breathe;
- ensuring the safety of New Yorkers in camps, beaches, and other recreational venues;
- preventing major causes of death and chronic disease such as heart disease, diabetes, asthma and cancer;
- monitoring and control of insect-borne diseases such as Lyme Disease, West Nile Virus, EEE and Zika;
- 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 fiscal 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; and

**WHEREAS**, More than 50 of the State's 58 local Health Departments bear responsibility for ensuring access to Early Intervention (EI) services; and

**WHEREAS**, The State's NYEIS system and state fiscal agency takeover have been plagued with problems resulting in increased administration costs and lower reimbursements for counties; and

**WHEREAS**, This additional fiscal burden for EI has a negative impact on counties' ability to provide funding for core public health services; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor to reject the proposed funding pools and restore the proposed 20% reduction in funds and compensate, within the 2018-19 Executive Budget and subsequent budget years, for significant state funding cuts to local health departments since 2010 by taking the following steps in the Article 6 State Aid for General Public Health Work base grants and reimbursement rates:

1. Instruct the Division of Budget and NYSDOH to end administrative actions that will result in further erosion of state aid to local health departments;
2. Increase the base grants that ensure more of the public health services are eligible for 100 percent reimbursement of local expenditures: a) Increase the base grant to Full Service LHDs (i.e. those with environmental health units) from \$650,000 to \$750,000; b) Increase the base grant to Partial Service LHDs (i.e. those with environmental health units) from \$500,000 to \$550,000; c) Increase the per capita rate for the largest counties from 65 cents per resident to \$1.30.
3. Increase the beyond-base-grant state aid reimbursement rate from 36% to 38%.
4. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation; and

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

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

*Joint Resolution*  
**#26**

**RESOLUTION NO. 18-128**  
**(March 13, 2018)**

By Ms. Ryan, Chairman of the Public Health Committee and Mr. Copeland, Chairman of the Public Safety Committee:

**RESOLUTION SUPPORTING CONTINUED PRIORITIZATION OF HEROIN AND OPIOID ABUSE PREVENTION AS A TOP PUBLIC SAFETY, PUBLIC HEALTH, AND MENTAL HEALTH FOCUS IN NEW YORK STATE FOR 2018**

**WHEREAS**, Communities across the nation and New York State are seeing a dramatic increase in the use of heroin and opioid abuse; and

**WHEREAS**, In 2016, according to the United States Department of Health and Human Services, health care professionals dispense more than 650,000 prescriptions and 3,900 people initiate nonmedical use of prescription opioids for the first time; and

**WHEREAS,** Opioid and heroin addiction often starts from the dependence of such painkillers as Oxycodone, OxyContin and Percocet; and

**WHEREAS,** As this epidemic has grown, it has become increasingly clear that the addiction does not discriminate: it can happen in any household, in any family, in any neighborhood, and in any community; and

**WHEREAS,** The addiction, abuse, and illegal use of heroin and opioids has an impact on many areas of county government ranging from public safety, public health, mental health, and corrections; and

**WHEREAS,** When prescription opioids become too expensive and difficult to obtain, opioid addicted individuals often turn to heroin, which is more readily available and much cheaper to obtain; and

**WHEREAS,** Opioid and heroin addictions have reached crisis proportions and the Federal Government, New York State and counties across the state have created programs designed to combat the illegal use of these drugs; and

**WHEREAS,** In order to help monitor this growing problem, in 2013 the State instituted the Internet System for Tracking Over-Prescribing (ISTOP) and the Prescription Drug Monitoring Program (PDMP) to prevent prescription opioid abuse by tracking the prescribing and dispensing of controlled prescription drugs to patients; and

**WHEREAS,** In 2014, Attorney General Schneiderman established the Community Overdoses Prevention (COP) program that gives eligible law enforcement agencies funding for access to naloxone, which is also known as Narcan; and

**WHEREAS,** By leveraging \$5 million of funds appropriated from crime seizure monies through the 2014/15 Enacted State Budget, the Attorney General provided funding to offset the cost of a "naloxone kit" for every sworn officer in the state; and

**WHEREAS,** The 2016/17 and 2017/18 Enacted Budgets included collectively over \$500 million to provide funding for constructing and rehabilitating facilities, expanding support and treatment services, providing aid to localities, and providing preventative services; and

**WHEREAS,** Counties across the nation under the leadership of the National Association of Counties (NACo) have joined together to create a joint National Taskforce, which Erie County Executive Mark Poloncarz served on, and provided the information directly to all the counties across New York State; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors thanks the National Association of Counties, the Governor and the State Legislature for making heroin and opioid abuse a top public safety, public health, and mental health priority and urges them to continue to do so until the epidemic is defeated; and be it

**FURTHER RESOLVED**, County officials support increased funding to be included in the final 2018-19 state budget to support the Office of Alcohol and Substance Abuse Services (OASAS) to enhance prevention, treatment and recovery programs, residential service opportunities, and public awareness and education activities; and be it

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

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

*After passage of resolutions #20 through #26, Chairman Berwanger invited Supervisor Ryan, T/Warsaw to the podium to present the **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** proclamation. Supervisor Ryan then recognized the following ARC Representatives:*

- *Martin Miskell/Exec. Director;*
- *Cheryl Englert/Board President;*
- *Wally Gee/Self Advocacy Group Vice Pres.*
- *Lisa Irwin/Self Advocate*
- *Mari Miller/Public Relations (Foundation Member)*
- *Susanne Johnson/Public Relations*
- *Jeff Thomas/Public Relations (Senior Staff);*
- *Marcy VanZandt/Board Member*
- *Eric Parker/Board Member*
- *Mike Fitch/Strategic Development (Senior Staff)*

*The proclamation was read and presented to ARC representatives...*

*A few of the representatives took the opportunity to thank the Board of Supervisors for their continued support...*

*There was a motion by Mr. Kehl T/Attica, to combine resolutions #27 through #29. Hearing no objection resolution titles were read.*

**#27**

**RESOLUTION NO. 18-129  
(March 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE  
NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS ON  
BEHALF OF ANIMAL CONTROL**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County

Attorney is authorized to sign a grant acceptance award with the *New York State Department of Agriculture and Markets*, 10B Airline Drive, Albany, NY 12235 on behalf of Animal Control. Said grant to fund capital infrastructural improvements to the Animal Shelter in a minimum amount of one hundred thousand dollars (\$100,000.00); effective two (2) years from the date of execution.

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

**#28**

**RESOLUTION NO. 18-130  
(March 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**RESOLUTION TO SUPPORT FUNDING FOR FARMLAND PRESERVATION AND  
AGRICULTURE LOCAL ASSISTANCE PROGRAMS**

**WHEREAS**, The agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our state and beyond; and

**WHEREAS**, The agricultural sector, farms and related food system are major economic engines in New York State; and

**WHEREAS**, The enacted 2017/2018 budget allocated \$20 million to farmland protection and \$32,899,000 to agriculture local assistance programs; and

**WHEREAS**, The Governor's 2018/19 proposed budget, released on January 16, 2018, allocated \$20 million to farmland preservation and \$21,421,000 to agriculture local assistance programs; and

**WHEREAS**, New York's farmland protection and agriculture assistance programs help sustain this vital industry; and

**WHEREAS**, While funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years; and

**WHEREAS**, More than 30 percent of the farmers in New York State, who cultivate two million acres of land, are 65 years of age or older; and

**WHEREAS**, Research shows that over 90 percent of these senior farmers do not have a young farmer working alongside them to help manage their business; and

**WHEREAS**, Farmland in transition is most vulnerable to being sold out of farming; and



**WHEREAS,** Access to affordable land suitable to starting a new farm operation is the number one barrier that new and beginning farmers face when trying to get started; and

**WHEREAS,** There were 30 percent fewer young farmers in New York in 2012 than in 2002; and

**WHEREAS,** Farmland protection is an important contributor to successful farmland transition and affordable farmland access; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at \$20 million and agriculture local assistance programs at \$32,899,000 in the FY 2018/19 budget; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls upon the State of New York to fund a Farmland for a New Generation Program, which would help to ensure that the two million acres expected to be transferred over the next decade stays in farming by creating a centralized statewide resource center, website and first point of contact, while also building regional capacity within New York to assist with farmland access and transfer; and be it

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

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

**#29**

**RESOLUTION NO. 18-131  
(March 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY  
SOIL AND WATER CONSERVATION DISTRICT FOR  
AGRICULTURE DISTRICT REVIEWS**

**BE IT RESOLVED,** That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Wyoming County Soil and Water Conservation District, 36 Center Street, Suite D, Warsaw, NY 14569 to provide agriculture district reviews for the County of Wyoming in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 1, 2017 through December 31, 2017.

Contingent upon the availability of funds.

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

**4-H PUBLIC SPEAKING PRESENTATIONS ~**

Holly Harwood, Cornell Cooperative Extension 4-H Community Educator introduced the following presenters...

- *Kyle Carpenter ~ Town of Attica*
  - “How to Tap a Maple Tree”
  
- *Ashton Wilcox ~ Town of Sheldon*
  - “How to Show a Calf”

**PRESENTATION ~**

- Pioneer FFA named 2017 Chapter of the Year by the New York State Agricultural Society at its 186<sup>th</sup> annual meeting held on January 4, 2018.
  - Officers of the FFA chapter presented a power point presentation of their accomplishments that led to the above mentioned designation...

**PRESENTATION ~**

- *Paul Harvey Video*
  - *God made a farmer...*

*There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #30 through #39 and respectfully requested that the Boards’ Rules of Procedure rule #27 Division of Questions, be invoked in order for a separate vote to be taken on resolution number #40. Hearing no objection resolution titles were read.*

**#30**

**RESOLUTION NO. 18-132  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR GLOW REGION 2018 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM**

**WHEREAS**, in January of 2017 the GLOW Committee issued a Request for Proposals for professional services to hazardous waste service providers to conduct household hazardous waste collection days; and

**WHEREAS**, On May 24, 2017, the GLOW Committee adopted Resolution No. 17-03 recommending Environmental Enterprises, Inc. as the contractor responsible for collection, transportation and disposal of unwanted and/or unusable household hazardous waste from GLOW region residents, and;

**WHEREAS,** The term of this contract was for one year, with a possible second year extension at the same pricing and a possible third year extension with pricing to be renegotiated; and

**WHEREAS,** The GLOW Committee desires to exercise the first extension option in 2018; and

**WHEREAS,** The GLOW Committee desires to hold this collection on September 15, 2018, at the Wyoming County Highway Facility, 4328 Route 19 South, Silver Springs, NY 14550; and

**WHEREAS,** The GLOW Region Solid Waste Management Committee will apply for funding from the New York State Department of Environmental Conservation (NYSDEC) for a Household Hazardous Waste Collection Project in 2019 in the amount of forty thousand dollars (\$40,000.00); now therefore

**BE IT RESOLVED,** That upon approval of the contract by the County Attorney, and on behalf of the GLOW Region Solid Waste Management Committee, the Chairman of the Wyoming County Board of Supervisors is authorized to sign the contract with Environmental Enterprises, Inc., as the contractor for the GLOW Region 2018 Household Hazardous Waste Collection Program in an amount not to exceed twenty five thousand dollars (\$25,000.00), the source of funds being GLOW County contributions and anticipated state revenues appropriated from the NYSDEC.

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

**#31**

**RESOLUTION NO. 18-133  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION IN SUPPORT OF NEW YORK STATE SENATE BILL S.7000 AND  
NEW YORK STATE ASSEMBLY BILL A.8846 TO AMEND COUNTY LAW IN  
RELATION TO ALLOWING WYOMING COUNTY TO PARTICIPATE  
IN THE FOREIGN-TRADE ZONE PROGRAM**

**WHEREAS,** Subdivision 17 of Section 224 of the County Law, as amended by Chapter 651 of the Laws of 1985 provides that the County of Erie may make application to the Foreign-Trade Zone Board established by the act of Congress, approved June 18, 1934 and entitled, *“An act to provide for the establishment, operation and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes”*; and

**WHEREAS,** Said act grants Erie County the privilege, subject to the approval of such application, to establish, operate and maintain foreign-trade zone or zones within such county, pursuant to the provisions of such act and includes the location of sub-zones in the counties of Monroe, Cattaraugus and Chautauqua; and

**WHEREAS**, Senate Bill S.7000 and Assembly Bill A.8846 have been introduced into the New York State Senate and Assembly respectively to amend Section 1, Subdivision 17 of section 224 of the County Law, as amended by Chapter 651 of the law of 1985, to allow a sub-zone to be located in Wyoming County; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves and encourages the adoption and passage of said Senate Bill S.7000 and Assembly Bill A.8846 entitled “*An Act to amend the County Law, in relation to allowing Wyoming County to participate in the Foreign-Trade Zone Program*”.

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

*Local Law  
#32*

**RESOLUTION NO. 18-134  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. B YEAR 2018**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13<sup>th</sup> day of March, 2018, a proposed local law entitled, “Local Law Introductory No. B Year 2018, “**A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM IN WYOMING COUNTY,**” and

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

**BE IT RESOLVED**, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the *10<sup>th</sup> day of April, 2018 at 2:30 PM in the Supervisors’ Chambers, 2<sup>nd</sup> Floor of the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.*

**INTRODUCTORY LOCAL LAW NO. B - YEAR 2018**

A Local Law Amending Local Law No. 1 of the Year 2017 entitled “*A Local Law Establishing a Sustainable Energy Loan Program in the County of Wyoming*”.

Be it enacted by the Board of Supervisors for the County of Wyoming as follows:

Section 1. Section 1 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 1. TITLE.** This Local Law shall be known as the “Energize NY Benefit Financing Program” and shall read as follows:

Section 2. Section 2 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 2. LEGISLATIVE FINDINGS, INTENT AND PURPOSE, AUTHORITY.**

a. It is the policy of both the County and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County Board of Supervisors finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of renewal energy systems and energy efficiency measures. This Local Law establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County, pursuant to the municipal agreement to be entered into between the County and EIC pursuant to Article 5-G of the New York General Municipal Law (the “Municipal Agreement”) to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this Local Law and fulfilling an important public purpose.

b. The County is authorized to implement this Energize NY Benefit Financing Program pursuant to the Municipal Home Rule Law and Article 5-L of the New York General Municipal Law.

Section 3. Section 3 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 3. DEFINITIONS.**

For purposes of this Local Law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated.

**Authority.** The New York State Energy Research and Development Authority, as defined by subdivision two of Section Eighteen hundred Fifty-one (§1851(2)) of the Public Authorities Law or its successor.

**County.** Wyoming County, State of New York.

**EIC.** The Energy Improvement Corporation, a local development corporation, duly organized under Section Fourteen hundred Eleven (§1411) of the Not-for-Profit Corporation Law, authorized hereby on behalf of the County to implement the Energize NY Benefit Financing Program by providing funds to qualified property owners (as defined in this Local Law) and providing for repayment of such funds from monies collected by the County tax collecting officer as a charge to be levied on the real property and collected in the same manner and same form as the County taxes.

**Energy Audit.** A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

**Energy Efficiency Improvement.** Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weatherstripping, air sealing, insulation and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by the Authority not including lighting measures or household appliances that are not permanently fixed to real property.

**Qualified Property Owner.** An owner of residential or commercial real property located within the boundaries of the County that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this Local Law.

**Renewable Energy System.** An energy generating system for the generation of electric or thermal energy, to be used primarily as such property, except when the Qualified Property Owner is a commercial entity in which case the system may be used for other properties in addition to the subject property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

**Renewable Energy System Feasibility Study.** A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

Section 4. Section 4 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 4. ESTABLISHMENT OF AN ENERGIZE NY BENEFIT FINANCING PROGRAM.**

a. An Energize NY Benefit Financing Program is hereby established by the County, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may provide funds to Qualified Property Owners in accordance with the procedures set forth under this Local Law, to finance the acquisition, construction and installation of Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.

b. For funds provided to a Qualified Property Owner which is a commercial entity, not-for-profit organization, or entity other than an individual, EIC shall have the authority to impose requirements on the maximum amount of funds to be provided, which may consider factors, including, but not limited to, the property value, projected savings, project cost and existing indebtedness secured by such property.

c. For financing made to a Qualified Property Owner who is an individual, the funds provided shall not exceed the lesser of: (i) ten percent (10%) of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or (ii) the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

Section 5. Section 5 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 5. PROCEDURES FOR ELIGIBILITY**

a. Any property owner in the County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County offices.

b. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in Section 6 of this Local Law. EIC may also request further information from the property owner where necessary to aid in its determination.

c. If a positive determination on an application is made by EIC acting on behalf of the County, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under Section 7 of this Local Law; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

Section 6. Section 6 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 6. APPLICATION CRITERIA.**

a. Upon submission of an application, EIC acting on behalf of the County shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- i. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective based on guidelines issued by the Authority;
- ii. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding.
- iii. The amount financed under the Energize NY Benefit Financing Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- iv. Sufficient funds are available from EIC to provide financing to the property owner;
- v. The property owner is current in payments on any existing mortgage;
- vi. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three (3) years; and
- vii. Such additional criteria, not inconsistent with the criteria set forth above, as the County, or EIC acting on its behalf, may set from time to time.

Section 7. Section 7 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 7. OPT-IN, ENERGIZE NY FINANCE AGREEMENT.**

- a. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an Energize NY Finance Agreement made by and between the Qualified Property Owner and EIC acting on behalf of the County (the “Energize NY Finance Agreement”).
- b. Upon execution of the Energize NY Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of the County, for the acquisition, construction and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of Section 8 of this Local Law have been met.



c. The Energize NY Finance Agreement shall include the terms and conditions of repayment set forth under Section 9 of this Local Law.

Section 8. Section 9 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 9. TERMS AND CONDITIONS OF REPAYMENT.** The Energize NY Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the County shall set forth the terms and conditions of repayment in accordance with the following.

a. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on their real property tax bill and shall be levied and collected at the same time and in the same manner as County property taxes, provided that such charge shall be separately listed on the tax bill. The County shall make payment to EIC or its designee in the amount of all such separately listed charges within thirty (30) days of the date the payment is due to be made to the County.

b. The term of such repayment shall be determined at the time the Energize NY Finance Agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by the EIC acting on behalf of the County.

c. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County at the time the Energize NY Finance Agreement is executed by the property owner and EIC.

d. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program as set forth in Article 5-L of the General Municipal Law and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

Section 9. Section 10 of Local Law No. 1 of the Year 2017 is hereby amended to read as follows:

**SECTION 10. VERIFICATION AND REPORT.**

a. EIC shall be responsible for verifying and reporting to the County on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such Program.

b. The County shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements

financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

Section 10. Effective Date.

This Local Law shall take effect upon filing with the Secretary of State.

DATED at Warsaw, New York  
March 13, 2018 (Introduced)  
Cheryl J. Ketchum,<sup>CMC</sup>  
Clerk to the Board

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:** #33

**RESOLUTION NO. 18-135  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE  
NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY  
(NYSERDA) ON BEHALF OF PLANNING AND DEVELOPMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant acceptance award with the *New York State Energy Research and Development Authority (NYSERDA)*, Clean Energy Communities Program, 17 Columbus Circle, Albany, NY 12203 on behalf of Planning and Development. Said grant to fund a solar array in a minimum amount of one hundred fifty thousand dollars (\$150,000.00); effective through September 30, 2019.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:** #34

**RESOLUTION NO. 18-136  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION NUMBER 17-254 AMENDED**

**WHEREAS**, Resolution Number 17-254 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON BEHALF OF PLANNING AND DEVELOPMENT**,” passed by this Board of Supervisors on June 13, 2017 and authorized sign a grant acceptance award with the New York State Department of Environmental Conservation, Office of Climate Change, 625 Broadway, Albany, NY 12210 on

behalf of Planning and Development. Said funding is for the construction of an Electric Vehicle Charging Station (EVCS) in the Village of Warsaw in a minimum amount of fourteen thousand sixteen dollar (\$14,016.00); effective November 1, 2016 through October 31, 2018; now therefore

**BE IT RESOLVED**, That *Resolution Number 17-254* be hereby amended to correct the minimum amount of fourteen thousand sixteen dollar (\$14,016.00) to twelve thousand nine hundred thirty-one thousand and sixty-six cents (\$12,931.66).

All else remains the same.

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

**#35**

**RESOLUTION NO. 18-137  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION CALLING FOR AMENDMENTS TO THE NEW YORK STATE  
ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT AND URGING THE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO EXPEDITE THE  
PROMULGATION OF RELATED REGULATIONS**

**WHEREAS**, The New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State 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 waste stream planning units throughout New York's counties bearing more of the fiscal 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 many 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 manufacturers continue to dodge their legal responsibility to accept electronic waste; and

**WHEREAS,** The Act empowers the DEC to promulgate regulations that could address many of the shortcomings in the law, and, in 2016, the DEC began the rulemaking process by holding preliminary workshops and accepting comments via email; and

**WHEREAS,** The issue is exacerbated by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

**WHEREAS,** This has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; and

**WHEREAS,** the Fiscal Year 2016-17 appropriation for the Environmental Protection Fund assists municipalities by making \$3 million available to reimburse up to 50 percent of expenses incurred for the collection/recycling of e-waste; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to create a more stable and comprehensive manufacturer-implemented electronics recycling infrastructure; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls on state lawmakers to help alleviate the financial and administrative burden on municipalities who are dealing with these electronics by continuing to fund the reimbursement of expenses incurred collecting and recycling e-waste; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors calls on state lawmakers to implement actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of changes to the Act that will provide for year-round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations that help alleviate the immediate financial pressures faced by local governments; and be it

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

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

**#36**

**RESOLUTION NO. 18-138  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION OPPOSING THE REPEAL OF NET NEUTRALITY AND URGING THE GOVERNOR AND LEGISLATURE TO ENSURE NET NEUTRALITY PROTECTIONS FOR NEW YORKERS**

**WHEREAS**, In 2015, the Federal Communications Commission (FCC) adopted historic Net Neutrality rules to allow Americans to share and access information on the internet without having content sped up, slowed down, or blocked by internet service providers; and

**WHEREAS**, In December 2017, the FCC voted to dismantle the Net Neutrality rules, thereby threatening the free exchange of information, enabling price-gouging, and stifling innovation; and

**WHEREAS**, The FCC's ruling may hurt the competitiveness of small, rural businesses in New York State, which rely on the internet to reach their customers and cannot afford to pay premiums to speed up the delivery of their content; and

**WHEREAS**, Eliminating net neutrality will further harm broadband competition and raise prices in rural areas, which are already unserved or underserved; and

**WHEREAS**, New York Attorney General Eric T. Schneiderman, in recognition of the impact the FCC's decision has on New York customers, announced that he will lead a multistate lawsuit to stop the rollback of net neutrality; and

**WHEREAS**, Senator Carlucci and Assemblymember Fahy introduced legislation (57183/A8882) that, if adopted, would direct New York's Public Service Commission (PSC) to establish a process for internet service providers (ISPs) to certify that they follow net neutrality principles and require New York State agencies, public authorities and municipalities to contract with only ISPs certified by the PSC to follow net neutrality principles; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the New York State Assembly to work to reverse the FCC's repeal of net neutrality and pass legislation to ensure that net neutrality protections remain in place in New York 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, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

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

**#37**

**RESOLUTION NO. 18-139  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING INVESTMENTS IN SHOVEL-READY/MARKET-READY SITES TO MAKE NEW YORK MORE COMPETITIVE FOR ECONOMIC DEVELOPMENT PROJECTS**

**WHEREAS**, New York State has the opportunity to compete for large-scale, job-creating projects with other sites around the globe; and

**WHEREAS**, The "time to market" for an economic development project is longer in New York State than most competing areas; and

**WHEREAS**, Economic development sites lack access to necessary infrastructure, be it water, sewer, roads, or utilities, as compared to other competing sites; and

**WHEREAS**, New York State has shown success with attracting large-scale economic development projects in the past; and

**WHEREAS**, Programs used to be available to support critical investments attracting large-scale transformative projects; and

**WHEREAS**, Reactivating and funding a Build Now/Shovel-Ready Certification Program would incentivize planning and developing market-ready sites across New York State; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports New York State investing \$50 million in the Market-Ready Site Program, which will expedite the timeline for project completion and attract future investments to New York 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, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 18-140  
(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING LEGISLATION GIVING INDUSTRIAL DEVELOPMENT AGENCIES (IDAS) THE ABILITY TO PROVIDE LOANS AND GRANTS TO STIMULATE ECONOMIC INVESTMENT AND JOB CREATION IN NEW YORK STATE**

**WHEREAS**, New York State faces a pending budget crisis and a potential \$4 billion deficit; and

**WHEREAS**, Economic development is the main priority to broaden our tax base, create jobs, and attract future investment; and

**WHEREAS**, IDAs used to be able to reinvest their revenues in the communities they serve through loans and grants; and

**WHEREAS**, Restrictive legislation passed in 2008 prevents IDAs from providing loans, grants, or civic activity bonds; and

**WHEREAS**, The 2008 legislation had a negative impact on New York State by limiting capital that could be invested to develop infrastructure, create jobs, provide early stage seed funding, create workforce development programs, and increase downtown revitalization; and

**WHEREAS**, Several IDAs have reserves that could be directly invested in local communities to stimulate economic growth; and

**WHEREAS**, IDAs worked collaboratively with the Office of State Comptroller (OSC) on groundbreaking legislation in 2016 to improve reporting, transparency and accountability; now therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports legislation authorizing IDAs to use the funds they have to provide loans and grants within their regions to create jobs, leverage private investment, and improve the economic climate and quality of life across New York 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, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 18-141**  
**(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION SUPPORTING THE CREATION OF AN INDUSTRY-SPONSORED  
PAINT STEWARDSHIP PROGRAM TO REDUCE THE COSTLY BURDEN FACED BY  
LOCAL GOVERNMENTS WHEN COLLECTING AND DISPOSING OF POST-  
CONSUMER PAINT**

**WHEREAS**, New York State residents purchase over 39.2 million gallons of paint annually and nearly 4 million gallons of it go unused and will need recycling; and

**WHEREAS**, Even though paint is highly recoverable, reusable, and recyclable, most leftover latex paint ends up in landfills; and

**WHEREAS**, Oil-based paint is considered hazardous waste, and is the most expensive product for household hazardous waste (HHW) programs to manage, costing local governments across the country up to 50 percent of their total HHW budgets; and

**WHEREAS**, Options to drop off unused paint at point-of-purchase locations are limited and as a result instead of being properly disposed of through periodic household hazardous waste collections, unused paint ends up being tossed in the trash or washed down the drain; and

**WHEREAS**, Other states across the country have successfully implemented paint stewardship programs. Oregon has collected and recycled over 1 million gallons of paint since its program was implemented in 2010, and in California over 350 new collection locations are now accepting paint for recycling; and

**WHEREAS**, The implementation of a state-wide industry-sponsored paint stewardship program in New York State would greatly reduce this burden on local governments to collect and manage the disposal of paint and could potentially save counties millions of dollars annually. Additionally, paint recycling produces new jobs within New York State; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to create an industry-sponsored paint stewardship program to reduce burdens on local governments when collecting and disposing of post-consumer paint; 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, New York State Assemblyman David DiPietro, the New York State Department of Environmental Conservation, the New York State Association of Counties and all others deemed necessary and proper.



**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:    *Non-Consent***  
**#40**

**RESOLUTION NO. 18-142**  
**(March 13, 2018)**

By Mr. Leuer, Chairman of the Planning Committee:

**RESOLUTION TO AMEND SECTION 224 OF THE NEW YORK STATE COUNTY  
LAW TO CLARIFY COUNTIES MAY APPROPRIATE FUNDS TOWARDS THE  
DEVELOPMENT, MAINTENANCE, OR MANAGEMENT OF  
AFFORDABLE HOUSING**

**WHEREAS**, Section 224 of the New York State County Law provides the option for a county to appropriate and contract for public benefit services, and specifically to contract with non-profit organizations and other corporations, associations and agencies within the county for the purposes listed in Section 224; and

**WHEREAS**, The list of objects and purposes for these optional appropriations and contracts for public benefit services does not explicitly include the development, maintenance, or management of affordable housing; and

**WHEREAS**, Counties in the state of New York are permitted to spend Federal and state funds provided to them for the purposes of developing, maintaining, or managing affordable housing and to contract with other organizations to carry out these purposes; and

**WHEREAS**, Some counties have found due to their specific resident needs and demographics, the federal and state governments offer an inadequate supply of funding towards affordable housing; and

**WHEREAS**, An adequate supply of affordable housing that is well maintained and managed is important to positively impact the health, safety, and well-being of many individuals and families throughout the state of New York; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby calls on the Governor and State Legislature to amend Section 224 of the New York State County Law to clarify that Tompkins County may have the option to use their own funds if they seek to add to the federal and state funding for affordable housing; and be it

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

**Carried: XXX    Ayes: 1207    Noes: 172 (Arcade)    Absent:    Abstain:**

19 (Genesee Falls)  
201 (Warsaw)  
392 Total

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #41 through #51. Hearing no objection resolution titles were read.*

**#41**

**RESOLUTION NO. 18-143  
(March 13, 2018)**

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

**CRIME VICTIMS' RIGHTS WEEK PROCLAIMED**

**WHEREAS**, Americans are the victims of more than 26 million crimes each year, and crime can touch the lives of anyone regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status; and

**WHEREAS**, Many victims face challenges in finding appropriate services, including victims with disabilities, young victims of color, deaf and hard of hearing victims, LGBTQ victims, tribal victims, elder victims, victims with mental illness, immigrant victims, teen victims, victims with limited English proficiency, and others. The entire community has a role to play; and

**WHEREAS**, Involving survivors helps victim service providers and criminal justice professionals understand the culture, values, and expectations of under and unserved victims who seek assistance and justice. Engaging victims' communities and learning from leaders about their unique needs helps service providers foster a supportive and culturally relevant atmosphere in which victims seek help and healing; and

**WHEREAS**, Incorporating communities' existing experts and trusted sources of support into efforts to fully serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime. Victims know best how to direct and manage their own lives, and true recovery from crime will incorporate a victim's cultural, religious, economic, social, and personal interests; and

**WHEREAS**, With the full weight of their community and victim service providers behind them, survivors will feel empowered to face their grief, loss, fear, anger, and shame, without fear of judgment and will feel understood and worthy of support; and

**WHEREAS**, Wyoming County is hereby dedicated to building partnerships with trusted sources of support, including community leaders, religious groups, schools, and other agencies to better reach and serve all victims of crime, no matter their community; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim the week of April 8-14, 2018, as:

**CRIME VICTIMS' RIGHTS WEEK**  
in Wyoming County

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

**RESOLUTION NO. 18-144**  
**(March 13, 2018)**

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

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

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with *New York State Indigent Legal Services*, 90 South Swan Street, Albany, NY on behalf of the Public Defender's Office. Said grant is *Distribution Number 8* in a minimum amount of one two thousand one hundred twenty dollars (\$102,120.00); effective January 1, 2018 through December 31, 2020.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:** **#43**

**RESOLUTION NO. 18-145**  
**(March 13, 2018)**

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

**RESOLUTION NUMBER 14-088 AMENDED**

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

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

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

**WHEREAS**, That Resolution Number 14-088 as previously amended by Resolution Number 16-182 was further amended by this Board of Supervisors on September 13, 2016 by **Resolution Number 16-349** to correct the contract end date from December 31, 2018 to **December 31, 2017**; now therefore

**BE IT RESOLVED**, Resolution Number 14-088 as previously amended by Resolution Number 16-182 and Resolution Number 16-349 be hereby further amended to extend the contract end date to **December 31, 2018**.

All else remains the same.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:    #44**

**RESOLUTION NO. 18-146  
(March 13, 2018)**

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

**RESOLUTION NUMBER 13-403 AMENDED**

**WHEREAS**, Resolution Number 13-403 entitled, “**CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARDS WITH NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE**,” passed by this Board of Supervisors on December 10, 2013 and provides, in part, for the following contract:

- **Upstate Quality Improvement and Caseload Reduction** Contract C000656 for a full time Investigator in a minimum amount of \$192,758.00 over three (3) years; effective February 1, 2014 through January 31, 2017 as follows:
  - Year 1 ~ \$65,468.00
  - Year 2 ~ \$63,130.00
  - Year 3 ~ \$64,160.00

**\$192,758.00**

and;

**WHEREAS**, That Resolution Number 13-403 was previously amended by this Board of Supervisors on July 8, 2014 by **Resolution Number 14-251** to reduce the Upstate Quality Improvement and Caseload Reduction Contract C000656 in the amount of \$192,758.00 over three (3) years to \$192,458.00 as follows:

- Year 1 ~ \$65,168.00
  - Year 2 ~ \$63,130.00
  - Year 3 ~ \$64,160.00
- \$192,458.00**

and;

**WHEREAS**, That Resolution Number 13-403 as previously amended by Resolution Number 14-251 was further amended by this Board of Supervisors on December 13, 2016 by **Resolution Number 16-516** to correct the original contract dates from February 1, 2014 through January 31, 2017 to **January 1, 2014 through December 31, 2016** and also to also extend the contract end date to **December 31, 2017**; now therefore,

**BE IT RESOLVED**, That Resolution Number 13-403, as previously amended by Resolution Number 14-251 and Resolution Number 16-516 be hereby further amended to extend the contract end date through **December 31, 2018**.  
All else remains the same.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:** #45

**RESOLUTION NO. 18-147  
(March 13, 2018)**

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

**RESOLUTION NUMBER 16-515 AMENDED**

**WHEREAS**, Resolution Number 16-515 entitled, **“CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS WITH WYOMING COUNTY ATTICA LEGAL AID ON BEHALF OF THE PUBLIC DEFENDER’S OFFICE FOR THE YEAR 2017,”** passed by this Board of Supervisors on December 13, 2016 and provides, in part, for the following contract:

- **Indigent Parolee Program** in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 1, 2017 through December 31, 2017.

now therefore;

**BE IT RESOLVED**, That **Resolution Number 16-515** be hereby amended to correct the amount of the contract from one hundred eighty thousand dollars (\$180,000.00) to one hundred eighty-three thousand eight hundred twenty-three dollars and forty-four cents (\$183,823.44).

All else remains the same.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:** #46

**RESOLUTION NO. 18-148  
(March 13, 2018)**

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

**RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE**

**OF INTEROPERABLE COMMUNICATIONS, TO MORE EQUITABLY AND  
EFFICIENTLY RELEASE THE INTEROPERABLE EMERGENCY COMMUNICATION  
FUNDS AUTHORIZED**

**WHEREAS,** The funding mechanism that counties use to help operate, maintain, and upgrade 9-1-1 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes; and

**WHEREAS,** Unfortunately and unlike other states, too much funding is diverted by New York State for non-9-1-1 purposes, resulting in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement the next generation of 9-1-1 technology required under federal law; and

**WHEREAS,** Under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the state interoperable communications grants (SICG) program, administered by the division of homeland security; and

**WHEREAS,** To our understanding a total of \$150 million has been authorized for county 9-1-1 purposes, but only \$20 million has been released (\$20 million for PSAPs over the two years, while \$45 million for authorized purposes from the SFY 2016-17 Budget under a new formula based methodology, while identified, has not been made available to draw down yet); and

**WHEREAS,** The goal of upgraded 9-1-1 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other data formats to better inform the emergency responders to the situation they will be entering; and

**WHEREAS,** Upgraded systems will be able to better pinpoint an emergency caller that may be in a remote area of the state or in a skyscraper in one of our cities. Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized so far and to ensure that future authorizations are released in full in the budget year they are appropriated; and be it

**FURTHER RESOLVED,** Releasing these funding obligations on a regular schedule will provide certainty and build continuity as we upgrade and maintain existing systems and prepare for NextGen 9-1-1 development and implementation at the county level; 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, New York State Assemblyman David DiPietro, Division of Homeland Security and Emergency Services, the New York State Association of Counties and all others deemed necessary and proper.

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

**RESOLUTION NO. 18-149  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE GOVERNOR AND THE STATE LEGISLATURE TO  
PROVIDE FUNDING FOR THE STATE MANDATE PERTAINING TO INMATE  
SUPERVISION/DRUG OVERDOSE PRECAUTIONS AT COUNTY OPERATED  
CORRECTIONAL FACILITIES**

**WHEREAS**, State law requires that each county in New York "maintain a county jail," under County Law; Section 217, which further requires that within each county "the sheriff ... shall have custody of the county jail" and that they "receive and safely keep in the county jail of his county each person lawfully committed to his custody;" and

**WHEREAS**, This is the case in each county, except for New York City and Westchester, where a separate Department of Corrections has been established to manage their jails; and

**WHEREAS**, All local corrections institutions in New York State are overseen by a constitutionally-created Commission on Correction (SCOC) charged with "visiting and inspecting or causing to be visited and inspected by members of its staff, all institutions used for the detention of sane adults charged with or convicted of crime"; and

**WHEREAS**, In a local correctional facility, the sheriff's office is responsible for ensuring the safety, health, and security of all individuals who are committed to the custody of the sheriff; and

**WHEREAS**, In 2016 the SCOC Chairman issued a memorandum requiring inmate supervision for drug and alcohol overdose prevention immediately following intake of an individual to the jail suspected of being under the influence of drugs or alcohol; and

**WHEREAS**, While this practice is helpful to ensure safety, health, and security, without the proper funding, manpower and training for correction officers it is hard to implement appropriately; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to support the efficient and satisfactory implementation of this dedicated supervision by providing funding necessary to accommodate the increase in financial burden placed on taxpayers by mandating this dedicated supervision; 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, New York State Assemblyman David DiPietro, the Chairman of the State Commission of Corrections, the New York State Association of Counties and all others deemed necessary and proper.

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

#48

**RESOLUTION NO. 18-150  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE  
COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES THAT ARE SET AND  
CONTROLLED BY THE STATE**

**WHEREAS**, On December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

**WHEREAS**, The recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and approximately \$207,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

**WHEREAS**, On April 1, 2016 the state approved the Commission's recommendation; and

**WHEREAS**, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

**WHEREAS**, Historically, for over 50 years, the state has fully funded all district attorney salary increases that they imposed on the counties; and

**WHEREAS**, The District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties' position, requested in correspondences with state officials that the state fund this salary increase; and

**WHEREAS**, In 2016 and 2017 the State Legislature enacted separate \$150 billion State Budgets but did not include state funding for the \$1.6 million in costs for the increase in District Attorney salaries; and

**WHEREAS**, The state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

**WHEREAS**, The Governor and State Legislature have recognized lowering property taxes is the main priority to ensure a healthy Upstate New York Economy; and



**WHEREAS,** For some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016 and 2017; and

**WHEREAS,** In 2018, this annual unfunded mandate will increase significantly as Judicial salaries, and the D.A. Salary tied to them, will be required to increase approximately \$10,000 more; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls on the State of New York to fully fund this mandated salary increase as part of the 2018-19 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; 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, New York State Assemblyman David DiPietro, the New York State Association of Counties and all others deemed necessary and proper.

**Carried: XXX    Ayes: 1599    Noes:    Absent:    Abstain:    #49**

**RESOLUTION NO. 18-151  
(March 13, 2018)**

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

**RESOLUTION CALLING ON THE STATE TO REIMBURSE COUNTIES FOR THE  
TEMPORARY DETAINMENT OF PAROLE VIOLATORS AT  
LOCAL CORRECTIONAL FACILITIES**

**WHEREAS,** Those who violate their parole are often held at local correctional facilities while appeals and extensions on hearing the violation are granted by the court; and

**WHEREAS,** The parole violator must appear before the court within 1.0 business days of the court's notice to appear; and

**WHEREAS,** The time the violator spends in the local correctional facility is credited to their sentence and oftentimes their additional sentence is served in a local correctional facility; and

**WHEREAS,** This is causing a financial and personnel strain on local correctional facilities; and

**WHEREAS,** 5.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after in days in a local correctional facility; and

**WHEREAS,** The legislation also requires Department of Correctional and Community Supervision (DOCCS) to reimburse the local facility for the cost of the temporary detainment of the parole violator if they are not transferred to a DOCCS facility within 10 days; and

**WHEREAS**, Operating local jails imposes a significant cost to counties and it is important to implement policies that require the state to be responsible for the costs of detaining state parole violators; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to support legislation that requires parole violators be transferred to state correctional facilities after 1.0 days or reimburse counties for temporary detainment of parole violators; and be it

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

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

**RESOLUTION NO. 18-152  
(March 13, 2018)**

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

**RESOLUTION IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND ALTERNATIVE TO INCARCERATION IN NEW YORK STATE TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS, JAILS AND DETENTION**

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

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

**WHEREAS**, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2017, putting a huge strain on counties and cost to county property taxpayers; and

**WHEREAS**, At the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:

In response to *Raise the Age* legislation:

- Raise the minimum age that a youth can be charged as a juvenile delinquent from seven to twelve years old.
- Increase the maximum time frame for diversion services from four to six months for juvenile delinquents.
- Mandate that the state's evidence- based criteria should account for existing local best programs.
- Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
- Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence based programming associated with Raise the Age legislation.
- Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment; and be it

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

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

**#51**

**RESOLUTION NO. 18-153  
(March 13, 2018)**

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

**RESOLUTION URGING NEW YORK STATE TO FULLY FUND NEW COSTS INCURRED BY COUNTIES RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY, INVEST IN PROVIDER CAPACITY TO ENSURE APPROPRIATE AND MEANINGFUL SERVICES AND DIVERSION PROGRAMS ARE AVAILABLE, AND TO DEVELOP A COMPREHENSIVE TRANSITION AND WAIVER PROCESS AS COUNTIES AND NEW YORK CITY BEGIN IMPLEMENTING THE LAW**

**WHEREAS**, The state has enacted legislation to raise the age of criminal responsibility in New York effective October 1, 2018; and

**WHEREAS**, The state has indicated they will fully fund incremental costs counties incur related to raise the age provisions as long as they remain within the state imposed property tax cap; and

**WHEREAS,** Significant questions remain unanswered on how incremental costs will be defined and how counties experiencing fiscal stress will be treated in regard to state reimbursement; and

**WHEREAS,** The state currently caps funding for foster care and youth detention, limits reimbursement for other child welfare and probation programs, and is proposing the elimination of PINS funding by 2020 under the new law, causing concern among counties of a potentially significant increase in unreimbursed state mandated costs related to changing the age of criminal responsibility; and

**WHEREAS,** Structural changes to raising the age of criminal responsibility will require a significant investment in services based on a children and families social services model and a significant recalibration of the treatment of impacted youth and their families in the court, juvenile justice and educational systems; and

**WHEREAS,** The human services based models will require the need for enhanced job-training skills, significant engagement of the education system before youth need intervention, transportation supports, drug and alcohol treatment, family and individual counseling, remedial and vocational education for youth and adults, coordinated mental hygiene services, case management, and an increase in trained foster parents with skills to care for and provide guidance to older troubled youth, and other interventions resulting in higher expenses; and

**WHEREAS,** The law includes significant reforms to and places new mandates upon public safety, probation and county legal departments; and

**WHEREAS,** There are significant changes required under the law to the criminal justice system for youth requiring a fundamental realignment of court jurisdiction; training of judges, prosecutors, defense attorneys; and numerous other activities that are under the control of the Judicial Branch of New York government; and

**WHEREAS,** The release of draft guidelines for the construction of specialized secure detention facilities were released in December 2017, with the expectation they will become final in February 2018; and

**WHEREAS,** Counties are to have secured and/or built new specialized secure detention facility beds by October 1, 2018, a mere eight months from the effective date of the final regulation; and

**WHEREAS,** While counties are working diligently with the State on these construction plans, the draft regulations do not provide for any streamlining of state procurement laws and rules nor provide for advanced state funding of capital costs; and

**WHEREAS,** The draft regulations include provisions that will likely increase the length of time necessary to build these facilities and make them fully operational by requiring state certification and approval of requests for proposals and change orders; and

**WHEREAS,** The draft regulations related to specialized secure detention facility construction and operations include waiver provisions that may help facilitate construction or rehabilitation of existing facilities, counties remain highly concerned over the ability to satisfy all state law procurement requirements while meeting the implementation deadlines of the new law; and

**WHEREAS,** Beyond the need for counties to show that they have built their own specialized secure detention beds, or secured bed availability through other counties, many regions of the state continue to struggle with ensuring they have adequate capacity to provide the type and quantity of necessary services to affected youth and their families in their local communities; and

**WHEREAS,** Numerous questions related to the new legal and judicial requirements remain open; and

**WHEREAS,** The Governor's Office and state agencies continue strong outreach efforts on the new law in coordination with county officials and others that will implement the law, but process and other implementation concerns of counties remain; now therefore

**BE IT RESOLVED,** That 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 for counties and New York City to avoid the imposition of a new unfunded mandate on local taxpayers; and be it

**FURTHER RESOLVED,** The State should decouple the requirement that counties adhere to the property tax cap in order to be eligible for full state reimbursement related to new costs incurred by the law; and be it

**FURTHER RESOLVED,** The state should consider removing fiscal caps for foster care and youth detention as part of this age of criminal responsibility reform, as well as restore the 65 percent state matching rate for child welfare services and continue state funding for PINS; and be it

**FURTHER RESOLVED,** The state needs to provide a clear service needs plan and make the capital investment to ensure there is sufficient provider capacity and detention space in all areas of the state, including:

- Providing counties access to idle or unoccupied state facilities that could potentially meet the new requirements of the law;
- Allowing the use of design-build construction methods; and
- Financing construction costs up front through the State Dormitory Authority, or other state mechanism, to accelerate approvals, lower borrowing costs and potentially increase the pool of minority and women owned businesses that could respond to contract offerings; and be it

**FURTHER RESOLVED,** the state needs to do extensive outreach and engage the K-12 school system as a partner in these systemic reforms; and be it

**FURTHER RESOLVED,** Given the fast approaching deadlines we strongly encourage the state to consider a waiver process during the early transition years, especially in regard to finding appropriate placement options for youth and families in need of services, as well as for cases where placement in new adolescence detention facilities are required, but may not yet be built and fully operational; and be it

**FURTHER RESOLVED,** That fiscal waivers should be guaranteed for counties in the early years of the transition, or until such time that reliable historical data is available to help counties develop accurate budget projections; and be it

**FURTHER RESOLVED,** Counties strongly encourage state agencies and the judicial branch to continue to work with counties on solidifying pending fiscal, caseload and capital costs related to this law as soon as practicable so that counties can prudently plan their budget, staffing and borrowing needs in a timely manner; and be it

**FURTHER RESOLVED,** The state should recognize there will need to be flexibility in accommodating 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,** Counties appreciate the outreach by the Governor and state agencies related to implementation and we strongly encourage this dialogue to continue and be expanded in the future; and be it

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

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

*Chairman Berwanger invited Supervisor Copeland, T/Wethersfield to the podium for the presentation of **Crime Victims' Rights Week** proclamation. In turn, Supervisor Copeland invited Wyoming County Sheriff Rudolph to join him, read the proclamation and accept the proclamation on behalf of the law enforcement agencies of Wyoming County.*

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #52 through #60. Hearing no objection resolution titles were read.*

**#52**

**RESOLUTION NO. 18-154  
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH**

**NOMAD ENTERPRISES, LLC ON BEHALF OF BUILDINGS AND GROUNDS  
(CO. BLDGS.)**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the *NOMAD Enterprises LLC*, 7963 Old State Road, Pavilion, NY 14525 on behalf of Buildings and Grounds (Co. Bldgs.). Said contract to provide lawn mowing services at the Animal Shelter, Health Department, Department of Social Services, Fire Training Center, Wethersfield Tower, Record Retention Center and Pioneer Cabin in an amount not to exceed eight thousand one hundred sixty dollars (\$8,160.00); effective seasonally from April 1, 2018 through November 30, 2021.

Contingent upon the availability of funds.

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

**#53**

**RESOLUTION NO. 18-155  
(March 13, 2018)**

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

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

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

- *New York State Department of Transportation*, 50 Wolf Road, Albany, NY 12232 for SLA Supp #3 for CR 02 Broughton Road Highway Preventative Maintenance, Town of Gainesville, PIN 4761.09; for PE/Design, ROW and Construction in an amount not to exceed five hundred seventy-five thousand six hundred ninety-three dollars (\$575,693.00); effective through July 27, 2026.
- *LaBella Associates*, 300 State Street, Suite 201, Rochester, NY 14614 for Liberty Street, Town of Warsaw for PE/Design in an amount not to exceed twenty thousand dollars (\$20,000.00); effective through contract completion.
- *Bergmann Associates*, 280 East Broad Street, Suite 200, Rochester, NY 14604 for PE #02 Simmons Road Bridge over Little Beards Creek, BIN 3320060; PIN 4WY0.02, Town of Perry for PE/Design and ROW in an amount not to exceed \$175,000.00 effective through contract completion.
- *Popli Design Group*, 555 Penbrook Drive, Penfield, NY 14526 for Supp #1 for BE #14 – Schad Road Bridge over Red Brook, BIN 3319660; PIN 4BNY.14, Town of Bennington,

for CI/CS in an amount not to exceed ninety thousand dollars (\$90,000.00); effective through contract completion.

Contingent upon the availability of funds.

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

**#54**

**RESOLUTION NO. 18-156  
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT FOR DISPOSITION OF  
EXCESS PERSONAL PROPERTY WITH THE NEW YORK STATE THRUWAY  
AUTHORITY ON BEHALF OF COUNTY HIGHWAY**

**WHEREAS**, The New York State Thruway Authority is statutorily responsible for financing, constructing, reconstructing, improving, developing, maintaining and operating a 570-mile superhighway system known as the Thruway; and

**WHEREAS**, In accordance with the *New York Bridge Project* for the replacement of the Tappan Zee Bridge with the Governor Mario M. Cuomo Bridge, the New York State Authority has excess personal property that the Authority no longer has a use for, including the Tappan Zee Bridge deck panels; and

**WHEREAS**, The County of Wyoming is desirous of obtaining some of these deck panels; and

**WHEREAS**, On July 17, 2017, at Meeting No. 728, the Authority's Board adopted Resolution Number 6144 authorizing the Authority to dispose to the County of Wyoming the deck panels for one dollar (\$1.00) and subject to certain other terms and conditions; and

**WHEREAS**, The County of Wyoming would like to accept these deck panels for such amount and subject to said other terms and conditions; now therefore,

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an Agreement for Disposition of Excess Personal Property with the *New York State Thruway*, 200 Southern Boulevard, Albany, NY 12209 on behalf of County Highway; effective through delivery date of July 1, 2018.

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

**#55**

**RESOLUTION NO. 18-157  
(March 13, 2018)**



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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH  
KISTNER CONCRETE PRODUCTS, INC. ON BEHALF OF COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Kistner Concrete Products, Inc.*, 5550 Hinman Road, Lockport, NY 14094 on behalf of County Highway. Said contract is for a precast box culvert for JA #22 Bridge, Beaver Meadow Road over Beaver Meadow Creek in an amount not to exceed forty-eight thousand nine hundred seventy-five dollars (\$48,975.00); effective through delivery of product.

Contingent upon the availability of funds.

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

**#56**

**RESOLUTION NO. 18-158  
(March 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH XYLEM DEWATERING  
SOLUTIONS, INC. (D/B/A GODWIN PUMPS OF AMERICA, INC.)  
ON BEHALF OF COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *Xylem Dewatering Solutions, Inc.*, (d/b/a/ Godwin Pumps of America, Inc.), 84 Floodgate Road, Bridgeport, NY 08014-1001 on behalf of County Highway. Said contract is for the purchase of a Godwin CS200M Dri-Prime Pump with accessories in an amount not to exceed seventy thousand dollars (\$70,000.00); effective February 13, 2018 through delivery of pump. (*GS-07F-102GA*)

Contingent upon the availability of funds.

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

**#57**

**RESOLUTION NO. 18-159  
(March 13, 2018)**

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

**RESOLUTION URGING ENACTMENT OF LEGISLATION TO ASSURE EFFECTIVE  
CONTROL OF WILDLIFE POPULATIONS AT AIRPORTS AND**

## **SURROUNDING AREAS**

**WHEREAS**, Wildlife populations can pose a threat to aviation operations in and around airports and, in some instances, has caused significant damage to aircraft and lengthy flight delays; and

**WHEREAS**, Airports employ best humane practices to keep wildlife populations at bay by building fences, walls, storm water ponds, and using pulsating lights; and

**WHEREAS**, Despite these efforts, deer, birds and other wildlife still make their way onto runways, tarmacs and into flight paths; and

**WHEREAS**, According to FAA data, more than 1,000 deer have been hit by airplanes across the country in the past two decades, causing millions of dollars in aircraft damage, major delays at airports and injuries to pilots and passengers; and

**WHEREAS**, Controlling wildlife populations around airports is critical to ensuring the safety of travelers and aircraft crews; and

**WHEREAS**, The NYS Department of Environmental Conservation recognizes that wildlife population reduction is necessary at airports and other public facilities and issues permits to authorized persons to use certain firearms and techniques to remove deer and other wildlife that pose a threat from these properties; and

**WHEREAS**, Some previously permitted wildlife management methods are now being restricted with the potential for negative impacts on the safety of airport operations, making it more difficult for airports to effectively keep the runways and facilities clear of animal obstructions and interference and safe for aircraft and passengers; and

**WHEREAS**, Legislation introduced, S6853/A8646, will make it clear that certain successful wildlife management techniques remain available by permit in a strictly controlled manner; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports this legislation to authorize government employees acting in an official capacity or persons acting pursuant to a permit to continue to effectively control wildlife populations in areas surrounding airports to assure safety for pilots, passengers and flight crews; and be it

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

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

**#58**

**RESOLUTION NO. 18-160**

(March 13, 2018)

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

**RESOLUTION URGING ENACTMENT OF LEGISLATION TO INCREASE THE CHIPS BIDDING THRESHOLD**

**WHEREAS**, Regular incremental raises in the competitive bidding threshold for highway projects are necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; and

**WHEREAS**, Under current law, the local assistance funds allocated for local street or highway projects under the Consolidated Local Street and Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and work forces or by competitively-bid contracts; and

**WHEREAS**, When the estimate for the contract work exceeds \$250,000 the work must be performed by contract let by competitive bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

**WHEREAS**, The last increase in the competitive bidding threshold was in 2011 to bring the threshold up from \$100,000 to the current \$250,000 level; and

**WHEREAS**, Legislation has been introduced in both houses of the State Legislature to increase the amount of the current cost threshold from \$250,000 to \$500,000 over which local highway and bridge construction work under the CHIPS program must be contracted through a competitive bid; and

**WHEREAS**, Under the legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the mandatory competitive bid process; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisor supports S.6928/A.8808 to enact an increase in the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than \$500,000, allowing more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and be it

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

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

**#59**

**RESOLUTION NO. 18-161  
(March 13, 2018)**

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

**RESOLUTION URGING INCREASING AND CONSOLIDATING LOCAL ROAD, BRIDGE AND CULVERT FUNDING DISTRIBUTED THROUGH CHIPS**

**WHEREAS**, Funding for the Consolidated Local Streets and Highway Improvement Program (CHIPS) and enhanced State assistance to local governments through BRIDGE NY, PAVE NY and Extreme Winter Recovery initiatives in the latest state budget is helping counties to meet the overwhelming needs of the locally-owned transportation systems; and

**WHEREAS**, While this additional funding is most welcomed and already being put to good use, locally-owned roads and bridges account for eighty-seven percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and counties still struggle to raise enough funding for the maintenance and replacement of this vast system of aging and ailing infrastructure; and

**WHEREAS**, Studies show that half of local road pavements are rated fair or poor; and

**WHEREAS**, New York State Comptroller Thomas P. DiNapoli reports that 20.7% of bridges in New York are functionally obsolete and 12.8% are structurally deficient and the cost to repair all of these bridges is \$27.4 billion dollars with local bridges more likely to be structurally deficient than state-owned bridges; and

**WHEREAS**, Programs designed to direct state funding directly to local transportation infrastructure needs such as CHIPS, PAVE NY, BRIDGE NY and Extreme Winter Recovery are undoubtedly helping to improve the conditions of New York's roads, bridges and culverts as more of these critical projects are being funded each year; and

**WHEREAS**, With the state seeking hundreds of millions of additional dollars to address the critical and deserving needs of the NYC transit system, the state's commitment to MTA-NYSDOT capital plan parity will mean the historical expectation of a comparable increase in funding to address the unmet needs of state and local transportation infrastructure; and

**WHEREAS**, CHIPS is the financial lifeblood of any local highway department, distributing vital and reoccurring state funding through a formula to every local government in the state yet the 2017-2018 State Budget holds the base level for CHIPS at \$438M for the fifth year in a row; and

**WHEREAS**, A safe and efficient statewide integrated transportation system is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors commends Governor Cuomo and the New York State Legislature for recent budget actions enacted to enhance state investments in local roads, bridges and culverts, and urges that the state assistance

to local highway departments continues at increasing levels and that the state's commitment to MTA-NYSDOT parity be further honored; and be it

**FURTHER RESOLVED**, That state elected officials continue to partner with local governments and agree to increase CHIPS funding and consider consolidating Extreme Winter Recovery funds if available and PAVE NY into the CHIPS funding base in the future, the total of which to be distributed through the CHIPS formula, thus building on a program that provides a fair distribution of funds to every municipality in the state and maximizes flexibility for local highway departments to direct this funding to priority maintenance, pavement preservation, and bridge and culvert rehabilitation projects where it is needed most; and be it

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

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

**#60**

**RESOLUTION NO. 18-162  
(March 13, 2018)**

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

**RESOLUTION URGING THAT AIRPORT CAPITAL FUNDING PROGRAMS BE  
MADE PERMANENT IN THE STATE BUDGET**

**WHEREAS**, Airports play a critical role in New York State's economy, job growth and transportation infrastructure, providing commercial air service, business aviation functions and supporting homeland security and critical emergency response for all of New York's local and regional communities and for the nation; and

**WHEREAS**, Airports are economic engines fueling growth in the communities they serve; and

**WHEREAS**, According to data from the New York State Department of Transportation and updated figures from the Port Authority of NY-NJ, the aviation industry contributes over \$72 billion in annual economic activity in New York State and more than 500,000 NY based jobs in aviation or aviation-related industries, generates \$25 billion in payroll and well over \$6 billion in state and local tax revenue annually; and

**WHEREAS**, In 2016 Governor Andrew Cuomo initiated a \$200 million state investment to revitalize New York State airports and subsequent enacted budgets have included increased funding for the Aviation Capital Grant Program that helps the state realize the full potential of its airports and aviation industries; and

**WHEREAS,** The Competition to Revitalize Upstate Airports has thus far awarded four airports approximately \$40 million each to fund projects that enhance safety, improve operations and access, reduce environmental impact, create better passenger experiences and leverage private investments; and

**WHEREAS,** The Competition is expected to make the final award to one additional airport in upstate New York, exhausting the Competition funding and leaving a majority of airports in need of state assistance, even accounting for recent increases in the Aviation Capital Grant Program annual appropriations; and

**WHEREAS,** While this funding is welcomed and will be used for airport infrastructure and critical safety enhancements and business and economic development projects, creating and sustaining construction and aviation-related jobs, the level of state financial commitment falls short of what is needed by the large number of remaining airports in New York, many of which are owned by counties and other local governments; and

**WHEREAS,** New York has no dedicated funding source or permanent state capital program for airports and must rely on annual appropriations in the state budget for funding critical airport projects; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby commend Governor Cuomo and the Legislature for the state's financial commitments to New York airports that will help fund critical airport infrastructure rehabilitation, improvement, and expansion projects; and be it

**FURTHER RESOLVED,** That the Wyoming County Board of Supervisors urges the Governor and the Legislature to provide recurring and reliable funding for the maintenance and development of all the State's airports through a reauthorization and new round of funding for the Competition to Revitalize Upstate Airports initiative and making permanent and increasing funding for the Aviation Capital Grant Program; and be it

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

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

*There was a motion by Mr. Brick, T/Perry, to combine resolutions #61 through #65. Hearing no objection resolution titles were read.*

**#61**

**RESOLUTION NO. 18-163  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

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

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with **ESRI, Inc.**, 380 New York Street, Redland, CA 92373 on behalf of Information Technology. Said contract is for ESRI GIS software in an amount not to exceed nine thousand five hundred dollars (\$9,500.00) annually; effective June 15, 2018 through June 14, 2019. *NYS Contract PM67345*

Contingent upon the availability of funds.

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

#62

**RESOLUTION NO. 18-164  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**SALARY SCHEDULES “S”, “D” AND “G” AMENDED**

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

**Salary Schedule “S”:**

*County Clerk*

- Set the annual salary of the *Deputy County Clerk* at \$40,800.00; effective date March 5, 2018.

*Office for the Aging*

- Set the annual salary of the *Deputy Director of Aging* at \$44,500.00; effective date February 26, 2018.

**Salary Schedule “D”:**

*Office for the Aging*

- Set the annual salary of the *Director of Aging and Youth* at \$65,505.00; effective date March 5, 2018.

**Salary Schedule “G”:**

*Office for the Aging*

**NAVIGATOR PROGRAM GRANT**

- The annual stipend of \$1,000.00 for the *Deputy Director of Aging* on Salary Schedule “G” for additional duties associated with the Navigator Program Grant; expires February 11, 2018.

- Place the title of *Fiscal Officer I* on Salary Schedule “G” and set an annual stipend of \$1,000.00 for additional duties associated with the Navigator Program Grant; effective March 14, 2018 through September 30, 2018.

**ALZHEIMER’S DISEASE CAREGIVER SUPPORT INITIATIVE GRANT**

- Set an annual stipend of \$2,000.00 for the *Director of Aging and Youth* for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.
- Set an annual stipend of \$2,000.00 for the *Deputy Director of Aging* for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.
- Place the title of *Case Manager* on Salary Schedule “G” and set an annual stipend of \$2,500.00 for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.
- Place the title of *Fiscal Officer I* on Salary Schedule “G” and set an annual stipend of \$3,000.00 for additional duties associated with the Alzheimer’s Disease Caregiver Support Initiative Grant; effective March 14, 2018 through December 31, 2020.

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

**#63**

**RESOLUTION NO. 18-165  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION EXEMPTING THE YORK WATER TOWER FROM  
COUNTY REAL PROPERTY TAXES**

**WHEREAS**, Real Property Tax Law §406 provides for a system of real property taxation exemption for certain water towers; and

**WHEREAS**, The Board of Supervisors for the County of Wyoming believes it to be in the best interest of the County to allow for said exemption; now therefore

**BE IT RESOLVED**, That real property located at n/s/n/ Peoria Road in the Town of Covington, Wyoming County, New York and more particularly described as a portion of Tax Map No. 13.-1-6.111 is hereby exempt from all County real property taxes; effective March 1, 2018.

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

**#64**



**RESOLUTION NO. 18-166  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 18-038 AMENDED**

**WHEREAS**, Resolution Number 18-038 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CAMPUS CONSTRUCTION MANAGEMENT GROUP, INC. ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on January 16, 2018 to sign a contract with *Campus Construction Management Group, Inc.*, 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 on behalf of the Wyoming County Community Health System. Said contract is for construction management services for the MRI addition and renovation project in an amount not to exceed forty-five thousand, five hundred dollars (\$45,500.00); effective December 19, 2017 through completion of project; now therefore

**BE IT RESOLVED**, That *Resolution Number 18-038* be hereby amended to increase the contract amount by fifteen thousand one hundred sixty-six dollars (\$15,166.00) for a total amount not to exceed sixty thousand six hundred sixty-six dollars (\$60,666.00) and extend the expiration date from substantially completed by April 1, 2018 to April 30, 2018.

All else remains the same.

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

**RESOLUTION NO. 18-167  
(March 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**POSITION(S) APPROVED**

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

**ABOLISHED:**

***Office for the Aging***

- One (1) position of *Senior Clerk* (position code #001.222) on CSEA Schedule A, Grade 4 (\$16.36 - \$18.00/hr.); effective date March 14, 2018.

**CREATED:**

***Office for the Aging***

- One (1) position of *Aging Services Aide* (1.00 FTE) on CSEA Schedule A, Grade 2 (\$15.58 - \$17.01/hr.); position available date of March 14, 2018.

- One (1) position of *Aging Services Specialist* (1.00 FTE) on CSEA Schedule A, Grade 8 (\$17.93 - \$20.74/hr.); position available date of March 14, 2018.
- One (1) position of *Fiscal Officer I* (1.00 FTE) on Schedule “S” with an annual salary of \$36,138.00; position available date of March 14, 2018.
  - After six (6) months of full time work and contingent upon satisfactory performance and meeting pre-established goals, the employee is eligible for an increase of \$1,000.00.

**CREATED:**

***District Attorney***

- One (1) position of *Legal Intern* (.5 FTE) in the amount of \$22.00 per hour not to exceed \$3,000.00 annually for up to eight (8) weeks with only those benefits mandated by law; position available date of August 6, 2018.

**Carried: XXX**

**Ayes: 1599**

**Noes:**

**Absent:**

**Abstain:**

**Local Law  
#66**

**RESOLUTION NO. 18-  
(March 13, 2018)**

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

LOCAL LAW NO. 2 (INTRODUCTORY A, YEAR 2018) ~ YEAR 2018,  
*“A Local Law Providing Salaries for Certain County Officers for the Year 2018”*  
 ADOPTED

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 13<sup>th</sup> day of February, 2018, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2018, entitled, *“A Local Law Providing Salaries for Certain County Officers for the Year 2018”*; and

**WHEREAS**, In accordance with the provisions of Resolution No. 18-050 there was a public hearing held by this Board of Supervisors on this 13<sup>th</sup> day of March, 2018, 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

*Deferred*

**BE IT ENACTED**, That Local Law 2, Year 2018, County of Wyoming, New York, as presented to this Board on the 13<sup>th</sup> day of February 2018 is hereby adopted, in its original form, as follows:

**LOCAL LAW NO. 2 - YEAR 2018**  
**Providing Salaries for Certain County Officers for the Year 2018**

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

Section 1. Effective as hereafter provided, the annual salary for the *Commissioner of Social Services* shall be increased by **\$2,500.00** for a new annual salary of **\$69,000.00**.

Section 2. All salaries set forth in Sections 1 through 10 above shall be effective as of **January 1, 2018**.

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

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

DATED at Warsaw, New York  
February 13, 2018 (Introduced)  
March 13, 2018 (Adopted)  
Cheryl J. Ketchum, <sup>CMC</sup>  
Clerk to the Board

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

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:43 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,



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

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