

**REGULAR SESSION**  
**(January 16, 2017)**

**Tuesday**

**2:30 PM**

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

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

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

**Merville J. Button**

Merville J. Button was born into a large farm family in Middlesex, New York. He graduated high school in 1944 and was deferred from military service during WWII so he could work the family farm and continue producing food to help with the war movement. Mr. Button joined the United States Air Force on July 5, 1950, shortly after the start of the Korean War.

At 24 years old, he said goodbye to his farm life and headed to Lackland AFB located in Bexar County, Texas. Lackland is the sole location for U.S. Air Force enlisted basic military training. Because of the Korean War, training populations at Lackland soared to twenty-eight basic military training squadrons within the 3700<sup>th</sup> Military Training Wing. Temporary dormitories were erected to replace the tent cities that had been housing recruits.

After graduation from basic training, Airman Button was sent for additional training at Fort Warren Air Force Base, Wyoming. Located just west of Cheyenne, this is one of three strategic missile bases in the U.S. and is named in honor of Francis E. Warren in 1930. Airman Button was trained in Military Administration for two months, and on December 12, 1950, he was assigned to Fort Meyer, Virginia to work at the Pentagon.

While working at the Pentagon, he obtained top-secret clearance and worked hard from his stateside duty station to support the war. Mr. Button utilized all his administrative skills and in November of 1951 was transferred to Kusan Air Base located at Gunsan Airport on the west coast of the South Korean peninsula bordered by the Yellow Sea. While stationed there, he worked in the wing headquarters on top-secret orders that came in regarding the Douglas B-26 Invader bomber and the North Koreans.

He enjoyed his job duties and served for fifteen months before being sent to Pope Air Force Base for discharge. Mr. Button was discharged on October 16, 1953 as a Staff Sergeant. For his valor and courageous service to his country, Mr. Button was awarded the:

United Nations Service Medal

Korean Service Medal  
 Korean Service Medal with Two Bronze Stars  
 Good Conduct Medal  
 Commendation Ribbon  
 National Defense Service Medal

Using the GI Bill, Mr. Button attended college at Cornell University where he earned a Bachelor’s Degree in Agricultural Economics. He spent eight years working as an animal nutritionist at the Beacon Milling Company and then moved to Wyoming County to work for the Cornell Cooperative Extension. He loved his job working closely with farmers on farm management and aiding them in passing farms from one generation to the next. Mr. Button considered a lot of his work as “human relations” and was employed there until his retirement in 1990.

Now as a retired veteran, Mr. Button enjoys working in his woodshop making furniture and bowls. He has been married to his wife Martha for 61 years and together they had four children, eleven grandchildren and one great grandchild, all of whom they are very proud of. They spend an extensive amount of time traveling all over the country to visit them.

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

*Chairman Berwanger presented the customary certificate of appreciation to Mr. Button and offered an opportunity to address the Board. At which Mr. Button stated that he is deeply honored to lead the pledge today. He also stated that he received much more than he was able to give. He said he was fortunate to work for Cornell Cooperative Extension for many years and it was a blessing he will never forget. Mr. Button went on to acknowledged the support the Board of Supervisors always provided to the Extension.*

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

**COMMUNICATIONS ~**

- ***None***

**#1**

**RESOLUTION NO. 18-007  
 (January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2017 ACCOUNTS**

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

<b>Mental Health</b>			
<b>From:</b> 01.38.4324.4.41510 Educational Materials	\$913.00		
<b>To:</b> 01.38.4322.4.49999 Prior Years		\$913.00	
<b>Reason:</b> To cover JE reversal.			

<b>From:</b> 01.38.4220.4.41202 Printing	\$500.00		
01.38.4220.4.41510 Educational Materials	120.00		
<b>To:</b> 01.38.4220.1.10001 Salaries Fixed SDI		\$620.00	
<b>Reason:</b> To cover salary overage due to increase & retro-pays.			
<b>Mental Health Total</b>			<b>\$1,533.00</b>

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

**#2**

**RESOLUTION NO. 18-008  
(January 16, 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>Buildings &amp; Grounds</b>			
<b>To:</b> 01.34.1620.4.40805 Cleaning Svc – Private <i>w/ any funds available</i>	\$16,500.00		
<b>Reason:</b> To cover cost of cleaning the Public Safety Building and Government Center.		\$16,500.00	
<b>Buildings &amp; Grounds Total</b>			<b>\$16,500.00</b>
<b>Historian</b>			
<b>To:</b> 01.46.7510.4.41202 Misc. Printing w/01.09.7510.2705 Gifts & Donations	\$266.18		
<b>Reason:</b> To cover increase in printing copy count that has gone up by 120 since beginning of the year plus color pages in Dec. issue.		\$266.18	
<b>Historian Total</b>			<b>\$266.18</b>
<b>Highway</b>			
<b>To:</b> 03.54.5130.2.23001 Motor Vehicles w/03.08.5130.2665 Sale of Equipment	\$6,449.00		
<b>Reason:</b> Sale of Equipment at auction to be used to purchase 2017 CAM trailer approved.		\$6,449.00	
<b>Highway Total</b>			<b>\$6,449.00</b>

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

**#3**

**RESOLUTION NO. 18-009  
(January 16, 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>Jail</b>			
<b>To:</b> 01.37.3150.2.20701 Institutional Equipment	\$100,000.00		
01.37.3150.4.40803 Building Supplies	20,000.00		
w/01.11.3150.3389 State Aid – Other		\$100,000.00	
<i>any funds available</i>		20,000.00	
<b>Reason:</b> To cover expenses relating to DASNY Grant for Jail Kitchen Upgrade.			
<b>Jail Total</b>			<b>\$120,000.00</b>

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$2,100,378.83** for the month of **December 2017**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #4 through #6. Hearing no objection resolution titles were read.*

**#4**

**RESOLUTION NO. 18-010  
(January 16, 2018)**

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

**COUNTY CLERK ANNUAL MORTGAGE TAX RETENTION FEE**

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

**WHEREAS**, The County Clerk wishes to receive an annual expense of one hundred eighty-one thousand five hundred dollars (\$181,500.00); and

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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby request the State Tax Commission allow the Wyoming County Clerk the sum of one hundred eighty-one thousand five hundred dollars (\$181,500.00) annually, April 2018 through March 2019, for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

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

**#5**

**RESOLUTION NO. 18-011  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE  
ARTS COUNCIL OF WYOMING COUNTY ON BEHALF OF THE  
COUNTY HISTORIAN**

**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 *Arts Council of Wyoming County*, 31 South Main Street, Perry, NY 14530 on behalf of the County Historian. Said grant to fund the countywide “*Treasure Hunt Through History*” tour in a minimum amount of one thousand dollars (\$1,000.00); effective January 1, 2018 through December 31, 2018.

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

**#6**

**RESOLUTION NO. 18-012  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
EDUCATIONAL RESOURCE ASSOCIATES 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 *Educational Resource Associates*, 1163 Pittsford-Victor Road, Suite 120, Pittsford, NY 14534 on behalf of Human Resource. Said contract to provide an Employee Assistance Program in an amount not to exceed eleven thousand six hundred sixty-one dollars (\$11,661.00), thirteen dollars (\$13.00) per employee, per year; effective January 1, 2018 through December 31, 2018.

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 #7 through #13.  
Hearing no objection resolution titles were read.*

**#7**

**RESOLUTION NO. 18-013  
(January 16, 2018)**

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

**RESOLUTION NUMBER 17-509 AMENDED**

**WHEREAS**, Resolution Number 17-509 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING,**” passed by this Board of Supervisors on December 12, 2017 and provided, in part, for the following contract:

- **Laura’s Country Kitchen**, 70 North Water Street, Pike, NY 14130 for congregate meals for seniors 60+ years; in an amount not to exceed 2018 budget and variable depending on use.

now therefore,

**BE IT RESOLVED**, That **Resolution Number 17-509** be hereby amended to delete this contract in its entirety effective January 1, 2018.

All else remains the same.

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

**#8**

**RESOLUTION NO. 18-014  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
THE EAGLE INN ON BEHALF OF THE OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the **Eagle Inn**, 3192 Route 39, Bliss, NY 14024 on behalf of the Office for the Aging. Said contract to provide congregate meals to seniors sixty (60) years old and older in Wyoming County as needed; effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

**#9**

**RESOLUTION NO. 18-015  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE ALZHEIMER'S ASSOCIATION WESTERN NEW YORK CHAPTER ON BEHALF OF THE OFFICE FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are authorized to sign a grant application and acceptance award with the *Alzheimer's Association Western New York Chapter*, 2805 Wehrle Drive, Buffalo, NY 14221 on behalf of the Office for the Aging. Said funding to provide respite services to caregivers of individuals with Alzheimer's disease in a minimum amount of one hundred ten thousand seven hundred seventy-nine dollars (\$110,779.00) per year; effective January 1, 2018 through December 31, 2018.

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

**#10**

**RESOLUTION NO. 18-016  
(January 16, 2018)**

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

**RESOLUTION NUMBER 16-501 AMENDED**

**WHEREAS**, Resolution Number 16-501 entitled, "**CHAIRMAN/DIRECTOR OF AGING AND YOUTH AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING,**" passed by this Board of Supervisors on December 13, 2016 and provided, in part, for the following contract:

- **Doyle Medical Monitoring**, 792 Calkins Road, Rochester, NY 14623 for PERS services to seniors sixty (60) years old and older in Wyoming County. This contract also includes the fee for service individuals whose PERS units are provided through OFA. Fee for service is revenue for OFA in an approximate amount of \$17,500.00; effective January 1, 2017 through December 31, 2017.

now therefore,

**BE IT RESOLVED**, That *Resolution Number 16-501* be hereby amended to extend the contract end date from December 31, 2017 to **February 28, 2018**.

All else remains the same.

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

**#11**

**RESOLUTION NO. 18-017  
(January 16, 2018)**

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

**RESOLUTION NUMBER 17-511 AMENDED**

**WHEREAS**, Resolution Number 17-511 entitled, “**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH JAMES MCGUINNESS AND ASSOCIATES, INC. ON BEHALF OF THE YOUTH BUREAU,**” passed by this Board of Supervisors on December 12, 2017 for support of our preschool software in an amount not to exceed seven hundred ninety-two dollars (\$792.00) per month plus one hundred twenty-five dollars (\$125.00) per hour; effective January 1, 2018 through December 31, 2018; now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-511* be hereby amended to correct the contract end date from December 31, 2018 to *December 31, 2019*.

All else remains the same.

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

**#12**

**RESOLUTION NO. 18-018  
(January 16, 2018)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A WELFARE MANAGEMENT SYSTEM CONTRACT WITH CYNTHIA AND NICHOLAS BALTZ ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED**, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign a contract with *Cynthia and Nicholas Baltz*, 681 Perry Road, Pavilion, NY 14525 on behalf of the Department of Social Services. Said contract to provide foster care services; effective December 28, 2017 through December 27, 2018 and will be paid through the State Welfare Management System. Cost will vary depending on eligibility and services provided.

Contingent upon the availability of funds.

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

**#13**

**RESOLUTION NO. 18-019  
(January 16, 2018)**

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

**RESOLUTION NUMBER 17-512 AMENDED**



**WHEREAS**, Resolution Number 17-512 entitled, “**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN VARIOUS WELFARE MANAGEMENT SYSTEM CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES FOR THE YEAR 2018,**” passed by this Board of Supervisors on December 12, 2017 and provided, in part, for the following contract:

**DAY CARE CONTRACTS ~**

Contracts are variable amounts depending on services provided; effective January 1, 2018 through December 31, 2018:

- *Hnat, Ivy*

now therefore,

**BE IT RESOLVED**, That *Resolution Number 17-512* be hereby amended to correct the effective date of this contract from January 1, 2018 to **October 19, 2017**. All else remains the same.

**Carried: XXX Ayes: 1599 Noes: Absent: Abstain:**  
*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #14 through #16. Hearing no objection resolution titles were read.*

**#14**

**RESOLUTION NO. 18-020  
(January 16, 2018)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE MENTAL HEALTH COMMUNITY SERVICES BOARD AND VARIOUS SUBCOMMITTEES**

**BE IT RESOLVED**, That the following members are hereby appointed/reappointed to the Mental Health Community Services Board and various Subcommittees as follows:

**COMMUNITY SERVICES BOARD**

Community at Large Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Kathy Blakeslee**, 684 Transit Road, Wyoming, NY 14591

Agency Representative

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Kimberley Barber** (Department of Social Services), 466 North Main Street, Warsaw NY 14569 (*replacing D. Rumsey*)

**MR/DD SUBCOMMITTEE**

Community at Large Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Karen Duboy**, 3939 Wethersfield Road, Warsaw, NY 14569

Agency Representative Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Karen Gustine**, (Associate Executive Director, Suburban Adult Services, Inc.), 960 West Maple Court, Elma, NY 14059

**MENTAL HEALTH SUBCOMMITTEE**

Agency Representative Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Angela Milillo**, (Wyoming County Office for the Aging), 8 Perry Avenue, Warsaw, NY 14569

Community At Large Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

**Kathy Blakeslee**, 684 Transit Road, Wyoming, NY 14591

**ALCOHOL & SUBSTANCE ABUSE SUBCOMMITTEE**

Agency Representative Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Joan Kibler** (Wyoming County Probation Department), 143 North Main Street, Warsaw, NY 14569
- **Kimberley Barber** (Department of Social Services), 466 North Main Street, Warsaw NY 14569 (replacing D. Rumsey)

Community at Large Member

**Four (4) year term effective January 1, 2018 through December 31, 2021**

- **Julianne Calvert**, 3198 Hermitage Road, Warsaw, NY 14569 (replacing M. Conable)

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

**#15**

**RESOLUTION NO. 18-021  
(January 16, 2018)**

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

**RESOLUTION NUMBER 16-169 AMENDED**

**WHEREAS, Resolution Number 16-169 entitled, "CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN GRANT APPLICATIONS AND ACCEPTANCE**

**AWARDS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on April 12, 2016 and provided, in part, for the following grant:

- **New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention**, ESP Corning Tower, Room 1025, Albany, NY 12237 for the Livingston Wyoming Cancer Services Program:
  - Clinical services provider payments in a minimum amount of fifteen thousand dollars (\$15,000.00); effective April 1, 2016 through March 31, 2017
  - Infrastructure expense for the Livingston ~Wyoming Cancer Services Partnership as follows:
    - 04/01/2016 ~ 03/31/2017 \$110,000.00
    - 04/01/2017 ~ 03/31/2018 \$110,000.00
    - 04/01/2018 ~ 09/30/2018 \$ 55,000.00

now therefore,

**BE IT RESOLVED**, That **Resolution Number 16-169** be hereby amended to reduce funding as follows:

- 04/01/2017 ~ 03/31/2018 \$104,500.00
- 04/01/2018 ~ 09/30/2018 \$ 52,250.00

All else remains the same.

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

**#16**

**RESOLUTION NO. 18-022  
(January 16, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS  
CONTRACTS AND AGREEMENTS ON BEHALF OF THE COUNTY  
HEALTH DEPARTMENT FOR THE YEAR 2018**

**BE IT RESOLVED**, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign the following Contracts and Agreements for the year 2018 on behalf of the County Health Department. All amounts reflect amounts not to exceed:

**ACM Laboratories**  
Clinical Laboratory Testing Services (MWHS)  
January 1, 2018 through December 31, 2018

Per Price List  
Based on volume  
Not to exceed amount budgeted

***Microbac Laboratories***  
Environmental Laboratory (Water Testing Services)  
January 1, 2018 through December 31, 2018  
Per Price List  
Based on volume  
Not to exceed amount budgeted

***Erie County Public Health Laboratory***  
Environmental Laboratory (Water Testing Services)  
January 1, 2018 through December 31, 2018  
Per Price List  
Based on volume  
Not to exceed amount budgeted

***Susan Schell, RD***  
Registered Dietician Services  
January 1, 2018 through December 31, 2018  
\$47.00/Hour  
Based on Volume  
Not to exceed amount budgeted

***County of Monroe***  
Medical Examiner Services  
January 1, 2018 through December 31, 2018  
Per Price List  
Based on usage

***WCJW***  
Radio Advertising  
January 1, 2018 through December 31, 2018  
Based on Usage  
Not to exceed amount budgeted

***Clark Patterson Lee***  
Professional Engineering Services  
January 1, 2018 through December 31, 2018  
Based on Usage  
Not to exceed amount budgeted

***Chatfield Engineers, P.C.***  
Professional Engineering Services  
January 1, 2018 through December 31, 2018  
Based on Usage  
Not to exceed amount budgeted

***Kara Eastwood, MD***  
Medical Director Services  
January 1, 2018 through December 31, 2018  
\$5,000.00 Annually

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

*Chairman Berwanger, T/Arcade announced that Supervisor Ryan, T/Warsaw would be presenting the joint resolution on behalf of both the Public Health Committee and the Planning Committee. He also asked if any Supervisor had any comments concerning this joint resolution. He stated that this is a good program and hopes that Wyoming County will have access to some of the funding, as there are areas in Wyoming County that could use it...*

***Joint Resolution  
#17***

**RESOLUTION NO. 18-023  
(January 16, 2018)**

By Ms. Ryan, Chairman of the Public Health Committee and Mr. Leuer, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A NOTIFICATION OF COUNTY INTENT TO PARTICIPATE IN THE SEPTIC SYSTEM REPLACEMENT PROGRAM IN ORDER TO RECEIVE FUNDING FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION**

**WHEREAS,** The Chairman of this Board is authorized to sign a Notification of County intent to Participate in the Septic System Replacement Program with the New York State Department of Environmental Conservation, 625 Broadway, Albany, NY 12210 on behalf of Public Health; and

**WHEREAS,** Said funding is part of the Clean Water Infrastructure Act of 2017 “State Septic System Replacement Fund” multi-year program; and

**WHEREAS,** The County of Wyoming has two priority geographic areas, Java Lake and Silver Lake, along with sensitive primary or principal groundwater aquifers, allowing the County to participate in this grant opportunity; and

**WHEREAS,** Selected property owners within the identified priority geographic areas, with failing septic systems, may receive a grant from the Septic System Replacement Fund to reimburse said owners up to 50% of the eligible costs incurred for septic system replacement projects up to \$10,000; now therefore

**BE IT RESOLVED,** The Chairman of this Board is authorized to sign a Notification of County Intent to Participate in the Septic System Replacement Program with the New York State Department of Conservation in order to receive funding from the New York State Environmental Facilities Corporation.

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

*There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #18 and #19. Hearing no objection resolution titles were read.*

**#18**

**RESOLUTION NO. 18-024  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH E. M. SYSTEMS, INC.  
ON BEHALF OF EMERGENCY SERVICES**

**BE IT RESOLVED,** That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with *E. M. Systems, Inc.*, 4043 Maple Road, Suite 211, Amherst, NY 14226-

1054 on behalf of Emergency Services. Said contract is for software support and a maintenance agreement of CAD, AVL and mobile data system software in the amount not to exceed twenty-two thousand fifty dollars (\$22,050.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

**#19**

**RESOLUTION NO. 18-025  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE  
PUBLIC DEFENDER'S OFFICE**

**BE IT RESOLVED**, That the Chairman of this Board, 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 the Public Defender's Office:

- **Wyoming County Attica Legal Aid Bureau, Inc.**, 18 Linwood Avenue, Warsaw, New York 14569 to provide legal counsel for state mandated Indigent Parolee Program in an amount not to exceed one hundred eighty-six thousand dollars (\$186,000.00); effective January 1, 2018 through December 31, 2018.
- **Wyoming County Attica Legal Aid Bureau, Inc.**, 18 Linwood Avenue, Warsaw, NY 14569 for the Alternatives to Incarceration Program in an amount not to exceed thirteen thousand five hundred fifty-four dollars (\$13,554.00); effective January 1, 2018 through December 31, 2018.
- **Wyoming County Attica Legal Aid Bureau, Inc.**, 18 Linwood Avenue, Warsaw, NY 14569 to provide a part-time secretary to the Wyoming County Public Defender's Office in an amount not to exceed fifteen thousand dollars (\$15,000.00) per year, plus an additional stipend from the Indigent Legal Services contract in the amount of one thousand two hundred eighty-six dollars (\$1,286.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #20 through #24.  
Hearing no objection resolution titles were read.*

**#20**

**RESOLUTION NO. 18-026**  
**(January 16, 2018)**

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

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

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

- **U & S Services**, 95 Stark Street, Tonawanda, NY 14150 for HVAC control and preventive maintenance at the Department of Social Services, Jail, Courthouse and Health Department in an amount not to exceed eight thousand five hundred sixty-five dollars (\$8,565.00); effective January 1, 2018 through December 31, 2018.
  
- **Waste Management of New York, LLC**, 10860 Olean Road, Chaffee, NY 14030 for garbage collection at:
  - Public Safety ~ \$2,880.00
  - Public Health ~ \$1,440.00
  - Department of Social Services ~ \$ 960.00
  - Ag and Business Center ~ \$1,440.00

For a total contract amount not to exceed six thousand seven hundred twenty dollars (\$6,720.00); effective January 23, 2018 through January 22, 2019.

Contingent upon the availability of funds.

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

**#21**

**RESOLUTION NO. 18-027**  
**(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BERGMANN ASSOCIATES, 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 Supplemental No. 1 with *Bergmann Associates, Inc.*, 280 East Broad Street, Suite 200, Rochester, NY 14604 on behalf of County Highway. Said contract is for CR #02 Broughton Road Highway Preventative Maintenance, Town of Gainesville; PIN #4761.09 in an amount not to exceed forty thousand dollars (\$40,000.00); effective January 3, 2018 through project completion.

Contingent upon the availability of funds.

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

**#22**

**RESOLUTION NO. 18-028  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
KEELER CONSTRUCTION COMPANY, 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 *Keeler Construction Company, Inc.*, 13519 West Lee Road, Albion, NY 14411 on behalf of County Highway. Said contract is for CR #02 Broughton Road Highway Preventative Maintenance, Town of Gainesville; PIN #4761.09 in an amount not to exceed four hundred thirty-eight thousand one hundred ninety-four dollars and fifty-five cents (\$438,194.55.00); effective January 3, 2018 through project completion.

Contingent upon the availability of funds.

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

**#23**

**RESOLUTION NO. 18-029  
(January 16, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN EMERGENCY 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 emergency contracts on behalf of County Highway for the demolition of property located at 15 North Main Street, Castile, NY 14427:

- *Sessler Environmental Services, LLC*, 30 Vantage Point Drive, Suite 4, Rochester, NY 14624 for building demolition in an amount not to exceed twenty-eight thousand seven hundred fifty dollars (\$28,750.00); effective December 14, 2017 through completion of project.
- *Waste Management*, P.O. Box 13648, Philadelphia, PA 19101 for the removal of demolition materials in an amount not to exceed sixty-five dollars (\$65.00) per ton with approximately ninety (90) tons to be removed; effective December 13, 2017





- Employee/Spouse           \$63.46
- Employee/Child(ren)   \$72.88
- Family                     \$100.62
- **Dental Select / Low Option:**
  - Single                     \$22.74
  - Employee/Spouse       \$44.06
  - Employee/Child(ren)   \$51.98
  - Family                     \$73.34

Contingent upon the availability of funds.

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

**#26**

**RESOLUTION NO. 18-032  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-322 AMENDED**

**WHEREAS, *Resolution Number 17-322*** entitled, “**CHAIRMAN AUTHORIZED TO SIGN 2018 INSURANCE RATES ON BEHALF OF CURRENT AND RETIRED COUNTY EMPLOYEES**”, passed by this Board of Supervisors on August 15, 2017 and provides health insurance rate sheets with Blue Cross/Blue Shield and the Alliance of WNY, 2914 Pine Street, Niagara Falls, NY 14301; effective January 1, 2018 through December 31, 2018; now there fore

**BE IT RESOLVED**, That *Resolution Number 17-322* be hereby amended to remove “*Alliance of WNY*” effective January 1, 2018.

All else remains the same.

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

**#27**

**RESOLUTION NO. 18-033  
(January 16, 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 Attorney**

- Remove stipend for the **County Attorney** (Assigned Council) in the amount of \$3,079.00.00 from Salary Schedule S; effective immediately.

**Salary Schedule “D”:**

**County Attorney**

- Add stipend for the **County Attorney** (Assigned Council) in the amount of \$3,079.00 to Salary Schedule D; effective immediately.

**Salary Schedule “G”:**

**Emergency Services**

- Adjust salary of **Emergency Preparedness Coord.** (Wyo. Co.) to \$50,373.00; effective January 1, 2018 to reflect COLA adjustments for 2016, 2017 and 2018.

**Public Defender**

- Reduce stipend plus corresponding fringe to **Assistant Public Defender (3<sup>rd</sup>)** from \$14,000.00 annually to \$10,000.00 annually, effective January 1, 2018 through December 31, 2019.
- Provide stipend and corresponding fringe to **Assistant Public Defender (1<sup>st</sup>)** at \$2,500.00 Said amount to be annual, effective January 1, 2018 through December 31, 2019.
  - Funds provided through Second Counsel at First Appearance Grant from the NYS Indigent Legal Services. (*Resolution No. 17-489*)

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

**#28**

**RESOLUTION NO. 18-034  
(January 16, 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:

**CREATED:**

**Emergency Services**

- One (1) position of **Administrative Assistant** (Temporary) on Schedule S at an annual salary of \$39,293.00 with benefits; position available date of February 1, 2018 to March 22, 2018,

**Social Services**

- One (1) position of *Caseworker* (Per Diem) (Temporary) on CSEA Schedule A Grade 12 (\$21.26 - \$24.35/hr., includes 10%) with only those benefits mandated by law for a period of six months beginning January 2, 2018 through July 2, 2018.

**Treasurer**

- One (1) position of *Sr. Clerk*, (Temporary) up to 1.00 FTE on CSEA Schedule A Grade 4 (\$16.04 - \$17.65/hr.) with only those benefits mandated by law for a period of six (6) months beginning December 5, 2017 through June 5, 2018.

**Health Department**

- One (1) position of *Public Health Educator* on CSEA Schedule A, Grade 15A (\$22.76 - \$26.54/hr.); position available date of January 17, 2018.

**ABOLISHED:**

- One (1) position of *Public Health Nurse* (position code #121.197), on Schedule G; effective date December 30, 2017.

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

**#29**

**RESOLUTION NO. 18-035  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

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

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

**INVESTMENT POLICY FOR WYOMING COUNTY**

**I. SCOPE**

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

**II. OBJECTIVES**

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

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

**III. DELEGATION OF AUTHORITY**

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

#### **IV. PRUDENCE**

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

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

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

#### **V. DIVERSIFICATION**

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

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

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

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

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

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

<b><u>Depository Name</u></b>	<b><u>Maximum Amount Officer</u></b>
Five Star Bank	\$20,000,000.00
Bank of Castile	\$20,000,000.00
M & T Bank	\$20,000,000.00
Steuben Trust Company	\$20,000,000.00
JP Morgan Chase	\$10,000,000.00
Key Bank	\$10,000,000.00

### **VIII. COLLATERALIZING OF DEPOSITS**

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

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

### **IX. SAFEKEEPING AND COLLATERALIZATION**

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

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **X. PERMITTED INVESTMENTS**

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

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

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

#### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

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

#### **XII. PURCHASE OF INVESTMENTS**

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

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

3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board. All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Wyoming by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

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

### **APPENDIX A**

#### Schedule of Eligible Securities

(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.

(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.

(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.

(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.



- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other government-mental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (xi) Zero coupon obligations of the United States government marketed as "Treasury strips"; and be it

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

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

**#30**

**RESOLUTION NO. 18-036  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE OF NEW YORK STATE TO EXEMPT COUNTY TUITION “CHARGEBACK” OBLIGATIONS FOR THE FASHION INSTITUTE OF TECHNOLOGY**

**WHEREAS**, The counties of New York State are obligated under New York Education Law to provide funds to community colleges outside their jurisdiction in the form of "chargebacks" representing reimbursement of tuition for students attending outside their county of residence; and

**WHEREAS**, Wyoming County in 2015 and 2016 has been obligated to budget for and provide reimbursements in the amount of \$1,658,732.94 and \$1,806,860.79 respectively and more is contemplated for year 2017 which is estimated at \$2,025,691.52; and

**WHEREAS**, The Fashion Institute of Technology received “chargeback” payments from Wyoming County taxpayers in the amount \$21,406.40 from January 1, 2010 through December 31, 2016; and

**WHEREAS,** The Fashion Institute of Technology uniquely receives “chargeback” payments not only for its two-year Associate Degree program, but its Bachelor Degree as well as its Master Degree programs; and

**WHEREAS,** The expenses involved with these special focused programs and geographic location greatly influence the host expenses that greatly exceed the local educational costs faced by Wyoming and other community colleges; and

**WHEREAS,** Current efforts suggesting reforms of the “chargeback” policies need to address New York State's direct financial relationship with Fashion Institute of Technology and its burdensome cost obligations to Wyoming and other counties that require exception; and

**WHEREAS,** Pursuant to New York State Education Law, funding for SUNY community colleges is derived one-third (1/3) from New York State, one-third (1/3) from the sponsoring county and one-third (1/3) from student tuition and charges; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors, again, be on record as urgently requesting state intervention, reform and changes in the "chargeback" program, its policies and obligations; and be it

**FURTHER RESOLVED,** That the "chargeback" financial obligations imposed on Wyoming County and New York State's other counties be exempted and discontinued with all existing obligations for this Education Law be assumed for Fashion Institute of Technology by the State of New York; and be it

**RESOLVED,** That the Wyoming County Board of Supervisors urges the State of New York to meet its statutory obligation of funding one-third (1/3) of the amount of operating costs for community colleges in accordance with New York State Education Law by providing its one- third (1/3) share; 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, as well as the College President Association and all others deemed necessary and proper.

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

**#31**

**RESOLUTION NO. 18-037  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-542 AMENDED**

**WHEREAS, *Resolution Number 17-542* entitled, “CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH LUMSDEN & MCCORMICK, LLP ON**

**BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM”,** passed by this Board of Supervisors on December 12, 2017 and provides for the following contract:

*Lumsden & McCormick, LLP*, Cyclorama Building, 369 Franklin Street, Buffalo, NY 14202 on behalf of the Wyoming County Community Health System. Said contract is for Certified Public Accounting (CPA) firm to provide accounting and external audit services to said Health System for fiscal years 2017, 2018, and 2019, in an amount not to exceed one hundred thirty-five thousand dollars (\$135,000.00) per year; effective January 1, 2017 through December 31, 2020; now therefore

**BE IT RESOLVED**, That *Resolution Number 17-542* be hereby amended to correct the contract term to *January 1, 2018 through December 31, 2020 for a total contract amount of \$135,000.00 for the three-year period.*

All else remains the same.

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

**#32**

**RESOLUTION NO. 18-038  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
CAMPUS CONSTRUCTION MANAGEMENT GROUP, INC. ON BEHALF OF THE  
WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**BE IT RESOLVED**, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,**” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign a contract with *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.

Contingent upon the availability of funds.

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

**#33**

**RESOLUTION NO. 18-039  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN EMPLOYMENT AGREEMENT WITH  
LAUREN LOSS, M.D. ON BEHALF OF THE  
WYOMING COUNTY COMMUNITY HEALTH SYSTEM**

**BE IT RESOLVED**, In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, “**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,**” the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney and/or Costello Cooney Fearon, PLLC, legal counsel, is hereby authorized and directed to sign a contract with *Lauren Loss, M.D.*, 19 Brookwood Road, Pittsford, NY 14534 on behalf of the Wyoming County Community Health System. Said contract to provide Neurology services in an amount not to exceed two hundred thirty thousand dollars (\$230,000.00); effective January 16, 2018 and upon the completion of credentialing and obtaining malpractice insurance through January 15, 2019.

Contingent upon the availability of funds.

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

**#34**

**RESOLUTION NO. 18-040  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-326 AMENDED**

**WHEREAS, Resolution Number 16-326** entitled, “**SALARY SCHEDULES “P”, “C”, “S” AND “G” AMENDED,**” passed by this Board of Supervisors on August 16, 2016 and provides for amendments to various Salary Schedules, in part, as follows:

**Salary Schedule “G”:**

***Office for the Aging***

- Funds (*stipend plus corresponding fringes*) provided through Alzheimer’s Disease Caregiver Support Initiative Grant contract through Catholic Charities of Buffalo. Amounts to be paid annually effective January 1, 2016 through December 31, 2020 to current employees for additional assigned duties only for the duration of the grant:
  - Director of Aging and Youth      \$2,000.00
  - Deputy Director of Aging      \$5,000.00
  - Senior Clerk      \$3,000.00
  - Account Clerk      \$3,000.00
  - Transportation Coordinator      \$3,000.00; and

**WHEREAS**, That Resolution Number 16-326 was previously amended by *Resolution Number 17-036* passed by this Board of Supervisors of January 17, 2017 and provides for

amendments to reflect the revisions to the Alzheimer's Disease Caregiver Support Initiative Grant as follows:

- **Director of Aging and Youth** (position code #014.098) be reduced to \$1,500.00 per year; effective January 1, 2017 through December 31, 2020.
- **Deputy Director of Aging** (position code #271.389) be reduced to \$4,000.00 per year; effective January 1, 2017 through December 31, 2020.
- **Senior Clerk** (position code #001.222) be reduced to \$2,500.00 per year; effective January 1, 2017 through December 31, 2020.
- **Account Clerk** (position code #274.002) be reduced to \$2,500.00 per year; effective January 1, 2017 through December 31, 2020.
- **Transportation Coordinator** (position code #024.267) be reduced to \$2,500.00 per year; effective January 1, 2017 through December 31, 2020; now therefore

**BE IT RESOLVED**, That **Resolution Number 16-326**, as previously amended by **Resolution Number 17-036**, be hereby further amended to change the expiration date of all Alzheimer's Disease Caregiver Support Initiative Grant stipends from December 31, 2020 to **December 31, 2017**. All else remains the same.

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

**#35**

**RESOLUTION NO. 18-041  
(January 16, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-553 AMENDED**

**WHEREAS**, Resolution Number 17-533 entitled, "**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2018**," passed by this Board of Supervisors on December 12, 2017 and provided for the signing of Letters of Understanding with Contract Agencies for 2018, in part, as follows:

- **Wyoming County Chamber of Commerce (Tourism) ~ \$164,484.00**

now therefore,

**BE IT RESOLVED**, That **Resolution Number 17-553** be hereby amended to correct the 2018 expenditure for the Wyoming County Chamber of Commerce (Tourism) from \$164,484.00 to **\$40,984.00**.

All else remains the same.

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

Chairman Berwanger noted that resolution #36 is a non-consent resolution, which means it did not come out of the Committee with unanimous consent. There was a request by Mr. Brick, T/Perry, to withdraw resolution #36 in order to conduct further research before acting upon it. Hearing no objection, Chairman Berwanger, T/Arcade concurred. Non-consent resolution #36 is withdrawn.

Non Consent  
#36

RESOLUTION NO. 18-XXX  
(January 16, 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:

*Withdrawn*

CREATED:  
*Treasurer*

- One (1) position of *Principal Account Clerk* on CSEA Schedule A Grade 14 (\$19.86 - \$22.93/hr.) position available date is January 17, 2018.

Carried:            Ayes:            Noes:            Absent:            Abstain:

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 2:52 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,



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

**A**

**Appointments**

**Mental Health**

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