REGULAR SESSION
(March 12, 2019)

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 B. Hastings, T/Eagle and D. Tallman, T/Gainesville. Also present for the County were Attorney James Wujcik, Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Lisa Perez.

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

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

Corporal Gerald B. Ramsey

Mr. Ramsey was born in Batavia, New York on August 1, 1946. He attended Elba High School and was drafted into the United States Army in September of 1967. He completed his basic training at Fort Dix, New Jersey and individual training at Fort Sill, Oklahoma.

Fort Sill was named in honor of General Joshua Sill who was killed during the Civil War in 1862. All four of the Black Regiments that were later referred to as the "Buffalo Soldiers": the 9th and 10th US Cavalry and the 24th and 25th Infantry, served at Fort Sill during the late 19th Century. Fort Sill's primary purpose was to control the Comanche, Cheyenne, Kiowa and other tribes of the Southern Plains who were making frequent raids on settlements in Texas and Mexico. Fort Sill is now the largest field artillery complex in the free world, using a three-pronged approach to training and preparedness makes it one of the best training posts in the Army.

Mr. Ramsey went from Fort Sill straight to Vietnam serving most of his time in the military with A Battery, 6th Battalion of the 11th Artillery. When he returned to the states, it was back to Fort Sill where he finally shipped home in September of 1969.

For his valor and courageous service to his country, Mr. Ramsey was awarded the:

- **National Defense Service Medal**
- **Vietnam Service Medal with Bronze Service Star**
- **Republic of Vietnam Campaign Medal with Device 60**
- **2 Overseas Bars (Republic of Vietnam)**
- **Good Conduct Medal**
- **Sharpshooter Qualification Badge**
- **A Purple Heart**
-

After returning home, Mr. Ramsey worked at Agway for 38 years. He married his wife, Donna, in May of 1971 and they live in the Town of Orangeville. Together they have one son. Mr.

Ramsey is a member of the Warsaw American Legion, Warsaw VFW Post and the Vietnam Veterans of America Chapter 193.

Mr. Ramsey and his wife are also known to their next-door neighbors as the best neighbors anyone could ask for!

Supervisor B. Becker, T/Sheldon stepped out of the meeting prior to the passage of Resolutions No. 1 and No. 2.

The pledge was said by all.

Chairman Berwanger invited Supervisor May, T/Orangeville, to join him at the podium for the presentation of the customary certificate of appreciation to Mr. Ramsey and offered him an opportunity to address the Board.

Mr. Ramsey thanked the board for the honor to lead the pledge today.

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

COMMUNICATIONS ~

- *None*

#1

RESOLUTION NO. 19-100
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2019 accounts as follows:

Public Defender			
From: 12.61.9950.9.99004 Interfund Transfer **To:** 12.61.1620.2.21018 Linwood Ave (PD) CIP **Reason:** To cover remaining expenses to finish Public Defenders CIP project.	$7,632.00	$7,632.00	
Public Defender Total			**$7,632.00**

Carried: XXX **Ayes:** 1353 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
102 (Sheldon)
246 Total

#2

RESOLUTION NO. 19-101
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2019 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2019 accounts as follows:

Treasurer			
To: 01.47.7989.4.40918 Snowmobile **w**/01.11.7989.3317 Snowmobile Revenue **Reason:** Adjust 2019 budget to match grant letter.	$26,376.00	$26,376.00	
Treasurer Total			**$26,376.00**
Historian			
To: 01.46.7510.4.42404 Grant Expense **w**/01.03.7510.128901 Other Dept. Income Grant **Reason:** To appropriate funds for the *Where in Wyoming is the History Gnome* summer history program.	$3,500.00	$3,500.00	
Historian Total			**$3,500.00**
Office for the Aging			
To: 01.44.6772.4.40802 Contr. Bldg. Repair Priv. ***w/any funds available*** **Reason:** To appropriate funds to cover 60% of new mechanical door installation at the OFA building. Remaining 40% paid by grant funds.	$2,964.00	$2,964.00	
Office for the Total			**$2,964.00**
Social Services			
To: 01.39.6010.2.23001 Motor Vehicle **w**/01.12.6010.4610 Federal Revenue 01.11.6010.3610 State Revenue ***w/any other funds available*** **Reason:** Re-Appropriate 2018 funds to 2019. Vehicle was ordered in 2018, but may not be delivered prior to closing 2018 books.	$22,494.14	10,771.00 6,951.00 4,772.14	
Social Services Total			**$22,494.14**
Mental Health			
To: 01.38.4310.4.41801 Misc. Assess/Chg. Other Govt. ***w/any funds available*** **Reason:** To fund court ordered placement at state Forensic Unit for restoration to competency.	$30,000.00	$30,000.00	
Mental Health Total			**$30,000.00**
Stop DWI			
From: 01.12.3315.4389 Fed Aid-DWI Crackdown **w**/01.37.3315.4.41315 DWI Special Programs **Reason:** Funds were included with the STOP-DWI Budget.	($10,850.00)	($10,850.00)	
Stop DWI Total			**($10,850.00)**

Carried: XXX **Ayes:** 1353 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
102 (Sheldon)
246 Total

Mr. Granger, T/Castile, Chairman of the Audit Committee, presented bills totaling **$2,973,138.44** for the month of **February 2019.**

Supervisor Becker, T/Sheldon entered the meeting before the passage of the payment of bills.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

There was a motion by Mrs. King, T/Pike, to combine resolutions #3 through #9. Hearing no objection resolution titles were read.

#3

RESOLUTION NO. 19-102
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

RESOLUTION URGING NEW YORK STATE TO FUND THE PURCHASE ELECTRONIC POLL BOOKS FOR COUNTY BOARDS OF ELECTIONS

WHEREAS, Counties, through local Boards of Elections, are responsible for managing election operations, and paying for all or most of the costs of these operations; and

WHEREAS, In January, State Lawmakers have passed and the Governor has signed into law series of voting reforms to the New York State Election Law; and

WHEREAS, These reforms include early voting, voter registration transfers, same day voter registrations, and pre-registering 16 and 17 year olds to vote; and

WHEREAS, Implementing these reforms will require counties to purchase and use electronic polling books, estimated to cost up to $1 million per county; and

WHEREAS, Despite their desire to improve voter turnout, state leaders have not invested in our voting system infrastructure in more than a decade; 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 fund the electronic poll books that counties will have to purchase to effectively implement many of the state's new voting reforms; and be it

FURTHER RESOLVED, That the state fund the costs associated with the new reforms of which include equipment, education and training for poll workers; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#4

RESOLUTION NO. 19-103
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

RESOLUTION URGING NEW YORK STATE TO FUND ALL COSTS ASSOCIATED WITH NEW STATE-ENACTED VOTING REFORMS IMPLEMENTED AT THE COUNTY LEVEL

WHEREAS, New York State has some of the lowest voter turnout rates in the nation; and

WHEREAS, State Lawmakers have passed and the Governor has enacted a series of reforms to state election law and the voting process, including early voting, consolidating the federal and state primary dates, voter registration transfers and same day voter registrations; and

WHEREAS, Counties, through local Boards of Elections, are responsible for managing election operations and paying for all or most of the costs of these operations; and

WHEREAS, The State's new early voting law requires counties to open polling sites for early voting for 10 days prior to any primary or general election, starting during the 2019 general election; and

WHEREAS, Another state proposal would allow for same day voter registration, which would enable voting-age residents to register to vote and vote on election day; and

WHEREAS, These reforms will likely require counties to purchase and use electronic polling books and make other investments in their election systems; 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 create a task force of state and local officials to determine the costs associated with implementing these voting reforms; and be it

FURTHER RESOLVED, That the state fund the costs associated with the new reforms; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#5

RESOLUTION NO. 19-104
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

RESOLUTION NUMBER 17-452 AMENDED

WHEREAS, Resolution Number 17-452 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE COUNTY ATTORNEY**," passed by this Board of Supervisors on November 14, 2017 and provides for various contracts, in part, as follows:

- ***Jennifer Wilkinson, Esq.,*** 11 Exchange Street, Attica, New York 14011 for the rendering of legal services to the Wyoming County Department of Social Services at the rate of seventy-five dollars ($75.00) per hour for a total contract amount not to exceed ten thousand dollars ($10,000.00) annually; effective November 8, 2017 through December 31, 2018.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-452*** be hereby amended to increase the contract amount from ten thousand dollars ($10,000.00) annually to an amount not to exceed seventeen thousand two hundred dollars ($17,200.00).

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#6

RESOLUTION NO. 19-105
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN CSEA AND THE COUNTY OF WYOMING APPROVED

WHEREAS, The Wyoming County Community Health System ("Hospital") has great difficulty recruiting and retaining for third shift; and

WHEREAS, Wyoming County and CSEA have an interest in ensuring the safety, well-being and high quality care of all patients in the Hospital and associated facilities through appropriate staffing levels; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and County Labor Attorney is hereby authorized and directed to sign the individual Memorandum of Understanding by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreement to allow for the following:

1. The shift differential set and controlled by Articles 10.3 and 10.4 of the Collective Bargaining Agreement shall be $2.00 per hour for second shift and $3.00 per hour for third shift; and

2. This increase will take effect on February 23, 2019 and shall be effective for all employees covered under the terms of the Collective Bargaining Agreement and for which the above articles are applicable; and

3. This memorandum shall be automatically placed on the bargaining agenda for discussion among the parties in the next round of negotiation following its signing.

All else remains unchanged.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#7

RESOLUTION NO. 19-106
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

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

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

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

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

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

WHEREAS, Every county has unique challenges when hiring for certain skilled or knowledge-based positions due to each county having different populations, economics, and demographics including but not limited to retired corrections deputy sheriffs, school resource officers, public health nurses, registered nurses, caseworkers, mental health professionals, and other critical positions; and

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

WHEREAS, In 2018 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to $35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired; and

WHEREAS, Following said adjustment, future increases shall be tied to the ERS COLA for retirees, staff and occur annually; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and the New York State Legislature to enact legislation supporting an increase in this earnings rate as part of their 2019-20 state budget negotiations; and be it

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

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#8

RESOLUTION NO. 19-107
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

RESOLUTION CALLING UPON THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO REFRAIN FROM ENACTING NEW PUBLIC EMPLOYEE BENEFITS MANDATES

WHEREAS, New York State has one of the highest state and local tax burdens in the nation; and

WHEREAS, The Governor and legislative leaders have all pledged on numerous

occasions to reduce the burden of local property taxes on businesses and home owners, including a cap on property taxes, as a way to stimulate the state's economy; and

WHEREAS, In 2012 the State enacted a property tax cap in order to help reduce and maintain tax levels throughout the State and the Governor is seeking to make the tax cap permanent in 2019; and

WHEREAS, New York counties have stepped up to meet the challenge with the vast majority staying under the cap level every budget year but it is becoming increasingly more difficult to do so; and

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

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

WHEREAS, These mandated personnel cost increases directly lead to budget increases for counties and translate to added burdens to local taxpayers who have to pay the costs of these new benefits; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State to refrain from creating any new public employee benefits that would result in increased county cost unless these changes are fully funded by the State; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon the New York State Legislature not to enact and the Governor not to approve any new personnel cost mandates as a first step in achieving their promised reduction in the local property tax burden; and be it

FURTHER RESOLVED, That the 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#9

RESOLUTION NO. 19-108
(March 12, 2019)

By Mrs. King, Vice-Chairman of the Human Resource Committee:

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

WHEREAS, New York County Clerks play an historic and important role as public servants. Along with the Sheriff and District Attorney, they are one of three county officials named in the State Constitution; and

WHEREAS, Over 240 years later, the role of the county clerk as the chief record and filing officer for the county have remained consistent, but their duties have grown much more complex with changes in population, technology, and the state's laws, policies and regulations; and

WHEREAS, Today 51 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, Under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the county operated DMV's; and

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

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

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

WHEREAS, It is unfair when a county DMV provides all DMV services for our residents, including overhead and staffing, yet the State takes 87.3 percent of the revenue generated from these services; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on Governor Andrew M. Cuomo and members of the New York State Legislature to increase the county DMV revenue share; and be it

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

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

There was a motion by Ms. Grant, T/Bennington, to combine resolutions #10 through #21. Hearing no objection resolution titles were read.

#10

RESOLUTION NO. 19-109
(March 12, 2019)

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

RESOLUTION NUMBER 18-539 AMENDED

WHEREAS, Resolution Number 18-539 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE OFFICE FOR THE AGING**," passed by this Board of Supervisors on December 11, 2018 and provides for various contracts, in part, as follows:

- ***Center for Elder Law & Justice, Inc.,*** 438 Main Street, Suite 1200, Buffalo, NY 14202-3208 to provide legal services to Wyoming County residents 60+ years; in a *maximum* amount of nine thousand dollars ($9,000.00).

Now therefore,

BE IT RESOLVED, That ***Resolution Number 18-539*** be hereby amended to increase the hourly rate to seventy-five dollars ($75.00) per hour; effective January 1, 2019.

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#11

RESOLUTION NO. 19-110
(March 12, 2019)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the ***New York State Office for the Aging,*** 2 Empire State Plaza, Corning Tower, Albany, New York, 12223-1251 on behalf of the Wyoming County Office for the Aging. Said grant funds to provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low-income subsidy programs in a minimum amount thirteen thousand three hundred seventeen dollars ($13,317.00); effective September 30, 2018 through September 29, 2019.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#12

RESOLUTION NO. 19-111
(March 12, 2019)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WCJW 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 ***WCJW,*** 3258 Merchant Road, P.O. Box 251, Warsaw, NY 14569 on behalf of the Office for the Aging. Said contract to provide information and outreach in Wyoming County for various Office for the Aging programs that require promotion in an amount not to exceed eight thousand dollars ($8,000.00); effective January 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#13

RESOLUTION NO. 19-112
(March 12, 2019)

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

RESOLUTION URGING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO ENACT REFORMS TO THE EARLY INTERVENTION PROGRAM THROUGH REFORMS THAT ADDRESS THE LACK OF AVAILABLE PROVIDERS IN MANY AREAS OF THE STATE

WHEREAS, Previous reforms to the Early Intervention Program, including the establishment of the statewide fiscal agent, have provided administrative and contracting efficiencies, but this initiative is still in need of important refinements to address significant provider capacity shortfalls that have occurred in many communities since the transition to State administered provider agreements in April 2013; and

WHEREAS, Provider costs continue to escalate while the rates for reimbursement have not been changed or increased in over twenty years; and

WHEREAS, Counties are responsible for ensuring that services developed in an Individualized Family Service Plan (IFSP) begin in a timely fashion, namely thirty (30) days

from the date of the authorization; and

WHEREAS, Counties are required to assign providers to a child's IFSP that have current provider agreements with the State Department of Health and are listed by county in the New York Early Intervention System (NYEIS) database; and

WHEREAS, Counties cannot accurately identify available providers due to the inadequacy of the NYEIS system such as untimely updates and regular maintenance; and

WHEREAS, Providers listed in the NYEIS database are frequently unavailable to provide services to a child due to a variety of factors, including the area in which the child resides, providers only accepting referrals for one or two children enrolled in the Early Intervention Program (EIP) due to other commitments, full caseloads, or outdating listings for providers who no longer participate with the Early Intervention Program; and

WHEREAS, Some providers left the Early Intervention Program due to implementation and payment delays related to the rollout of the statewide fiscal agent model, while others left the Early Intervention Program due to stagnant reimbursement rates; and

WHEREAS, Because of the decline of participating and available providers, resulting in counties not being able to provide the Early Intervention services required under the law, even to already enrolled eligible children, sometimes leading to placement on wait lists; and

WHEREAS, Research demonstrates that the growth and brain development of infants and toddlers is at its highest in years 0-2, and the developmental progress of children identified with special needs could be hampered by any delays in services; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and the New York State Legislature to implement reforms to the Early Intervention Program that hold the State responsible for ensuring there is sufficient provider capacity across the state to serve identified children in all types of early intervention services; and be it

FURTHER RESOLVED, These state responsibilities should include the implementation of a robust recruiting effort, focused orientation and training for new and existing providers, mentoring, and technical assistance to help providers operate efficiently and effectively in the new administrative model; and be it

FURTHER RESOLVED, The state shall work with county representation to develop incentive programs to address provider capacity in hard to recruit areas such as but not limited to travel reimbursement and partial reimbursement for no-shows; and be it

FURTHER RESOLVED, The Executive Budget proposal should include a 5% rate increase for all Early Intervention providers and all services; and be it

FURTHER RESOLVED, That the state should cap county costs, ensuring that the counties are held harmless by any increase in provider rates; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#14

RESOLUTION NO. 19-113
(March 12, 2019)

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

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO ELIMINATE THE COUNTY FISCAL CAP ON PRESCHOOL SPECIAL EDUCATION TRANSPORTATION COSTS AND TO INCENTIVIZE THE USE OF EXISTING BUS FLEETS AND TRANSPORTATION SYSTEMS

WHEREAS, The county cost of transporting preschool special education students is significant and counties cannot recoup all of these costs due to state-imposed transportation reimbursement caps and stringent Medicaid interpretation for reimbursement; and

WHEREAS, The fact that other states do not require county government to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes to New York's high property tax burden; and

WHEREAS, A gubernatorial statewide task force on reforming preschool special education determined that counties should be removed completely from financing the state's preschool special education program; and

WHEREAS, School districts make decisions on programs for children, including travel to these programs, with limited input from the counties; and

WHEREAS, School districts already have infrastructure in place to transport school-age children, including children transported outside their own districts; and

WHEREAS, The safety of children, specifically children with special needs, is a priority; 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 implement a plan to gradually remove counties from the fiscal responsibility of paying for transportation costs for preschool children; and be it

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

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

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#15

RESOLUTION NO. 19-114
(March 12, 2019)

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

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO GRADUALLY ELIMINATE THE COUNTY FISCAL RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION AND SUMMER SCHOOL SPECIAL EDUCATION PROGRAMS

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

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

WHEREAS, A gubernatorial statewide Task Force on Reforming Preschool Special Education determined that counties should be removed completely from financing the State's preschool special education program; and

WHEREAS, The State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100 percent with State resources; and

WHEREAS, The State also requires counties to support 10 percent of summer school special education 4408 program costs for all children; and

WHEREAS, The fact that other states do not require county governments to pay for these special education expenses and the failure of New York State to fully fund its promised share of preschool special education program costs contributes directly to New York's highest in the nation property tax burden; 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 implement a plan to gradually remove counties from the fiscal responsibility of paying for preschool and summer school special education programs; and be it

FURTHER RESOLVED, The first phase should include capping county fiscal liability for preschool special education and then implementing a three-year plan to incrementally reduce the county fiscal liability for this program to no more than 25 percent as intended at the inception of the program to help reduce pressure on property taxes; and be it

FURTHER RESOLVED, The second phase should gradually reduce the county fiscal responsibility to zero for both preschool and summer school special education costs; and be it

FURTHER RESOLVED, That the 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#16

RESOLUTION NO. 19-115
(March 12, 2019)

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

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN VARIOUS WELFARE MANAGEMENT SYSTEM CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That the Chairman of this Board and Commissioner of Social Services, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, are hereby authorized and directed to sign various contracts on behalf of the Department of Social Services as follows:

- ***Chances & Changes, Inc.***, PO Box 326, Geneseo, NY 14454 to provide residential domestic violence services; effective January 1, 2019 through December 31, 2019.

- ***Harmony & Joy Child Care, Inc., d/b/a Pride & Joy Child Care of Geneseo,*** 4624 Millennium Drive, Geneseo, NY 14454 to provide day care services; effective November 5, 2018 through December 31, 2019.

- ***GCCA Child Care Center***, 1 College Road, Batavia, NY 14020 to provide day care services; effective January 1, 2019 through December 31, 2019.

All contracts have variable amounts depending upon services provided.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#17

RESOLUTION NO. 19-116
(March 12, 2019)

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

RESOLUTION URGING NEW YORK STATE TO RENEW ITS COMMITMENT TO PREVENT AND PROTECT CHILDREN FROM ABUSE AND NEGLECT BY RESTORING STATE SHARE FUNDING LEVELS TO 65 PERCENT UNDER THE EXISTING OPEN-ENDED CHILD WELFARE FINANCING MECHANISM

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

WHEREAS, The reduction of State funding for these Child Welfare programs has made it more difficult and costly for counties to provide services designed to keep children safe and to provide them with permanent homes and reduced stays in foster care; and

WHEREAS, New York counties and New York City investigated over 183,000 reports and cared for 16,211 children in the foster care system (2016 KidsCount data); and

WHEREAS, The safety and welfare of children should remain the State's highest priority; and

WHEREAS, The prior uncapped child welfare funding stream at 65 percent state share provided counties with critical fiscal support allowing for the development of innovative community-based programs that led to a dramatic reduction in the number of children in the foster care system; and

WHEREAS, The gradual, but steady, pullback in State funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, youth detention and treatment, creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, effectively forcing this State constitutional responsibility on county government and local property taxpayers; and

WHEREAS, New York State enacted a two percent property tax cap which further exacerbates local budget pressures while additional costs are shifted from the state to counties for

state mandated programs; and

WHEREAS, The Governor has indicated his desire to make the property tax cap permanent in 2019 with no indication additional state funding will be provided for child welfare, nor the restoration of prior state budget cuts; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors firmly believes the State should renew its commitment to the wellbeing of children by gradually restoring current funding levels to 65 percent state share to be matched with a 35 percent local share, under the existing open-ended child welfare financing mechanism; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#18

RESOLUTION NO. 19-117
(March 12, 2019)

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

RESOLUTION URGING THE STATE TO CLARIFY ITS HOMELESSNESS PREVENTION GOALS BY MAKING PERMANENT HOUSING THE CENTRAL FOCUS, WHILE DEVELOPING A MORE EFFECTIVE EMERGENCY SHELTER MODEL

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

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

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

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

WHEREAS, The needs of those seeking emergency shelter continues to evolve with many having challenging family dynamics; and

WHEREAS, Regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, some are registered sex offenders, and still others are state prison parolees or on probation; with some facing several of these challenges at the same time; and

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

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

WHEREAS, Significant state funding cuts in a wide array of social service programs over the last decade, in conjunction with the state-imposed property tax cap has restricted counties' ability to pursue more aggressive prevention efforts that can reduce homelessness in the first instance; and

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

WHEREAS, Recent state directives, emergency rulemaking and data requests that focus on safety and security in emergency and temporary shelter situations as well as active outreach are causing significant administrative burdens for counties without providing any additional financial support from the state to assist and comply with these demands even though the state has increased its own staff significantly; and

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

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

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

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

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

WHEREAS, The Governor has emphasized certain emergency homelessness measures to address public safety and health concerns such as the "Code Blue" initiative; and

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to make permanency the central focus of statewide homelessness policy; and be it

FURTHER RESOLVED, the State should coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts; especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH and OASAS; and be it

FURTHER RESOLVED, The state should target funding to counties that allows them to work with community partners to develop service models that achieve permanency through innovative and flexible approaches that meet local needs; and be it

FURTHER RESOLVED, The State should work with counties in developing a public education campaign to ensure the public better understands the plight of families and individuals struggling with homelessness and how everyone can benefit by helping them achieve stable housing in our communities; and be it

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

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the Office for Temporary Disability Assistance, Office of Mental Health, Office of Alcohol and Substance Abuse Services, 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#19

RESOLUTION NO. 19-118
(March 12, 2019)

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

RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO MAINTAIN OUR MUTUAL GOALS OF NOT SHIFTING NEW COSTS TO COUNTIES, WHILE MAINTAINING REASONABLE LOCAL FLEXIBILITY OVER ADMINISTRATIVE FUNCTIONS, AS THE STATE REALIGNS MEDICAID ADMINISTRATIVE FUNCTIONS AND HUMAN SERVICES PROGRAMS

WHEREAS, The State Department of Health continues its multi-year effort to take over the administrative responsibilities of the Medicaid program from county government to provide improved consistency in the administration of Medicaid and to reduce administrative burdens for counties and New York City; and

WHEREAS, Counties support efforts to streamline government operations in ways that can improve the delivery of services and responsiveness to recipients' needs, while not shifting new costs to county taxpayers; and

WHEREAS, The state has enacted a cap in reimbursement to counties and New York City related to Medicaid administrative claiming; and

WHEREAS, Even though the state has made progress in taking over more Medicaid administrative functions from counties they have also increased local administrative responsibilities in other areas including Medicaid long term care services and supports, expanding administrative duties under Immediate Need for Personal Care Services and Consumer Directed Personal Assistance programs, added new responsibilities under a variety of state homelessness and emergency shelter activities, and expanded responsibilities under Raise the Age legislation that all stress local social services district (DSS) staff capacity; and

WHEREAS, Policies have evolved such that the local DSS role is shrinking in terms of eligibility determinations, but simultaneously increasing in terms of home care assessments and responsibilities, and the other areas outlined above; and

WHEREAS, Capped reimbursement with minimal relief from administering the State's Medicaid program creates significant fiscal and liability concerns for counties and is counterproductive in the current property tax cap environment; and

WHEREAS, Counties also struggle with administering all other human services programs mandated by the state especially since State financial support for local social service district administrative costs was essentially eliminated many years ago to help balance state budget shortfalls; and

WHEREAS, The State Legislature has also passed legislation that will dramatically increase local district costs by requiring caseload caps for child welfare services without providing any additional state resources to support these actions; now therefore

BE IT RESOLVED, That until the state Medicaid administrative takeover is complete we urge the Governor and Legislature to hold county property taxpayers harmless by maintaining the state funding level of the current Medicaid administration cap,

continuing to prioritize state resources within the Office of Health Insurance Programs to facilitate the transition and preventing any shifting of costs if the state falls short in its attempt to takeover local Medicaid administrative functions; and be it

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

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

FURTHER RESOLVED, The State should abstain from enacting new caseload staffing requirements and administrative edicts on local social service districts until such time that they fully fund these initiatives; 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 Department of Health, 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#20

RESOLUTION NO. 19-119
(March 12, 2019)

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

RESOLUTION URGING STATE LEGISLATIVE LEADERS TO FOCUS THEIR PROPERTY TAX RELIEF EFFORTS ON FISCAL REFORMS THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTION BY ASSUMING THE COST OF STATE MANDATED PROGRAMS, STARTING WITH MEDICAID

WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

WHEREAS, The Governor and State Legislature have enacted several laws over the last 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 property tax freeze, the county-wide shared services initiative, and rebate check programs; 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, 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 taxes 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, The Wyoming County Board of Supervisors attributes 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, That the Wyoming County Board of Supervisors calls on the Governor and the New York 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 City 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#21

RESOLUTION NO. 19-120
(March 12, 2019)

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

RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO CONTINUE TO WORK WITH COUNTIES TO ENCOURAGE SELF SUFFICIENCY AND LONG-TERM INDEPENDENCE FOR RECIPIENTS OF TEMPORARY ASSISTANCE

WHEREAS, Temporary Assistance for Needy Families and the Safety Net Program are federal- and state-designed programs administered by counties and New York City as a state-supervised, locally administered system and serve as a last line of services and support for low income families and individuals in the State of New York; and

WHEREAS, New York State continues to devolve away from their historic and constitutional responsibilities of providing social services and support for low income families and individuals, as demonstrated through significant reductions in State funding for Family Assistance and Safety Net Assistance programs and administrative costs; and

WHEREAS, The Governor's 2019-20 Budget includes new costs to New York City requiring them to pay a 10 percent share of the costs for their Family Assistance program with an expected cost of $72 million on a full annual basis according to state estimates; and

WHEREAS, Targeting one social services district for higher costs is unacceptable and could be a precursor to expanded cost shifts statewide; and

WHEREAS, The current strong economy and low unemployment provide significant opportunities for recipients to connect with employment and gain valuable work skills that can lead to self-sufficiency and family independence; and

WHEREAS, Local Departments of Social Services have demonstrated significant success in achieving self-sufficiency when program resources are dedicated to employment and supporting the needs of individuals and families as they return, or connect, to the workforce; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to prioritize employment as a key to achieving self-sufficiency and long-term independence for residents receiving Family Assistance and Safety Net Assistance; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is calling on the Governor and New York State Legislature to recognize that effective public assistance policies are grounded in accountability, integrity and supporting the needs of recipients in entering the workforce; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is calling on the Governor and New York State Legislature to limit new legislation and regulations that limit accountability for recipients in gaining employment, self-sufficiency and long-term independence from public assistance as we believe this can ultimately hinder the success of these recipients in achieving self-sufficiency; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is calling on the Governor and New York State Legislature to reverse the devolution of the State's fiscal support for public assistance programs and administration, and begin to restore state supported administrative costs to counties in order to maximize effective and efficient management of state programs and to help ensure the joint state and local goal of achieving long term independence from public assistance for families and individuals is attainable; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

NEWS RELEASE ~

- ***Wyoming County Provides New Option for Proper Disposal for Worn U.S. Flags***

NATIONAL ASSOCIATION of COUNTIES NACo

NEWS RELEASE

FOR IMMEDIATE RELEASE: [March 12, 2019]
Contact: [Lisa Harvey, Wyoming County Veteran Services Director]
lharvey@wyomingco.net, (585) 786-8860
NACo Media Contact: Paul Guequierre, pguequierre@naco.org
(202) 942-4271

Wyoming County provides new option for proper disposal of worn U.S. flags

New flag disposal box installed at Health Department Near the Veteran Services entrance

WASHINGTON – In partnership with the National Association of Counties, the National Flag Foundation, Wyoming County, New York has installed a flag retirement box, at no cost to the county, at 5362 Mungers Mill Road, Building A, Silver Springs, NY 14550 near the Veteran Services entrance. Flags should be folded respectfully before being placed in the box.

The United States Flag Code prescribes flag etiquette — everything from flying it near other flags to instructions on how to raise and lower it. "The flag, when it is in such condition that it is no longer a fitting emblem of display, should be destroyed in a dignified way, preferably by burning," says the code.

Officials from the Wyoming County Veteran Services Department will be responsible for the proper disposal of the worn flags.

"This centrally-located drop-off provides convenience while respecting our national symbol," said A. Douglas Berwanger, Chairman of the Board of Supervisors. "The county is unified in helping enable our citizens to respect our great nation while disposing of old or worn out flags."

Said NACo Executive Director Matthew Chase, "We are pleased to provide these flag retirement boxes. Helping residents properly dispose of worn U.S. flags is consistent with our commitment to public service and community engagement."

# # #

The National Association of Counties (NACo) unites America's 3,069 county governments. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government and exercise exemplary leadership in public service. More information at: www.naco.org.

NATIONAL ASSOCIATION OF COUNTIES | 660 NORTH CAPITOL ST, N.W. SUITE 400 | WASHINGTON, D.C. 20001 | 202.393.6226 | FAX 202.393.2630 | WWW.NACO.ORG
FB.COM/NACODC | TWITTER.COM/NACOTWEETS | YOUTUBE.COM/NACOVIDEO | LINKEDIN.COM/N/NACODC

There was a motion by Mrs. Ryan, T/Warsaw, to combine resolutions #22 through #29. Hearing no objection resolution titles were read.

#22

RESOLUTION NO. 19-121
(March 12, 2019)

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

DEVELOPMENTAL DISABILITITES AWARENESS MONTH PROCLAIMED

WHEREAS, Disability is a natural part of the human experience that does not diminish the right of individuals with developmental disabilities to live independently, to exert control and choice over their own lives and to fully participate in and contribute to their communities through full integration and inclusion in the economic, political, social, cultural and educational mainstream of society; and

WHEREAS, Developmental disability awareness encourages people to understand that when people with disabilities are welcomed into local neighborhoods, houses of worship and schools, and are expected to work and have careers, everyone wins; and

WHEREAS, Wyoming County celebrating the abilities and contributions of people with developmental disabilities can only serve to enrich the community and enhance our diversity; and

WHEREAS, Every person, regardless of their ability has valued strengths, a capacity to learn and the potential to make important contributions to their local community; and

WHEREAS, We recognize Wyoming County's advancements concerning persons with developmental disabilities, and also acknowledge that our work to ensure full inclusion and entegrated communities is not yet done; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim March 2019 to be **DEVELOPMENTAL DISABILITIES AWARENESS MONTH** in Wyoming County and urges our citizens to give full support to efforts towards enabling people with developmental disabilities to live full and productive lives of inclusion in our communities.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#23

RESOLUTION NO. 19-122
(March 12, 2019)

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

PROPOSED RESOLUTION CALLING ON THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR TO ESTABLISH PERMANENT JAIL-BASED SUBSTANCE USE DISORDERS (SUD) TREATMENT AND TRANSITION SERVICES PROGRAM IN COUNTY CORRECTIONAL FACILITIES

WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the

increasing number of deaths due to overdose; and

WHEREAS, The SFY 2018-19 Enacted Budget included $3.75M to fund County Mental Hygiene /Departments Local Government Units (LGUs) to develop and expand substance use disorder treatment and transition services in county jails; and

WHEREAS, The Wyoming County Board of Supervisors, New York State Association of Counties, Conference of Local Mental Hygiene Directors, New York State Sheriffs' Association and are pleased with and appreciate the Governor's support for the continuation of programs established under last year's funding by including an additional $3.75M in the SFY 2019-20 Executive Budget proposal; and

WHEREAS, This is a significant first step in addressing the need, however this level of funding will not adequately sustain or create any additional programs in counties beyond March 31, 2019; and

WHEREAS, The Wyoming County Board of Supervisors and its partners are requesting a total of $7.2M in SFY 2019-20, increasing to $12.8M in SFY 2020-21 annually thereafter to support comprehensive jail-based substance use disorder treatment and post-release transition service in all county correctional facilities; and

WHEREAS, A 2017 report entitled, "Completing the Recovery Treatment Continuum: Jail Based Substance Use Disorder Services" conducted by Policy Research Associates on behalf of the New York State Conference of Local Mental Hygiene Directors discusses the vital need to address a gap in the Substance Use Disorder (SUD) treatment continuum by funding treatment and transition services in the jail setting; and

WHEREAS, Jail incarceration provides a unique opportunity to offer treatment supports during periods when people are experiencing abstinence while incarcerated and upon planning for discharge and may be more receptive to accepting treatment; and

WHEREAS, The cost of any SUD treatment and services provided inside the county jails is borne by the county, and it is an ever-increasing burden which the Counties cannot meet; and

WHEREAS, Annual OASAS State Aid funding to the LGUs for comprehensive jail-based SUD treatment and re-entry planning is critically important to reducing drug use, overdoses and overdose deaths, recidivism, crime, and will save taxpayer dollars money and most importantly, save lives; and

WHEREAS, Data from a July 2018 study published in the American Journal of Public Health now indicates that inmates were 40 times more likely to die of an opioid overdose in the first two weeks after release; and

WHEREAS, New York State's own analysis of the costs and benefits of jail-based SUD treatment found these services save taxpayers $2,170 in criminal justice costs and victims $676 per person, for a total impact of $2,846 saved for each person served, as well as a reduction of 13

victimizations per 100 people sewed; and

WHEREAS, In the era of property tax caps and increasing workforce shortages, a dedicated annual State funding stream to the LGUs is desperately needed in order to provide jail-based SUD treatment and transition services, as well for supporting and retaining staff, including but not limited to, screening and assessments upon entry, education and counseling services, peer support, CASACs, supervising staff, and other SUD treatment providers, medication assisted treatment and discharge planners to facilitate treatment after release; and

WHEREAS, Securing $7.2 million in SFY 2019-20 Enacted Executive Budget will provide the necessary resources for LGUs to sustain existing programs and create additional jail-based SUD treatment and transition services programs in counties without funding to address the existing gap in the SUD treatment continuum which will further support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the Office of Alcoholism and Substance Abuse Services, 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#24

RESOLUTION NO. 19-123
(March 12, 2019)

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

RESOLUTION CALLING ON THE OFFICE OF MENTAL HEALTH, OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, AND THE GOVERNOR TO ENSURE LONG TERM VIABILITY OF HOUSING PROGRAMS FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDER

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

WHEREAS, Mental Hygiene housing program models were developed decades ago with

much lower level requirements for types of services and levels of staffing than what is necessary to assist clients with much higher-needs today; and

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

WHEREAS, Directors of Community Services throughout the State report significant waiting lists for mental health and addiction recovery housing and it is becoming increasingly more difficult to find units that offer both higher level services and the appropriate staffing to safely serve these medically-complex individuals; and

WHEREAS, It is critical that State policymakers recognize how maintaining outdated housing models and reimbursements for these higher-need clients negatively impacts a county's ability to provide appropriate access to care and drives up costs; and

WHEREAS, To illustrate the extent of these waiting lists, Suffolk County has approximately 589 clients (131 homeless), Sullivan County with over 200 (no homeless), Orange County with over 800, and in the Finger Lakes - Seneca County with 97; and

WHEREAS, The State has a constitutional responsibility to provide stable, dignified, and affordable housing to these high-needs clients, and by continuing to provide insufficient reimbursement rates and inadequate funding, the counties will see further reductions in capacity and limited access to care leading to increased homelessness in their communities; and

WHEREAS, Office of Mental Health (OMH) Supported Housing was introduced in 1990 as an initiative to facilitate an increase in long-term/permanent housing options for clients with mental illness coupled with individual supports; and

WHEREAS, There are approximately 19,000 OMH Supported Housing units statewide with per-unit reimbursement rates that provide for a minimal set of services, often as little as one staff to tenant contact per month which does not go far enough in providing stability for clients with extensive mental and physical health care needs; and

WHEREAS, OMH and OASAS Supportive Housing provides permanent and affordable housing with supportive services to individuals or families with disabilities (mental illness, SUD, domestic violence, etc.) who are homeless or at risk of homelessness; and

WHEREAS, These settings are typically comprised of two models; congregate and scattered-site with approximately 50,000 units statewide, 32,000 of which are located in NYC; and

WHEREAS, New York City Department of Health and Mental Hygiene currently contracts for 8,699 units of supportive housing for individuals and families; and

WHEREAS, On average over 80% of the total annual funding for scattered site apartments ($29,897,960) is being used for apartment rents; and

WHEREAS, Being obligated to devote such a proportion of funding to apartment rents degrades the necessary social services to keep vulnerable clients housed with appropriate supports; and

WHEREAS, Vital supportive housing programs need the State to increase rates to address this immediate need that is getting worse every year and becoming untenable; and

WHEREAS, Without a funding increase, programs are at serious risk of closure, which will push clients into homelessness and higher risks of mental and physical health destabilization; and

WHEREAS, The State offers Permanent Supportive Housing (PSH) models for individuals suffering from addiction that include: Medicaid Re-Design PSH, NY/NY III PSH (NYC), Re-Entry for Parolees in NYC PSH, Upstate PSH, Empire State Supportive Housing Initiative (ESSHI), and Continuum of Care Case Management - all with varied admission requirements ranging from jurisdictional mandates to homelessness; and

WHEREAS, The Upstate PSH currently supports only 124 units (outside NYC and Long Island) and does not address the current need; and

WHEREAS, The State's ESSHI program provides operational and service funding for housing developers/providers interested in developing new or rehabbed properties, and offers a payment structure resembling the actual cost of operating programs with a payment escalator; and

WHEREAS, The goal of OMH and OASAS housing programs is to assist and support participants in their achievement for housing stability, employment and self-sufficiency which requires substantial State investments to housing programs to meet the needs in every county; and

WHEREAS, Without appropriate State investments, these achievements will be unobtainable for a vast majority of individuals, resulting in increased costs of hospitalization, incarceration and homelessness; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor, Office of Mental Health and Office of Alcoholism and Substance Abuse Services to include funding in the 2019-20 Executive Budget to adequately maintain the current levels of housing programs across the state, and include additional appropriations for the expansion or creation of new housing program models that will fit the needs of every county; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the State Office of Alcoholism and Substance Abuse Services 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#25

RESOLUTION NO. 19-124
(March 12, 2019)

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

RESOLUTION CALLING FOR GOVERNOR ANDREW M. CUOMO AND THE NEW YORK STATE LEGISLATURE TO CLASSIFY AS CONTROLLED SUBSTANCES CERTAIN FENTANYL "ANALOGUES" THAT ARE RESPONSIBLE FOR OPIOID OVERDOSE DEATHS

WHEREAS, For nearly a decade, New York State and the rest of the United States have been experiencing an unprecedented epidemic in the abuse of legal and illegal opioid drugs, resulting in the addiction of millions of people and the overdose deaths of hundreds of thousands; and

WHEREAS, Fentanyl, a prescription opioid painkiller that is a controlled substance in the State of New York, is responsible for some of those overdose deaths, as are many substances known as fentanyl "analogues," drugs that have been designed to mimic the pharmacological effects of fentanyl, but that are not controlled substances in the State of New York because they are not listed on the appropriate schedules that classify controlled substances in Public Health Law Section 3306; and

WHEREAS, The ability of law enforcement officers in New York State to investigate and prosecute sellers of deadly opioid drugs is hampered by the gap in the law that results in some fentanyl analogues not being classified as controlled substances because the New York State Legislature has not acted to add those analogues to the appropriate Public Health Law schedules; and

WHEREAS, Under federal law, pursuant to 21 CFR Section 1308.11(h)(30)(i), the Administrator of the United States Drug Enforcement Administration has lawfully defined "fentanyl-related substance" to mean any substance related to fentanyl by certain specified chemical modifications; and

WHEREAS, If New York State classified as controlled substances any substances that meet the above federal definition of "fentanyl-related substance," the aforementioned gap in the law with regard to fentanyl analogues would largely be closed, and law enforcement would be able to investigate and prosecute sellers of currently-legal fentanyl analogues that are responsible for many of the overdose deaths; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the Governor and the New York State Legislature to amend New York Public Health Law Section 3306 to include as a controlled substance any substance that meets the definition of "fentanyl-related substance," as defined in 21 CFR Section 1308 .11(h)(30)(i); 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#26

RESOLUTION NO. 19-125
(March 12, 2019)

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

RESOLUTION FOR NEW YORK STATE TO APPROACH LEGALIZATION OF AN ADULT-USE PROGRAM FOR RECREATIONAL MARIJUANA SLOWLY AND CAUTIOUSLY, KEEPING RESEARCH AND THE ANTICIPATED ROLE OF LOCAL HEALTH/MENTAL HEALTH DEPARTMENTS IN THE FOREFRONT OF CONVERSATION AS POLICY AND REGULATIONS ARE DEVELOPED

WHEREAS, The State of New York is considering legalizing an adult-use program for recreational cannabis; and

WHEREAS, Currently available research and findings from across the nation identify significant public health ramifications including:

- Increased risk of unintentional exposures in children, including through edibles;
- Measurable levels of tetrahydrocannabinol in breast milk samples up to 6 days after reported maternal marijuana use;
- Increased risk of stroke in individuals younger than 55 years of age;
- Increased risk of motor vehicle crashes;
- Use associated with chronic bronchitis, cough, sputum production and wheezing;
- Use associated with impaired learning, memory, math and reading achievement; and

WHEREAS, There is limited research demonstrating health impact on long-term use of marijuana; and

WHEREAS, Local health departments, treatment providers, law enforcement and others are working to curb opioid addiction, overdose and death; and

WHEREAS, Marijuana use by adolescents and young adults- even less-than-weekly use- is associated with future high-risk use of tobacco and other drugs like cocaine, ecstasy, opioids and methamphetamine; and epidemiologic and preclinical data suggest that the use of marijuana in adolescence could influence multiple addictive behaviors in adulthood; and

WHEREAS, During the Governor's listening sessions on regulated marijuana, community members and stakeholders communicated the need for improved access and cost to

medical marijuana products for those prescribed; and

WHEREAS, New York State has one of the worst racial disparities in marijuana arrests in the United States, with people of color being eight times more likely to be arrested for possession than white people, despite similar rates of use; and

WHEREAS, There are possible linkages between legalization of marijuana with the advancement of social and racial justice initiatives and there is no question, families would benefit from alleviation of marijuana-related arrests and jail time that has is proportionately affected low income and communities of color; and

WHEREAS, If policy on regulated marijuana moves forward, this will increase workload for the already taxed public health workforce and numerous other county departments; and

WHEREAS, We anticipate local health departments, who are reliably at the front line of all emerging public health matters, will need to expand workforce capacity to educate and protect communities if regulated marijuana policy is signed into law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon Governor and the New York State Legislature to undertake a major publicity campaign to educate the citizens of New York that cannabis may have undetermined health effects; and be it

FURTHER RESOLVED, Local health departments must be provided additional funding to adequately address issues resulting from recreational cannabis impacting local public health programs, as well as to develop and disseminate targeted educational campaign messaging which will protect vulnerable populations including children and pregnant women from harmful effects of marijuana use; and be it

FURTHER RESOLVED, The State of New York will expand, improve and maintain separate independence of the Medical Marijuana program by establishing clinical trials, research programs and addressing barriers to access including cost; and be it

FURTHER RESOLVED, If the State of New York plans to legalize an adult use marijuana program, we recommend the legal age of sale to be set at 21 years of age in combination with adoption of Tobacco 21 Policy at the state-level; and be it

FURTHER RESOLVED, Full service (those providing environmental health services) local health departments must be adequately funded to expand their New York Adolescent Tobacco Use Prevention Act (ATUPA) services, which currently covers children and adolescents up to 18 years of age. A legal age of sale set to 21 years and older for marijuana and tobacco products would require program expansion and increase in staff to mitigate harm reduction and injury prevention; and be it

FURTHER RESOLVED, Marijuana should be incorporated within New York's Clean Indoor Air Act Law. Legalization of recreational marijuana will increase the number of clean indoor air act complaints local health departments are required to respond to, thus requiring a

need for increased funding for infrastructure and capacity-building within local health departments which will allow them to respond to additional workload; and be it

FURTHER RESOLVED, As regulations are developed, the following recommendations be considered:

a. Fund surveillance and research efforts to monitor more closely the type of use, frequency of use and potency of marijuana used by all New Yorkers; and
b. Put infrastructure in place before sales begin. Regulations and rules, appropriate testing of infrastructure and critical staff onboarding should be finalized prior to beginning of sales; and
c. Addition of marijuana to New York's Clean Indoor Air Act which will ensure children, youth and other vulnerable populations are not exposed to marijuana use or second hand smoke; and
d. Expand existing tobacco laws including statewide adoption of Tobacco 21 policy; and
e. Include warning labels on all marijuana products to ensure consumer awareness of health dangers and risk; and
f. Formulate edible safety regulations including child-resistant packaging and restrictions on products which may be enticing to children; and
g. Fully fund enforcement and oversight. Enforcement regulations related to restaurant and environmental inspections must mirror inflation and industry growth; and
h. Standardize and test packaging and potency. THC concentration regulations, particularly those relating to packaging, labeling and testing, must be in place before implementation; and
i. Establish and fund studies to evaluate reliable methods of toxicology field-testing and impairment levels which will help set evidence-based regulations for impaired driving as it pertains to marijuana use; and
j. Encourage and fund the scientific study of health effects among New Yorkers who use marijuana; and
k. Develop regulations to ensure the safety of additives used in the growth, harvesting, and production of marijuana; and
l. Fund education, prevention and treatment through the county mental health departments; 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#27

RESOLUTION NO. 19-126
(March 12, 2019)

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

RESOLUTION TO EXPAND INFRASTRUCTURE FOR PUBLIC HEALTH AND SAFETY THROUGHOUT NEW YORK STATE, REINVESTING IN CORE PUBLIC HEALTH ACTIVITIES AND RESPONSE TO UNFUNDED MANDATES AND EMERGING ISSUES ADDRESSED BY LOCAL HEALTH DEPARTMENTS

WHEREAS, Core public health services are outlined in law as those that address family health, communicable disease, chronic disease, emergency preparedness/response and environmental health; and

WHEREAS, Local health departments are New York State's partners and operational extensions, working in the forefront of communities, addressing public health issues and serving as the first line of defense against all public health crises by protecting communities and residents; and

WHEREAS, Activities led by the 58 local health departments are paramount to our collective ability to achieve Prevention Agenda goals, address health disparities, improve health outcomes and ensure community safety and stability; and

WHEREAS, Unfunded public health mandates continue to emerge routinely, examples including: expansion of responsibilities for children's camps, Zika virus/mosquito surveillance, monitoring of unregulated contaminants in drinking water, technical assistance to schools to address lead in school drinking water and most recently, registration of cooling towers; and

WHEREAS, The state aid share for core public health services has not kept up with growing public health needs, nor has it supported the implementation of new and expanded state mandates; and

WHEREAS, The 2019-2020 Executive Budget proposes a substantial cut in State Aid Reimbursement to New York City Department of Health and Mental Hygiene which would reduce the percent of reimbursement above the base grant from 36% to 20%; and

WHEREAS, The justification provided for this is that NYC has access to other sources of funding, such as federal grants yet this statement does not align with the current Article 6 claiming process which requires that earned and grant revenue be subtracted from eligible costs and or expenditures and thus are already factored into the net eligible expenditures submitted for reimbursement; and

WHEREAS, Over time, we have seen an increase in emerging issues such as threats to water quality: harmful algal blooms, presence of PFOA/PFOS; opioid overdose deaths; vector borne diseases: rabies and tick-borne illnesses; communicable disease outbreaks: Ebola virus and Zika virus; environmental hazards: lead in housing stock and legionella; and natural disasters such as hurricanes or flooding; and

WHEREAS, New York State is preparing policy to legalize regulated marijuana, which

will lead to increased response including education, public awareness, and oversight by local health departments; and

WHEREAS, Directors and Commissioners of public health are health strategists within their respective Counties, with the unparalleled expertise needed to apply knowledge, bridge competency gaps and lead multi-sector health improvements; and

WHEREAS, The public health workforce employed within local health departments are first responders, working at the forefront of communities during times of need and when emerging health issues occur; and

WHEREAS, Local health departments have not received an increase in core public health aid in more than six years, nor have they received adequate compensation needed to respond to emerging health issues; and

WHEREAS, State Budget appropriations for public health spending has been reduced year after year and new funding streams for emergency response activities are frequently accompanied with stringent federal spending or supplanting restrictions which impacts how funds can be utilized and reduces flexibility to respond to local community need; and

WHEREAS, The public health workforce is central to New York State's public health infrastructure, yet is dwindling due to public-sector budget restraints, competition, shortages of workers who are approaching retirement, ability to recruit new workers in all areas throughout the state, all of these factors culminate in significant workforce retention challenges; and

WHEREAS, New York State does not allow local health departments to recover any of its necessary or fringe expenses for local health department personnel under Article 6; and

WHEREAS, Now is the time for a call to action to reinvest in public health and safety infrastructure in New York State through bolstered funding of Article 6, Public Health Law and demonstrate the State's commitment to public health preparedness and safety measures aimed to protect residents in New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to call to action and reinvest within the 2019-20 Budget by restoring COLA and expanding Article 6 State Aid for General Public Health Work base grants and reimbursement rates in the following ways:

1. Reject proposed cut in state aid reimbursement NYS department of health and mental hygiene which would reduce the percent of reimbursement above the base grant from 36% to 20%.
2. Fully restore the cola for DOH programs which was removed in the 2018-2019 state budget;
3. Allow reimbursement of fringe expenses under article 6 state md appropriation;

4. Increase base grants to ensure public health services are eligible for full reimbursement of local expenditures:
   a. Increase the base grant to full service LHDS (i.e. those with environmental health units) from $650,000 to $750,000;
   b. Increase the base grant to partial service LHDS (i.e. those without environmental health units) from $500,000 to $550,000;
   c. Increase the per capita rate for the largest counties from 65 cents per resident to $1.30;
   d. Increase the beyond-base-grant state md reimbursement rate from 36% to 40%.
5. Provide 100% reimbursement for the first full year of any new and/or significantly expanded mandates emerging from law, rule or regulation.
6. Allow local health departments the increased flexibility in funding to respond to public health community needs; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#28

RESOLUTION NO. 19-127
(March 12, 2019)

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

RESOLUTION IN SUPPORT OF STATEWIDE LEGISLATION CONCERNING THE SALE AND POSSESSION OF SYNTHETIC DRUGS

WHEREAS, Communities throughout New York State have experienced increased crimes, emergency room cases, illnesses, and deaths linked to the use and abuse of synthetic drugs and other similar substances or compounds; and

WHEREAS, Such products are being openly sold and marketed through New York State and online; and

WHEREAS, While New York State has continued to update its schedule of controlled substances, many new variants of these substances are able to avoid prohibition by slightly changing their chemical composition; and

WHEREAS, The health, safety, and well-being of all New York State residents is furthered by prohibiting the sale, use, or possession of these substances; and

WHEREAS, Synthetic drugs are more effectively regulated on a statewide basis through a comprehensive regulatory plan that covers existing and newly created drug variants, rather than through a patchwork of regulations enacted by localities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the Governor and New York State Legislature to introduce, support and enact statewide legislation banning the sale and possession of synthetic drugs; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby respectfully urges the Governor to sign said bill(s) forthwith upon passage; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#29

RESOLUTION NO. 19-128
(March 12, 2019)

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

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO FUND UNATTENDED DEATH INVESTIGATIONS INCLUDING COSTS ASSOCIATED WITH PERFORMING AUTOPSY AND TOXICOLOGY SERVICES

WHEREAS, Our State is grappling with a widespread opioid epidemic causing havoc on the lives of New Yorkers while placing a tremendous fiscal strain on county budgets; and

WHEREAS, Counties are responsible for investigating unattended deaths; violent deaths; a death caused by an unlawful act or criminal neglect; deaths occurring in a suspicious, unusual or unexplained manner; deaths caused by a suspected criminal abortion; a death of an individual confined in an institution (jail or nursing home); and

WHEREAS, Coroners and medical examiners are county officers who make official inquiries about the cause and manner of an individual's death, especially those that occur under unnatural, unexplained, or suspicious circumstances; and

WHEREAS, Coroners or medical examiners are required by law to investigate deaths by violence or accident and, due to the opioid epidemic, coroners and medical examiners are seeing a dramatic increase in their caseload; and

WHEREAS, In 2018, counties across New York State and New York City, seeing a dramatic increase in caseload due to the opioid epidemic, budgeted over $122 million for coroner and medical examiner expenses; and

WHEREAS, Prior to 2011, county coroners and medical examiners were reimbursed up to 36 percent with state aid from Article 6 funding to local health departments; and

WHEREAS, In 2011, the State Budget shifted the reimbursement for medical examiners from the New York State Department of Health (NYSDOH) to the New York State Department of Criminal Justice Services (DCJS) and the funding was no longer available as the state deemed this activity to be a public safety and not a public health function; and

WHEREAS, Just recently one medical provider used by a sixteen-county region in eastern New York doubled their fee for autopsy services and cut toxicology services; and

WHEREAS, Many counties across New York State are forced to use one provider as many medical institutions have suspended autopsy and toxicology services; and

WHEREAS, In addition to a lack of affordable autopsy and toxicology providers, our state and nation is experiencing a dramatic shortfall in pathologists, particularly forensic pathologists; and

WHEREAS, The New York State Association of Coroner and Medical Examiners and NYSAC have partnered together to bring awareness to this problem; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges Governor Andrew M. Cuomo and State lawmakers to restore funding to counties to help offset the costs for state-mandated autopsy services, which are rapidly increasing due to the changing pathology landscape in New York State and the opioid epidemic; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors further advocates that Governor Andrew M. Cuomo and the New York State Legislature shift coroner and medical examiner funding from the New York State Division of Criminal Justice Services back to the New York State Department of Health; 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

Chairman Berwanger, T/Arcade invited Supervisor Ryan, T/Warsaw to the podium to present the Developmental Disabilities Awareness Month Proclamation. In turn, Supervisor

Ryan, T/Warsaw invited the following Livingston-Wyoming ARC representatives to join her. Self-Advocates Wally Gee and Julia Panapinto, Public Relations, J. Thomas; Strategic Development, Mike Fitch; Board of Directors, Eric Parker and Marianne Miller from the Arc Foundation. The proclamation was read and representatives were given an opportunity to address the board.

There was a motion by Mr. Kehl, T/Attica, to combine resolutions #30 through #44. Hearing no objection resolution titles were read.

#30

RESOLUTION NO. 19-129
(March 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH TIMBER RIDGE LOGGING, INC. ON BEHALF OF THE BOARD OF SUPERVISORS

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 ***Timber Ridge Logging, Inc.,*** 3016 Bakerstand Road, Franklinville, NY 14737 on behalf of the Board of Supervisors. Said ***revenue*** contract is for the purchase of timber from a woodlot on both Poplar Tree Road and Hobday Road in the Town of Wethersfield in an amount not to exceed sixty thousand two hundred twenty-six dollars and fifty cents ($60,226.50); effective March 12, 2019 through August 31, 2020 in accordance with the following payment schedule:

- First 25% of purchase price will be due at contract signing
- Second 25% will be due by August 1, 2019 or prior to harvesting
- Final payment of 50% will be due by June 1, 2020 or prior to harvesting
-

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#31

RESOLUTION NO. 19-130
(March 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

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

WHEREAS, The Wyoming County Board of Supervisors, on August 14, 2018 by Resolution Number 18-324, authorized the Chairman to sign an application for a Farmland Protection Planning Grant in a maximum amount of $50,000.00 with up to a $10,000.00 maximum cash match from Wyoming County; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant acceptance award with the ***New York State Department of Agriculture and Markets,*** 10B Airline Drive, Albany, New York, 12235 on behalf of Planning and Development. Said grant funds for the provision of updating the Agriculture and Farmland Protection Plan for Wyoming County in a minimum amount fifty thousand dollars ($50,000.00); effective March 15, 2019 through December 31, 2021.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#32

RESOLUTION NO. 19-131
(March 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

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

WHEREAS, The agriculture sector, including farms and related food systems, remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our state and beyond; and

WHEREAS, The enacted 2018/19 budget allocated $18 million to farmland protection and $34.4 million to agriculture local assistance programs; and

WHEREAS, The Governor's 2019/20 proposed budget, allocated $17 million to farmland preservation and $29.5 million to agriculture local assistance programs; and

WHEREAS, New York's farmland protection and agriculture assistance programs help sustain this vital industry and must be sustained in future years; and

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

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

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

WHEREAS, Access to affordable land suitable for starting a new farm operation is the number one barrier for new and beginning farmers; and

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at $18 million and agriculture local assistance programs at $34.4 million in the FY 2019/20 budget; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#33

RESOLUTION NO. 19-132
(March 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

RESOLUTION REQUESTING STATE ACTION TO PLACE A MORATORIUM ON THE VALUE OF DISTRIBUTED ENERGY RESOURCES POLICY AND REESTABLISH NET ENERGY METERING

WHEREAS, New York State has established a mandate to get 50 percent of electricity in the State from renewable sources by 2030; and

WHEREAS, New York State is making solar energy more accessible to homes, businesses, and communities through the $1 billion NY-Sun initiative, which is designed to build a self-sustaining solar industry in New York and help achieve strategic energy goals under the State's Reforming the Energy Vision (REV) strategy; and

WHEREAS, In 2015 Governor Cuomo announced the launch of the State's community solar policy, which aims to expand access to renewable energy for millions of New Yorkers,

unleash new investment and ensure that "all New Yorkers, regardless of their zip code or income, have the opportunity to access clean and affordable power;" and

WHEREAS, Many counties are interested in developing their solar resources under the auspices of the State's community solar policy; and

WHEREAS, The New York State Public Service Commission recently implemented a transition from simple but effective retail rate net-metering to a rate structure for solar and other distributed generation based the value those technologies bring to the grid and our society; and

WHEREAS, The development of this new tariff known as the Value of Distributed Energy Resources or "VDER" was the result of a flawed process that did not allow for the use of satisfactory methodology and data that accounts for the complete range of values of solar energy and other distributed generation to be included; and

WHEREAS, The implementation of VDER has reduced confidence, stability, and growth of the state's nascent community solar market, particularly in many counties in the upstate regions of the State; and

WHEREAS, Legislation was introduced in the last session of the State Assembly (A.10474) and State Senate (S.8273) that would have placed a moratorium on the implementation of the VDER tariff and directed the New York Public Service Commission to develop a simple, full and fair successor tariff to VDER; and

WHEREAS, The State Assembly passed A.10474 by a vote of 122-17 but the Senate legislation did not receive a vote in the last session; and

WHEREAS, The loss of these community solar projects will impede the ability of counties to meet their clean energy goals and result in the loss of thousands of jobs and hundreds of millions of dollars of investment; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor, the New York State Legislature and any relevant executive departments to provide immediate relief to developers and customers of solar energy and other distributed energy resources by placing a moratorium on VDER and allowing for the use of net energy metering tariffs as previously allowed by law; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors requests New York State to re-evaluate current net metering laws, policies, and administrative interpretations and to create a reasonable timeline and approach for the successor tariff that includes all important value components but also avoids a pace that could result in insufficient methodology or data being adopted, avoids setting negative precedent for future processes, and ensures that financiers have enough time to become comfortable with its elements and thus not threaten the ability of solar developers to finance projects; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this

resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#34

RESOLUTION NO. 19-133
(March 12, 2019)

By Mr. Kehl, Chairman of the Agriculture Committee:

RESOLUTION REQUESTING STATE ACTION TO PROMOTE RECYCLING

WHEREAS, Local governments and counties hereby support recycling efforts in our communities; and

WHEREAS, Many counties operate solid waste transfer stations and are required to comply with regulations imposed by New York State that police their operations, including a significant set of rules pertaining to recycled materials; and

WHEREAS, Recycling products are a worldwide commodity, but China the largest buyer of recycling materials in the world, has recently enacted a number of policies that effectively restrict the amounts and kinds of recycling exports from the United States to China; and

WHEREAS, These restrictive international policies are causing the municipal cost to dispose of recycled materials, including electronic waste, to increase to the point of exceeding and now approaching the tipping fees for regular trash; and

WHEREAS, The worldwide commodity situation for recycled materials is unlikely to change in short-term; and

WHEREAS, The disposal of recycled materials previously provided municipalities a small revenue stream, but current events now make their disposal a growing cost to municipalities; and

WHEREAS, Raising tipping fees and other costs associated with recycling often has detrimental environmental effects such as "dumping" on both private and public lands; and

WHEREAS, The New York State Electronic Recycling and Reuse Act was intended to remove the burden and expense of managing costly electronic waste acceptance programs from municipalities and introduce a producer responsibility approach to managing this expanding

waste stream; however, the Act has not had the desired effect; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports recycling and encourages the protection, promotion, and preservation of the ability to effectively recycle; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors requests that New York State provide fiscal and technical assistance to local governments who are affected China's restrictive purchasing policy, so citizens can be better educated; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the State Department of Environmental Conservation, 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

4-H PUBLIC SPEAKING PRESENTATIONS ~

Presenters were introduced by 4-H Educator, R. Dueppengiesser

- ***Tanner Day ~ Town of Pavilion ~ Barnstormers 4-H Club***
  - "Maple Syrup Process"
- ***Caleb Spicer ~ Town of Pavilion ~ Shooting Sports 4-H Club***
  - "Survival Skills"
- ***Hannah Spicer ~ Town of Java ~ Shooting Sports 4-H Club***
  - "Archery"

Supervisor Kehl, T/Attica presented Tanner, Caleb and Hannah with a certificate of recognition for their presentations…

PIONEER FFA 91ST ANNUAL NATIONAL FAA CONVENTION RECOGNITIONS ~

Attending FFA Members provided an update of several projects

- ***Agricultural Issues Team – Bronze Award***
  - Peyton Fontaine, Abigail Heitzman, Lydia Maul, Elizabeth Miller and Katie O'Hare
- ***Agricultural Communications Team – Bronze Award***
  - Alyssa Hobin, Mitchell Ling, Marc Pingrey and Cole Pleace
- ***Marketing Plan Team – Bronze Award***
  - Raeleigh May, Jade Ellis and Cheyanne Reynolds
- ***Farm and Agriculture Business Management Team – Silver Award***
  - Marc George, Gabe Higgins, Dylan Owens and Paige William

- ***Meats Evaluation and Technology Team - Bronze Awards (overall and individually)***
    - Stephanie Fyock, Kaleb Keith and Caleb Morales
- ***Public Speaking Event – Bronze Award***
    - Danielle Herrick (New York State Representative)
- ***New York State Chapter of the Year***
    - Pioneer FFA Team

Supervisor Kehl, T/Attica presented members with certificates of recognition for their participation in several presentations…

CHAIRMAN'S PRESENTATION ~

- ***Paul Harvey Video***

There was a motion by Mr. Leuer, T/Middlebury, to combine resolutions #35 through #37. Hearing no objection resolution titles were read.

#35

RESOLUTION NO. 19-134
(March 12, 2019)

By Mr. Leuer, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES, INC. FOR GLOW REGION 2019 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

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

WHEREAS, On May 24, 2017, the GLOW Committee adopted Resolution No. 17-3 recommending Environmental Enterprises, Inc. as the contractor responsible for collection, transportation and disposal of unwanted and/or unusable household hazardous waste from GLOW region residents; and

WHEREAS, The term of this contract was for one (1) year, with a possible second year extension at the same pricing and a possible third year extension with pricing to be renegotiated; and

WHEREAS, The GLOW Committee exercised the first extension option in 2018 and desires to exercise the second extension in 2019; and

WHEREAS, The GLOW Committee desires to hold this collection on September 14, 2019 at the Genesee County Highway Facility, 153 Cedar Street, Batavia, NY 14020; and

WHEREAS, The GLOW Region Solid Waste Management Committee has applied for funding from the New York State Department of Environmental Conservation for a Household Hazardous Waste Collection Project in 2019 in the amount of thirty five thousand dollars ($35,000.00); now therefore

BE IT RESOLVED, That upon approval of the contract by the County Attorney, and on behalf of the GLOW Region Solid Waste Management Committee, the Chairman of the Wyoming County Board of Supervisors is authorized to sign the contract with ***Environmental Enterprises, Inc.,*** as the contractor for the GLOW Region 2019 Household Hazardous Waste Collection Program in an amount not to exceed thirty-five thousand dollars ($35,000.00) with the source of funds being GLOW County contributions and anticipated state revenues appropriated from the New York State Department of Environmental Conservation.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#36

RESOLUTION NO. 19-135
(March 12, 2019)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE NEW

YORK STATE LEGISLATURE TO ADDRESS THE LACK OF CELLULAR PHONE COVERAGE FOR ALL NEW YORK STATE RESIDENTS AND VISITORS

WHEREAS, Cellular service and the ability to use individual wireless devices is no longer a luxury, but rather a public necessity; and

WHEREAS, Every area of the State, irrespective of financial means or the economics of the individual community, has a right to this critical piece of infrastructure; and

WHEREAS, Cell phones and the requisite cell phone coverage are in many cases the first link of our emergency response chain for first responders including fire, EMS, and law enforcement; and

WHEREAS, This infrastructure also drives commerce and tourism, and is a critical component to the success of our education system and our students; and

WHEREAS, There are many large tracts of New York that do not have access to this public utility; and

WHEREAS, Government has an obligation to provide for the public safety, education, and equal treatment and opportunity for all of our citizens; and

WHEREAS, The Governor in his 2019 State of the State address called for the creation of an Upstate Cellular Coverage taskforce to identify solutions and develop policies addressing the lack of cellular coverage throughout New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls upon Governor Andrew M. Cuomo and the New York State Legislature to invest in cellular infrastructure, and push providers to invest in counties and communities throughout the State; and be it

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

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#37

RESOLUTION NO. 19-136
(March 12, 2019)

By Mr. Leuer, Chairman of the Planning Committee:

RESOLUTION SUPPORTING EFFORTS TO ALLOCATE NEW YORK STATE RESOURCES AND FUNDING TO REGIONS OR COUNTIES ESTABLISHING "FULL COUNT" COMMITTEES

WHEREAS, The US Census Bureau is preparing for the 2020 decennial census; and

WHEREAS, Decennial census counts help the federal government distribute more than $400 billion in funds annually for infrastructure, programs, and services; and

WHEREAS, The decennial census helps communities plan for future needs and deal with population-based programs; and

WHEREAS, Decennial population counts affect state and federal congressional representation and redistricting; and

WHEREAS, New York State and county governments are committed to ensuring that every resident in the state is counted in the 2020 Census; and

WHEREAS, Last year, every county in New York State participated in the Local Update of Census Addresses Program (LUCA), which is the only opportunity for states and municipalities to review and comment on the U.S. Census Bureau's residential address list for their jurisdiction prior to the 2020 Census; and

WHEREAS, Now the State of New York is encouraging counties and other regional and community entities to create "Full Count" committees; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors encourages New York State to provide resources and funding to counties, municipalities, and regional planning commissions as incentives and seed funding to create "Full Count" committees; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #38 through #47. Hearing no objection resolution titles were read.

#38

RESOLUTION NO. 19-137
(March 12, 2019)

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

SEXUAL ASSAULT AWARENESS MONTH PROCLAIMED

WHEREAS, Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every person in this community; and

WHEREAS, Rape, sexual assault, and sexual harassment harm our community, and statistics show one in 5 women and one in 71 men will be raped at some point in their lives *(Black et al., 2011)*; and

WHEREAS, Child sexual abuse prevention must be a priority to confront the reality that one in 6 boys and one in 4 girls will experience a sexual assault before age 18 *(Dube et al., 2005)*; and

WHEREAS, Young people experience heightened rates of sexual violence and youth ages 12-17 were two and one-half times as likely to be victims of rape or sexual *assault (Snyder & Sickmund, 2006)*; and

WHEREAS, On campus, one in 5 women and one in 16 men are sexually assaulted during their time in college *(Krebs, Lindquist, Warner, Fisher, & Martin, 2007)*; and

WHEREAS, We must work together to educate our community about sexual violence prevention, supporting survivors, and speaking out against harmful attitudes and actions; and

WHEREAS, Prevention is possible when everyone gets involved. The first step is increasing education, awareness, and community involvement. It's time for all of us to take action to create a safer environment for all; and

WHEREAS, the Wyoming County Board of Supervisors joins advocates and communities across the country in taking action to prevent sexual violence. April is Sexual Assault Awareness Month, and each day of the year is an opportunity to create change for the future; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, does hereby proclaim **April 2019** as **SEXUAL ASSAULT AWARENESS MONTH** in Wyoming County

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total
Abstain:

#39

RESOLUTION NO. 19-138
(March 12, 2019)

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

CRIME VICTIMS' RIGHTS WEEK PROCLAIMED

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

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

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim the week of April 7-13, 2019, as ***Crime Victims' Rights Week in Wyoming County.***

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#40

RESOLUTION NO. 19-139
(March 12, 2019)

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

2019 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, That the United Way of Wyoming County has raised much needed funding

for vital services provided by a number of human services agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2019 campaign goal of one hundred twenty-five thousand dollars ($125,000.00) for these much needed services to County residents; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2019 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the issues we face and no single solution. However, great things happen when we **"LIVE UNITED"!**

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total
Abstain:

#41

RESOLUTION NO. 19-140
(March 12, 2019)

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

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

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

WHEREAS, On April 1, 2016 the State Legislature funded the Commission's recommendation and placed Supreme Court judges' salaries at $193,000 in 2016 and approximately $207,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice's salary; and

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

WHEREAS, Historically, and prior to this increase, the State fully funded all District Attorney salary increases that they imposed on the counties; and

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

WHEREAS, In 2016, 2017 and 2018 the State Legislature enacted separate $150 billion State Budgets but did not include State funding for the $1.8 million in costs for the increase in District Attorney salaries; and

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

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

WHEREAS, For some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016, 2017 and 2018; and

WHEREAS, In 2019 and beyond this annual unfunded mandate will continue to increase as Judicial salaries, and the D.A. salary tied to them, receive annual COLA raises; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the State of New York to fully fund this mandated salary increase as part of the 2019-20 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#42

RESOLUTION NO. 19-141
(March 12, 2019)

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the ***New York State Office of Indigent Legal Services,*** 80 South Swan Street, Albany, New York, 12223 on behalf of the Public Defender's Office. Said grant is for the statewide expansion of Hurrell-Harring Contract in a minimum amount one million nine hundred forty-five thousand six hundred five dollars ($1,945,605.00.00); effective April 1, 2018 through March 31, 2023.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#43

RESOLUTION NO. 19-142
(March 12, 2019)

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

RESOLUTION NUMBER 18-329 AMENDED

WHEREAS, Resolution Number 18-329 entitled, "**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE ATTICA CENTRAL SCHOOL DISTRICT ON BEHALF OF THE SHERIFF'S DEPARTMENT**," passed by this Board of Supervisors on August 13, 2018 and provides for School Resource Officer (SRO) for law enforcement and police services as follows:

- Forty (40) hours per week, eight (8) hours per day when school is in session in amounts not to exceed:
  - Thirty-nine dollars and sixty-six cents ($39.66) per hour; effective from September 1, 2018 through December 31, 2018.
  - Forty dollars and forty-five cents ($40.45) per hour; effective from January 1, 2019 through June 30, 2019.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 18-329*** be hereby amended that Attica Central School District pay a flat rate of thirty-one thousand two hundred fifty dollars ($31,250.00).

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#44

RESOLUTION NO. 19-143
(March 12, 2019)

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

RESOLUTION NUMBER 18-268 AMENDED

WHEREAS, Resolution Number 18-268 entitled, "**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE LETCHWORTH CENTRAL SCHOOL DISTRICT ON BEHALF OF THE SHERIFF'S DEPARTMENT,"** passed by this Board of Supervisors on June 12, 2018 and provides for School Resource Officer (SRO) for law enforcement and police services for eight (8) hours each day that school is in session; effective September 1, 2018 through June 30, 2019 in amounts not to exceed as follows:

- $45.90 per hour from September 1, 2018 through December 31, 2018
- $46.72 per hour from January 1, 2019 through June 30, 2019

Now therefore,

BE IT RESOLVED, That ***Resolution Number 18-268*** be hereby amended that Letchworth Central School District pay a flat rate of thirty-one thousand two hundred fifty dollars ($31,250.00).

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#45

RESOLUTION NO. 19-144
(March 12, 2019)

By Mr. Copeland, 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 various contracts on behalf of the County Jail as follows:

- ***Livingston County Sheriff,*** 4 Court Street, Geneseo, NY 14454 to provide housing for inmates in an amount not to exceed one hundred dollars ($100.00) per inmate, per day; effective January 1, 2019 through December 31, 2021.

- ***E M Systems, Inc.,*** 4043 Maple Road, Amherst, NY 14226 to provide maintenance and software upgrades to the Jail Management System in an amount not to exceed nine thousand four hundred dollars ($9,400.00); effective April 1, 2019 through March 31, 2020.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#46

RESOLUTION NO. 19-145
(March 12, 2019)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SAIA COMMUNICATIONS, INC. ON BEHALF OF EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney, is hereby authorized and directed to sign a contract with ***SAIA Communications, Inc.,*** 100 Stradtman Street, Buffalo, NY 14206 on behalf of Emergency Services. Said contract for the leasing of tower and building space for communications equipment in an amount not to exceed forty-five thousand dollars ($45,000.00); effective January 1, 2019 through December 31, 2023.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#47

RESOLUTION NO. 19-146
(March 12, 2019)

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

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

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

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

WHEREAS, State funding for Probation has been drastically reduced since 1990 from a

53.5 percent State share in 1990 to less than two percent in 2017, putting a huge strain on counties and costs to county property taxpayers; and

WHEREAS, At the same time there have been increases in the number of mandated programs and services county probation departments are required to provide; and

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

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

1. To support the Raise the Age Law:
   - Raise the minimum age that a youth can be charged as a juvenile delinquent from seven to twelve years old.
   - Increase the maximum timeframe for diversion services from four to six months for juvenile delinquents.
   - Mandate that the state's evidence-based criteria should account for existing local best programs.
   - Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.

2. Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence-based programming associated with the Raise the Age Law.
3. Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment.
4. Ensure that local probation departments receive 100% of all costs including but not limited to probation personnel associated with bail reform/cashless bail.
5. Authorize law enforcement agencies to issue appearance tickets, instead of physical arrests, when AO's and JO's are charged with D felonies.
6. Allow law enforcement agencies to deliver AO, JO, and JD to detention facilities after business hours without a securing order until the next business day or until court is in session.
7. Eliminate mandate that pre-sentence investigation must be conducted when a sentence of up to one-year in jail has been negotiated; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

Chairman Berwanger invited Supervisor Copeland to the podium to present the United Way Campaign proclamation. Supervisor Copeland invited Andrea Aldinger to the podium to accept the proclamation. Ms. Aldinger read the proclamation and thanked the board for always supporting the campaign. Ms. Aldinger serves as the current board chair… She added that the employees of Wyoming County contribute somewhere in the neighborhood of $17,000 annually which makes up a large portion of the campaign.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #48 through #54. Hearing no objection resolution titles were read.

#48

RESOLUTION NO. 19-147
(March 12, 2019)

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

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

WHEREAS, a Project for the ***Preventative Maintenance on 9 bridges in Wyoming County, in various Towns, Wyoming County, P.I.N. 4WY0.01; BINS: 3319440, 3321620, 3320100, 3320130, 3320200, 3320330, 3320250, 3369540 and 3369830*** (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, ROW and Construction***.

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 ***$953,000.00*** 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 eligible Project costs and all Project costs within appropriations therefore that are not eligible; and be it

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

FURTHER RESOLVED, That this Resolution shall take effect immediately; and be it

FURTHER RESOLVED, This resolution incorporates ***Resolution Number 18-077*** approved by this Board of Supervisor on February 13, 2018 and ***Resolution Number 18-337*** approved on August 14, 2018

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#49

RESOLUTION NO. 19-148
(March 12, 2019)

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

RESOLUTION URGING THE ENACTMENT OF AN INCREASE IN THE STATUTORY CHIPS BIDDING THRESHOLD

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

WHEREAS, When the estimate for the contract work exceeds $250,000, the work must be performed by contract let by competitive bid in accordance with the provisions for

competitive bidding in the General Municipal Law; and

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

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

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

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the enactment of legislation or budget language that increases the CHIPS bidding threshold to give municipalities flexibility and the option to bid out or perform in-house projects that cost less than $500,000. This will allow more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#50

RESOLUTION NO. 19-149
(March 12, 2019)

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

RESOLUTION URGING THE GOVERNOR AND STATE LAWMAKERS TO GRANT DESIGN-BUILD CONSTRUCTION AUTHORITY TO COUNTIES AND NEW YORK CITY

WHEREAS, Current road, bridge, building, and infrastructure construction projects are cumbersome and expensive for local governments and taxpayers in New York State; and

WHEREAS, Design-build contracting saves time and money by eliminating time in procuring design services separately from construction services, and by making a single entity responsible for a project, reducing the possibility of contract claims related to design errors or omissions; and

WHEREAS, Design-build is a method of construction project delivery in which one entity works under a single contract to provide design and construction services; and

WHEREAS, Design-build projects minimize project risk for the owner, increase the accountability of contractors and streamlines the delivery schedule by compressing two procurements into one, eliminating one full procurement cycle; and

WHEREAS, Design-build further streamlines the delivery schedule by overlapping the design and construction phases of a project, and

WHEREAS, New York State already has granted itself the authority to use design-build on their construction projects with great success; and

WHEREAS, The State has proven this method saves both time and taxpayer spending all while minimizing project risk; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and State Lawmakers to grant New York City and county governments the authority to use design-build construction to achieve these needed construction project results; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#51

RESOLUTION NO. 19-150
(March 12, 2019)

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

RESOLUTION URGING THE GOVERNOR AND STATE LAWMAKERS TO EXCLUDE LOCAL COSTS FOR ROAD, BRIDGE, AND INFRASTRUCTURE CAPITAL CONSTRUCTION PROJECTS FROM THE ANNUAL PROPERTY TAX CAP CALCULATION

WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

WHEREAS, In 2011 the State Legislature enacted a state-imposed local property tax cap, which requires local governments and schools to limit their property tax increases to two percent or the rate of inflation, whichever is less; and

WHEREAS, Counties direct 90 percent of the property taxes collected statewide to fund state mandated programs and services, and they must pay for the mandates first before funding local quality of life programs; and

WHEREAS, At the time of passing the property tax cap, State Lawmakers pledged that they would provide extensive mandate relief to help counties and local governments meet the new property tax requirements; and

WHEREAS, State Leaders lowered the cost of future mandated costs by capping local Medicaid costs and enacting a new pension tier, but did not reduce the costs of state mandates on counties; and

WHEREAS, Since the enactment of the property tax cap counties and local governments have delayed or avoided critical infrastructure capital projects because they did not want to exceed the state-imposed property tax cap; and

WHEREAS, The longer these capital projects are ignored and forestalled, the more likely they will turn into emergencies and result in even greater costs to local taxpayers; and

WHEREAS, The current property tax cap law allows an exclusion for the local funds used in school district capital obligations but does not include a comparable exclusion for counties and other local governments that use local funds for capital projects; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and the New York State Legislature to amend the property tax cap to exclude local expenditures used for town and county highway, bridge, and other infrastructure capital projects with a design life of no less than two years, including but not limited to water, sewer, and storm water from the state's property tax cap calculation; and be it

FURTHER RESOLVED, That the Clerk to the Board shall forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Public Service Commission, the New York State Energy Research Development Authority, 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#52

RESOLUTION NO. 19-151
(March 12, 2019)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE UNIFIED COURT SYSTEM ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to sign a grant application and acceptance award with the ***New York State Unified Court System,*** 25 Beaver Street, New York, NY 10004 on behalf of Buildings and Grounds (Co. Bldgs.). Said grant to fund interest aide reimbursement on the equipment and labor for work done in accordance with the Danforth Project at the Wyoming County Courthouse, Government Center and Records Retention in a minimum amount of nineteen thousand six hundred twenty-two dollars and sixty-one cents ($19,622.61); effective February 1, 2019 through March 31, 2020.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#53

RESOLUTION NO. 19-152
(March 12, 2019)

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH HERKIMER COUNTY HUMANE SOCIETY ON BEHALF OF BUILDINGS AND GROUNDS (CO. BLDGS.)

BE IT RESOLVED, That the Chairman of this Board, pursuant to General Municipal Law §104(b) and with the approval of the County Attorney is hereby authorized and directed to sign a contract with ***Herkimer County Humane Society,*** 514 State Route 5S, Mohawk, NY 13407 on behalf of Buildings and Grounds (Co. Bldgs.). Said ***revenue*** contract is for the purchase of disposed kennels from the Wyoming County Animal Shelter Project in an amount not to exceed two hundred ($200.00); effective February 25, 2019 through date of pickup.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#54

RESOLUTION NO. 19-153
(March 12, 2019)

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

RESOLUTION URGING SUPPORT FOR INCREASED FUNDING TO LOCAL TRAFFIC SAFETY BOARDS IN ORDER THAT SUCH TRAFFIC SAFETY BOARDS CAN DEVELOP AND IMPLEMENT PROGRAMS AND ACTIVITIES THAT WILL MAKE OUR LOCAL ROADS SAFER

WHEREAS, Under the authority of Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a county not wholly included within the City of New York may establish a local traffic safety board for such respective county; and

WHEREAS, Under Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a traffic safety board shall, among other things:

- Promote and encourage street and highway traffic safety;
- Formulate county-wide programs and coordinate efforts of interested parties and agencies engaged in traffic safety education;
- Corporate with local officials within the respective county in the formulation and execution of traffic safety programs and activities;
- Study traffic conditions on streets and highways within the respective counties, study and analyze reports of accidents and causes thereof, and recommend to the appropriate legislative bodies, departments or commissions, such changes in rules, orders; regulations, and existing laws as deemed advisable;
- Promote safety education for drivers and pedestrians;
- Obtain and assemble motor vehicle accident data and analyze, study and consolidate such data for educational and informational purposes; and

WHEREAS, Many counties have established local traffic safety boards and parity between the use of funds programmed for traffic safety on state and local roadways is necessary; and

WHEREAS, In order for local traffic safety boards to fully carry out their duties, greater involvement in and coordination between the local traffic safety board and the transportation planning process is necessary for monitoring crash data on the local roadway; and

WHEREAS, Increased funding is necessary for local traffic safety boards to continue the development and implementation of programs and activities as aforesaid and in accordance of the statutory mandate under state law; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby calls on the Governor and State Legislature to support funding to local traffic safety boards in order that

such traffic safety boards can develop and implement programs and activities that will make our local roads safer; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

There was a motion by Mr. Brick, T/Perry, to combine resolutions #55 through #73. Hearing no objection resolution titles were read.

#55

RESOLUTION NO. 19-154
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

SALARY SCHEDULES "S", "C" AND "D" AMENDED

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

Salary Schedule "S":

Highway

- Set Salary of ***Deputy Co. Highway Supt.*** (Position code 005.503) at $75,000.00 annually; effective on or about March 4, 2019.

Real Property Tax Services

- Set the salary of the ***Assessor*** at $65,000.00 annually; effective February 1, 2019 due to the addition of the Town of Wethersfield in the assessment program.

Public Health

- Set the salary of ***Fiscal Administrator*** at $53,939.00 annually; effective March 1, 2019.

Buildings and Grounds

- Set a one-time stipend of $1,000.00 to the ***Sec to Supt of Build & Gr (CB)***; effective March 12, 2019 or the first available date of pay, payable in one lump sum.

Board of Elections

- Set the salary of ***Deputy Commissioner (R)*** (1.00 FTE) (position code 004.502) at an hourly wage of $19.2571 (annual salary equivalent of ***$35,048.00***); position available date is February 19, 2019.

- Upon completion of four (4) months satisfactory performance and meeting pre-established goals, set hourly wage at $20.9055 (annual salary equivalent of ($38,048.00)
- Upon completion of eight (8) months satisfactory performance and meeting pre-established goals, set hourly wage at $22.5538 (annual salary equivalent of ($41,048.00)
- All other compensation and benefits as stipulated in Salary Schedule "S" and associated handbook.

Salary Schedule "C":

Wyoming County Community Health System

- Place one (1) position of ***Assistant Director of Nursing (Temp)*** under NURSING FACILITY ADMINISTRATION and set an hourly wage at $50.00 per hour, not to exceed 1,300 hours per year; position available date is February 24, 2019.

- Abolish stipend for ***Director of Behavioral Health*** under MENTAL HEALTH UNIT in the amount of $384.62 plus corresponding fringes payable each bi-weekly payroll period while providing social work services for the Skilled Nursing Facility; effective March 23, 2019.

Salary Schedule "D":

Real Property Tax Services

- Adjust the stipend for the ***Director of Real Property Tax Services*** to $10,500.00 annually ($1/parcel) for countywide assessing services; effective February 1, 2019 due to the addition of the Town of Wethersfield in the assessment program.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#56

RESOLUTION NO. 19-155
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO REFORM THE FORMULA FOR FUNDING THE STATE SHARE OF COMMUNITY COLLEGE

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 an ongoing state aid funding commitment of at least one-third, and up to 40%, of community college operating costs; and

WHEREAS, The state funding amount has declined over the years and is now below their historic one-third commitment, and far short of 40%; and

WHEREAS, The Legislature and Governor have been providing modest increases in state aid the last few years, but this year the state reduced community college base aid by $11.6 million; and

WHEREAS, The State University of New York has proposed a new funding formula that requires the state to adhere to a maintenance of effort for funding community colleges, which will prohibit cuts to base aid and institute a funding "floor" for each campus; and

WHEREAS, The SUNY plan also calls for the increase of state funding for full time equivalent (FTE) students by $125, from $2,847 to $2,972 per student; and

WHEREAS, These proposals are supported by the associations representing the community college presidents and community college faculty; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to adopt the State University of New York's proposed new formula for funding the state share of community colleges; 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total
Abstain:

#57

RESOLUTION NO. 19-156
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION URGING THE GOVERNOR AND STATE LEGISLATURE TO ENACT LEGISLATION THAT ENSURES A FAIR AND LEVEL PLAYING FIELD FOR ALL RETAILERS BY UPDATING THE STATE SALES TAX CODE IN RECOGNITION OF THE RECENT SUPREME COURT DECISION THAT RULED STATES HAVE THE RIGHT TO COLLECT SALES TAX ON PURCHASES MADE OVER THE INTERNET

WHEREAS, The U.S. Supreme Court recently ruled in favor of all states to collect sales tax on Internet purchases made by consumers in their state under *South Dakota v. Wayfair*; and

WHEREAS, The *South Dakota v. Wayfair* decision declared that their prior ruling under "*Quill* creates rather than resolves market distortions"; and

WHEREAS, The Decision further declares, "In effect, it is a judicially created tax shelter for businesses that limit their physical presence in a state but sell their goods and services to the state's consumers...;" and

WHEREAS, The decision also states, "By giving some online retailers an arbitrary advantage over their competitors who collect sales taxes, *Quill's* physical presence rule has limited States' ability to seek long-term prosperity and has prevented market participants from competing on a level playing field;" and

WHEREAS, The Court's ruling reiterates many of the same reasons counties and the Governor put forth relating to the need for New York to update it sales tax collection system; and

WHEREAS, The Supreme Court ruling in *South Dakota v. Wayfair* provides a clear blueprint on how states can proceed in changing their state laws to comport with the decision while maintaining the rights of all market participants; and

WHEREAS, As of December 2018, 31 states and the District of Columbia had enacted laws or regulations requiring out-of-state retailers to collect and remit sales taxes on their transactions within their state, with most using the guidance laid out in the Supreme Court Decision; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and the New York State Legislature to update the state's sales tax laws to ensure that sales tax lawfully owed is collected on Internet purchases in a way that conforms with the principles laid out in *South Dakota v. Wayfair*; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#58

RESOLUTION NO. 19-157
(March 12, 2019)

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:

- ***Campus Construction Management Group, Inc.,*** 6225 Sheridan Drive, Suite 100, Williamsville, NY 14221 to provide construction management services for the Orthopaedic Clinic Renovation project in an amount not to exceed eighty-two thousand dollars ($82,000.00); effective February 1, 2019 through January 31, 2020.

- ***A. J. O'Dell Foundation,*** 232 Park Street, Arcade, NY 14009 for approximately 3,130 square feet of space located at the A. J. O'Dell Foundation Medical Center located at 7846 Route 98 South, Arcade, NY for the purpose of providing medical services to the community in an amount not to exceed fifteen thousand dollars ($15,000.00) per year with increases equal to inflation index, plus utilities and services for a total amount not to exceed seventy-five thousand dollars ($75,000.00); effective May 1, 2019 or earlier if space is available through April 30, 2022 (with three additional three (3) year options to extend the lease at the discretion of WCCHS).

- ***Westside Podiatry Group, LLC,*** 2236 Ridge Road West, Rochester, NY 14626 to provide Podiatrists and Physician Assistants to provide podiatry services to the Hospital's Podiatry Clinic and in surgery in an amount not to exceed one hundred seventy-five thousand dollars ($175,000.00) per year; effective June 1, 2019 or upon credentialing and obtaining malpractice insurance through May 31, 2020.

- ***Mark Varallo, MD, PLLC,*** P.O. Box 1207, Wilson, NY 14172 to provide behavioral health services required by patients at the Wyoming County Community Health System in amount not to exceed three hundred ten thousand dollars ($310,000.00) per year; effective July 1, 2019 through June 30, 2022.

- ***Kideney Architects, P.C.,*** 143 Genesee Street, Buffalo, NY 14203 for professional design services for the programmatic and schematic design of the potential new building (programs to be considered include laboratory, surgical suite, radiology, conference room, dialysis, among others) in an amount not to exceed ninety-six thousand five hundred dollars ($96,500.00); effective March 12, 2019 through March 31, 2020.

- ***Integrity Locums,*** 5588 Broadcast Court, Sarasota, FL 34240 related to locum tenens physician recruitment in an amount not to exceed one hundred fifty thousand dollars ($150,000.00) per year; effective July 27, 2018 through July 26, 2021.

- ***Special Care Systems. LLC,*** 1450 East Ridge Road, Rochester, NY 14621 to replace the existing hospital nurse call system on 3rd and 4th floors consistent with 2nd floor and the Skilled Nursing Facility in a one-time fee not to exceed one hundred forty-two thousand

eight hundred thirty-one dollars ($142,831.00); effective February 1, 2019 through December 31, 2019.

Contingent upon the availability of funds.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#59

RESOLUTION NO. 19-158
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 18-204 AMENDED

WHEREAS, Resolution Number 18-204 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**," passed by this Board of Supervisors on April 10, 2018 and provides for various contracts, in part, as follows:

- ***Morrison Community Living,*** 400 Northridge Road, Suite 600, Atlanta, GA 30350 to operate and manage food and food services operations, WCCHS to control the purchase of food and other services directly, management fee not to exceed eighty-five thousand dollars ($85,000.00) per year plus annual expenses of staff and other direct costs incurred not to exceed two million dollars ($2,000,000.00) per year; effective May 1, 2018 through April 30, 2023.

- ***Dale L. Deahn, MD,*** 401 Main Street, Arcade, NY 14009 to sublet approximately five hundred (500) square feet of office space for use as a hospital clinic for OBGYN/Midwife care services in an amount not to exceed ten thousand dollars ($10,000.00) per year; effective December 1, 2017 through December 31, 2018.

And,

WHEREAS, That Resolution Number 18-204 was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-241*** to correct the effective dates of the ***Dale L. Deahn, MD*** contract to sublet approximately five hundred (500) square feet of office space from December 1, 2017 to ***October 1, 2017.***

Now therefore,

BE IT RESOLVED, That ***Resolution Number 18-204*** as previously amended by ***Resolution Number 18-241*** be hereby further amended as follows:

- ***Morrison Community Living,*** 400 Northridge Road, Suite 600, Atlanta, GA 30350

- Amend the management fee of eighty-five thousand dollars ($85,000.00) per year plus annual expenses of staff and other direct costs incurred in an amount not to exceed two million dollars ($2,000,000.00) per year to a ***management fee in an amount not to exceed eighty thousand dollars ($80,000.00) per year plus annual expenses of staff and other direct costs incurred in an amount not to exceed two million dollars ($2,000,000.00) per year.***

- Amend the effective date of the contract from May 1, 2018 through April 30, 2023 to ***April 1, 2019 through March 31, 2024.***

- ***Dale L. Deahn, MD,*** 401 Main Street, Arcade, NY 14009
  - Extend the term of the agreement to sublet approximately five hundred (500) square feet of office space from October 1, 2017 through December 31, 2018 to ***January 1, 2019 through December 31, 2020.***

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#60

RESOLUTION NO. 19-159
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-199 AMENDED

WHEREAS, Resolution Number 17-199 entitled, **"CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM"**, passed by this Board of Supervisors on April 11, 2017 and provided in part for the following contract:

- ***Eichenauer Group, LLC***, 35 Sylvan Knoll, Rush, NY 14543
  - To assist in operating, managing and supervising the Hospital in the name, for the account, and on behalf of the Hospital and Donald T. Eichenauer be hereby appointed to staff the position of CEO in an amount not to exceed twenty-five thousand two hundred forty-five dollars ($25,245.00) per month for a total of three hundred two thousand nine hundred forty dollars ($302,940.00) per year. Plus one thousand dollars ($1,000.00) per month for the cost of computer, computer software and support, cell phone, professional organization memberships, dues and licensing and local business travel expenses; effective May 1, 2017 through April 30, 2018;

And,

WHEREAS, That Resolution Number 17-199 was previously amended by this Board of Supervisors on May 8, 2018 by ***Resolution Number 18-246*** to extend the contract expiration date from April 30, 2018 through ***April 30, 2019;*** and

WHEREAS, That Resolution Number 17-199 as previously amended by Resolution Number 18-246 was further amended by ***Resolution Number 18-282*** by this Board of Supervisors on June 12, 2018; effective May 1, 2018 as follows:

- Fees for services of the CEO/Administrator will be set at three hundred twenty-five thousand dollars ($325,000.00) per year
- CEO/Administrator will assist and participate in the recruitment and onboarding of a replacement CEO/Administrator in contemplation of retirement
    - A fee of forty thousand dollars ($40,000.00) will be paid upon completion
- Provisions included for continuing consulting services on a full or part-time basis for a period of nine (9) months after retirement as CEO/Administrator at the current rate per hour
- A provision for non-compete with WCCHS by the CEO/Administrator has been added

And,

WHEREAS, That Resolution Number 17-199 as previously amended by Resolution Number 18-246 and Resolution Number 18-282 was further amended by this Board of Supervisors on October 9, 2018 by ***Resolution Number 18-430*** as follows:

- The following language is removed from the contract and from ***Resolution Number 18-282:***
    - CEO/Administrator will assist and participate in the recruitment and onboarding of a replacement CEO/Administrator in contemplation of retirement.
    - A fee of forty thousand dollars ($40,000.00) will be paid upon completion

- The following language is added the Services Agreement:
    - Upon the date April 30, 2019 or earlier date Administrator is no longer serving as Administrator, the Eichenauer Group, LLC will be compensated ***$40,000.00*** for additional assistance provided related to recruitment and onboarding of a replacement Administrator
    - If a replacement Administrator has not been appointed by May 1, 2019, Administrator agrees to continue to provide services as Administrator through December 31, 2019 and assist and participate in the recruitment and onboarding of a replacement Administrator and will be compensated ***$26,670.00*** on December 31, 2019, or earlier date that Administrator is no longer serving as Administrator
    - Extend the contract expiration date from April 30, 2019 through ***December 31, 2019***

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-199,*** as previously amended by

Resolution Number 18-246, Resolution Number 18-282 and ***Resolution Number 18-430,*** be hereby further amended by adding the following language to the contract:

- Upon the date of January 1, 2020 when Administrator is no longer serving as Administrator***, Donald T. Eichenauer*** agrees to remain available and perform requested consulting and related services, as Special Advisor to the Board, and the Hospital agrees it will compensate the ***Eichenauer Group, LLC*** for such availability and services provided as follows:
    - For the twelve (12) month period of January 1, 2020 through December 31, 2020, ***Donald T. Eichenauer*** will be available for and/or perform requested consulting and related services for one hundred fifteen (115) hours per month, on average.
    - For the six (6) month period January 1, 2021 through June 30, 2021, ***Donald T. Eichenauer*** will be available for and/or perform requested consulting and related services for seventy-seven (77) hours per month, on average.
    - The services to be provided will be such that they are appropriate for the retired Administrator and will be performed and/or available times provided for such projects will be at mutually agreeable times.
    - The ***Eichenauer Group, LLC*** will be compensated for such hours of availability/services performed by ***Donald T. Eichenauer*** based on the total compensation paid to the Administrator during the previous year divided by the contracted hours for the previous year.
    - Extend the contract expiration date from December 31, 2019 through ***June 30, 2021.***

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#61

RESOLUTION NO. 19-160
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-290 AMENDED

WHEREAS, Resolution Number 16-290 entitled, **"CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,"** passed by this Board of Supervisors on July 12, 2016 and provides, in part, the following contract:

- ***Supplemental Health Care Services, Inc.,*** 1640 West Redstone Center Drive, Suite 200, Park City, Utah 84098 to provide OT, PT, SLP services along with LPN, RN and CAN. Bill rates as negotiated in Schedule A of the agreement in an amount not to exceed one

hundred thousand dollars ($100,000.00) per year; effective July 15, 2016 through July 14, 2017.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 16-290*** be hereby amended as follows:

- Extend the term of the contract from July 14, 2017 through ***February 4, 2019.***
- Further extend the term of the contract from ***February 5, 2019 through February 4, 2021.***
- Increase the amount of the contract from an amount not to exceed $100,000.00 per year to an amount not to exceed ***$150,000.00 per year.***

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#62

RESOLUTION NO. 19-161
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 16-534 AMENDED

WHEREAS, Resolution Number 16-534 entitled, **"CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM,"** passed by this Board of Supervisors on December 13, 2016 and provides, in part, the following contract:

- ***Press Ganey Associates, Inc.***, 404 Columbia Place, South Bend, IN for required patient satisfaction surveys and quality performance measurements in an amount not to exceed thirty-four thousand one hundred fifty-seven dollars and seventy cents ($34,157.70) per year for surveys; twenty-five thousand nine hundred seventy-nine dollars ($25,979.00) per year for measurements and sixty thousand one hundred thirty-six dollars and seventy cents ($60,136.70) per year total; effective January 1, 2017 through December 31, 2018.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 16-534*** be hereby amended as follows:

- Extend the term of the contract from January 1, 2017 through December 31, 2018 to ***January 1, 2019 through December 31, 2021.***

- In an amount not to exceed sixty-five thousand forty-three dollars and eighty-six cents ($65,043.86) for 2019 plus a four percent (4%) increase each year thereafter**.**

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#63

RESOLUTION NO. 19-162
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-076 AMENDED

WHEREAS, Resolution Number 17-076 entitled, "**CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM**", passed by this Board of Supervisors on February 14, 2017 and provides for various contracts, in part, as follows:

- ***General Physician, P.C.,*** 726 Exchange Street, Suite 516, Buffalo, NY 14210 to provide physician services in otolaryngology (ear, nose and throat) medicine at WCCHS clinic, inpatient and call as per the contract two (2) days per week in an amount not to exceed two hundred eighty thousand dollars ($280,000.00) per year; effective April 1, 2017 through March 31, 2019 or upon completion of credentialing.
    - WCCHS to retain all generated fees.

And,

WHEREAS, That Resolution Number 17-076 was previously amended by this Board of Supervisors on April 11, 2017 by ***Resolution Number 17-201*** to rescind the contract in its entirety effective April 1, 2017 and replace it with the following contract:

- ***General Physician, P.C.,*** 726 Exchange Street, Suite 516, Buffalo, NY 14210 for a two-year Ear, Nose, and Throat Medicine Services Agreement to provide board certified physician services in otolaryngology (ear, nose and throat) and allergy medicine at WCCHS clinic, inpatient and call as per the contract three (3) days per week in an amount not to exceed:
    - twenty-nine thousand five hundred eighty-three dollars ($29,583.00) per month ($355,000.00 annualized); during the first six (6) months; and
    - thirty thousand eight hundred thirty-three dollars and thirty-three cents ($30,833.33) per month thereafter ($370,000.00 annualized); effective April 1, 2017 through March 31, 2019 or upon completion of credentialing.
    - WCCHS to retain all generated fees.

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-076*** as previously amended by ***Resolution Number 17-201*** be hereby further amended as follows:

- Change the effective date of the contract from April 1, 2017 or upon completion of credentialing and obtaining malpractice insurance through March 31, 2019 to ***April 18, 2017 through April 17, 2019*** to reflect actual contract start date.
- Extend the term of the contract from April 18, 2017 through April 17, 2019 to ***April 18, 2019 through April 17, 2020*.**

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#64

RESOLUTION NO. 19-163
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION NUMBER 17-199 AMENDED

WHEREAS, Resolution Number 17-199 entitled, **"CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE WYOMING COUNTY COMMUNITY HEALTH SYSTEM"**, passed by this April 11, 2017 and provided in part for the following contract:

- ***Farkad Balaya, MD, PLLC,*** 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216
    - For the professional medical services of one (1) or more qualified, board certified/eligible physicians specializing in OB/GYN to provide OB/GYN services at WCCHS for mutually agreed upon periods of time providing clinic, surgery, emergency on-call or laborist services. Agreed upon periods of time will be scheduled and confirmed in writing or by email between the parties and will be paid in an amount not to exceed one hundred dollars ($100.00) per hour (on average); effective on or about April 1, 2017 through March 31, 2018 and upon credentialing.

And,

WHEREAS, That Resolution Number 17-199 was previously amended by this Board of Supervisors on April 10, 2018 by ***Resolution Number 18-205*** to extend the term of the contract from March 31, 2018 to ***March 31, 2019;*** and

WHEREAS, That Resolution Number 17-199 as previously amended by Resolution Number 18-205 was further amended by this Board of Supervisors on February 12, 2019 by ***Resolution Number 19-090*** as follows:

- Change the name of the contracting party from Farkad Balaya, MD, PLLC to ***Farkad M. Balaya, MD P.C.*** to match his official entity name.

- Change address from 2625 Delaware Avenue, Suite 103B, Buffalo, NY 14216 to ***155 Main Street, Hamburg, NY 14075.***

Now therefore,

BE IT RESOLVED, That ***Resolution Number 17-199*** as previously amended by ***Resolution Number 18-205*** and ***Resolution Number 19-090*** be hereby further amended as follows:

- Change the effective date of the professional medical services agreement from April 1, 2017 and upon completion of credentialing and obtaining malpractice insurance through March 31, 2018 to ***July 1, 2017 through June 30, 2018*** to reflect actual contract start date.

- Extend the term of the agreement from July 1, 2017 through June 30, 2018 to ***July 1, 2018 through June 30, 2019.***

- Further extend the term of the agreement from July 1, 2018 through June 30, 2019 to ***July 1, 2019 through June 30, 2020.***

All else remains the same.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#65

RESOLUTION NO. 19-164
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF GAINESVILLE 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 #146.-1-25.111 ~ Town of Gainesville

LOCATION: 5986 Route 39

OWNER:	Harold and Joanne Kemp 5900 Tenefly Road Castile, NY 14427
ORIGINAL BILL:	$5,336.14
CORRECTED BILL:	$3,121.51
CREDIT:	$2,214.63
REASON:	Clerical Error
AUTHORITY:	RPTL §550.2(c) *"an incorrect entry of assessed valuation on an assessment roll or tax roll for a parcel which, except for a failure on the part of the assessor to act on a partial exemption, would be eligible for such partial exemption."*

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#66

RESOLUTION NO. 19-165
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

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

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

WHEREAS, According to data from the New York State Department of Transportation and updated figures from the Port Authority of NY-NJ, the aviation industry contributes over $72.3 billion in annual economic activity in New York State and more than 506,372 New York based jobs in aviation or aviation-related industries, generates $25.8 billion in payroll and well over $6 billion in state and local tax revenue annually; and

WHEREAS, In 2016 Governor Andrew Cuomo initiated a $190 million state investment to revitalize New York State airports and subsequently enacted budgets have included funding for the Aviation Capital Grant Program that helps the state realize the full potential of its airports and aviation industries; and

WHEREAS, The Competition to Revitalize Upstate Airports has awarded six airports funding for projects that enhance safety, improve operations and access, reduce environmental impacts, create better passenger experiences and leverage private investments; and

WHEREAS, The Competition has now exhausted the available funding, leaving most other airports still in need of state assistance to update and expand their facilities and improve service; and

WHEREAS, The 2018-19 State Budget schedules $12.5 million for the Aviation Capital Grant Program for this fiscal year and the next; a reduction of $10 million per year from the 2016-17 and 2017-18 levels of $22.5 million; and

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

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

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

FURTHER RESOLVED, That the Wyoming County Board of Supervisors urges the Governor and the New York State Legislature to provide increased, recurring and reliable funding of $40 million a year for the maintenance and development of all the State's airports through a robust Aviation Capital Grant Program and a reauthorization and new round of funding for the Competition to Revitalize Upstate Airports; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#67

RESOLUTION NO. 19-166
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION URGING STATE LEGISLATIVE LEADERS TO FOCUS THEIR PROPERTY TAX RELIEF EFFORTS ON FISCAL REFORMS THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTION BY ASSUMING THE COST OF STATE MANDATED PROGRAMS, STARTING WITH MEDICAID

WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and

WHEREAS, The Governor and State Legislature have enacted several laws over the last 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 property tax freeze, the county-wide shared services initiative, and rebate check programs; 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, 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 taxes 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, The Wyoming County Board of Supervisors attributes 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, That the Wyoming County Board of Supervisors calls on the Governor and the New York 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 City 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#68

RESOLUTION NO. 19-167
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION CALLING ON PRESIDENT TRUMP AND CONGRESS TO PASS A FULL YEAR OF APPROPRIATIONS TO AVERT ANOTHER FEDERAL GOVERNMENT SHUTDOWN

WHEREAS, An historic thirty-five-day partial federal government shutdown negatively affected the hardworking men and women that play a critical role in providing essential services to our communities and keeping them safe;

WHEREAS, 14,000 members of the federal workforce in New York State worked for departments affected by the partial shutdown, including Agriculture, Justice, and Treasury; and

WHEREAS, Downstate was acutely affected because more than half of the 116,000 federal workers in New York State are concentrated in New York City's five boroughs and Nassau and Suffolk counties; and

WHEREAS, Employees who did show up to work in many cases worked longer hours and additional days, while others even performed side jobs to maintain a source of income; and

WHEREAS, 2.7 million New Yorkers that depend on Supplemental Nutrition Assistance Program (SNAP) benefits received their February benefits early because of the shutdown and now may run out of food before the end of March; and

WHEREAS, The shutdown resulted in the suspension of more than 1,000 contracts between the U.S. Department of Housing and Urban Development (HUD) and landlords who rent to the poor, affecting nearly 85,000 low-income households nationwide; and

WHEREAS, National Parks reduced staffing and limited access to facilities; and

WHEREAS, Federal loans that millions of college and university students rely on were delayed, leaving many unable to pay their tuition; and

WHEREAS, The shutdown resulted in billions in lost economic activity; and

WHEREAS, The Environmental Protection Agency (EPA) and Federal Drug Administration (FDA) reduced inspections of hazardous sites and food products, respectively; and

WHEREAS, Many federal cases were postponed because of the shutdown, denying Americans access to timely and just court proceedings; and

WHEREAS, There was an increase in the number of air Transportation Security Administration (TSA) workers and air traffic controllers calling in absent and working extra shifts without pay, jeopardizing the safety of travelers and causing delays; and

WHEREAS, Local jails that house federal inmates across the country scrambled to pay their bills because they rely on money from federal agencies to house these inmates and those checks stopped flowing; and

WHEREAS, Federal Bureau of Investigation (FBI) agents postponed indictments and undercover operations, put off meeting with informants, delayed interviews with child sexual-assault victims, cancelled trainings with state and local law enforcement agencies, and

suspended payments for investigation collaborations with local law enforcement; and

WHEREAS, The President and Congress should never let politics put the safety of the American people in jeopardy; and

WHEREAS, On January 25, 2019, President Donald J. Trump announced a deal to temporarily reopen the government; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the President and Congress to come to a lasting resolution and pass a full year of appropriations to avert another government shutdown; and be it

FURTHER RESOLVED, That the federal government hold counties harmless for funding lost during the shutdown; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#69

RESOLUTION NO. 19-168
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATIVE LEADERS TO PROVIDE COUNTIES WITH PERMANENT LOCAL AUTHORITY OVER THEIR SALES TAX RATES, WHILE ALSO REFORMING THE ENTIRE HOME RULE REVENUE PROCESS BY ENACTING LONGER EXTENSION PERIODS WITH THE GOAL OF MAKING MOST OF THESE MEASURES PERMANENT

WHEREAS, Counties continue to face significant challenges in balancing their budgets while also meeting the goals of the property tax cap; and

WHEREAS, The Governor has indicated his desire to make the property tax cap permanent; and

WHEREAS, Counties must administer and pay for more than 40 state programs that can consume up to 85 percent of a county's entire budget; and

WHEREAS, Locally-raised revenues are necessary to implement and deliver State

mandated programs as well as local public health and safety, economic development, and "quality of life" services demanded and expected in our communities; and

WHEREAS, Local elected officials rely on their home rule authority to determine what mix of local taxes is the least burdensome in their community; and

WHEREAS, In recent years five different counties have seen their home rule revenue authority held hostage in unrelated state policy fights, resulting in the lapsing of local sales tax and mortgage recording tax authority; and

WHEREAS, The loss of these revenues causes fiscal stress and budget uncertainty for counties, while increasing pressure on property tax rates; and

WHEREAS, In the case of sales tax, counties often share the revenues with cities, towns, and villages to help pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, The pass through of local sales tax revenue from counties to cities, towns, and villages will likely exceed $1.9 billion in 2018; and

WHEREAS, Enacting longer home rule revenue authorizations, or making them permanent, still allows for appropriate state legislative review in the future upon any change; and

WHEREAS, New York City was granted permanent local authority over their sales tax rate nearly a decade ago, while county requests for the same authority have been repeatedly denied; and

WHEREAS, Permanent home rule sales tax authority would provide more budget certainty and stability, while reducing administrative expense and duplication of effort to process the necessary paperwork, forms, legislative hearings, filings and notices, resulting in improved government operations and fiscal savings at both the state and local levels; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and the New York State Legislature to provide parity with New York City by granting permanent home rule sales tax authority to counties; and be it

FURTHER RESOLVED, That counties urge State leaders to reform the home rule process so it works as efficiently as possible for local taxpayers, eliminates unnecessary and duplicative legislative activity at the state and local level, while retaining state legislative review; 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:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#70

RESOLUTION NO. 19-169
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO ENACT NO NEW UNFUNDED MANDATES LEGISLATION

WHEREAS, There has been a long-documented history of the impact that unfunded and underfunded state and federal mandates have on local tax burdens; and

WHEREAS, This mandate problem has been particularly acute for the counties of New York with the vast majority of most counties' spending being directly linked to paying for state and federally mandated expenses; and

WHEREAS, There are state mandated programs where, each year, the state consistently underfunds their legally required (or promised) share of program costs; and

WHEREAS, Legislative actions that ignore state law reimbursement requirements, or fail to fully support promised funding, forces local taxpayers to finance hundreds of millions of dollars annually in state program costs with locally raised revenues; and

WHEREAS, Most states do not impose so many unfunded mandates on their local governments; and

WHEREAS, The state's failure to pay its promised share of costs directly leads to a higher local tax burden compared to other states; and

WHEREAS, The Governor and State Legislature have recently taken steps that recognize and begin to address some of the impact these mandates impose on local property taxpayers, including:

- Establishment of a 2 percent property tax cap;
- Enacting a no growth cap in county Medicaid costs; and
- Creation of a new pension tier; and

WHEREAS, The state promised significantly more mandate relief for local governments under the property tax cap, which has failed to materialize; and

WHEREAS, The Governor is proposing to make the property tax cap permanent; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and State Legislature to enact a freeze in costs to all local governments on existing state mandates and implement a ban on the imposition of new unfunded mandates on local governments; and be it

FURTHER RESOLVED, This ban on unfunded mandates and freeze on existing mandates, should be statutory in the first instance and then enshrined in the State Constitution in order to protect local taxpayers; and be it

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

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#71

RESOLUTION NO. 19-170
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

RESOLUTION CALLING ON THE STATE TO EQUITABLY DISTRIBUTE SPORTS WAGERING REVENUE TO ALL NEW YORK COUNTIES

WHEREAS, In 2018 the United States Supreme Court struck down the Federal Professional and Amateur Sports Protection Act of 1992, which restricted sports gaming and their operations to four states (Nevada, Oregon, Delaware, and Montana); and

WHEREAS, Now all 50 states may allow for and regulate sports gambling; and

WHEREAS, To date eight (8) states have passed legislation that allows for full-scale sports wagering, with dozens more considering passing this legislation; and

WHEREAS, Under current New York law, casinos are permitted to provide for sports betting operations as soon as New York State Gaming Commission regulations are implemented; and

WHEREAS, It is highly likely that sports gaming will be operational in New York in the near future; and

WHEREAS, Under the current revenue sharing system, New York State receives funding from gaming facilities and a portion of this funding is passed to local governments for needed infrastructure and public services; and

WHEREAS, Depending on where the county is located, this local gaming revenue share can come from one or a combination of the following entities: private commercial casinos, Native American casinos, racinos, horse and harness raceways, and Off-Track Betting Corporations (OTBs); and

WHEREAS, With the expansion of casino gaming in New York State and the potential increase from sports gaming, there will be a realignment of gaming spending throughout the State; and

WHEREAS, Without future state legislative and regulatory changes, only commercial and Native American casinos will be allowed to provide sports betting, which could lead to further realignment of gaming spending and local government revenue sharing throughout the state; and

WHEREAS, Under the current sharing/distribution system, it is arguable that Native American casinos would not need to share any revenue obtained from sports wagering with local governments or the State because these casinos now share revenue from VLT spending and not from other revenues, such as other games of chance; now therefore

BE IT RESOLVED, When sports gaming regulation is passed in New York, the Wyoming County Board of Supervisors calls on the State to distribute an equitable percentage of income and gaming revenues to local governments and to consider a method where preexisting gaming facilities could be involved in sports gaming services in order to retain revenue locally, eep and create local jobs, and to ensure needed local government revenue; 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:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

#72

RESOLUTION NO. 19-171
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

POSITION(S) APPROVED

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

CREATED*:*

Public Health

- One (1) position of ***Deputy Director of Environmental Health/Weights & Measures*** (1.00 FTE) and place on Salary Schedule S at an annual salary of $56,000.00; effective March 1, 2019.
- One (1) position of ***Environmental Health Assistant*** (1.00 FTE)) on CSEA Schedule A, Grade IV, Step 4; effective March 1, 2019.

Highway

- One (1) position of ***Deputy County Highway Superintendent (Per Diem) (Temp)*** on Schedule S at $35.6788/hr. (Annual Salary Equivalent of $74,496.00); position available: March 11, 2019 for 6 months from date of hire.
- One (1) position of ***Motor Equipment Operator (Seasonal)*** (1.00 FTE) for twenty-six (26) weeks at $13.75/hr.; position available is March 13, 2019.

Social Services

- One (1) position of ***Clerk (Temp)*** **(**1.00 FTE) based on CSEA Schedule A, Grade 2 at $15.89-$17.35/hr.; position available is March 13, 2019 for six (6) months from date of hire.

Board of Elections

- One (1) position of ***Personnel Transition Trainer (Elections) (D)*** (Per Diem) (Temp) and place on Schedule S at $20.0000/hr.; position available is March 13, 2019 for six (6) months from date of hire.
- One (1) position of ***Personnel Transition Trainer (Elections) (R)*** (Per Diem) (Temp) and place on Schedule S at $20.0000/hr.; position available is March 13, 2019 for six (6) months from date of hire.

AMENDED*:*

Buildings and Grounds

- One (1) position of ***Laborer (Per Diem) (Temp)*** to a permanent ***Laborer*** **(**1.00 FTE) (position code: 041.144) on CSEA Schedule B at Grade 8 at $17.88-$19.83/hr.; effective March 13, 2019.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

#73

RESOLUTION NO. 19-172
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

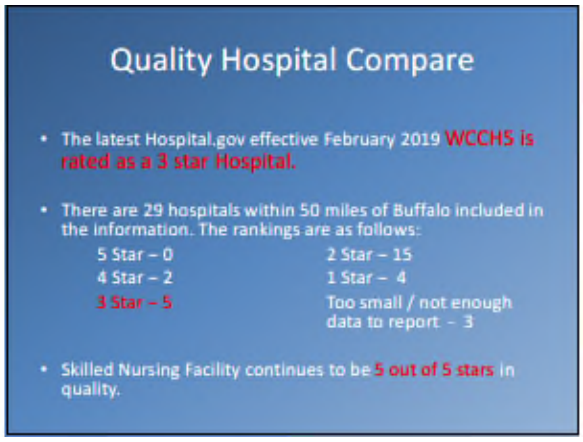
WILLIAM STREICHER APPOINTED ACTING DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT

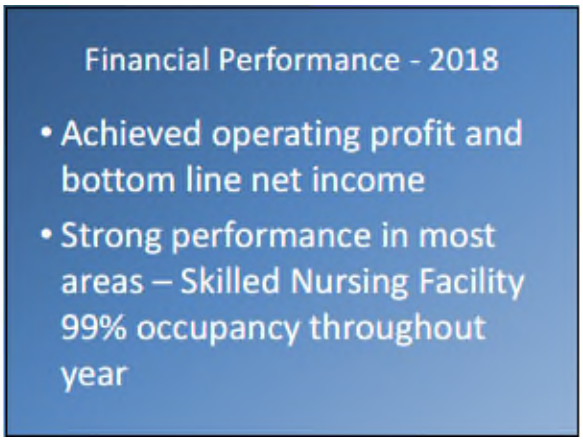
BE IT RESOLVED, That ***William Streicher,*** 486 Sanders Hill Road, Strykersville, NY 14145 be hereby appointed to the position of Director of Fire and Emergency Management on an acting, temporary basis; effective March 4, 2019; and be it

FURTHER RESOLVED, That Salary Schedule "D" be hereby amended to set the salary of the Acting Director of Fire and Emergency Management at $50,000.00 annually; effective March 4, 2019.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

Prior to the presentation of the next resolution WCCH CEO, D. Eichenauer had the following power point presentation he wanted to share with the board…





Family Practice and Specialty Clinics

- Current Specialty Clinics revenue grew 42% from previous year
- Family Practice to be added to clinic offerings in 2019
- Services to be expanded to other areas of County

New Family Medicine Residents

- **Sydney Domanowski**
- **Tracy Fabian**
- **Vincent Newman**

August 1, 2019

New Services in 2019

- New orthopaedic surgeon joining the team
- Podiatry services coming Summer of 2019

Growth in Surgeries

	2018 vs 2017
Inpatient surgery	45.4%
Ambulatory surgery	23.8%
TOTAL	27.7%
	Primary Contributors
Orthopaedic surgery	58.5%
General surgery	9.9%
OBGYN surgery	39.0%

Orthopaedic Clinic Renovation

- $1.25 million approved to convert the hospital's former emergency department into space for orthopedic services

Laboratory Renovations

- $3.1 million grant awarded to renovate and modernize the hospital's laboratory

Proposed New Surgical Suite

- Approved hiring architects for the programmatic and schematic design of the proposed addition
  - laboratory, surgical suite
- $13 million expansion, including lab

ECMC Relationship

- Continued expansions of ECMC relationship as ECMC's reputation continues to develop as a high quality, full service healthcare facility

Areas of Concern

- Proposed State and Federal budget cuts impacting healthcare
- State and Federal programs supporting healthcare initiatives due to expire
- Continued uncertainty in healthcare insurance market and actions taken by insurers

2/3 Majority
#74

RESOLUTION NO. 19-173
(March 12, 2019)

By Mr. Brick, Chairman of the Finance Committee:

A RESOLUTION AUTHORIZING RENOVATIONS AT THE WYOMING COUNTY COMMUNITY HOSPITAL IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $10,000,000, AND AUTHORIZING THE ISSUANCE OF $10,000,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital improvements; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The financing of renovations to surgical suites and laboratory areas in the Wyoming County Community Hospital in and for the County of Wyoming, New York, Wyoming County Community Hospital is hereby authorized at a maximum estimated cost of $10,000,000.00.

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

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of $10,000,000.00 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object(s) or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried: XXX **Ayes:** 1343 **Noes:** **Absent:** 45 (Eagle) **Abstain:**
83 (Gainesville)
128 Total

Chairman Berwanger asked if there was any Supervisor who objects to the presentation of unanimous consent resolution #75 and 76. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolution #75 prior to the roll call vote.

UC Resolution #75

RESOLUTION NO. 19-174
(March 12, 2019)

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

FUNDS APPROPRIATED TO VARIOUS 2018 ACCOUNTS

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

Wyoming County Community Hospital			
To: 02.56.4510.4.42501 Contractual - WCCH w/02.03.4510.1635 Hospital Income **Reason:** To cover additional A/R Contractual Cost.	$135,000.00	$135,000.00	
Wyoming County Community Hospital Total			**$135,000.00**

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle) **Abstain:**
93 (Gainesville)
144 Total

Chairman Berwanger shared a video of Senator Gallivan speaking to the New York State Senate prior to his no vote on NYS Senate Bill S.240.

https://www.nysenate.gov/newsroom/video/patrick-m-gallivan/senator-gallivan-votes-against-reproductive-health-act

Supervisor Leuer, T/Middlebury requested that the Board Clerk read the resolution in its entirety.

Supervisor Ryan, T/Warsaw thanked the Board of Supervisors for considering this resolution.

UC Resolution #76

RESOLUTION NO. 19-175
(March 12, 2019)

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

RESOLUTION IN SUPPORT OF SENATOR PATRICK M. GALLIVAN IN HIS

OPPOSITION TO THE PASSAGE OF THE REPRODUCTIVE HEALTH ACT (ASSEMBLY BILL A.21 - SENATE BILL S.240)

WHEREAS, The Wyoming County Board of Supervisors defends, protects and values all human life; and

WHEREAS, Wyoming County believes that all people should have access to safe, high quality affordable healthcare; and

WHEREAS, The Wyoming County Board of Supervisors does hereby support Senator Patrick M. Gallivan in his opposition to the Reproductive Health Act, signed into law by Governor Cuomo on January 17, 2019; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors shall forward copies of this resolution to Governor Andrew M. Cuomo; Senate Majority Leader Andrea Stewart-Cousins; Senate Minority Leader John Flanagan; New York State Senator Patrick M. Gallivan; Speaker of the Assembly Carl Heastie; Assembly Majority Leader Crystal Peoples-Stokes; Assembly Minority Leader Brian M. Kolb; New York State Assemblyman David DiPietro, and all others deemed necessary and proper.

Carried: XXX **Ayes:** 1455 **Noes:** **Absent:** 51 (Eagle)
93 (Gainesville)
144 Total **Abstain:**

Chairman Berwanger congratulated the Board of Supervisors on the above vote. He told them that in this vote they demonstrated character and courage by delivering this message…

There being no further business to come before this Board, Senior Supervisor Davis, T/Covington, adjourned the meeting at 4:13 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, CMC
Clerk to the Board

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