

**REGULAR SESSION  
(February 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 2:31 PM Chairman Berwanger, T/Arcade, called the meeting to order.

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

**Mark J. Siemer**

Mr. Siemer graduated from Attica High School in 1983 and headed west. After spending time in California working with his dad, he joined the United States Air Force on June 3, 1985 and headed to basic training at Lackland Air Force Base, San Antonio, Texas. Lackland Air Force Base provides basic military training for Air Force recruits and lays claim to the Inter-American Air Forces Academy, the Defense Language Institute English Language Center and the Wilford Hall Medical Center, which is the Air Force's largest medical facility. Mr. Siemer finished basic training and received orders to report for specialty training at the 82<sup>nd</sup> Training Wing, 361<sup>st</sup> Training Squadron, Aberdeen Proving Ground, Maryland in September of 1985. Mr. Siemer graduated top of his class.

Receiving his first set of orders as a *Metals Technology Specialist*, Mr. Siemer was stationed at the National Air Station, Keflavik, Iceland in November of 1985. The National Air Station is located on the Reykjanes Peninsula on the southwest portion of the island. Built during World War II by the United States Army as part of its mission to maintain the defense of Iceland and secure northern Atlantic air routes, it served to ferry personnel, equipment and supplies to Europe. Mr. Siemer enjoyed the Icelandic culture and spent his free time exploring the area. He was the only machinist for the base and found his job enjoyable.

In November of 1986, Mr. Siemer received orders to relocate to Randolph Air Force Base in Texas. This base is named after Captain William M. Randolph, a native Austin, who was part of the committee of officers organized to select a name for this new installation. While serving on this committee, Captain Randolph died in an aircraft accident and a fellow committee member suggested it be named after Randolph. Today, this base serves as headquarters for the Air Education and Training Command and Air Force personnel.

In 1989, Mr. Siemer requested to be cross-trained as a *Historian Specialist* and was excited to relocate to Kirtland Air Force Base, Albuquerque, New Mexico. This base was named after Colonel Roy C. Kirtland who learned to fly in 1911 in one of the first Wright airplanes at Dayton, Ohio. Mr. Siemer spent a year documenting history and enjoying the New Mexico landscape before being transferred back to Keflavik Air Force Base in May of 1990 to finish out

his military carrier. Mr. Siemer was honorably discharged in May of 1991. For his valor and service to his country, Mr. Siemer received the:

- **AIR FORCE ACCOMMODATION MEDAL**
- **AIR FORCE ACHIEVEMENT MEDAL**
- **NCO PME GRADUATE RIBBON**
- **SMALL ARMS EXPERT MARKSMANSHIP RIBBON**
- **AIR FORCE OVERSEAS SHORT TOUR RIBBON**
- **AIR FORCE TRAINING RIBBON**
- **AIR FORCE LONGEVITY SERVICE AWARD**
- **NATIONAL DEFENSE SERVICE MEDAL**
- **AIR FORCE OUTSTANDING UNIT AWARD**

Mr. Siemer spent time traveling around the United States and doing many interesting jobs before deciding to attend college at the Rochester Institute of Technology for Engineering. Mr. Siemer graduated in 2006 and spent time in India and China on engineering projects. In 2010, he married his wife Karen and together they are building a house in Strykersville, which he assisted in designing, is building himself and hopes to occupy this summer. Mr. Siemer and his wife have two dogs, Tucker and Georgia.

*The pledge was said by all.*

Chairman Berwanger invited Town of Sheldon Supervisor, B. Becker to join him in the presentation of the customary certificate of appreciation to Mr. Siemer and an opportunity to address the Board. At which time, Mr. Siemer thanked the Board for the invitation and offered that Wyoming County is a great County and New York State is a great state and the military is a great opportunity for young adults...

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

#### COMMUNICATIONS:

1. **Assemblyman DiPietro** ~ Letter dated January 29, 2018 regarding receipt of resolution 18-036 adopted by the Board of Supervisors on January 16, 2018 which urges the Governor and State Legislature to exempt County Tuition "Chargeback" obligations for the Fashion Institute of Technology.

#1

#### **RESOLUTION NO. 18-042 (February 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>Tourism</b>			
To: 01.42.6420.4.40901 Bed Tax-Tourism w/01.02.1000.1113 Occupancy Revenue Reason: Adjust 2017 budget to match actual payments.	\$9,574.35	\$9,574.35	
<b>Tourism Total</b>			<b>\$9,574.35</b>
<b>Weights &amp; Measurers</b>			
To: 01.43.6610.1.10001 Salaries S/D/I 01.43.6610.1.10701 Accrued Vacation 01.43.6610.8.82001 Disability 01.43.6610.8.83001 FICA 01.43.6610.8.85001 Medicare-FICA w/01.03.6610.1289 Other Department Income 01.11.6610.3089 Other State Aid Reason: To cover overage due to retro salary increases for 2017.	\$2,267.00 128.65 8.82 148.99 34.58	\$2,415.00 173.04	
<b>Weights &amp; Measurers Total</b>			<b>\$2,588.04</b>
<b>Public Defender</b>			
To: 01.32.1171.4.40902 Legal Services w/01.11.1171.3089 Other State Aid – IPP Reason: To cover grant expenses for 2017.	\$1,400.00	\$1,400.00	
<b>Public Defender Total</b>			<b>\$1,400.00</b>
<b>Assigned Counsel</b>			
To: 01.34.1421.4.42314 Family Court 01.34.1421.4.42315 Criminal Court w/01.11.1421.308905 State Aid Sec 606 Reason: To cover 2017 Assigned Counsel expenses with state reimbursed funds.	\$5,000.00 12,000.00	\$17,000.00	
<b>Assigned Counsel Total</b>			<b>\$17,000.00</b>
<b>Highway</b>			
To: 01.52.9901.9.99001 County Road Fund w/ <i>any funds available</i> Reason: To cover the contracted costs of the house demolition in the Village of Castile.	\$39,280.65	\$39,280.65	
<b>Highway Total</b>			<b>\$39,280.65</b>
<b>Coroner</b>			
To: 01.32.1185.4.40927 Monroe Co. Medical Examiner w/ <i>any funds available</i> Reason: To cover the increase in cases in 2017 and 2017 lab invoice.	\$11,561.00	\$11,561.00	
<b>Coroner Total</b>			<b>\$11,561.00</b>

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

Prior to the roll call vote of resolution office #2, Finance Committee Chair J. Brick, T/Perry asked that the Appropriation for the Board of Elections be withdrawn at this time.

#2

**RESOLUTION NO. 18-043**

(February 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>Snowmobile Federation</b>			
<b>To:</b> 01.47.7989.4.40918 Snowmobile w/01.11.7989.3317 Snowmobile Revenue <b>Reason:</b> Adjust 2018 budget to match grant letter.	\$20,907.00	\$20,907.00	
<b>Snowmobile Federation Total</b>			<b>\$20,907.00</b>
<b>All Departments</b>			
<b>To:</b> 01.31.1010.4.40111 Legislative 01.32.1165.4.40111 District Attorney 01.33.1231.4.40111 Cnty Reimbursement 01.33.1325.4.40111 Treasurer 01.33.1355.4.40111 Assessment Department 01.34.1410.4.40111 County Clerk 01.34.1411.4.40111 Motor Vehicle 01.34.1431.4.40111 Human Resources 01.34.1450.4.40111 Elections 01.34.1460.4.40111 Records Management 01.34.1620.4.40111 County Buildings 01.34.1680.4.40111 Data Processing 01.36.2960.4.40111 Educ Phys Handcpd 01.37.3110.4.40111 Sheriff 01.37.3140.4.40111 Probation 01.37.3141.4.40111 Correctional Alt 01.37.3150.4.40111 Jail 01.37.3510.4.40111 Animal Control 01.37.3620.4.40111 Building Codes 01.37.3640.4.40111 Emergency Services/911 01.38.4010.4.40111 Public Health 01.38.4035.4.40111 Family Health/Planning 01.38.4059.4.40111 Early Intervention 01.38.4323.4.40111 Mental Health 01.39.6010.4.40111 Social Services Admin 01.42.6421.4.40111 Planning & Development 01.43.6510.4.40111 Veterans Service 01.43.6610.4.40111 Consumer Affairs 01.44.6772.4.40111 Office For The Aging 01.45.7310.4.40111 Youth Bureau 01.46.7510.4.40111 Historian 01.48.8021.4.40111 Zoning w/ any funds available <b>Reason:</b> To cover cost of new Cyber Security Insurance Policy.	\$565.83 725.83 292.91 1,883.32 1,204.57 1,344.57 605.83 818.74 545.83 102.58 712.29 2,161.05 252.91 2,530.40 878.74 126.46 1,384.57 146.46 565.83 1,344.57 2,210.40 778.74 232.91 918.74 3,423.32 485.83 312.91 93.23 1,324.57 465.83 166.46 126.46	\$28,732.69	
<b>All Departments Total</b>			<b>\$28,732.69</b>
<b>Board of Supervisors</b>			

<b>To:</b> 01.31.1010.4.40301 Prof. Svc. Contract <i>w/any funds available</i> <b>Reason:</b> To cover the cost of the Lumsden & McCormick CPA contract.	\$10,000.00	\$10,000.00	
<b>Board of Supervisors Total</b>			<b>\$10,000.00</b>

<b>Board of Elections</b>			
To: 01.34.1450.89001 County Insurance	\$24,216.32		
01.34.1450.89002 HRA Account	5,000.00		
01.34.1450.89003 HRA Administrative Exp	84.00		
<i>w/any funds available</i>		\$24,216.32	
<b>Reason:</b> To provide 2018 health insurance coverage for Commissioner J. Schlick which was unbudgeted.			
<b>Board of Elections Total</b>			<b>\$24,216.32</b>
<b>Mental Health</b>			
To: 01.38.4323.4.42497 SPC Grant	\$100.67		
w/01.03.4323.1289 MH-CCS Other Dept. Income		\$100.67	
<b>Reason:</b> To roll over underspent grant for final spending in 2018.			
<b>Mental Health Total</b>			<b>\$100.67</b>
<b>Public Health</b>			
To: 01.38.4035.4.41706 Medical & Safety Supplies	\$3,376.00		
w/01.11.4035.3489 COLA State Aid		\$3,376.00	
<b>Reason:</b> For unanticipated COLA award for NYSDOH Title X Family Planning for the period 01/01/18-03/31/18.			
<b>Public Health Total</b>			<b>\$3,376.00</b>
<b>District Attorney Total</b>			
To: 01.32.1163.4.42306 DA Seized Assets	\$5,500.00		
w/01.07.1163.2626 Forfeiture of Crime		\$5,500.00	
<b>Reason:</b> To purchase recording equipment for law enforcement office.			
To: 01.32.1161.4.41361 Traffic Diversion Program	\$10,000.00		
w/01.07.1161.2610 Traffic Diversion Program		\$10,000.00	
<b>Reason:</b> To purchase equipment, provide training and extra-targeted patrols for law enforcement offices within the county.			
To: 01.32.1165.4.41010 Office Supplies	\$5,282.00		
w/01.12.1165.4389 Byrne JAG Grant		\$5,282.00	
<b>Reason:</b> For the purchase of recording equipment.			
<b>District Attorney Total</b>			<b>\$20,782.00</b>
<b>Sheriff</b>			
To: 01.37.3110.4.40301	\$38,000.00		
<i>w/any funds available</i>		\$38,000.00	
<b>Reason:</b> For updating policies and procedures.			
<b>Sheriff Total</b>			<b>\$38,000.00</b>
<b>Stop DWI</b>			
To: 01.37.3315.4.41315 DWI Special Programs	\$10,000.00		
w/01.12.3315.4389 Fed. Aid-DWI Crackdown		\$10,000.00	
<b>Reason:</b> Appropriate funds from DWI Crackdown Grant.			
<b>Stop DWI Total</b>			<b>\$10,000.00</b>
<b>Emergency Services</b>			
To: 01.37.3645.2.20401G Misc. Equipment	\$1,020.59		
01.37.3645.2.20201H Computer Equipment	1,753.29		
01.37.3645.2.20201I Computer Equipment	15,439.00		
01.37.3645.4.40301I Profess. Serv. Cont.	\$37,046.00		
w/01.12.3645.43890G Federal Aid HSG2015		\$1,020.59	
01.12.3645.43890H Federal Aid HSG2016		1,753.29	
01.12.3645.43890 I Federal Aid HSG2017		52,485.00	
<b>Reason:</b> To rollover unspent grant funds from 2015, 2016 and 2017 budget years.			

<b>To:</b> 12.61.3020.2.20101 Telecommunications Bennington Tower Prjct. w/12.11.3020.3397 State Aid Capital Project <b>Reason:</b> For unspent grant funds from SF16.	\$474,197.00	\$474,197.00	
<b>Emergency Services Total</b>			<b>\$529,455.88</b>

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

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **\$3,562,153.04** for the month of **January 2018**.

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

*There was a motion by Mr. Tallman, T/Gainesville, to combine resolutions #3 and #4. Hearing no objection resolution titles were read.*

#3

**RESOLUTION NO. 18-044  
(February 13, 2018)**

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

**DANIEL J. FARBERMAN APPOINTED HUMAN RESOURCE DIRECTOR**

**BE IT RESOLVED**, That Daniel J. Farberman, 28 Crossett Road, Geneseo, NY 14454 is appointed to the position of Human Resource Director; effective February 13, 2018.

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

#4

**RESOLUTION NO. 18-045  
(February 13, 2018)**

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

**RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE ADOPT  
APPROPRIATE LEGISLATION TO ENABLE THE COUNTY OF WYOMING TO  
CONTINUE TO IMPOSE AND COLLECT TAXES ON MORTGAGES IN  
WYOMING COUNTY**

**WHEREAS**, It is deemed desirable and necessary that the County of Wyoming be authorized and empowered to adopt and amend local laws imposing in such county a tax in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law on mortgages on real property in Wyoming County; and

**WHEREAS,** It is proposed that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and/or the debt service for any capital projects for Wyoming County; and

**WHEREAS,** It is necessary that the New York State Legislature pass and adopt appropriate legislation to enable the County of Wyoming to continue to enact such local law for the imposition of such tax for a term of two (2) years; and

**WHEREAS,** It is the understanding of this Board of Supervisors that prior to the enactment of the Home Rule Request preparatory to the enactment of such state legislation, it is necessary that such proposed legislation be reviewed and assigned the appropriate Senate and Assembly Introductory bill numbers, and that thereafter an appropriate Home Rule Request or Home Rule Message, be adopted and transmitted by this Board of Supervisors to the New York State Legislature; now therefore

**BE IT RESOLVED,** That this Board of Supervisors of Wyoming County do hereby respectfully request the New York State Legislature to consider enactment of appropriate legislation to enable the County of Wyoming to impose and collect taxes on mortgages on real property in Wyoming County in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law, such legislation to authorize that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and/or the debt service for any capital projects for Wyoming County; and be it

**FURTHER RESOLVED,** That following review and introduction of said legislation in the Senate and Assembly of the State of New York, this County Board of Supervisors respectfully requests that the necessary information and forms be forwarded to this Board of Supervisors in order that an appropriate Home Rule Request can be acted upon by this body; and be it

**FURTHER RESOLVED,** that certified copies of the Resolution be forwarded by the Clerk of this Board of Supervisors to Senator Patrick Gallivan, Assembly Speaker Carl E. Heastie, Assemblyman David DiPietro, the Clerk of the Assembly and the Clerk of the Senate, with a request that those representatives in the State Legislature take the appropriate and necessary steps to process the legislation as requested herein; now therefore

**BE IT RESOLVED,** That this Resolution shall take effect immediately.

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



There was a motion by Ms. Grant, T/Bennington, to combine resolutions #5 through #10.  
Hearing no objection resolution titles were read.

#5

**RESOLUTION NO. 18-046  
(February 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH  
RESPONSE 4 HELP 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 *Response 4 Help*, 43 Oswego Street, Baldwinsville, NY 13027 on behalf of the Office for the Aging. Said contract to provide Personal Emergency Response System (PERS) services on an as needed basis; effective February 1, 2018 through December 31, 2020 Contingent upon the availability of funds.

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

#6

**RESOLUTION NO. 18-047  
(February 13, 2018)**

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

**RESOLUTION NUMBER 18-015 AMENDED**

**WHEREAS**, Resolution Number 18-015 entitled, “**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,**” was passed by this Board of Supervisors on January 16, 2018 to provide funding for 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; now therefore,

**BE IT RESOLVED**, That *Resolution Number 18-015* be hereby amended to correct the maximum funding amount to ninety-five thousand dollars (\$95,000.00) per year. All else remains the same.

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

#7

**RESOLUTION NO. 18-048  
(February 13, 2018)**

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

**ELLEN GRANT REAPPOINTED TO THE OFFICE FOR THE AGING  
ADVISORY COUNCIL**

**BE IT RESOLVED,** That *Ellen Grant* (T/Bennington), 134 Clinton Street, Alden, NY 14004 is hereby reappointed to the Office for the Aging Advisory Council as the Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

#8

**RESOLUTION NO. 18-049  
(February 13, 2018)**

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

**LISA SIEMER-HARVEY APPOINTED DIRECTOR OF VETERANS SERVICES**

**BE IT RESOLVED,** That *Lisa Siemer-Harvey*, 1238 Chaffee Road, Arcade, NY 14009 be hereby appointed to the position of Director of Veterans Services, pursuant to County Law §800, to a statutory term of two (2) years; effective December 21, 2017 through December 20, 2019.

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

*Local Law*  
#9

**RESOLUTION NO. 18-050  
(February 13, 2018)**

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

**SET PUBLIC HEARING ~ INTRODUCTORY LOCAL LAW NO. A 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 February 2018, a proposed local law entitled, "Local Law Introductory No. A Year 2018, "A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2018," 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 13<sup>th</sup> day of March, 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.

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

### **INTRODUCTORY LOCAL LAW NO. A - YEAR 2018**

#### **County of Wyoming, 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.

**#10**

#### **RESOLUTION NO. 18-051 (February 13, 2018)**

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

#### **RESOLUTION NUMBER 17-513 AMENDED**

**WHEREAS**, Resolution Number 17-513 entitled, “**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES FOR THE YEAR 2018**” was passed by this Board of Supervisors on December 12, 2017 and provides, in part, for the following contract:

- *New Directions*, 6395 Old Niagara Road, Lockport, NY 14094 for community based treatment services in an amount not to exceed thirty-seven thousand five hundred dollars

(\$37,500.000); effective January 1, 2018 through December 31, 2018.

now therefore,

**BE IT RESOLVED**, That **Resolution Number 17-513** be hereby amended to correct the terms of the contract to October 1, 2017 through September 30, 2018. All else remains the same.

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

*There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #11 through #16. Hearing no objection resolution titles were read.*

**#11**

**RESOLUTION NO. 18-052  
(February 13, 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**

Supervisor Member

*One (1) year term effective January 1, 2018 through December 31, 2018*

- **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569  
(reappointment)

**Mental Health Subcommittee**

Supervisor Member

*One (1) year term effective January 1, 2018 through December 31, 2018*

- **Rebecca Ryan** (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569  
(reappointment)

Agency Representative

*To fill a vacant four (4) year term effective February 13, 2018 through December 31, 2019*

- **Lisa Harvey**, (Veteran Services), 26 Linwood Avenue, Suite 2, Warsaw, NY 14569  
(replacing R. Perez)
- **Peter Hoffmeister**, (Warsaw Village Police), 67 West Buffalo Street, Suite B, Warsaw, NY 14569 (replacing D. Rumsey)

**Alcohol & Substance Abuse Subcommittee**

Agency Representative

*Four (4) year term January 1, 2018 through December 3, 2021*

- *Justin Chernogorec, SP4, (US Army Civil Operations Specialist), 6070 Michigan Road, #11, Arcade, NY 14009 (reappointment)*

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

**#12**

**RESOLUTION NO. 18-053  
(February 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 OF THE STATE OF NEW YORK 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,** 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 the local jail; and

**WHEREAS,** The link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails. Alcohol and drugs are implicated in roughly eighty (80) percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public-order offenses; and

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

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

**WHEREAS,** 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 LGUs 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.

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

#13

**RESOLUTION NO. 18-054  
 (February 13, 2018)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
 WARSAW PROPERTY MANAGEMENT ON BEHALF OF MENTAL HEALTH**

**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 *Warsaw Property Management, LLC*, 2071 Crittenden Road, Alden, NY 1404 on behalf of Mental Health. Said contract is for the rental of 460 North Main Street, Warsaw NY (*upstairs*) in an amount not to exceed twenty thousand one hundred seventy-nine dollars and thirty-eight cents (\$20,179.38); effective February 1, 2018 through December 31, 2020.

Contingent upon the availability of funds.

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

#14

**RESOLUTION NO. 18-055  
 (February 13, 2018)**

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

**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT  
 WITH ECLINICAL WORKS ON BEHALF OF THE  
 COUNTY HEALTH DEPARTMENT**

**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 *eClinical Works*, Two Technology Drive, Westborough, MA on behalf of the County Health Department. Said contract is electronic medical record and practice management services in an amount not to exceed ten thousand dollars (\$10,000.00) per year;

effective January 1, 2018 through December 31, 2020.

Contingent upon the availability of funds.

<b>Carried:</b> XXX	<b>Ayes:</b> 1499	<b>Noes:</b>	<b>Absent:</b> 62 (Middlebury)	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
			100 Total	

**RESOLUTION NO. 18-056  
(February 13, 2018)**

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

**RESOLUTION NUMBER 17-252 AMENDED**

**WHEREAS**, Resolution Number 17-252 entitled, “**CHAIRMAN/COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,**” was passed by this Board of Supervisors on June 13, 2017 and provides, in part, for the following grant award:

- **New York State Department of Health, Center for Community Health, Division of Chronic Disease Prevention**, ESP Corning Tower, Room 1025, Albany, NY 12237 on behalf of the Livingston Wyoming Cancer Services Program:
  - Contract Number C028846 for clinical services payments in the following *maximum* amounts:
 

▪ April 1, 2017 through March 31, 2018	\$9,799.00
▪ April 1, 2018 through September 30, 2018	<u>\$4,500.00</u>
	\$14,299.00

Now, therefore,

**BE IT RESOLVED**, That *Resolution Number 17-252* be hereby amended to correct the maximum funding amount for April 1, 2017 through September 30, 2018 from \$14,299.00 to ***\$19,535.00***.

All else remains the same.

<b>Carried:</b> XXX	<b>Ayes:</b> 1499	<b>Noes:</b>	<b>Absent:</b> 62 (Middlebury)	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
			100 Total	

**RESOLUTION NO. 18-057  
(February 13, 2018)**

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

**REBECCA RYAN REAPPOINTED TO THE WYOMING COUNTY BOARD OF HEALTH**

**BE IT RESOLVED**, That *Rebecca Ryan* (T/Warsaw), 172 West Buffalo Street, Warsaw, New York 14569 be hereby reappointed as a Supervisor Member to the Wyoming County Board of Health for a one (1) year term; effective January 1, 2018 through December 31,



2018.

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

*There was a motion by Mr. Kehl T/Attica, to combine resolutions #17 through #20. Hearing no objection resolution titles were read.*

**#17**

**RESOLUTION NO. 18-058  
(February 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, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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

**#18**

**RESOLUTION NO. 18-059  
(February 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION ADVISORY COMMITTEE**

**BE IT RESOLVED,** That *John Copeland* (T/Wethersfield), 5888 Sheppard Road, Bliss, NY 14024 is hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee as a Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018; and be it

**FURTHER RESOLVED,** That *Bryan Kehl* (T/Attica), 914 Route 98, Attica, NY 14011 is hereby reappointed to the New York State Department of Environmental Conservation

Advisory Committee as the Supervisor Member/Alternate for a term of one (1) year; effective January 1, 2018 through December 31, 2018.

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

#19

**RESOLUTION NO. 18-060  
(February 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE  
WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD**

**BE IT RESOLVED**, That *Angela Brunner* (T/Java), 1947 Chaffee Road, Arcade, NY 14009 is hereby appointed as a Supervisor Member to the Wyoming County Soil and Water Conservation District Board for a one (1) year term; effective January 1, 2018 through December 31, 2018; and be it

**FURTHER RESOLVED**, That *James Brick* (T/Perry), 7618 Route 20A, Perry, NY 14530 is hereby reappointed as a Supervisor Member to the Wyoming County Soil and Water Conservation District Board for a one (1) year term; effective January 1, 2018 through December 31, 2018

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

#20

**RESOLUTION NO. 18-061  
(February 13, 2018)**

By Mr. Kehl, Chairman of the Agriculture Committee:

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

**BE IT RESOLVED**, That *James Brick* (T/Perry), 7618 Route 20A, Perry, NY 14530 is hereby reappointed to the Cornell Cooperative Extension of Wyoming County Board of Directors as the Supervisor Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #21 through #29. Hearing no objection resolution titles were read.

#21

**RESOLUTION NO. 18-062  
(February 13, 2018)**

By Mr. Davis, Vice-Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A SUBLEASE AGREEMENT WITH  
WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY ON BEHALF OF  
THE WYOMING COUNTY AG AND BUSINESS CENTER**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Sublease Agreement with *Wyoming County Industrial Development Agency* for 5,121 sq. ft. of office space located in the Wyoming County Ag and Business Center, 36 Center Street, Suite D, Warsaw NY 14569. Base rent is in the amount of eleven dollars and forty-four cents (\$11.44) per square foot and utilities are at two dollars and eighty cents (\$2.80) per square foot; effective February 19, 2018 through February 18, 2019.

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

#22

**RESOLUTION NO. 18-063  
(February 13, 2018)**

By Mr. Davis, Vice-Chairman of the Planning Committee:

**REBECCA RYAN REAPPOINTED TO THE  
WYOMING COUNTY CHAMBER OF COMMERCE BOARD OF DIRECTORS**

**BE IT RESOLVED**, That *Rebecca Ryan* (T/Warsaw), 172 West Buffalo Street, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Chamber of Commerce Board of Directors as the Board of Supervisors Member for a one (1) year term; effective January 1, 2018 through December 31, 2018.

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

#23

**RESOLUTION NO. 18-064**







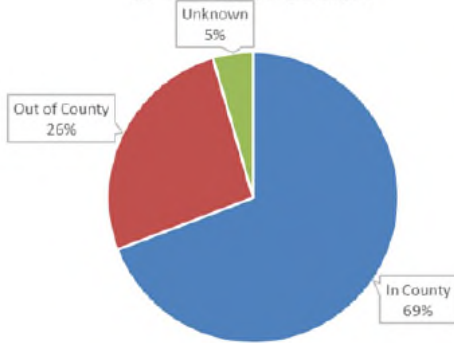




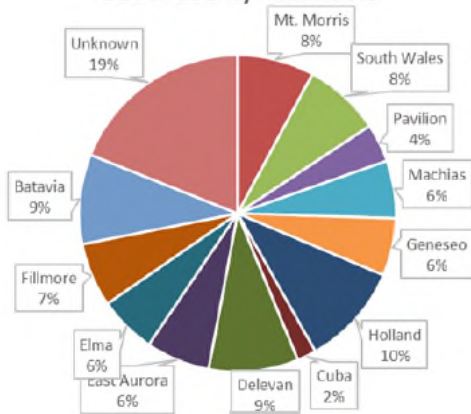
## 7th Annual "SHOP WYOMING & WIN" 2017-18 RESULTS "A Win for Wyoming County"

**Success by the Numbers:**  
**581 Shoppers Participating**  
**33 Business Box Locations**  
**\$460,473 in Total Purchases**  
**2% Increase over 2016-17**  
**\$36,838 in est. Sales Taxes**

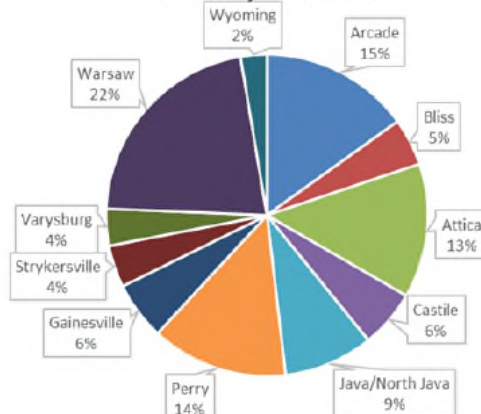
IN VS OUT OF COUNTY



Out of County Purchasers



In County Purchasers



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### SHOP WYOMING & WIN CONTEST DRAWING ~

- Wyoming County Chamber of Commerce





## MEDIA RELEASE

Contact: Scott Gardner, President & CEO  
Email: [sgardner@wycochamber.org](mailto:sgardner@wycochamber.org)  
Phone: 585-786-0307

For Immediate Release  
Date: February 14, 2018

### **Another Record Year for 7<sup>th</sup> Wyoming County Chamber & Tourism's "Shop Wyoming and Win" Buy Local Promotion**

(Warsaw, NY) – Three lucky individuals were selected on Tuesday, February 13, 2018, as winners of the Chamber's "Shop Wyoming and Win" annual Buy Local promotion. This year's winners are: Eugene Esaiako from Perry won the Char-Broil gas/charcoal Grill donated by Ace Hardware of Attica and Warsaw; Zachary and Crystal Marsh from Castile won the Rocker Recliner donated by Harding's Attica Furniture and Flooring in Attica; and Bob and Louise Irving from Perry won the \$100 Wyoming County Visa Gift Card.

The Wyoming County Chamber & Tourism held the drawing at the Wyoming County Board of Supervisors regular February Meeting. As the most senior members of the Board, Town Supervisors Jerry Davis (Covington), Doug Berwanger (Arcade), and Ellen Grant (Bennington) drew the winning tickets.

"On behalf of the Chamber and the community, we extend congratulations to all the winners of this year's "Shop Wyoming and Win" buy-local promotion. This year was another record breaker and we again exceeded local shopping revenue goals over last year," said Chamber President Scott Gardner. "Thank you to the many local businesses who participated, and all the shoppers for making this event another success. Thank you especially to everyone who shopped locally this holiday season, placed a drop box in their business, or supported the program in some way."

"The prizes are made possible with the strong support of two county businesses. We thank Ace Hardware of Attica and Warsaw for the generous donation of the Char-Broil gas grill, and sincerely thank Harding's Attica Furniture and Flooring for donating the Rocker Recliner," concluded Gardner. "These two businesses were generous participants and we hope that shoppers will stop in to support these outstanding local family run small businesses."

This year marks the seventh time the Chamber has sponsored the holiday promotion as part of the Wyoming County Chamber of Commerce's buy local program. After weeks of planning and delivering the entry boxes to 33 small businesses all over the county, the contest kicked off on "Black Friday" 2017.

Participants were required to save their receipts from purchases made in Wyoming County between "Black Friday," November 24, 2017 and Christmas Eve, December 24, 2017. They then submitted the receipts by mail, in-person, or in drop boxes by the deadline of January 12, 2018. For every \$50 worth of purchases made in Wyoming County, the participants were eligible for one entry in the drawing. Another record was set with 581 participants and total purchases at \$460,473, up over last year. Shoppers turned in sales receipts, which brought in estimated sales taxes of \$36,838 during the 31-day promotional period.

For more information or to become a member, please call 585-786-0307 or visit the website at [www.wycochamber.org](http://www.wycochamber.org).

# # #

There was a motion by Mrs. May, T/Orangeville, to combine resolutions #30 through #34. Resolution number 35 has been withdrawn. Hearing no objection resolution titles were read.

#30

**RESOLUTION NO. 18-071  
(February 13, 2018)**

By Mrs. May, Vice-Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE  
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES  
ON BEHALF OF THE DISTRICT ATTORNEY**

**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 Division of Criminal Justice Services*, 80 South Swan Street, Albany, NY on behalf of the District Attorney. Said grant to fund recording equipment in a minimum amount of five thousand two hundred eighty-two dollars (\$5,282.00); effective January 1, 2018 through December 31, 2018.

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

#31

**RESOLUTION NO. 18-072  
(February 13, 2018)**

By Mrs. May, Vice-Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH  
EM SYSTEMS, INC. ON BEHALF OF THE SHERIFF’S DEPARTMENT**

**BE IT RESOLVED**, That the Chairman of this Board, 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 *EM Systems, Inc.*, 4043 Maple Road, Suite 211, Amherst, NY 14226 on behalf of the Sheriff’s Department. Said contract to provide annual maintenance for the LEMS Record Management System (RMS) and Sex Offender Program Software in an amount not to exceed twelve thousand six hundred dollars (\$12,600.00); effective January 1, 2018 through December 31, 2018.

Contingent upon the availability of funds.

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



**RESOLUTION NO. 18-074  
(February 13, 2018)**

By Mrs. May, Vice-Chairman of the Public Safety Committee:

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

**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 County Jail:

- **Orleans County Sheriff**, 26 Platt Street, Albion, NY 14411 to provide prisoner housing for Orleans County Inmates at the Wyoming County Jail in an amount not to exceed ninety dollars (\$90.00) per day per prisoner; effective January 1, 2018 through December 31, 2020.
- **Steuben County Sheriff**, 7007 Rumsey Street Extension, Bath, NY 14810 to provide prisoner housing for Wyoming County Inmates at the Steuben County Jail in an amount not to exceed eighty-five dollars (\$85.00) per day per prisoner; effective January 1, 2018 through December 31, 2018.
- **Simplex Grinnell LP**, 90 Goodway Drive, Rochester, NY 14623 to provided fire alarm maintenance for the Jail in an amount not to exceed five thousand two hundred thirty-seven dollars and seventy cents (\$5,237.70); effective January 1, 2018 through December 31, 2018.

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

**RESOLUTION NO. 18-075  
(February 13, 2018)**

By Mrs. May, Vice-Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF STOP DWI**

**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 Stop DWI:

- **Arcade Police Department**, 17 Church Street, Arcade, NY 14009 to provide funding for

DWI enforcement and specific expenses towards breathalyzer/radar equipment in an amount not to exceed six thousand dollars (\$6,000.00); effective January 1, 2018 through January 31, 2018.

- ***Attica Police Department***, 43 Exchange Street, Attica, NY 14011 to provide funding for DWI enforcement and specific expenses towards breathalyzer/radar equipment in an amount not to exceed five thousand five hundred dollars (\$5,500.00); effective January 1, 2018 through January 31, 2018.
- ***Perry Police Department***, 46 North Main Street, Perry, NY 14530 14011 to provide funding for DWI enforcement and specific expenses towards breathalyzer/radar equipment in an amount not to exceed five thousand five hundred dollars (\$5,500.00); effective January 1, 2018 through January 31, 2018.
- ***Warsaw Police Department***, 67 West Buffalo Street, Warsaw, NY 14569 to provide funding for DWI enforcement and specific expenses towards breathalyzer/radar equipment in an amount not to exceed six thousand dollars (\$6,000.00); effective January 1, 2018 through January 31, 2018.

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

#35

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

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SINCLAIR BROADCAST  
 GROUP, INC. ON BEHALF OF EMERGENCY SERVICES**

*Withdrawn*

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #36 through #39. Hearing no objection resolution titles were read.*

**#36**

**RESOLUTION NO. 18-076  
(February 13, 2018)**

By Mrs. May, Vice-Chairman of the Public Safety Committee:

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

**WHEREAS**, A Project for the *Replacement of Simmons Road Bridge over Little Beards Creek, Town of Perry, Wyoming County, P.I.N. 4WY0.02; BIN 3320060* (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

**FURTHER RESOLVED**, That the sum of **\$103,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it

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

**FURTHER RESOLVED**, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid











job creation in Upstate New York and Long Island; and

**WHEREAS,** The Governor and State Legislature have enacted several laws over the last few decades designed to address New York's highest in the nation property taxes, including the creation of STAR school tax relief, a property tax cap, a temporary two-year property tax freeze and rebate check program and two separate temporary state matching grant program for eligible local government shared services efforts; and

**WHEREAS,** For decades, counties and other local governments have implemented, and continue to implement, thousands of shared services projects and other government efficiencies; and

**WHEREAS,** County elected leaders have strongly advocated in support of ways to lower the property tax burden for homeowners and businesses across the state going back nearly 50 years when the largest state mandate, Medicaid, was first imposed on counties, growing from \$100 million then to over \$7.5 billion today; and

**WHEREAS,** Since that time the State has required county taxpayers to finance with local taxes dozens of other state programs that, for the most part, counties in other states are not required to finance; and

**WHEREAS,** Many of these state mandated programs are very comprehensive and generous to their recipients compared to what other states provide and often are among the most expensive in the country in total dollars, as well as, per beneficiary; and

**WHEREAS,** State imposed mandates on counties require more than \$12 billion annually in locally raised taxes to be sent to the State Capitol so they can be used in lieu of state raised revenues to pay for statewide programs and initiatives; and

**WHEREAS,** State elected officials recognize that mandating local governments to finance state-designed and controlled programs directly impacts the property tax burden and to help mitigate this they have enacted important mandate relief for county property taxpayers, including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and

**WHEREAS,** Since the enactment of these mandate relief initiatives the growth rate in aggregate county property taxes has slowed dramatically, generally averaging two percent per year over the last decade, less than the rate of inflation over that time frame; and

**WHEREAS,** County officials believe that one of the best ways to improve New York's economic climate and competitiveness is to not just slow the rate of growth in property taxes, but to lower them from today's levels; and

**WHEREAS,** Counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in historic and sustainable reductions in county property taxes and establish a more appropriate and equitable distribution of the cost of the state's human services programs; and

**WHEREAS**, The cost of the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

**WHEREAS**, The benefits, scope, and ultimate cost of Medicaid has been set and controlled by the State for 50 years, but not fully financed with state resources, therefore transferring a significant burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York and other states; and

**WHEREAS**, Cornell University researchers have documented how New York's practice of shifting fiscal responsibilities from the state to lower levels of government including counties creates severe imbalances between New York and other states in relation to property taxes; and

**WHEREAS**, We attribute the practice of using local revenues to subsidize statewide spending initiatives as the number one reason why New York's property taxes are the highest in the nation; now therefore,

**BE IT RESOLVED**, The Wyoming County Board of Supervisors calls on the Governor and State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent, and measurable county property tax reductions and lower tax rates for New York residents; 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.

<b>Carried:</b> XXX	<b>Ayes:</b> 1499	<b>Noes:</b>	<b>Absent:</b> 62 (Middlebury)	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
			100 Total	

#42

**RESOLUTION NO. 18-082  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO RENEW THEIR COMMITMENT TO FULLY FUND THE STATE SHARE OF COMMUNITY COLLEGE COSTS AND TO FULLY FUND THE COSTS OF FIT CHARGEBACKS FOR STUDENTS WORKING TOWARD BACHELORS AND MASTERS DEGREES**

**WHEREAS**, Under state law, funding for community colleges is to be provided through state aid, a county sponsor contribution and student tuition and fees; and

**WHEREAS**, The establishment and continued operation of a statewide community college system was based on a commitment to ongoing State aid funding of at least one-third of community college operating costs; and

**WHEREAS**, The State funding amount has declined over the years below the historic one-



and

**WHEREAS**, Owners of real property in New York State are to be assessed on the basis of the building as it existed on the taxable status date; and

**WHEREAS**, Assessors in New York State are required to assess property as it is being used ("*Value in Use*") on March 1<sup>st</sup> of each year; and

**WHEREAS**, Assessors, when valuing property, utilize all three approaches to value:

- \* The Cost Approach,
- \* The Income Approach, and
- \* Sales; and

**WHEREAS**, The best indicator of value is the sale of a similar use comparable property; and

**WHEREAS**, The "*Dark Store Theory*" relies on the use of shuttered, deed restricted and abandoned properties that are in no way similar to lighted stores as comparable properties; and

**WHEREAS**, Several recent court decisions in varying judicial districts have adopted the "*Dark Store Theory*" in their decisions; and

**WHEREAS**, The potential loss of real estate value and related tax revenue may run into the hundreds of millions of dollars statewide; and

**WHEREAS**, The lost real estate tax revenue will be shifted and redistributed to all other taxpayers in each affected taxing jurisdiction throughout New York State; and

**WHEREAS**, The States of Michigan, Indiana and Texas have all experienced a similar destruction to their tax base by way of "*The Dark Store Theory*" being used; and

**WHEREAS**, The loss and shifting of tax revenue has led to the reduction of essential municipal services in other states, and

**WHEREAS**, Heavily impacted states across the nation are advancing similar legislation; 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 enact legislation that mandates sound appraisal theory in the valuation of real property for taxation purposes in the New York State Real Property Tax Law that eliminates the "*Dark Store Theory*" as an argument to lower property value in New York; 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: 1499**    **Noes:**    **Absent: 62 (Middlebury)**    **Abstain:**  
38 (Wethersfield)  
100 Total

**RESOLUTION NO. 18-084**  
**(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO REJECT THE GOVERNOR'S BUDGET PROPOSAL THAT ALLOWS THE EXECUTIVE BRANCH TO MAKE ADMINISTRATIVE BUDGET CUTS TO LOCAL ASSISTANCE PROGRAMS IF CERTAIN FINANCIAL THRESHOLDS ARE BREACHED AT ANY TIME DURING THE STATE FISCAL YEAR**

**WHEREAS**, Governor Cuomo has proposed in his 2018-19 Budget Recommendation that the Executive Branch be granted additional budget authority to administratively make state budget cuts to local assistance programs at any time during the fiscal year if certain fiscal thresholds are breached; and

**WHEREAS**, The two thresholds include:

- A reduction of more than \$ 850 million in federal Medicaid funding; or a reduction in federal financial participation or other Federal aid in funding to New York State that affects the State Operating Funds financial plan by \$850 million or more, exclusive of any cuts to Medicaid; or
- The State's revenue estimates fall \$500 million or more short of projected in the adopted Financial Plan at any point during the fiscal year; and

**WHEREAS**, If either fiscal threshold is triggered the Executive Branch is tasked with unilaterally: 1) developing across the board funding cuts with limited state legislative review under the federal trigger, and 2) under the revenue trigger enact cuts of up to three percent across the board to local assistance funding with no state legislative review; and

**WHEREAS**, Defining if a threshold is triggered rests entirely with the Governor under this proposal; and

**WHEREAS**, Under the federal trigger, without a clear definition, one could conclude that the trigger has already occurred based on federal budget actions that have already cut nearly \$2 billion in federal funding to New York that supports children's health insurance programs, Medicaid disproportionate share payments for hospitals and special payments to health insurers under the Affordable Care Act that funds the State's Essential Health Plan — all of which require an act of Congress to reverse; and

**WHEREAS**, Under the state revenue trigger, over the last two years the state has lowered its revenue projections six times for a total \$4.2 billion; and

**WHEREAS**, Given this recent history it appears the expanded Executive budget authority to enact cuts administratively seeks mainly to bypass the normal legislative process in developing the state budget which requires public input from taxpayers and stakeholders tasked



with implementing state and federally mandated programs, and other critical services; and

**WHEREAS,** The Governor of New York is already vested with significant budget authority in crafting and controlling the state budget, so much so that the governor's role in New York's budget process is considered one of the most powerful in the country; and

**WHEREAS,** Providing blanket authority to the Executive to effectively implement mid-year budget cuts to local governments and others for expenses that may have already been incurred will require local taxpayers to absorb through higher costs or lost services with virtually no stakeholder input; and

**WHEREAS,** Expanding these budget powers reduces transparency and severely restricts the taxpayer's voice in critical public policy decisions; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors calls upon the New York State Legislature to reject the Governor's request to expand his budget authority to make significant funding cuts administratively at any time; 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:** 1499     **Noes:**     **Absent:** 62 (Middlebury)  
38 (Wethersfield)  
100 Total

#45

**RESOLUTION NO. 18-085  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION CALLING ON THE STATE TO HELP COUNTIES AND LOCAL GOVERNMENTS REDUCE LOCAL TAXES BY PROHIBITING COST SHIFTS AND NEW COSTS TO COUNTIES, AND TAKING MORE FISCAL RESPONSIBILITY FOR STATE HEALTH, HUMAN SERVICE AND PUBLIC SAFETY PROGRAMS**

**WHEREAS,** Counties have long used shared services and functional consolidation as a primary tool in improving local government efficiency; and

**WHEREAS,** Over the last several years the State has endorsed a variety of shared services initiatives to encourage more consolidation and service sharing at the local level; and

**WHEREAS,** Since 2011, the State has enacted a series of laws requiring local governments to reduce property tax increases and find new opportunities to share services and

reduce costs at the local level; and

**WHEREAS,** These laws included the property tax cap enacted in 2011, the Government Efficiency Program enacted in 2014, and the County-Wide Shared Services Initiative enacted in 2017; and

**WHEREAS,** In 2015, 48 counties submitted Government Efficiency Plans with annual savings at more than \$290 million for a three-year total of \$882 million from 1,303 different projects; and

**WHEREAS,** In the 2017-18 State Budget, the County-Wide Shared Services Initiative called for county leaders to take the lead in convening and developing new shared services and consolidation proposals designed to reduce the burden of local property taxes; and

**WHEREAS,** As part of this law, 34 counties submitted 389 proposals that identified \$208 million in projected savings in 2018, \$75 million in 2019 and \$76.1 million in 2020; and

**WHEREAS,** In 2018, remaining counties will convene county-wide shared service panels in compliance with the law; and

**WHEREAS,** In 2018, Governor Andrew M. Cuomo proposed that state funding for local government performance aid will now be conditional on the continuation of shared services panels; and

**WHEREAS,** Counties are committed to the pursuit of achieving greater efficiencies through shared services and are concerned about overly prescriptive state mandates that intrude upon local home rule authority guaranteed under the state constitution; and

**WHEREAS,** These state-enacted laws requiring counties and local governments to reduce costs do not recognize the state's role in driving up local costs, including the programs it mandates counties to deliver and fund, and the policies and regulations that it requires all local governments and school districts to follow; now therefore

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors hereby calls on the state to help counties and local governments reduce local property taxes by constitutionally prohibiting all new costs to local governments, taking more fiscal responsibility for state health, human service, and public safety programs delivered by counties, reducing or reforming state mandated programs, and increasing flexibility on various regulations required of local governments; and be it

**FURTHER RESOLVED,** Counties support incentives to facilitate shared services such as making state matching funds permanent and providing seed funding to help counties develop and evaluate complex shared services proposals; and be it

**FURTHER RESOLVED,** To maximize benefits for property taxpayers, schools and fire districts should be included in these shared services incentive programs; and be it



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

**RESOLUTION NO. 18-087**  
**(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION COMMENDING THE STATE'S EFFORTS TO IMPROVE CYBER  
SECURITY FOR ELECTION SYSTEMS, AND CALLING FOR EXPANDING THOSE  
EFFORTS TO INCLUDE ALL COUNTY INFORMATION SYSTEMS**

**WHEREAS**, In New York State, counties are responsible for managing election operations, which includes maintaining voting machines, voter databases, and all of the processes that go into holding federal, state, and local elections each year; and

**WHEREAS**, As the 2016 elections approached, it became increasingly clear that bad actors were trying to hack into the information systems and databases maintained by boards of elections across the United States of America, including in New York; and

**WHEREAS**, The New York State Cyber Security Council, the New York State Police, Homeland Security, and the State Board of Elections encouraged counties to bolster security over their election IT systems to ensure that systems had not been compromised; and

**WHEREAS**, In his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo proposed a four-pronged approach to further strengthen cyber protections for New York's elections infrastructure that includes creating an election support center, developing an elections cyber security support toolkit, providing cyber risk vulnerability assessments and support for local boards of elections, and requiring counties to report data breaches to state authorities; and

**WHEREAS**, All county IT systems, including but not limited to election systems, are more vulnerable than ever to bad actors trying to infiltrate, access, and hold hostage the wide range of data managed by counties; and

**WHEREAS**, County governments maintain IT systems that house a range of sensitive personal information; and

**WHEREAS**, County governments maintain the voter database, sensitive personal information, and even DMV-related personal information; and

**WHEREAS**, The threat to our counties is real and constitutes a cyber-emergency based on recent attacks by cybercriminals; and

**WHEREAS**, Counties continue to use best efforts to secure and shield our systems, but often do not have the resources necessary to properly perform risk assessments to protect our IT infrastructure; now therefore



employee health insurance, Article 47 of the Insurance Law is triggered; and

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

**WHEREAS,** Current State Insurance Law §§ 4237-a and 3231 prohibits local governments with fewer than 100 employees from purchasing stop-loss insurance policies; and

**WHEREAS,** These State laws represent significant barriers to local government efficiency, shared services and cost savings for property taxpayers; and

**WHEREAS,** Counties have on numerous occasions asked the state to review its current legal and regulatory requirements that allow counties to establish shared health insurance risk pools to help lower costs for local governments; and

**WHEREAS,** Recent state legislation would have authorized municipalities to join county self-funded or self-insured health plans without triggering the barriers presented by these onerous state laws.

**BE IT RESOLVED,** That the Wyoming County Board of Supervisors does hereby urge Governor Andrew M. Cuomo and the State Legislature to amend State Insurance Law to make it easier to form municipal health insurance consortiums and allow these consortiums to include local governments with fewer than 100 employees to purchase stop-loss health insurance policies; 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:** 1499     **Noes:**     **Absent:** 62 (Middlebury)  
38 (Wethersfield)  
100 Total     **Abstain:**

**#49**

**RESOLUTION NO. 18-089  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE STATE OF NEW YORK AND THE SENECA NATION  
TO COME TO AGREEMENT ON GAMING REVENUE SHARING**

**WHEREAS,** In 2002, the State of New York and the Seneca Nation entered into a compact with a provision that gaming revenue would be shared with the State in return for certain gaming exclusivity rights in Western New York; and





100 Total



***Human Resources***

- Set the annual salary for the position of *Payroll Specialist, FT* (position code #021.535) at \$43,000.00; position available date February 12, 2018

***Emergency Services***

- Set the annual salary for the position of *Administrative Assistant* (Emer Serv) under Civil Defense at \$38,000.00; effective date March 5, 2018.

**Salary Schedule "D":**

***Human Resource***

- Set the annual salary for the position of *Human Resource Director* at \$150,000.00; effective February 13, 2018.

***Veterans Services***

- Set the annual salary for the position of *Director of Veterans Services* at \$42,000.00; effective December 21, 2017.
  - After six (6) months of full-time work and contingent upon satisfactory performance and meeting pre-established goals, Director Harvey is eligible for an increase of \$1,000.00.
  - After completing another six (6) months off full-time work and contingent upon satisfactory performance and meeting pre-established goals Director Harvey is eligible for an increase of \$1,500.00.

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

**#52**

**RESOLUTION NO. 18-092  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

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

**BE IT RESOLVED,** In accordance with Resolution Number 11-209 passed by the Wyoming County Board of Supervisors, on June 14, 2011 entitled, "**AMENDING RESOLUTION 91-159, AUTHORITY OF THE BOARD OF MANAGERS OF THE HOSPITAL,**" the Chairman of this Board, 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 the following contracts on behalf of the Wyoming County Community Health System:

- **GE Healthcare**, 9900 Innovation Drive, Wauwatosa, WI 53226 for the purchase of a refurbished GoldSeal Infinia II Gamma Camera in an amount not to exceed two hundred twenty-eight thousand eight hundred thirty-nine dollars and fifty cents (\$228,839.50);

effective December 13, 2017.

- **GE Healthcare**, 9900 Innovation Drive, Wauwatosa, WI 53226 for an 84-month service agreement on the GE GoldSeal Infinia II Gamma Camera in an amount not to exceed one thousand seven hundred twenty dollars and seventy-five cents (\$1,720.75) per month for eighty-four (84) months for a total amount not to exceed one hundred forty-four thousand five hundred forty-three dollars (\$144,543.00); effective after the original twelve (12) month warranty period expires.
- **Philips Healthcare**, 22100 Bothell Everett Highway, Bothell, WA 98021 to purchase two (2) EPIQ 5G Ultrasound Units in an amount not to exceed two hundred four thousand seven hundred forty dollars and fourteen cents (\$204,740.14); effective December 27, 2017.
- **Nuance Healthcare**, One Wayside Road, Burlington, MA 01803 (billed through HANYS) for Clintegrity Electronic Reference Manuals for inpatient and outpatient coding and compliance products and services software in an amount not to exceed seventy-seven thousand six hundred sixty-one dollars and six cents (\$77,661.06); effective January 1, 2018 through December 31, 2020.
- **Nuance Healthcare**, One Wayside Road, Burlington, MA 01803 (billed through HANYS) for clintegrity outpatient coding and compliance products and services software in an amount not to exceed thirteen thousand one hundred ten dollars and nine cents (\$13,110.09); effective January 1, 2018 through December 31, 2020.
- **University at Buffalo Surgeons, Inc.**, 100 High Street, Buffalo, New York 14203 an approved General Surgeon to provide general surgery services at the WCCHS clinic, inpatient, surgery and 24-hour call services for the Hospital's patients seven (7) days per month in an amount not to exceed eight thousand seven hundred eighty-four dollars (\$8,784.00) per month; effective January 1, 2018 through June 30, 2018.
  - For the period of July 1, 2018 through December 31, 2019, an approved General Surgeon to perform general surgery services at the WCCHS clinic, inpatient, surgery and call services on a 1:2 basis in an amount not to exceed four hundred thirty-one thousand eight hundred seventy-five thousand dollars (\$431,875.00) annually with a three percent (3%) increase effective July 1, 2019 and each year thereafter.
    - Contract also provides for the potential of a fifty dollar (\$50.00) bonus per worked RVU based on exceeding six thousand seven hundred (6,700) Work Relative Value Units (“wRVUs”) in any contract year.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 18-093  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 16-088 AMENDED**

**WHEREAS**, Resolution Number 16-088 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on February 9, 2016 and provides, in part, for the following contract:

- **Kimberly Heeb, CST, RN, WHNP, CNM**, 1844 Maxon Road, Attica, NY 14011 to provide inpatient and outpatient midwifery services in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00) per year, effective the date she completes insurance credentialing and becomes available for work; no later than ninety-five (95) days from January 14, 2016.

now therefore

**BE IT RESOLVED**, That *Resolution Number 16-088* be hereby amended to extend the term of this contract for an additional one (1) year period; effective January 15, 2018 through January 14, 2019.

All else remains the same.

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

**RESOLUTION NO. 18-094  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION NUMBER 17-431 AMENDED**

**WHEREAS**, Resolution Number 17-431 entitled, “**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,**” passed by this Board of Supervisors on October 10, 2017 and provided, in part, for the following contract:

- *University General Surgery Services, Inc.*, 5500 Main Street, Williamsville, NY 14221 for a WCHS approved general surgeon to provide general surgery services at





(February 13, 2018)

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF WETHERSFIELD APPROVED**

**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

TAX MAP PARCEL: Tax Map #106.-2-54.112 ~ Town of Wethersfield

LOCATION: 4150 Poplar Tree Road

OWNER: Wyoming County IDA - Drasgow  
36 Center Street  
Suite D  
Warsaw, NY 14569

ORIGINAL BILL: \$6,355.60

CORRECTED BILL: \$167.06

CREDIT: \$6,188.54

REASON: Unlawful Entry

AUTHORITY: RPTL §550.7(a) *“an entry on the taxable portion of the assessment roll or the tax roll, or both, of the assessed valuation of real property which, except for the provisions of section four hundred ninety of this chapter, is wholly exempt from taxation.”*

<b>Carried: XXX</b>	<b>Ayes: 1499</b>	<b>Noes:</b>	<b>Absent: 62 (Middlebury)</b>	<b>Abstain:</b>
			<u>38 (Wethersfield)</u>	
			100 Total	

#59

**RESOLUTION NO. 18-099**  
**(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF PERRY APPROVED**



**WHEREAS**, Pursuant to the Real Property Tax Law §556, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee; now therefore

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

TAX MAP PARCEL: Tax Map #88.20-2-20 ~ Town of Perry

LOCATION: 21 Olin Avenue

OWNER: Luckybrook Homes, LLC  
300 International Drive  
Suite 100  
Buffalo, NY 14211

ORIGINAL BILL: \$2,431.47

CORRECTED BILL: \$1,124.44

CREDIT: \$1,307.03

REASON: Clerical Error

AUTHORITY: RPTL §550.2(h) *“an incorrect entry on a tax roll of a relevied school tax or relevied village tax which has been previously paid.”*

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

#60

**RESOLUTION NO. 18-100  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**POSITION(S) APPROVED**

**AMENDED:**

***Veterans Services***

- One (1) position of ***Assistant Director of Veteran Services, PT (.80 FTE)*** at 25 hrs. per week (position code #004.369) to increase the position to full time (1.00 FTE) at 35 hrs. per week; effective immediately.

**CREATED:**

***Highway***

- One (1) position of ***Motor Equipment Operator (Seasonal)*** for a period not to exceed twenty-six weeks, 40 hours per week at a rate of \$13.50/hr. (no CDL), \$14.50/hr. (with CDL) plus \$0.25 for each previous season worked with no other benefits except those mandated by law; position available date is February 14, 2018.

***Human Resources***

- One (1) position of ***Payroll Specialist (Temp)*** and place on Schedule S with a salary of \$42,551.00/yr.; position available date is February 12, 2018.

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

#61

**RESOLUTION NO. 18-101  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE GOVERNOR TO SIGN SENATE BILL 2122A  
(O'MARA)/ASSEMBLY BILL 1841A (MORELLE), WHICH REQUIRES PROPERTY  
SUBJECT TO A PILOT TO BE INCLUDED IN THE TAX BASE GROWTH FACTOR**

**WHEREAS**, New York State's counties supported the inclusion of the quantity change factor in the original tax cap legislation in order to not penalize local communities experiencing strong economic growth and development; and

**WHEREAS**, The inclusion of this factor allows a municipality's tax levy to increase due to "quantity change", including new growth and/or significant additions to existing properties; and

**WHEREAS**, A community that sees this expanded development must pay for the necessary public services and infrastructure to support the growth but is not allowed to proportionately grow their tax base under the current tax cap provisions; and

**WHEREAS**, This situation hampers the ability of local governments to ensure a high level of services for residents and, over time, will be counterproductive to the state's economic development and job creation goals; and

**WHEREAS**, The quantity change factor calculation as implemented under the state's property tax cap also fails to include the full impact that payment in lieu of tax (PILOT) exclusion agreements have on the property tax base and the need for public services; and

**WHEREAS**, There are approximately 4,600 active PILOT IDA projects with an average investment of \$18 million, therefore these pilot arrangements can significantly impact some

taxing jurisdictions; and

**WHEREAS**, In June 2017, both chambers of the New York State Legislature unanimously passed legislation that would require assessed property under an IDA PILOT agreement to be made part of the calculation for determining a taxing jurisdiction's quantity change factor; and

**WHEREAS**, Governor Andrew M. Cuomo vetoed this legislation in December 2017; now therefore

**BE IT RESOLVED**, The Wyoming County Board of Supervisors urges the Governor to sign S.2122A (*O'Mara*)/A.1841A (*Morelle*) thereby amending the General Municipal Law to require property subject to a PILOT to be included in the Tax Base Growth Factor; and be it

**FURTHER RESOLVED**, The passage of this legislation is necessary for local governments to continue to provide a high level of services to their residents; 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:** 1499    **Noes:**    **Absent:** 62 (Middlebury)    **Abstain:**  
38 (Wethersfield)  
100 Total

*Prior to the roll call vote for resolutions office number 41 – 62, Chairman Berwanger explained the reason for the unusually large number of resolutions is that counties are asked to support resolutions coming out of the Winter and Fall NYSAC conferences. Finance Committee is supporting several of those resolutions from the 01/29/18 – 02/01/18 Conference held at the Desmond Hotel in Albany...*

*Prior to the roll call vote of Non-consent resolution number 62, Chairman Berwanger recognized Supervisor Becker, T/Sheldon to speak on behalf of the passage of this resolution.*

*Supervisor Becker expressed his support in favor of passing the resolution as he recalled the reason years ago for not collecting sales tax on merchandise purchased over the “world wide web” was to give vendors an opportunity to become established. Today, it is apparent that these sales are taking away from the “brick and mortar” stores in favor of being able to shop from the comfort of your own home.*

*In Supervisor Leuer’s, T/Middlebury absence, Chairman Berwanger explained that Supervisor Leuer was the lone no vote on this resolution in the Finance Committee as he reminded committee members that the state does not have jurisdiction over interstate commerce, the federal government does. Therefore the state cannot regulate interstate comment. There is no legislation the state could enact to change NYS Sales tax collections relative to interstate commerce.*

*Chairman Berwanger expressed that he agrees with Supervisor Becker and would therefore be voting in favor of its passage.*

*Chairman Berwanger called on Budget Officer Cook to share the dollar amount collected in sales tax and how it impacts the county's overall budget.*

***Non-Consent  
#62***

**RESOLUTION NO. 18-102  
(February 13, 2018)**

By Mr. Brick, Chairman of the Finance Committee:

**RESOLUTION URGING THE STATE TO ENACT LEGISLATION TO ENSURE A  
FAIR AND LEVEL PLAYING FIELD FOR ALL RETAILERS BY ADDRESSING  
SHORTFALLS IN INTERNET SALES TAX COLLECTION PRACTICES**

**WHEREAS**, The State has identified significant loopholes in certain Internet-based sales tax collection practices and the State estimates that more than \$300 million annually in state and local sales taxes are not being collected; and

**WHEREAS**, The Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus; and

**WHEREAS**, Internet-based sales transactions through marketplace providers is estimated to be growing at annual rates of 15 percent; and

**WHEREAS**, Enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and

**WHEREAS**, A more efficient, modern, and fairer system of collecting sales tax owed under state law will provide critically important revenues for counties, towns, cities, villages and some school districts, and help local governments keep property taxes lower; and

**WHEREAS**, Providing an easy to use platform for large, highly experienced Internet transaction facilitators to collect sales tax on behalf of their participating vendors will create a fairer and more balanced marketplace for local "bricks and mortar" New York based retailers, as well as New York based online vendors; and

**WHEREAS**, These improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses; now therefore

**BE IT RESOLVED**, The New York State Association of Counties (NYSAC) calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a level playing field for retailers; 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:** 1499      **Noes:**      **Absent:** 62 (Middlebury)      **Abstain:**  
38 (Wethersfield)  
100 Total

*Before the meeting was adjourned, Chairman Berwanger called on WCCH CEO, D. Eichenauer to make a presentation over the financial status of the largest department in the county. Before CEO Eichenauer begins, Dr. Paul Mason, Board Certified Orthopaedic Surgeon with Buffalo Orthopaedic Group was introduced to Supervisors and attendees.*

**Wyoming County Community Hospital**  
**Board of Supervisors Meeting**  
**February 13, 2018**  
by Don Eichenauer



### Operating Statement

	<u>2017</u>	<u>2016</u>	<u>2015</u>
	unaudited		
Total Operating Revenue	55,746,000	53,440,000	55,091,000
Total Expenses	57,698,000	57,268,000	57,368,000
Operating Income - (Loss)	(1,952,000)	(3,828,000)	(2,277,000)
Non Operating Revenue	<u>18,812,000</u>	<u>1,742,000</u>	<u>2,374,000</u>
Net Income (Loss)	<u>16,860,000</u>	<u>(2,086,000)</u>	<u>96,637</u>

### Revenue By Type

	Approx % of Revenue
Acute - Inpatient	15%
Emergency Room	6%
Outpatient Surgery	8%
Outpatient Radiology & Imaging	9%
Mental Health	7%
Clinics	6%
Nursing Facility	28%

Additional revenue is in other Outpatient areas as well as Government and other Grants

### Skilled Nursing Facility

Census – 2017	132.7	96.2%
Quality Ratings	Continued 5 star rating in Quality	
Case Mix	Has Risen from under 1 to 1.19	

### Latest Quarter Press-Ganey Patient Satisfaction Replies Overall Response


Acute - Inpatient		Ambulatory Surgery		Emergency Department	
Patient Responses -	83	Patient Responses -	62	Patient Responses -	191
Very Poor	0.2%	Very Poor	0.0%	Very Poor	3.2%
Poor	0.9%	Poor	0.0%	Poor	2.4%
Fair	4.0%	Fair	0.5%	Fair	7.1%
Good	33.6%	Good	15.6%	Good	21.5%
Very Good	61.4%	Very Good	83.9%	Very Good	65.9%

 <p> <b>Lindsay Clark, MD</b>            Board Certified            Orthopaedic Surgeon            with UBMD Orthopaedics            505-798-7927         </p>	 <p> <b>Kyle Collins, PA</b>            Physician Assistant            with UBMD Orthopaedics            505-798-7927         </p>	 <p> <b>Kim Danner, NP</b>            Certified Nurse Midwife            505-798-5500         </p>	 <p> <b>Gregory DiFrancesco, MD</b>            with UBMD            Emergency Medicine            716-265-3600         </p>	 <p> <b>Mark Dorn, MD</b>            Otolaryngologist with Western            New York Otolaryngology            Assoc., LLC            505-798-9575         </p>	 <p> <b>Alvett Bales, DO</b>            Cardiologist with            UP Medicine            505-798-6667         </p>	 <p> <b>Patrick Delays, MD</b>            Board Certified OB/GYN         </p>
 <p> <b>Kim Hank, NP</b>            Certified Nurse Midwife            505-798-5500         </p>	 <p> <b>John C. Karpis, MD</b>            Board Certified            Orthopaedic Surgeon with            Buffalo Orthopaedic Group            505-798-7927         </p>	 <p> <b>Alexander Ujehang, DO</b>            with UBMD            Emergency Medicine            716-265-3600         </p>	 <p> <b>John J. LeBianco, DPA-C</b>            Physician Assistant with            Buffalo Orthopaedic Group            505-798-7927         </p>	 <p> <b>Paul J. Mason, MD</b>            Board Certified            Orthopaedic Surgeon with            Buffalo Orthopaedic Group            505-798-7927         </p>	 <p> <b>PT Nguyen, MD</b>            Board Certified            UROLOGIST            505-798-6562         </p>	 <p> <b>Frank Cohen, MD</b>            General Surgeon         </p>
 <p> <b>Kevin A. O'Connell, MD</b>            Ear, Nose, Throat            and Allergy            505-798-5533         </p>	 <p> <b>Joe O'May, DPA-C</b>            Physician Assistant with            Buffalo Orthopaedic Group            505-798-7927         </p>	 <p> <b>Monique Fawcett, MS,            PA-C</b>            with UBMD            Emergency Medicine            716-265-3600         </p>	 <p> <b>Ronald Weissberg, DO</b>            General Surgeon            505-798-1249         </p>	 <p> <b>Margaret Wright, PA-C</b>            Certified Physician            Assistant with            Pediatric Center            505-798-7999         </p>	 <p> <b>Wael H. Young, MD</b>            Radiologist with            St. Lawrence's Radiology            Associates            505-798-0264         </p>	

### ECMC Relationship Continues to Grow

- ED providers through UBMD
- Medical Director through ECMC
- Director of Finance and Revenue through ECMC
- ENT through UB relationship
- New surgeon through University of Buffalo Surgeons
- Nephrology clinic soon to open
- Assistance in the laboratory
- Family practice growth plans





**Challenges**

- Continued uncertainty/changes in Medicare and Medicaid payment models
- Difficulty of health insurance company payment requirements and physician credentialing
- Definition of observation status patients by Medicare and Insurance Companies
- Competition from larger healthcare entities
- Staff shortages in certain key areas
- Aging faculties in Lab and OR's
- Continuing need for physicians
- Ability to make community aware of progress

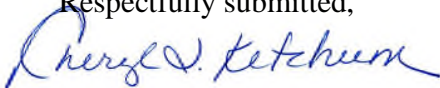
*Prior to the adjourning the meeting, Supervisor Hastings, T/Eagle asked for an opportunity to address the Supervisors. He offered a thank you on behalf of Max Crystal, Keuka College Intern For the many individuals that helped to make the internship a positive one...*

*Supervisor Grant, T/Bennington requested an opportunity to formally introduce, the Director of Veteran Services, Lisa Siemer-Harvey.*

*There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 3:31 PM with a rap on his desk.*

\*\*\*\*\*

Respectfully submitted,



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

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18-084, Resolution Urging the New York State Legislature to Reject the Governor's Budget Proposal That Allows the Executive Branch to Make Administrative Budget Cuts to Local Assistance Programs if Certain Financial Thresholds are Breached at any Time During the State Fiscal Year .	40
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